

**CITY COUNCIL OF MONTEREY PARK
AND THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY
OF THE FORMER REDEVELOPMENT AGENCY**

AGENDA

**THIS IS A JOINT SPECIAL AND REGULAR CITY COUNCIL MEETING
BOTH MEETINGS WILL BE CALLED TO ORDER AT 6:30 P.M.
(THE REGULAR MEETING WILL NOT BE SEPARATELY CALLED TO ORDER)**

**THE SPECIAL MEETING AND REGULAR MEETING WILL BE COMBINED
FOR PURPOSES OF ACTION TAKEN AND OFFICIAL MINUTES**

**Wednesday
July 1, 2020
6:30 p.m.**

EXECUTIVE ORDER NO. N-29-20

These meetings will be conducted pursuant to Section 3 of Executive Order No. N-29-20 issued by Governor Newsom on March 17, 2020.

Accordingly, Councilmembers will be provided with a meeting login number and conference call number; they will not be physically present at council chambers.

Pursuant to the governor's order, the public may provide public comment utilizing the methods set forth below.

Note that city hall is currently closed to the public. You will not be admitted to city hall.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community.

GENERAL INFORMATION

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at <http://www.montereypark.ca.gov/AgendaCenter/City-Council-17>.

The public may watch the meeting live on the city's cable channel MPKTV (AT&T U-verse, channel 99 or Charter Communications, channel 182) or by visiting the city's website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>.

This Agenda includes items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

PUBLIC PARTICIPATION

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed in the following ways:

Via Email

Public comment will be accepted up to an hour before the meeting via email to mpclerk@montereypark.ca.gov and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

Via Telephone

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling (888) 788-0099 or (877) 853-5247 and entering Zoom Meeting ID: 972 7712 7559 then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter “*9” then the Clerk’s office will be notified and you will be in the rotation to make a public comment. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda item. Speakers will not be allowed to combine time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Important Disclaimer

When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

CALL TO ORDER Mayor

FLAG SALUTE Mayor

ROLL CALL Peter Chan, Hans Liang, Henry Lo, Fred Sornoso, Yvonne Yiu

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS:

While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council’s subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

[1.] PRESENTATION

1-A. FIREWORKS UPDATE

[2.] OLD BUSINESS

2-A. CONSIDERATION AND POSSIBLE ACTION REGARDING IMPLEMENTING A BUSINESS RECOVERY PROGRAM FOR RESTARTING THE LOCAL ECONOMY (CONTINUED FROM JUNE 17, 2020)

It is recommended that the City Council consider:

- (1) Planning Agency restructure:
 - A. Adopting an uncodified Urgency Ordinance upon 4/5s vote implementing the Planning Agency restructure; and
 - B. Introducing and waiving first reading of an uncodified Ordinance implementing the Planning Agency restructure.
- (2) Business Recovery Program Phase I:
 - A. Adopting an uncodified Urgency Ordinance upon 4/5s vote implementing the Planning Agency restructure; and
 - B. Introducing and waiving first reading of an uncodified Ordinance implementing the Planning Agency restructure
- (3) Business Recovery Program Phase II: Choosing temporary land use regulations to be considered during a July 15, 2020 public hearing based upon this staff report and City Council direction.
- (4) Or, taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed Planning Agency and Business Recovery Program Phase I Ordinances were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, these Ordinances are exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, these Ordinances are exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinances may have a significant effect on the environment.

¹ CEQA findings regarding an anticipated imminent emergency are valid (see *CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

[3.] CONSENT CALENDAR ITEMS NOS. 3A-3C

3-A. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE GOVERNING HOTEL/MOTEL GUEST REGISTRIES

It is recommended that the City Council:

- (1) Waive the second reading and adopt the draft proposed ordinance; or
- (2) Alternatively, take such additional related action that may be desirable.

3-B. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (“MPMC”) 2.04.010 TO CHANGE THE REGULAR MEETING TIME

It is recommended that the City Council:

- (1) Waive second reading and adopt the draft proposed ordinance; or
- (2) Alternatively, take such additional related action that may be desirable.

3-C. AUTHORIZING THE DIRECTOR OF PUBLIC WORKS / CITY ENGINEER OR DESIGNEE TO EXECUTE ALL DOCUMENTS AND AGREEMENTS FOR PROJECTS FUNDED THROUGH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) ON BEHALF OF THE CITY OF MONTEREY PARK

It is recommended that the City Council:

- (1) Authorize the Director of Public Works / City Engineer or designee to sign all documents related to federally funded grants for capital improvement projects on behalf of the City of Monterey Park; and
- (2) Take such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

4-A. APPEAL OF PLANNING COMMISSION RESOLUTION NO. 20-01, ADOPTED ON MAY 12, 2020, APPROVING A CONDITIONAL USE PERMIT (CUP-19-13) TO ALLOW A RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH IN THE S-C (SHOPPING CENTER) ZONE – 1970 SOUTH ATLANTIC BOULEVARD

It is recommended that the City Council consider:

- (1) Opening a public hearing to consider the appeal;
- (2) Taking testimonial and documentary evidence;
- (3) Closing the public hearing;
- (4) After considering the evidence, determine whether to uphold, amend, or overturn Planning Commission Resolution No. 01-20; and
- (5) Taking such additional, related, action that may be desirable

[5.] NEW BUSINESS

5-A. CONSIDERATION AND DIRECTION REGARDING PLACING A PROPOSITION ON THE NOVEMBER 3, 2020 BALLOT TO ADOPT THE LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN

It is recommended that the City Council consider:

- (1) Adopting the following resolutions:
 - A. A resolution calling for a special election on November 3, 2020 for consideration of a ballot proposition;
 - B. A resolution requesting that Los Angeles County consolidate the special election with the general presidential election scheduled for the same date;
 - C. Adopting a resolution adding a proposition entitled the “Revised Monterey Park 2040 Land Use Element Proposition” to the previously called November 3, 2020 ballot;
 - D. Adopting a resolution requesting that the City Attorney prepare an impartial analysis for the Revised Monterey Park 2040 Land Use Element Proposition; and
 - E. Adopting a resolution authorizing ballot arguments regarding the Revised Monterey Park 2040 Land Use Element Proposition.
- (2) If desirable, direct that the City Manager draft a resolution for City Council consideration on a future meeting agenda supporting the Revised Monterey Park 2040 Land Use Element Proposition;
- (3) If desirable, designate one or more Councilmembers to draft an argument in favor of the Monterey Park 2040 Land Use Element Proposition; and
- (4) Taking such additional, related, action that may be desirable.

5-B. CONSIDERATION AND POSSIBLE ACTION REGARDING ADOPTION OF A RESOLUTION ELECTING TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT AND AMENDING CHAPTER 3.100 “PUBLIC WORKS CONTRACTS” OF THE MONTEREY PARK MUNICIPAL CODE

It is recommended that the City Council consider:

- (1) Adopting Resolution No. ____ declaring the City’s intent to become subject to the Uniform Public Construction Cost Accounting Act.
- (2) Introducing and waiving first reading of an Ordinance amending Chapter 3.100 to Title 3 of the Monterey Park Municipal Code (“MPMC”) to extend the City’s election under the Uniform Public Construction Cost Accounting Act to all forms of “public projects” as defined in Public Contract Code section 22002(c); and/or
- (3) Taking such additional, related, action that may be desirable

CEQA (California Environmental Quality Act):

The proposed Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA” and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures in compliance with State law; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, the Ordinance does not constitute a “project” that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

[7.] CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)

ADJOURN



City Council Staff Report

DATE: July 1, 2020

AGENDA ITEM NO: Old Business
Agenda Item 2-A

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
SUBJECT: Consideration and possible action regarding implementing a Business Recovery Program for restarting the local economy (continued from June 17, 2020)

RECOMMENDATION:

It is recommended that the City Council consider:

1. Planning Agency restructure:
 - a. Adopting an uncodified Urgency Ordinance upon 4/5s vote implementing the Planning Agency restructure; and
 - b. Introducing and waiving first reading of an uncodified Ordinance implementing the Planning Agency restructure.
2. Business Recovery Program Phase I:
 - a. Adopting an uncodified Urgency Ordinance upon 4/5s vote implementing the Planning Agency restructure; and
 - b. Introducing and waiving first reading of an uncodified Ordinance implementing the Planning Agency restructure.
3. Business Recovery Program Phase II: Choosing temporary land use regulations to be considered during a July 15, 2020 public hearing based upon this staff report and City Council direction.
4. Or, taking such additional, related, action that may be desirable.

CEQA:

The proposed Planning Agency and Business Recovery Program Phase I Ordinances were reviewed pursuant to the California Environmental Quality Act (Public Resources

Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, these Ordinances are exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, these Ordinances are exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinances may have a significant effect on the environment.

EXECUTIVE SUMMARY:

On June 17, 2020, the City Council considered a Monterey Park Business Recovery Program (staff report, without attachments, is included for reference). During the course of the meeting, individual City Councilmembers expressed concern regarding the length of the temporary Business Recovery Program (approximately one year) and having the City Council act as the Planning Agency for all matters. Ultimately, the City Council continued the matter until July 1st to further consider the matter during an anticipated public hearing to be held on that date. As explained below, staff reconvened after that meeting to provide the City Council with some alternative policy decisions regarding the Monterey Park Planning Agency; temporary permitting for outdoor dining and retail sales; and options for land use regulations that could be adopted following a public hearing on July 15, 2020.

DISCUSSION

A context for proposed Business Recovery Program is included with the June 17th staff report. Based upon discussions during the June 17th Council meeting, I am now proposing a slightly different approach for City Council consideration.

➤ *Planning Agency Ordinances*

Included with this agenda item is an urgency and regular ordinance that would amend the Monterey Park Municipal Code (“MPMC”) regarding the Monterey Park Planning Commission and Design Review Board (“DRB”). As discussed on June 17th, the City Council is the final decision-maker for all land use decisions within the City of Monterey Park. The Council renders those decisions either directly (e.g., by adopting zone regulations by ordinance) or upon appeal from, e.g., the Planning Commission. Both the California Constitution and the California Government Code confer this responsibility on the City Council.

While not required by law, the City Council chose to delegate many land use functions to the Planning Commission and DRB through the MPMC. The Government Code allows the City Council to specify what kinds of land use authority is delegated to the Planning Commission and DRB, i.e., the City Council can be very specific about how such boards

¹ CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

and commissions function. Based upon the City Council's discussion, staff reviewed the powers delegated to the Planning Commission and DRB from the standpoint of making planning decisions more efficient for applicants.

The DRB was originally created² in 1984 and is generally authorized to review proposed projects from a design standpoint, i.e., the aesthetics of a project. When doing so, it is required to apply design standards that the City last reviewed in 1987.³ It is unclear whether those design standards were ever considered by the Planning Commission or City Council in the 33 years since they were adopted. While the City Council reviewed and revised the DRB's authority between 1984 and the mid-1990s, there have been no substantive changes since 2000.

MPMC § 21.02.080 states that

“In accordance with Government Code §§ 6500, et seq., the Planning Commission of the City of Monterey Park will administer this title and its amendments. The Planning Commission has the authority and responsibility to hear and act upon all matters as specified in this title and any other responsibilities authorized by this Code.”

This is a broad delegation of authority; most functions related to land use planning are within the Planning Commission's duties and responsibility.

During the June 17th meeting, I explained to the City Council that the City Manager's office frequently hears complaints regarding the City's process for land use decisions. In sum, this is because an applicant – for discretionary decisions – must first seek approval from the Planning Commission and then, separately, seek DRB approval for the same project. Persons disagreeing with decisions rendered by either the Planning Commission or DRB could separately appeal to the City Council. Once the City Council makes a decision, however, that does not mean that the process is complete: even if the City Council approves a project upon appeal, the City still cannot issue building permits until an applicant receives approvals from the DRB.

The proposed ordinance for the City's Planning Agency would amend the MPMC to clarify the delegation of authority to the Planning Commission and DRB. In substance, the ordinance would make the DRB advisory to the Planning Commission; once the Planning Commission made a land use decision, that decision would become final unless appealed to the City Council. Separately, the City Council would retain primary authority to approve zone changes and development agreements; to make General Plan findings regarding public projects; be the final decision-maker for projects upon appeal; and, in its discretion, act as the Planning Agency for particular projects.

² Ordinance No. 1615, adopted February 27, 1984.

³ Adopted by City Council Resolution No. 9084 on March 31, 1987 which incorporates Planning Commission Resolution No. 6-87 adopted March 5, 1987.

It is anticipated that these changes would help (1) speed the process for City consideration of land use projects; (2) reduce the number of separate discretionary approvals needed for a particular project; and (3) ensure that the City Council remains the final decision-maker regarding any project that is appealed.

➤ *Business Recovery Program Phase I*

Separately, an urgency and regular ordinance would implement non-land use regulations to help implement Phase I of the Business Recovery Program. These proposals were briefly discussed on June 17th and are being treated separately from the draft ordinances regarding the Planning Agency restructuring.

The Business Recovery Program Phase I would consist of two substantive matters: (1) an outdoor dining and retail permitting process; and (2) a self-certification process. Both of these were explained in the June 17th staff report and during the City Council meeting. The end date for Phase I would be December 31, 2020. If Phase I assists in restarting the local economy, the City Council could consider implementing these policies as a permanent part of the MPMC or simply extend the temporary regulations.

➤ *Business Recovery Program Phase II*

After the June 17th meeting, it became apparent the City Council wished to consider other regulations affecting land use. While draft regulations are prepared (see attached), I thought it would be better for the City Council to identify which specific policies should be considered during a public hearing that is now scheduled for the July 15, 2020 City Council meeting. To help the City Council with identifying which policies should move forward, each of the following is identified as a "Policy" with a number designation, e.g., "Policy 1." If the City Council wishes to consider any of these Policies, then it should simply designate which one(s) as part of a motion.

Policy 1: Parking. The proposed regulations would allow the City Planner to approve parking through different methods other than the standards set forth in the MPMC. One method, for example, would be to approve parking standards based upon a parking needs study prepared by a licensed professional for a specific project.

Policy 2: Administrative Use Permit – Alcohol Licenses. Currently, persons seeking an alcohol license must, in addition to obtain the license from the California Department of Alcohol Beverage Control ("ABC"), request a conditional use permit ("CUP") from the City (via the Planning Commission). The CUP acts as the City's consent for ABC (also known as a public convenience and necessity letter or "PCN"). A CUP, however, is not required by California law; a PCN can be issued administratively.

Policy 3: Administrative Use Permit - Drive-throughs. Authorize the City Engineer to review and approve drive-through plans submitted by applicants where the underlying zoning allows for such uses. Those plans must be prepared by a design professional

(e.g., a traffic engineer or architect) and could allow for relaxed setbacks if needed to accommodate vehicle queuing to help avoid stacking of vehicles onto public roads.

Policy 5: Business Recovery Development agreement Zone (“BRDZ”). Not all projects fit neatly into the MPMC’s zoning regulations. Some projects may be more desirable to the City and the needs of such projects could be met through a negotiated development agreement. That development agreement could then also implement changes to the underlying zoning through an overlay zone (currently, California law provides that development agreements are just that: contracts; they do not act as zone changes). The BRDZ would allow some flexibility in the standards of an underlying zoning on a case-by-case basis.

Policy 6: Noise Disturbances. The MPMC’s noise regulations currently govern noise based upon decibel readings. Temporary noise regulations would provide a general definition of “noise” – rather than relying exclusively upon decibel readings – and allow the City to approve temporary (not more than three months) noise generation.

Policy 7: California Building Code (“CBC”). Most structures in the City were constructed before the current version of the CBC became effective (the CBC is adopted in three year cycles; it was last adopted in 2019). When business owners and developers seek new permits for, e.g., renovations or expansions, of existing buildings, they frequently are required to make structural changes elsewhere within the building in order to comply with the current CBC. The proposed temporary amendments to the CBC would allow design professionals to submit studies to the Building Official for approval demonstrating that the current structures met the minimum requirements of the current CBC. This would help streamline the City’s process for issuing building permits.

Policy 8: Public Projects. Allow the City Council to exempt public projects from zoning regulations under certain circumstances. There are circumstances where a public project would require separate land use approvals to be constructed. While infrequent, a public project may not completely comply with the City’s existing zoning regulations. Under such circumstances, the Business Recovery Program would allow the City Council to exempt the project from zoning regulations.

The above policies are the ones that are currently noticed for the July 15th public hearing. However, the City Council is certainly welcomed to provide additional or alternative direction to staff regarding the Phase II Business Recovery Program. Any policies not listed above may require a separate public hearing to be considered.

FISCAL IMPACT:

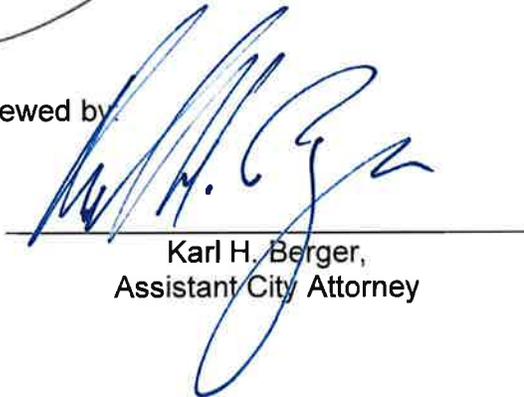
There are no direct foreseeable costs associated with adopting these Ordinances.

Respectfully submitted and prepared by:



Ron Bow, City Manager

Reviewed by:



Karl H. Berger,
Assistant City Attorney

Attachment(s)

1. June 17th Staff Report (without attachments);
2. Urgency and Regular Ordinance reorganizing the Monterey Park Planning Agency;
3. Urgency and Regular Ordinance implementing Phase I of the Business Recovery Program; and
4. *DRAFT* regulations for Policies 1-8.

ATTACHMENT 1
June 17th Staff Report (without attachments)



City Council Staff Report

DATE: June 17, 2020

AGENDA ITEM NO: **New Business**
Agenda Item 5-B

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
SUBJECT: Consideration and possible action regarding implementing a Business Recovery Program for restarting the local economy

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting an uncodified Urgency Ordinance upon 4/5s vote implementing a Business Recovery Program;
2. Introducing and waiving first reading of an uncodified Ordinance implementing a Business Recovery Program; and
3. Taking such additional, related, action that may be desirable.

CEQA:

These Ordinances were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, these Ordinances are exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, these Ordinances are exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinances may have a significant effect on the environment.

EXECUTIVE SUMMARY:

On March 11, 2020, the City of Monterey Park declared a local emergency because of the COVID-19 Pandemic. It also declared a local emergency on May 31, 2020 because of the community unrest resulting from the death of George Floyd. These national, state, and local emergencies resulted in devastating impacts to the economy including, without limitation, unemployment rates unmatched since the Great Depression. Many economic forecasts predict that the United States already entered into recession. To help assist the restart of the City's local economy, the City Council may wish to consider implementing the proposed Business Recovery Program.

¹ CEQA findings regarding an anticipated imminent emergency are valid (see *CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

DISCUSSION

Since the COVID-19 Pandemic started, the City Council was clear that public health and safety was the City's foremost priority. That resulted in the City reacting to the Pandemic by cancelling public events; closing public facilities, and taking other measures calculated to help ensure that City employees and the general public were not unnecessarily exposed to any spread of the coronavirus. The City is now entering into a second phase for responding to the Pandemic: protection and promotion of the public welfare by helping restart the local economy.

During a series of special meetings in May, the City Council considered the City's budget and financial status for the end of Fiscal Year 2019-20 and the projections for Fiscal Year 2020-21. The City's financial status is grim. FY 2019-20 will end with a potential \$3.1M General Fund shortfall; and the reduction in tax revenue for FY 2020-21 will amount to approximately \$1.8M.

The outlook for the City's local economy, i.e., private businesses, may be even bleaker. Many economists assert that the Nation already entered a recession.² This potential is certainly reflected in the City's budget projections.

To help assist the local economy, the City Manager asked Department Directors to suggest various changes to the City's existing policies that would help "cut through the red tape" in government. Those recommendations were assembled into a "Business Recovery Program" that is now presented to the City Council for consideration. Ordinarily, these policy changes would be provided to the City Council as stand-alone items, i.e., each one of these proposed policy changes would be considered as individual items for the City Council over a series of separate meetings. These, however, are not ordinary times.

If the City Council seeks to provide some immediate relief to local businesses, then it should consider approving the Business Recovery Program as set forth in the attached ordinances. If adopted, the Ordinances will initiate additional policy considerations for the City Council that will be provided at the July 1, 2020 regular meeting. The first part of the Business Recovery Program is described below.

➤ *Land Use/Planning Decisions*

The Business Recovery Program would implement several substantial changes in decision-making regarding proposed developments.

² "A recession is a significant decline in economic activity spread across the economy, lasting more than a few months, normally visible in production, employment, real income, and other indicators." – National Bureau of Economic Research (reporting on the 2007 Great Recession).

- Planning Agency

Currently, the Monterey Park Municipal Code (“MPMC”) delegates land use planning authority to the Planning Commission and Design Review Board (“DRB”). Decisions from those two subordinate commissions may be appealed to the City Council which acts as the final decision-maker. There is no legal requirement, however, for the City Council to delegate such authority; it can act as the City’s Planning Agency by itself. If adopted, the draft Ordinances would cause the City Council act as the Monterey Park Planning Agency.

Now, development projects are frequently delayed for months so that the Planning Commission can consider project applications. Even after the Planning Commission approves a project, that project must still ordinarily obtain the DRB’s approval before the City can issue building permits for a project. This proposal would allow development projects requiring discretionary land use decision-making to go directly to the City Council for consideration.

If the City Council acts as the Planning Agency, months of delay for development projects can be avoided. That is because the City Council’s consideration of a project would be the City’s final decision; there would be no need for a stop at either the Planning Commission or DRB. This would significantly reduce the time period for developers to obtain a final decision regarding proposed projects.

- City Council approved projects

The Business Recovery Program would also allow all projects that were already approved by the City Council to be deemed approved for all purposes. Currently, projects that were appealed to the City Council may still require additional discretionary approvals from, e.g., the DRB, before the City can issue a building permit. This further delays the construction time for projects and costs applicants additional money.

- Self-Certification

A frequent complaint among applicants is the delay in having building plans reviewed and approved by the City. The Business Recovery Program proposes a voluntary self-certification process by which applicants could self-certify their building plans. In sum, this program would allow design professionals (e.g., architects and engineers) to certify plans for building applications as being correct; complying with the law; and prepared by that licensed professional. Currently, design professionals often rely upon the City’s independent review of plans to correct any deficiencies in submitted plans. Practically, that both delays the time for processing plans (since it results in multiple corrections) and allows the design professional to further charge their clients for corrections. Self-certification places the burden on the design professionals to submit correct plans from the outset. And any problems found in the plans during the City’s inspection of a project would be the fault of the design professional; corrections required by such errors would

be paid for by the design professional. This program – in other jurisdictions – has led to increased accountability and efficiency for private development projects.

➤ *Public Projects*

Public projects support the local economy by infusing public money into the construction industry. Such projects result in employment of high-paid workers, help suppliers, and otherwise benefit the general public. The Business Recovery Program proposes two substantive changes for public projects: (1) modifications to the informal bid process which also increases the contract signing authority for the City Manager (considered under a separate agenda item); and (2) allowing the City Council to exempt public projects from zoning regulations under certain circumstances. As to the second item, there are circumstances where a public project would require separate land use approvals to be constructed. The most common is a report from the City's Planning Agency that a project complies with the Monterey Park General Plan. That could now be addressed by the City Council acting as the Planning Agency (rather than the Planning Commission). Less frequently, a public project may not completely comply with the City's existing zoning regulations. Under such circumstances, the Business Recovery Program would allow the City Council to exempt the project from zoning regulations.

➤ *Outdoor Dining Permits*

Because of the various COVID-19 related Health Orders governing dining establishments, indoor dining is limited throughout the City. This is a result of the physical distancing requirements; limitations on occupancy (usually a quarter of the approved occupancy load); and personal protection equipment (e.g., masks) needs.

A recommendation incorporated into the Business Recovery Program is for the City to issue outdoor dining permits for businesses. This would allow various sales (such as dining) on public right-of-ways including, for example, sidewalks and public parking lots.

Most scientific data developed during the Pandemic show that outdoor activities – where wind, sunlight, and open spaces interfere with the spread of the coronavirus – significantly reduce the likelihood of exposure to COVID-19. Accordingly, outdoor events assist commercial establishments by increasing patronage while also adhering to Health Order requirements.

If adopted, the Business Recovery Program would allow these permits to be issued administratively by the City Planner. Any decisions by the City Planner could be appealed to the City Council.

➤ *Additional Recommendations*

These Ordinances would adopt the first part of the Business Recovery Program as described above. They would also direct the City Manager to schedule public hearings to consider the following changes to the City's existing land use regulations:

- **Parking standards.** Among other considerations, whether to allow tandem parking; vehicle lift stations; off-site parking; or an adjustment of parking requirements based upon a parking study completed by licensed professionals.
- **Development Agreements.** Whether to consider adopting overlay zones that would allow flexibility in development standards via a development agreement.
- **Setback Requirements.** Whether setback requirements may be varied either administratively or via approval by the Monterey Park Planning Agency.
- **Administrative Approval for Alcohol.** Consideration of whether establishments serving alcohol may be approved on an administrative level rather than requiring a conditional use permit.
- **One-Stop Permitting.** Consideration of combining various boards and commissions with discretionary authority over land use regulations in order to reduce time frame within which a development may be approved. Among other things, consider whether existing MPMC regulations may be consolidated.

Any of these proposed changes to the City's zoning regulations require a public hearing. If the City Council adopts these Ordinance, a public hearing would be scheduled for July 1, 2020 to consider any amendments. A public hearing would also be scheduled for July 1, 2020 to consider any proposed fees for permit processing (as described in the Business Recovery Program).

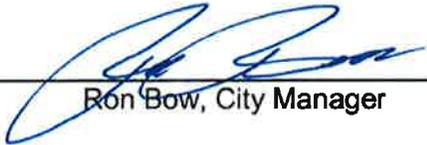
The Business Recovery Program, as described above, is set forth in two uncodified Ordinances. One is an urgency ordinance that would take effect immediately upon a 4/5s vote of the City Council; the other is a regular ordinance. Second reading and adoption of the regular ordinance would occur on July 1, 2020. These Ordinances would sunset on June 30, 2021 unless they are terminated, superseded, or extended before that date. This would help ensure that there was immediate assistance to the local economy but also allow the City Council to consider each of the proposed elements of the Business Recovery Program as separate items between now and 2021.

While the City is facing its own budget challenges, the impact to the community is likely more significant. Private developers (whether for large-scale projects or residential homes) should not be required to experience the typical red tape of government. And existing businesses should expect rapid assistance from the City when it comes to reopening. The Business Recovery Program – and its next phase – will help fulfill the City's duty to promote public welfare while also protecting public health and safety.

FISCAL IMPACT:

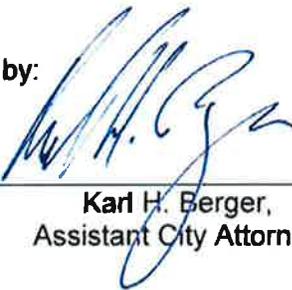
There are no direct foreseeable costs associated with adopting these Ordinances.

Respectfully submitted and prepared by:



Ron Bow, City Manager

Reviewed by:



Karl H. Berger,
Assistant City Attorney

Attachment(s)

1. Urgency and Regular Ordinance adopting the Monterey Park Business Recovery Program

ATTACHMENT 2

Urgency and Regular Ordinance reorganizing the
Monterey Park Planning Agency

ORDINANCE NO. XXXX

AN URGENCY ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REVISE THE DUTIES AND RESPONSIBILITIES OF THE PLANNING COMMISSION AND DESIGN REVIEW BOARD.

THE COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds, determines and declares as follows:

- A. On March 11, 2020, at 7:00 p.m., the City declared a state of local emergency due to the COVID-19 Pandemic (the "Emergency"). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020; extended on April 15, 2020 by Resolution No. 12151; and further extended on June 3, 2020 by Resolution No. 12164.
- B. An additional local emergency was declared on May 31, 2020 related to the unrest associated with the tragic death of George Floyd in Minneapolis, MN. That emergency was ratified on June 3, 2020 by Resolution No. 12165 (also part of the "Emergency").
- C. The City Council takes notice of the well-documented secondary effects of the Emergency include record-high unemployment rates, bankruptcy, and other disastrous effects upon the national, state, and local economies. It will be many months before the complete extent of this economic devastation is clarified.
- D. The City Council believes that it is in the public interest for the City to implement regulations to facilitate the rapid recovery of the local economy, promote additional economic growth, and mitigate the effects of the Emergency.
- E. Regulations are needed to efficiently implement development projects that will create jobs, invest in the local economy, assist in recovery, and protect the public welfare.
- F. Because of the findings set forth above, the City Council finds that this Ordinance should be adopted on an urgency basis to preserve the public health, safety, and welfare in accordance with Government Code §§ 36934 and 36937(b).
- G. A review of the Monterey Park Municipal Code ("MPMC") suggests that land use planning and permitting should be more efficient. While the City Council believes that it is in the public interest for land use powers to be exercised by the Planning Commission, the City Council is ultimately

responsible for implementing the General Plan (and Land Use Element) for the public welfare. Accordingly, the City Council should retain certain land use authority so that it can directly exercise the City's Planning Agency powers.

- H. Further review of the historical functions of the design review board ("DRB"), and its effect on land use projects, suggest that its role should be revised and updated. Standards that it is charged with implementing are more than 30 years old and unlikely to meet current land use expectations. Moreover, authorizing the DRB to exercise certain land use powers – after the Planning Commission or City Council have already considered a project – provides unnecessary cost and expense to property owners who seek to develop their properties. Its role should be advisory to the Planning Commission and, under some circumstances, the Planning Commission.

SECTION 2. Chapter 2.56 of the MPMC is amended in its entirety to read as follows:

"Chapter 2.56

MONTEREY PARK PLANNING AGENCY

2.56.010. **Planning Commission.** Pursuant to Government Code § 65100, a planning commission is created. Except as otherwise provided, the City Council delegates authority to the Planning Commission as follows:

- A. The Planning Commission may act as the City's Planning Agency in accordance with Government Code §§ 6500, *et seq.*
- B. The Planning Commission must receive and expeditiously act on all assignments made by City Council resolution or minute order.
- C. The Planning Commission may make recommendations to the City Council regarding land use regulations including, without limitation, amendments to the General Plan or this Code.
- D. The Planning Commission may administer Title 21 of this Code as specified.

2.56.020. **Exceptions.** Notwithstanding any other regulation in this chapter, the City Council will act as the City's Planning Agency as follows:

- A. By resolution for any particular project or land use consideration.
- B. For all public projects requiring findings of General Plan consistency in accordance with Government Code § 65402.

- C. For all projects requiring a zone change; zone map amendment; or development agreement.
- D. For any project appealed to the City Council from the Planning Commission.

2.56.030. **Design Review Board.** Pursuant to Government Code § 65100, a design review board is created to advise the Planning Commission or City Council as follows:

- A. For projects referred to it by the City Planner, the Planning Commission, or the City Council, the design review board will:
 - 1. Recommend to the Planning Commission regarding the design of new buildings and structures and modifications to existing buildings and structures and facades, signage, landscaping, open space, pedestrian walkways and appurtenances, and the use of colors, materials, and construction requirements.
 - 2. Advise the Planning Commission regarding high quality design standards in buildings and development projects to conserve the value of buildings, encourage the most appropriate use of land and maintain a proper relationship between the taxable value of real property and cost of providing municipal services.
- B. On an annual basis, or as requested by the City Planner, the Planning Commission, or the City Council, the design review board will:
 - 1. Recommend methods to the Planning Commission for implementing the interdependence of land values and aesthetics to abet excellence of development of property and maintenance of values of surrounding properties.
 - 2. Recommend to the Planning Commission reasonable controls over the character and design of private building, structures and open spaces to ensure that public benefits from use of public funds for streets and public facilities are protected.
- C. Receive and expeditiously act on all assignments made by the City Council or Planning Commission.

2.56.040. **Design Review Membership.** Notwithstanding any other provision of this Code, members of the design review board may either be residents of the city or persons maintaining a business license in the city. It is recommended members have a background as an architect, planner, landscape architect, civil engineer building contractor, or a practicing licensed electrician.”

SECTION 3. All references in MPMC Title 21 to “design review board” are changed to

"Planning Commission." MPMC Chapter 2.78 and § 21.02.080 are repealed.

SECTION 4. Conflicts. In the event of a conflict between the provisions of this Ordinance and the provisions the MPMC, any other ordinance, or any resolution, the provisions of this Ordinance and the Program govern. The City Planner is authorized to resolve any ambiguities in the manner set forth in the MPMC. Any such determination must be forwarded to the City Council as an informational item when practicable.

SECTION 5. Environmental Review. This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, this Ordinance is exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 6. Construction. This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 7. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8. Recordation. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 9. Declaration of Urgency. Based on the findings set forth in Section 1, this is an Urgency Ordinance adopted for the immediate preservation of the public peace, health, safety and welfare.

SECTION 10. Electronic Signatures. This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 11. Effective Date. This Ordinance will become effective immediately

¹ CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

upon adoption pursuant to Government Code §§ 36934 and 36937 for the immediate preservation of the public peace, health, safety, and welfare. Pursuant to those statutes this Ordinance is adopted by fourth-fifths vote of the City Council.

THIS ORDINANCE WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF JULY 1, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REVISE THE DUTIES AND RESPONSIBILITIES OF THE PLANNING COMMISSION AND DESIGN REVIEW BOARD.

THE COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds, determines and declares as follows:

- A. The City Council believes that it is in the public interest for the City to implement regulations to facilitate the rapid recovery of the local economy, promote additional economic growth, and mitigate the effects of the COVID-19 Pandemic;
- B. Regulations are needed to efficiently implement development projects that will create jobs, invest in the local economy, assist in recovery, and protect the public welfare;
- C. A review of the Monterey Park Municipal Code (“MPMC”) suggests that land use planning and permitting should be more efficient. While the City Council believes that it is in the public interest for land use powers to be exercised by the Planning Commission, the City Council is ultimately responsible for implementing the General Plan (and Land Use Element) for the public welfare. Accordingly, the City Council should retain certain land use authority so that it can directly exercise the City’s Planning Agency powers;
- D. Further review of the historical functions of the design review board (“DRB”), and its effect on land use projects, suggest that its role should be revised and updated. Standards that it is charged with implementing are more than 30 years old and unlikely to meet current land use expectations. Moreover, authorizing the DRB to exercise certain land use powers – after the Planning Commission or City Council have already considered a project – provides unnecessary cost and expense to property owners who seek to develop their properties. Its role should be advisory to the Planning Commission and, under some circumstances, the Planning Commission.

SECTION 2. Chapter 2.56 of the MPMC is amended in its entirety to read as follows:

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MONTEREY PARK PLANNING AGENCY

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- A. The Planning Commission may act as the City's Planning Agency in accordance with Government Code §§ 6500, *et seq.*
- B. The Planning Commission must receive and expeditiously act on all assignments made by City Council resolution or minute order.
- C. The Planning Commission may make recommendations to the City Council regarding land use regulations including, without limitation, amendments to the General Plan or this Code.
- D. The Planning Commission may administer Title 21 of this Code as specified.

2.56.020. **Exceptions.** Notwithstanding any other regulation in this chapter, the City Council will act as the City's Planning Agency as follows:

- A. By resolution for any particular project or land use consideration.
- B. For all public projects requiring findings of General Plan consistency in accordance with Government Code § 65402.
- C. For all projects requiring a zone change; zone map amendment; or development agreement.
- D. For any project appealed to the City Council from the Planning Commission.

2.56.030. **Design Review Board.** Pursuant to Government Code § 65100, a design review board is created to advise the Planning Commission or City Council as follows:

- A. For projects referred to it by the City Planner, the Planning Commission, or the City Council, the design review board will:
 - 1. Recommend to the Planning Commission regarding the design of new buildings and structures and modifications to existing buildings and structures and facades, signage, landscaping, open space, pedestrian walkways and appurtenances, and the use of colors, materials, and construction requirements.

2. Advise the Planning Commission regarding high quality design standards in buildings and development projects to conserve the value of buildings, encourage the most appropriate use of land and maintain a proper relationship between the taxable value of real property and cost of providing municipal services.
- B. On an annual basis, or as requested by the City Planner, the Planning Commission, or the City Council, the design review board will:
1. Recommend methods to the Planning Commission for implementing the interdependence of land values and aesthetics to abet excellence of development of property and maintenance of values of surrounding properties.
 2. Recommend to the Planning Commission reasonable controls over the character and design of private building, structures and open spaces to ensure that public benefits from use of public funds for streets and public facilities are protected.
- C. Receive and expeditiously act on all assignments made by the City Council or Planning Commission.

2.56.040. **Design Review Membership.** Notwithstanding any other provision of this Code, members of the design review board may either be residents of the city or persons maintaining a business license in the city. It is recommended members have a background as an architect, planner, landscape architect, civil engineer building contractor, or a practicing licensed electrician.”

SECTION 3. All references in MPMC Title 21 to “design review board” are changed to “Planning Commission.” MPMC Chapter 2.78 and § 21.02.080 are repealed.

SECTION 4. Conflicts. In the event of a conflict between the provisions of this Ordinance and the provisions the MPMC, any other ordinance, or any resolution, the provisions of this Ordinance and the Program govern. The City Planner is authorized to resolve any ambiguities in the manner set forth in the MPMC. Any such determination must be forwarded to the City Council as an informational item when practicable.

SECTION 5. Environmental Review. This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, this

¹ CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

Ordinance is exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 6. Construction. This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 7. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8. Recordation. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 9. Electronic Signatures. This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 10. Effective Date. This Ordinance will become effective 30 days after its adoption.

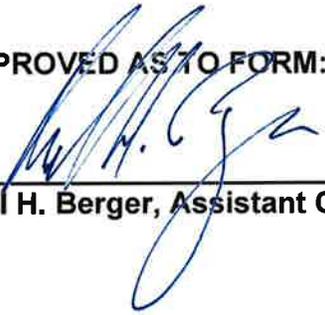
THIS ORDINANCE WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF JULY 15, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

ATTACHMENT 3
Urgency and Regular Ordinance implementing
Phase I of the Business Recovery Program

ORDINANCE NO. XXXX

AN UNCODIFIED URGENCY ORDINANCE ADOPTING NON-LAND USE REGULATIONS FOR IMPLEMENTING THE MONTEREY PARK BUSINESS RECOVERY PROGRAM.

THE COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds, determines and declares as follows:

- A. On March 11, 2020, at 7:00 p.m., the City declared a state of local emergency due to the COVID-19 Pandemic (the "Emergency"). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020; extended on April 15, 2020 by Resolution No. 12151; and further extended on June 3, 2020 by Resolution No. 12164;
- B. An additional local emergency was declared on May 31, 2020 related to the unrest associated with the tragic death of George Floyd in Minneapolis, MN. That emergency was ratified on June 3, 2020 by Resolution No. 12165 (also part of the "Emergency");
- C. The City Council takes notice of the well-documented secondary effects of the Emergency include record-high unemployment rates, bankruptcy, and other disastrous effects upon the national, state, and local economies. It will be many months before the complete extent of this economic devastation is clarified;
- D. The City Council believes that it is in the public interest for the City to implement regulations to facilitate the rapid recovery of the local economy, promote additional economic growth, and mitigate the effects of the Emergency;
- E. Regulations are needed to efficiently implement development projects that will create jobs, invest in the local economy, assist in recovery, and protect the public welfare;
- F. The City Manager and City Planner may recommend changes to this Ordinance – including codification within the Monterey Park Municipal Code – when it is practicable;
- G. Because of the findings set forth above, the City Council finds that this Ordinance should be adopted on an urgency basis to preserve the public health, safety, and welfare in accordance with Government Code §§ 36934 and 36937(b); and

H. The regulations adopted by this Ordinance are intended to be implemented temporarily in order to accelerate City approvals and promote local businesses. This Ordinance will be uncodified and referred to as the "Monterey Park Business Recovery Program."

SECTION 3. *Monterey Park Business Recovery Program.* The Monterey Park Business Recovery Program (the "Program") attached as Exhibit "A," and incorporated by reference is adopted by the City Council as if fully set forth.

SECTION 4. *Conflicts.* In the event of a conflict between the provisions of this Ordinance and the provisions the MPMC, any other ordinance, or any resolution, the provisions of this Ordinance and the Program govern. The City Planner is authorized to resolve any ambiguities in the manner set forth in the MPMC. Any such determination must be forwarded to the City Council as an informational item when practicable.

SECTION 5. *Environmental Review.* This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, this Ordinance is exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 6. *Sunset Clause.* The Council finds that it is in the best interest of the public safety, welfare and convenience of the City to implement this Ordinance during, at least, the Emergency. To ensure that the City Manager reviews the MPMC as contemplated by this Ordinance, this Ordinance will automatically be repealed and will become ineffective on December 31, 2020, unless the City Council takes additional action to extend the effectiveness of this Ordinance or supersedes it via a subsequently adopted Ordinance amending the MPMC.

SECTION 7. *Construction.* This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 8. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

¹ CEQA findings regarding an anticipated imminent emergency are valid (see *CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

SECTION 9. Recordation. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 10. Declaration of Urgency. Based on the findings set forth in Section 1, this is an Urgency Ordinance adopted for the immediate preservation of the public peace, health, safety and welfare.

SECTION 11. Electronic Signatures. This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 12. Effective Date. This Ordinance will become effective immediately upon adoption pursuant to Government Code §§ 36934 and 36937 for the immediate preservation of the public peace, health, safety, and welfare. Pursuant to those statutes this Ordinance is adopted by fourth-fifths vote of the City Council.

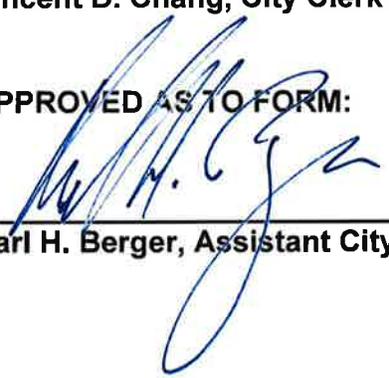
THIS ORDINANCE WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF JULY 1, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

EXHIBIT A

MONTEREY PARK BUSINESS RECOVERY PROGRAM

BRP1 Reg. 010. *Definitions.* Notwithstanding any definition set forth in the Monterey Park Municipal Code (“MPMC”) and unless the contrary is stated or clearly appears from the context, the definitions set forth below govern the construction of words and phrases used in the Monterey Park Business Recovery Program. Words and phrases not defined below will be as set forth in the MPMC.

“ABC license” means the license issued by the California Department of Alcoholic Beverage Control.

“Building Official” means the Building Official of the City of Monterey Park as designated by the City Manager.

“City Planner” means the City Planner as designated within the MPMC or such person authorized by the City Manager in writing.

“Discretionary Permit” means any discretionary permit or action required by the MPMC or by any Specific Plan.

“Entertainment or entertainment establishment” means the organized action of providing amusement or enjoyment to invited members of the public. Examples include, without limitation, presentations, readings, performances, or musical renditions. Such entertainment may be provided free of charge or for a fee.

“Licensed Design Professional” means the California Licensed Architect or Engineer, as applicable, identified as such on the building permit application and accompanying plans.

“Outdoor Temporary Event” includes Temporary Outdoor Dining and Temporary Outdoor Retail Sales Events.

“Program” means this Monterey Park Business Recovery Program.

“Public place” means an area open to the public, or an alley, plaza, park, or parking lot, or an automobile, whether moving or not, or a building open to the general public including one that serves food or drink, or provides entertainment.

“Self-Certification,” “Self-Certify” or “Self-Certified” means a submittal to the Building Official that is (1) made by a Licensed Design Professional identified in the building permit application; (2) accompanies plans filed with the Building Official by that Licensed Design Professional; and (3) for which the Licensed Design Professional attests such plans (a) do not contain any false information; (b) comply with all applicable law including, without limitation, the MPMC; and (c)

were prepared by or under the direct supervision of, and signed and stamped by, that Licensed Design Professional.

“Temporary Outdoor Dining” means outdoor dining located within the City right of way pursuant to a permit and/or is required to secure off-site parking or other outdoor dining for which the property does not have the required number of on-site parking spaces. Temporary Outdoor Dining is only allowed in conjunction with a permitted restaurant and is only be permitted to utilize Temporary Outdoor Structures/Facilities. Temporary Outdoor Dining requires a permit and is only allowed for such time commensurate with the time that temporary parking is provided.

“Temporary Outdoor Retail Sales Events” means outdoor retail sales events conducted outdoors on the same premises as, and are consistent in character with, an existing retail store use. These events require a permit and may be allowed up to a total of 30 days in any twelve-month period. Temporary Outdoor Retail Sales Events can only be permitted to utilize Temporary Outdoor Structure/Facilities and must comply with the temporary parking requirements.

“Temporary Outdoor Structure/Facilities” includes awnings or canopies made of material or wood, tents, shade umbrellas, and similar types of structures that can be constructed and removed within a seven day period. Temporary Outdoor Structure/Facilities also include lighting and heating improvements that can be constructed and removed within a seven day period. Any applicant for Temporary Outdoor Structure/Facilities must sign an acknowledgement that the Temporary Outdoor Structure/Facilities can be removed within a seven day period. All Temporary Outdoor Structure/Facilities must meet all zoning, building, fire, health and other applicable law.

“Temporary Use Permits” are permits allowing Temporary Outdoor Dining, Temporary Outdoor Retail Sales Events, and temporary parking associated with such uses.

BRP1 Reg. 020. *Outdoor Temporary Event Permits.*

- A. The City Planner is authorized to receive applications, issue and revoke temporary use permits, and otherwise implement the Business Recovery Program as set forth in this Section.
- B. Persons who obtain a permit pursuant to this Section are not also required to obtain separate permits in the MPMC, e.g., encroachment permits.
- C. Permits Required. It is unlawful for any person to conduct, sponsor, or knowingly participate in any outdoor temporary event without a valid permit issued pursuant to this Program. Possessing a valid temporary use permit does not excuse any failure to otherwise comply with this code or other applicable law.

- D. Nature of the Permit. Permits issued pursuant to this Program are subject to the following limitations:
1. Permits are personal to the applicant not to the premises upon which the event is conducted. No other individual may conduct an event under the authority of a permit issued to another. For purposes of this Program, a permit is not deemed transferred or assigned if the permittee is a corporation or partnership which remains under the control of the same individual or individuals who controlled it at the time the permit was approved;
 2. Permits cannot be transferred or assigned;
 3. No property rights are conferred to the permittee;
 4. There is no right of renewal; and
 5. Permits are specific to the location for which it is applied. A new permit must be obtained in the event there is a relocation of the permitted activity or a major alteration to the existing facility.
- E. Fees. Except as otherwise provided by federal, state, or local laws, or other City Council authorized restrictions, all fees applicable to this Program including, without limitation, fees for using public places, will be established by City Council Resolution.
- F. Temporary Outdoor Dining Permits. Temporary Outdoor Dining permits are subject to the following:
1. Permits cannot be issued for outdoor dining in a street or alley;
 2. To provide for adequate pedestrian circulation, temporary outdoor dining must maintain a minimum of four feet of clearance between dining furnishings and any curblines, street furniture, or above ground utilities. A minimum of 50 feet of clearance must be maintained between dining furnishings and the centerline of intersecting perpendicular driveways, alleys or streets to provide for adequate vehicle sight, unless a lesser distance is determined by the City Planner to be adequate for the protection of the public safety.
 3. Tables and chairs used for outdoor dining must be of substantial materials. Tables may be a maximum of three feet in diameter if round and three feet along the longest side if rectilinear. All such furnishings must be stored indoors after hours of operation unless otherwise determined by the City Planner.

4. Temporary Outdoor Structure/Facilities, without lettering, may also be permitted by the City Planner.
5. No outdoor dining, including furnishings and signs, may block visibility of display windows or signage of adjacent businesses unless written consent of any affected adjacent business owner to block visibility is obtained by the applicant and provided to the City Planner.
6. The permittee must maintain the outdoor dining area in a clean and safe condition at all times, including properly disposing of all trash generated by the operation.
7. The City may charge a rental fee for use of public places.
8. An applicant must submit a diagram drawn to scale and dimensioned showing the proposed location of the outdoor dining with all seating and signage.
9. An applicant must submit a graphical depiction, such as sample photographs, depicting the appearance of the chairs, tables, and other equipment proposed to be used in the outdoor dining area.
10. An applicant must submit the proposed days and times of operating the outdoor dining area.

G. Application for Permit.

1. Permit applications must be filed by a natural person.
2. Permit applications must be in a form prescribed by the City Planner, signed under penalty of perjury, and, for all permits, will contain all of the following information: the name, mailing address, and daytime and evening telephone numbers of the person filing the application; if the permit is obtained on behalf of an organization, the name, mailing address, and daytime telephone number of the organization; and if requested by the City Planner, written documentation of the authority under which the applicant is applying for the permit on behalf of the organization; the name, mailing address, and daytime and evening telephone number of an alternate person to contact if an emergency arises and the applicant is unavailable; and such additional information required by the City Planner.

H. Review by City Departments. After an application is filed, the City Planner will immediately forward the application to the following city departments for review:

1. The fire department;
 2. The police department; and
 3. The public works department.
- I. Special Conditions. Upon receiving an application, these departments will consider the application, conduct any necessary investigation, and provide the City Planner with written recommendations regarding:
1. Any special conditions for a permit; and
 2. Any additional recommendations.
 3. The reviewing officers must complete their review within the time that the City Planner must make a decision on the application.
- J. Time for review. Except as provided in this Program, completed applications for a permit authorizing an event should be denied, approved, or conditionally approved by the City Planner within 14 business days after receiving the completed application. Unless otherwise provided, the applicant's acceptance of the approval or conditional approval must be received by the City Planner within five business days after the applicant was served with notification of the decision and before any entertainment or outdoor dining may occur.
- K. Issuing Permits. The City Planner should issue a permit if
1. The application was complete in accordance with this Program;
 2. There are no grounds for denying the permit; and
 3. The applicant accepts the permit approval or conditional approval in writing.
- L. Permit Denial. A permit may be denied for the following reasons:
1. The application is incomplete;
 2. The applicant failed to provide reasonable supplemental application information requested by the City Planner;
 3. Information submitted by the applicant is materially false;
 4. The application is submitted by a person with a suspended permit or whose permit was revoked;

5. The location of the proposed temporary outdoor event does not conform to the requirements of this Program;
6. Issuing the permit would endanger public health, safety, or welfare as determined by the City Planner.

M. General Permit Conditions.

1. Unless suspended or revoked, permits issued pursuant to this Program have a term of 30 days. Should a permit expire, the permittee must comply with this Program to obtain a new permit.
2. Permittees must enter into a hold harmless agreement, in a form approved by the city attorney, with the city which will, in part, indemnify city, its officers, employees, and agents, from any liability arising from a permit issued pursuant to this Program.
3. Insurance Requirements. Permittees must obtain liability insurance in accordance with City Council resolution.

N. Alcohol Related Conditions. For Temporary Outdoor Events with an ABC license, the permit will include the following conditions:

1. The exterior lighting of the parking area must be kept at an intensity of between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas.
2. The applicant must obtain and maintain all licenses required by the Alcohol Beverage Control Act (Business & Professions Code §§ 23300, *et seq.*).
3. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the entertainment establishment to address any concerns of the community regarding noise at the entertainment establishment. Said contact's name and phone number must also be available through entertainment establishment staff at all times.
4. If complaints are received regarding excessive noise, lighting, building access, or other disturbances associated with alcohol service, the City Planner may, in its discretion, take action to review the permit including, without limitation, adding conditions or revoking the permit.

O. Subsequent Conditions. The City Planner may condition previously issued permits upon learning or discovering facts not previously disclosed or reasonably discoverable.

- P. Display of permits. The permit issued pursuant to this Program must at all times be posted in a conspicuous place and be immediately produced upon the request of any police or code enforcement officer of the city.
- Q. Emergency Suspension of Permit. The City Planner and any sworn public safety officer may temporarily suspend a permit whenever there is an emergency that requires such action to protect public safety.
- R. Appeals. The City Manager's decision is final. There is no right to a City Council appeal. The final decision will inform the appellant that the decision is a final decision and that the time for judicial review is governed by Code of Civil Procedure § 1094.6.

BRP1 Reg. 030. *Self-Certification Program.*

- A. Purpose: To expedite building permit approvals by allowing Licensed Design Professionals to voluntarily self-certify building plans.
- B. Eligible Participants: To participate in the Program, applicants must be registered and be in good standing as a Licensed Design Professional with the State of California.
- C. Insurance Requirements: For a project to be accepted for Self-Certification, the Licensed Design Professional is required to furnish the City Planner insurance in accordance with the City's requirements and not less than the valuation of the permitted project.
- D. Optional Prescreening Process: The Licensed Design Professional who intends on filing an application with a Self-Certification may meet with the City Planner, or designee, for a courtesy prescreening of the proposed project to ensure the submittal is complete.
- E. Submittal Requirements: The Licensed Design Professional who intends on filing an application with a Self-Certification must submit that application to participate in the program to the Building Official. Self-Certified plans must contain all the information listed in the corresponding City of Monterey Park handout regarding building design criteria. A Self-Certification form and a "hold harmless" letter, in a form approved by the City Attorney, must be completed in its entirety and submitted for each project by the design team and the property owner. The Self-Certification program will be all inclusive, i.e., all construction trade work that requires permits for the project must be Self-Certified. Each page of the plans submitted, must be wet stamped and signed by a Licensed Design Professional for each applicable trade.
- F. Non-Building Division Approvals: The Licensed Design Professional who intends

on filing an application with a Self-Certification must provide documentation to the Building Official demonstrating final approvals from any affected City department before the Building Official issues a permit. That Licensed Design Professional must also provide documentation to the Building Official appropriate approvals of any applicable "outside" agency. Those outside agencies include, without limitation, the following: Los Angeles County Health Department and affected school districts.

- G. Fees: All fees required by the Program will be established by City Council resolution.
- H. Permit Issuance: Applications that have met all the criteria of this voluntary Self-Certification program will be issued a building permit the same day of completed and approved application submittal.
- I. Inspection Protocol: All code-required State of California or City of Monterey Park inspections are required.
- J. Audits: All Self-Certified plans are subject to auditing by the Building Official to determine whether plans comply with the applicable California and City of Monterey Park laws, codes, rules, and regulations. If plans are found not to comply, then the Licensed Design Professional who intends on filing an application with a Self-Certification will ensure compliance. If compliance is not obtained within a reasonable amount of time, then the Building Official may report the non-compliance items to the appropriate licensing board with the State of California.

ORDINANCE NO. XXXX

AN UNCODIFIED ORDINANCE ADOPTING NON-LAND USE REGULATIONS FOR IMPLEMENTING THE MONTEREY PARK BUSINESS RECOVERY PROGRAM.

THE COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds, determines and declares as follows:

- A. On March 11, 2020, at 7:00 p.m., the City declared a state of local emergency due to the COVID-19 Pandemic (the "Emergency"). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020; extended on April 15, 2020 by Resolution No. 12151; and further extended on June 3, 2020 by Resolution No. 12164;
- B. An additional local emergency was declared on May 31, 2020 related to the unrest associated with the tragic death of George Floyd in Minneapolis, MN. That emergency was ratified on June 3, 2020 by Resolution No. 12165 (also part of the "Emergency");
- C. The City Council takes notice of the well-documented secondary effects of the Emergency include record-high unemployment rates, bankruptcy, and other disastrous effects upon the national, state, and local economies. It will be many months before the complete extent of this economic devastation is clarified;
- D. The City Council believes that it is in the public interest for the City to implement regulations to facilitate the rapid recovery of the local economy, promote additional economic growth, and mitigate the effects of the Emergency;
- E. Regulations are needed to efficiently implement development projects that will create jobs, invest in the local economy, assist in recovery, and protect the public welfare;
- F. The City Manager and City Planner may recommend changes to this Ordinance – including codification within the Monterey Park Municipal Code – when it is practicable; and
- G. The regulations adopted by this Ordinance are intended to be implemented temporarily in order to accelerate City approvals and promote local businesses. This Ordinance will be uncodified and referred to as the "Monterey Park Business Recovery Program."

SECTION 3. *Monterey Park Business Recovery Program.* The Monterey Park Business Recovery Program (the “Program”) attached as Exhibit “A,” and incorporated by reference is adopted by the City Council as if fully set forth.

SECTION 4. *Conflicts.* In the event of a conflict between the provisions of this Ordinance and the provisions the MPMC, any other ordinance, or any resolution, the provisions of this Ordinance and the Program govern. The City Planner is authorized to resolve any ambiguities in the manner set forth in the MPMC. Any such determination must be forwarded to the City Council as an informational item when practicable.

SECTION 5. *Environmental Review.* This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, this Ordinance is exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 6. *Sunset Clause.* The Council finds that it is in the best interest of the public safety, welfare and convenience of the City to implement this Ordinance during, at least, the Emergency. To ensure that the City Manager reviews the MPMC as contemplated by this Ordinance, this Ordinance will automatically be repealed and will become ineffective on December 31, 2020, unless the City Council takes additional action to extend the effectiveness of this Ordinance or supersedes it via a subsequently adopted Ordinance amending the MPMC.

SECTION 7. *Construction.* This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 8. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 9. *Recordation.* The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

¹ CEQA findings regarding an anticipated imminent emergency are valid (see *CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

SECTION 11. *Electronic Signatures.* This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 10. *Effective Date.* This Ordinance will become effective 30 days after its adoption.

THIS ORDINANCE WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF JULY 15, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

EXHIBIT A

MONTEREY PARK BUSINESS RECOVERY PROGRAM

BRP1 Reg. 010. *Definitions.* Notwithstanding any definition set forth in the Monterey Park Municipal Code (“MPMC”) and unless the contrary is stated or clearly appears from the context, the definitions set forth below govern the construction of words and phrases used in the Monterey Park Business Recovery Program. Words and phrases not defined below will be as set forth in the MPMC.

“ABC license” means the license issued by the California Department of Alcoholic Beverage Control.

“Building Official” means the Building Official of the City of Monterey Park as designated by the City Manager.

“City Planner” means the City Planner as designated within the MPMC or such person authorized by the City Manager in writing.

“Discretionary Permit” means any discretionary permit or action required by the MPMC or by any Specific Plan.

“Entertainment or entertainment establishment” means the organized action of providing amusement or enjoyment to invited members of the public. Examples include, without limitation, presentations, readings, performances, or musical renditions. Such entertainment may be provided free of charge or for a fee.

“Licensed Design Professional” means the California Licensed Architect or Engineer, as applicable, identified as such on the building permit application and accompanying plans.

“Outdoor Temporary Event” includes Temporary Outdoor Dining and Temporary Outdoor Retail Sales Events.

“Program” means this Monterey Park Business Recovery Program.

“Public place” means an area open to the public, or an alley, plaza, park, or parking lot, or an automobile, whether moving or not, or a building open to the general public including one that serves food or drink, or provides entertainment.

“Self-Certification,” “Self-Certify” or “Self-Certified” means a submittal to the Building Official that is (1) made by a Licensed Design Professional identified in the building permit application; (2) accompanies plans filed with the Building Official by that Licensed Design Professional; and (3) for which the Licensed Design Professional attests such plans (a) do not contain any false information; (b) comply with all applicable law including, without limitation, the MPMC; and (c)

were prepared by or under the direct supervision of, and signed and stamped by, that Licensed Design Professional.

“Temporary Outdoor Dining” means outdoor dining located within the City right of way pursuant to a permit and/or is required to secure off-site parking or other outdoor dining for which the property does not have the required number of on-site parking spaces. Temporary Outdoor Dining is only allowed in conjunction with a permitted restaurant and is only be permitted to utilize Temporary Outdoor Structures/Facilities. Temporary Outdoor Dining requires a permit and is only allowed for such time commensurate with the time that temporary parking is provided.

“Temporary Outdoor Retail Sales Events” means outdoor retail sales events conducted outdoors on the same premises as, and are consistent in character with, an existing retail store use. These events require a permit and may be allowed up to a total of 30 days in any twelve-month period. Temporary Outdoor Retail Sales Events can only be permitted to utilize Temporary Outdoor Structure/Facilities and must comply with the temporary parking requirements.

“Temporary Outdoor Structure/Facilities” includes awnings or canopies made of material or wood, tents, shade umbrellas, and similar types of structures that can be constructed and removed within a seven day period. Temporary Outdoor Structure/Facilities also include lighting and heating improvements that can be constructed and removed within a seven day period. Any applicant for Temporary Outdoor Structure/Facilities must sign an acknowledgement that the Temporary Outdoor Structure/Facilities can be removed within a seven day period. All Temporary Outdoor Structure/Facilities must meet all zoning, building, fire, health and other applicable law.

“Temporary Use Permits” are permits allowing Temporary Outdoor Dining, Temporary Outdoor Retail Sales Events, and temporary parking associated with such uses.

BRP1 Reg. 020. *Outdoor Temporary Event Permits.*

- A. The City Planner is authorized to receive applications, issue and revoke temporary use permits, and otherwise implement the Business Recovery Program as set forth in this Section.
- B. Persons who obtain a permit pursuant to this Section are not also required to obtain separate permits in the MPMC, e.g., encroachment permits.
- C. Permits Required. It is unlawful for any person to conduct, sponsor, or knowingly participate in any outdoor temporary event without a valid permit issued pursuant to this Program. Possessing a valid temporary use permit does not excuse any failure to otherwise comply with this code or other applicable law.

- D. Nature of the Permit. Permits issued pursuant to this Program are subject to the following limitations:
1. Permits are personal to the applicant not to the premises upon which the event is conducted. No other individual may conduct an event under the authority of a permit issued to another. For purposes of this Program, a permit is not deemed transferred or assigned if the permittee is a corporation or partnership which remains under the control of the same individual or individuals who controlled it at the time the permit was approved;
 2. Permits cannot be transferred or assigned;
 3. No property rights are conferred to the permittee;
 4. There is no right of renewal; and
 5. Permits are specific to the location for which it is applied. A new permit must be obtained in the event there is a relocation of the permitted activity or a major alteration to the existing facility.
- E. Fees. Except as otherwise provided by federal, state, or local laws, or other City Council authorized restrictions, all fees applicable to this Program including, without limitation, fees for using public places, will be established by City Council Resolution.
- F. Temporary Outdoor Dining Permits. Temporary Outdoor Dining permits are subject to the following:
1. Permits cannot be issued for outdoor dining in a street or alley;
 2. To provide for adequate pedestrian circulation, temporary outdoor dining must maintain a minimum of four feet of clearance between dining furnishings and any curblines, street furniture, or above ground utilities. A minimum of 50 feet of clearance must be maintained between dining furnishings and the centerline of intersecting perpendicular driveways, alleys or streets to provide for adequate vehicle sight, unless a lesser distance is determined by the City Planner to be adequate for the protection of the public safety.
 3. Tables and chairs used for outdoor dining must be of substantial materials. Tables may be a maximum of three feet in diameter if round and three feet along the longest side if rectilinear. All such furnishings must be stored indoors after hours of operation unless otherwise determined by the City Planner.

4. Temporary Outdoor Structure/Facilities, without lettering, may also be permitted by the City Planner.
5. No outdoor dining, including furnishings and signs, may block visibility of display windows or signage of adjacent businesses unless written consent of any affected adjacent business owner to block visibility is obtained by the applicant and provided to the City Planner.
6. The permittee must maintain the outdoor dining area in a clean and safe condition at all times, including properly disposing of all trash generated by the operation.
7. The City may charge a rental fee for use of public places.
8. An applicant must submit a diagram drawn to scale and dimensioned showing the proposed location of the outdoor dining with all seating and signage.
9. An applicant must submit a graphical depiction, such as sample photographs, depicting the appearance of the chairs, tables, and other equipment proposed to be used in the outdoor dining area.
10. An applicant must submit the proposed days and times of operating the outdoor dining area.

G. Application for Permit.

1. Permit applications must be filed by a natural person.
2. Permit applications must be in a form prescribed by the City Planner, signed under penalty of perjury, and, for all permits, will contain all of the following information: the name, mailing address, and daytime and evening telephone numbers of the person filing the application; if the permit is obtained on behalf of an organization, the name, mailing address, and daytime telephone number of the organization; and if requested by the City Planner, written documentation of the authority under which the applicant is applying for the permit on behalf of the organization; the name, mailing address, and daytime and evening telephone number of an alternate person to contact if an emergency arises and the applicant is unavailable; and such additional information required by the City Planner.

H. Review by City Departments. After an application is filed, the City Planner will immediately forward the application to the following city departments for review:

1. The fire department;
 2. The police department; and
 3. The public works department.
- I. Special Conditions. Upon receiving an application, these departments will consider the application, conduct any necessary investigation, and provide the City Planner with written recommendations regarding:
1. Any special conditions for a permit; and
 2. Any additional recommendations.
 3. The reviewing officers must complete their review within the time that the City Planner must make a decision on the application.
- J. Time for review. Except as provided in this Program, completed applications for a permit authorizing an event should be denied, approved, or conditionally approved by the City Planner within 14 business days after receiving the completed application. Unless otherwise provided, the applicant's acceptance of the approval or conditional approval must be received by the City Planner within five business days after the applicant was served with notification of the decision and before any entertainment or outdoor dining may occur.
- K. Issuing Permits. The City Planner should issue a permit if
1. The application was complete in accordance with this Program;
 2. There are no grounds for denying the permit; and
 3. The applicant accepts the permit approval or conditional approval in writing.
- L. Permit Denial. A permit may be denied for the following reasons:
1. The application is incomplete;
 2. The applicant failed to provide reasonable supplemental application information requested by the City Planner;
 3. Information submitted by the applicant is materially false;
 4. The application is submitted by a person with a suspended permit or whose permit was revoked;

5. The location of the proposed temporary outdoor event does not conform to the requirements of this Program;
6. Issuing the permit would endanger public health, safety, or welfare as determined by the City Planner.

M. General Permit Conditions.

1. Unless suspended or revoked, permits issued pursuant to this Program have a term of 30 days. Should a permit expire, the permittee must comply with this Program to obtain a new permit.
2. Permittees must enter into a hold harmless agreement, in a form approved by the city attorney, with the city which will, in part, indemnify city, its officers, employees, and agents, from any liability arising from a permit issued pursuant to this Program.
3. Insurance Requirements. Permittees must obtain liability insurance in accordance with City Council resolution.

N. Alcohol Related Conditions. For Temporary Outdoor Events with an ABC license, the permit will include the following conditions:

1. The exterior lighting of the parking area must be kept at an intensity of between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas.
2. The applicant must obtain and maintain all licenses required by the Alcohol Beverage Control Act (Business & Professions Code §§ 23300, *et seq.*).
3. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the entertainment establishment to address any concerns of the community regarding noise at the entertainment establishment. Said contact's name and phone number must also be available through entertainment establishment staff at all times.
4. If complaints are received regarding excessive noise, lighting, building access, or other disturbances associated with alcohol service, the City Planner may, in its discretion, take action to review the permit including, without limitation, adding conditions or revoking the permit.

O. Subsequent Conditions. The City Planner may condition previously issued permits upon learning or discovering facts not previously disclosed or reasonably discoverable.

- P. Display of permits. The permit issued pursuant to this Program must at all times be posted in a conspicuous place and be immediately produced upon the request of any police or code enforcement officer of the city.
- Q. Emergency Suspension of Permit. The City Planner and any sworn public safety officer may temporarily suspend a permit whenever there is an emergency that requires such action to protect public safety.
- R. Appeals. The City Manager's decision is final. There is no right to a City Council appeal. The final decision will inform the appellant that the decision is a final decision and that the time for judicial review is governed by Code of Civil Procedure § 1094.6.

BRP1 Reg. 030. *Self-Certification Program.*

- A. Purpose: To expedite building permit approvals by allowing Licensed Design Professionals to voluntarily self-certify building plans.
- B. Eligible Participants: To participate in the Program, applicants must be registered and be in good standing as a Licensed Design Professional with the State of California.
- C. Insurance Requirements: For a project to be accepted for Self-Certification, the Licensed Design Professional is required to furnish the City Planner insurance in accordance with the City's requirements and not less than the valuation of the permitted project.
- D. Optional Prescreening Process: The Licensed Design Professional who intends on filing an application with a Self-Certification may meet with the City Planner, or designee, for a courtesy prescreening of the proposed project to ensure the submittal is complete.
- E. Submittal Requirements: The Licensed Design Professional who intends on filing an application with a Self-Certification must submit that application to participate in the program to the Building Official. Self-Certified plans must contain all the information listed in the corresponding City of Monterey Park handout regarding building design criteria. A Self-Certification form and a "hold harmless" letter, in a form approved by the City Attorney, must be completed in its entirety and submitted for each project by the design team and the property owner. The Self-Certification program will be all inclusive, i.e., all construction trade work that requires permits for the project must be Self-Certified. Each page of the plans submitted, must be wet stamped and signed by a Licensed Design Professional for each applicable trade.
- F. Non-Building Division Approvals: The Licensed Design Professional who intends

on filing an application with a Self-Certification must provide documentation to the Building Official demonstrating final approvals from any affected City department before the Building Official issues a permit. That Licensed Design Professional must also provide documentation to the Building Official appropriate approvals of any applicable "outside" agency. Those outside agencies include, without limitation, the following: Los Angeles County Health Department and affected school districts.

- G. Fees: All fees required by the Program will be established by City Council resolution.
- H. Permit Issuance: Applications that have met all the criteria of this voluntary Self-Certification program will be issued a building permit the same day of completed and approved application submittal.
- I. Inspection Protocol: All code-required State of California or City of Monterey Park inspections are required.
- J. Audits: All Self-Certified plans are subject to auditing by the Building Official to determine whether plans comply with the applicable California and City of Monterey Park laws, codes, rules, and regulations. If plans are found not to comply, then the Licensed Design Professional who intends on filing an application with a Self-Certification will ensure compliance. If compliance is not obtained within a reasonable amount of time, then the Building Official may report the non-compliance items to the appropriate licensing board with the State of California.

ATTACHMENT 4
DRAFT regulations for Policies 1-8

Exhibit A

DRAFT – SUBJECT TO CITY COUNCIL DIRECTION ON JULY 1, 2020

PHASE II

BUSINESS RECOVERY PROGRAM

TEMPORARY LAND USE REGULATIONS

BRP2 Reg. 010. **DEFINITIONS.** Notwithstanding any definition set forth in the Monterey Park Municipal Code (“MPMC”) and unless the contrary is stated or clearly appears from the context, the definitions set forth below govern the construction of words and phrases used in the Phase II Monterey Park Business Recovery Program. Words and phrases not defined below will be as set forth in the MPMC.

“Business Recovery Program” means these regulations.

“Noise Disturbance” means any loud, raucous, annoying, or unusual noises that offends the peace and quiet of persons of ordinary sensibilities and interferes with the comfortable enjoyment of life or property and affects at the same time an entire neighborhood or any considerable number of persons. A noise disturbance includes, without limitation, any source of sound exceeding the sound level limitations established by this chapter.

BRP2 Reg. 020. **PARKING.** When considering parking needs for a project, the City Planner may utilize the following methods:

- A. Parking standards set forth in the MPMC;
- B. Parking standards may be included in a development agreement regulated by the BRDZ. Without limitation, such standards may regulate whether on-site parking may be transferred to designated off-site parking locations; tandem parking; or vehicle lift stations.
- C. Where off-site parking is proposed to meet parking standards, the City Planner may accept appropriate alternatives like ride services, micro transit, and valet services to help reduce parking demand. Such services, however, must be mitigated with sufficient pick-up and drop-off areas.
- D. Shared parking agreements for new projects.
- E. Accept unbundled parking for new projects. Unbundled parking allows selling or leasing parking spaces separately, rather than automatically including the parking spaces with the purchase or lease of the commercial or residential use. Unbundling parking manages parking demand by allowing

applicants to only pay for the parking spaces they actually need.

- F. A traffic and parking study prepared by a licensed engineer to mitigate vehicle and parking impacts. The traffic and parking study must be prepared by a state licensed traffic engineer in accordance with Los Angeles County's Traffic Impact Analysis Report Guidelines (January 1997) and Institute of Transportation Engineers, Parking Generation, 4th Edition. The traffic engineer preparing the study should define an appropriate approach for determining the amount of trips generated by a proposed project and present this approach in the study.

BRP2 REG. 030. ADMINISTRATIVE USE PERMIT ("AUP").

- A. Authorization. The City Planner is authorized to issue an AUP for (1) alcohol licenses which will function as a notice of public convenience and necessity; (2) drive-throughs; and (3) setbacks.
- B. Application and Review. To initiate the review process, an application for an AUP must be filed with the City Planner on forms provided by the City Planner. Within five working days of filing a petition, the City Planner must notify the applicant as to the completeness of the application. The City Planner may request any additional information deemed necessary to evaluate the application. Failure of the City Planner to respond within five working days renders the application complete.
- C. Decision. Within 10 working days from the date an application is deemed complete, the City Planner must issue a written determination as to the approval or denial of the application. The written determination will state the findings for decisions. In approving an application, the City Planner may attach conditions to the approval deemed necessary.
- D. Findings. Before an AUP is granted, the City Planner must find that:
 - 1. There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.
 - 2. The proposed use is consistent and compatible with the purpose of the zone in which the site is located.
 - 3. The proposed location and use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
 - 4. Potential impacts that could be generated by the proposed use, such

as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized and mitigated.

5. For alcohol related AUPs, the State Department of Alcohol Beverage Control has issued or will issue a license to sell alcohol to the applicant.
- E. Drive-Throughs. For drive-through AUPs, the City Engineer may:
1. Authorize aisles to exit directly onto a public right-of-way.
 2. Approve drive-through plans submitted by applicants where the underlying zoning allows for such uses. Those plans must be prepared by a design professional (e.g., a traffic engineer or architect). A drive-through plan may provide for setbacks that differ from the underlying zone if needed to accommodate vehicle queuing to help avoid stacking of vehicles onto public roads.
- F. Expeditious Review. An expedited AUP provides for the processing of a completed AUP within a period not to exceed five total working days. The City Planner is authorized to select and utilize the services of a consultant, paid for by the applicant, for purposes of processing the expedited review and written determination.
- G. Planning Commission Review. Except for alcohol AUPs, written determinations on administrative use permits, made by the City Planner must be placed as receive and file items on the next available agenda of the Planning Commission. Before the written determination being placed on a Planning Commission agenda, the City Planner must give public notice, as provided by the MPMC, of the intention of the Planning Commission to receive and file the determination of the City Planner. Any member of the Planning Commission may request that an item be discussed and a decision on the application be made by the Planning Commission instead of received and filed. Except for alcohol AUPs which become final 10 days after being issued by the City Planner, no decision of the City Planner is final until the decision is received and filed or acted upon by the Planning Commission.

BRP2 Reg. 040. BUSINESS RECOVERY DEVELOPMENT AGREEMENT ZONE (BRDZ)

- A. Purpose.
1. The purpose of the Business Recovery Development Agreement Zone (BRDZ) is used to identify sites and areas within the city that are subject to the requirements of adopted development agreements in compliance with this code.

2. The BRDZ constitutes a “floating zone” in that once a need is identified, this zone can be activated. This floating zone for the BRDZ area provides flexibility for otherwise strict development or sign regulations that would generally be applicable to the underlying zone.
3. In effect, this zone is not a true “floating zone” in that it does not add more regulations to an underlying zone. Rather, it is a “holding zone” which can be activated and used in place of the underlying zone when combined with a development agreement adopted by the city council in accordance with applicable law including this code.

B. General Requirements.

1. Underlying Zones. The BRDZ may be combined with any commercial zone established by this code.
2. Allowed Land Uses. The land uses that may be allowed on a site within the BRDZ are limited to those specified in the applicable development agreement.
3. Permit Requirements. The land use permit requirements of the primary zoning district apply to all proposed development and land uses within the BRDZ, except as otherwise provided by the terms of the applicable development agreement.
4. Development and Land Use Standards. Proposed development and land uses within the BRDZ must comply with all applicable development and land use standards and exaction requirements specified in the development agreement and, to the extent that they are not in conflict with the terms of the development agreement, regulations that govern the primary zoning district apply to the site.
5. Zoning Map Notation. Upon the effective date of an ordinance placing a property in the BRDZ, the Zoning Map will be amended to show the overlay designation. After execution by all parties, the development agreement will be added to the city’s Development Agreement Master List with the effective date and expiration date of the development agreement noted. Upon the expiration or earlier termination of a development agreement, the City Planner will remove the development agreement from the city’s Development Agreement Master List. The BRDZ may be removed from the property by way of a Zone Map Amendment.

- C. Approval of the BRDZ and any development agreement associated with the BRDZ rests solely within the City Council’s discretion.

BRP2 REG. 050. NOISE DISTURBANCES.

- A. Prohibited. It is unlawful for any person to allow, maintain, or cause any noise disturbance.
- B. Exemptions. The following are not noise disturbances:
 - 1. Sound generated by Motor Vehicles. Sound generated by Motor Vehicles, Trucks and Buses operated on streets and highways, Aircraft, Trains, and other Public Transport. This exemption does not apply to the following:
 - a. Operation of any vehicle, including any equipment attached to any vehicle (such as attached refrigeration and/or heating units or any attached auxiliary equipment), for a period in excess of 10 minutes in any hour while the vehicle is stationary for reasons other than traffic congestion.
 - b. Vehicles equipped with sound amplifiers that are not exempt. No person must operate or drive any vehicle or cause any vehicle to be operated or driven, or otherwise used, on any public street, which vehicle is equipped with a sound amplifying device or other machine or device for the production or reproduction of sound, which causes sound to carry onto private property or causes sound to be heard by others using the public streets or thoroughfares which exceeds the sound level limits established by this chapter.
 - 2. Emergencies. Emergency repairs that deal with health or safety risk and emergency generators or powered equipment used during a power outage or other emergency.
 - 3. Emergency Warning Devices. Emergency warning devices such as fire alarms, burglar alarms, warning devices on emergency vehicles and train horns. This exemption does not apply to burglar or fire alarms any motor vehicle burglar alarms, except for emergency purposes, unless such alarm is terminated within 10 minutes of activation and no more than two false activations within a four-hour period.
 - 4. Public Works Projects. Public works projects performed by public agencies, or their contractors which cannot be performed from 7 a.m. to 6 p.m. Monday through Friday.
 - 5. Use Permits. Any use allowed by a use permit issued pursuant to

this code that specifically allows sound level limits to be exceeded.

- C. Temporary Noise Permits. If an applicant can demonstrate that a diligent investigation of available noise abatement techniques indicates that compliance with this chapter would be impractical or unreasonable, the city manager, or designee, may issue a permit to allow an exemption from this chapter with appropriate conditions. Any such permit must be of as short duration as possible not to exceed three months.

BRP2 REG. 060. CALIFORNIA EXISTING BUILDING CODE (“CEBC”).

- A. 503.1 (Alterations) General. Except as provided by Section 302.4, 302.5 or this section, alterations to any building or structure must comply with the requirements of the California Building Code or California Residential Code, as applicable, for new construction. Alterations created within a building or structure cannot cause the building or structure to be more out of compliance with the provisions of the California Building Code or California Residential Code, as applicable, than it was before the alteration was made.

Exceptions:

1. An existing stairway is not required to comply with the requirements of Section 1011 of the California Building Code where the existing space and construction does not allow a reduction in pitch or slope.
 2. Handrails otherwise required to comply with Section 1011.11 of the California Building Code are not required to comply with the requirements of Section 1014.6 of the California Building Code regarding full extension of the handrails where such extensions would be hazardous because of plan configuration.
 3. Where provided in below-grade transportation stations, existing and new escalators must have a clear width of less than 32 inches (815 mm).
 4. A site assessment demonstrating, evaluating and certifying conformity with accessibility standards for public buildings, public accommodations, commercial buildings and/or public housing may be submitted by the design professional of record, or a CASp, in a form acceptable to the building official.
- B. 506.1 (Change of Occupancy) Compliance. A change of occupancy cannot be made in any building unless that building is made to comply with the requirements of the California Building Code for the use or occupancy. Any new occupancy created within a building or structure cannot cause the

building or structure to be more out of compliance with this code than it was before the change was made. Subject to the approval of the code official, changes of occupancy will be permitted without complying with all of the requirements of this code for the new occupancy, provided that the new occupancy is less hazardous, based on the life and fire risk, than the existing occupancy.

Exceptions:

1. The building is not required to comply with Chapter 16 of the California Building Code, unless required by Section 506.4.
2. An assessment by the design professional of record in a form acceptable to the building official may serve to certify compliance to this code.



City Council Staff Report

DATE: July 1, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-A

TO: Honorable Mayor and Members of the City Council
FROM: Matt Hallock, Fire Chief
SUBJECT: Waive further reading and adopt an Ordinance amending the Monterey Park Municipal Code governing hotel/motel guest registries.

RECOMMENDATION:

It is recommended that the City Council:

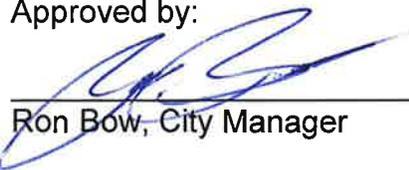
1. Waive the second reading and adopt the draft proposed ordinance; or;
2. Alternatively, take such additional related action that may be desirable.

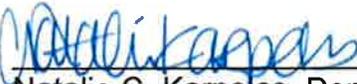
EXECUTIVE SUMMARY:

Consideration of this ordinance was continued from the June 3, 2020 City Council meeting to June 17, 2020. On June 17, 2020, the ordinance was introduced, and the City Council conducted the first reading. The staff report from the June 17, 2020 meeting is attached for reference. Second reading and adoption of this ordinance is recommended; if adopted, the ordinance will take effect in 30 days.

Respectfully submitted and prepared by:

By: 
Matt Hallock,
Fire Chief

Approved by: 
Ron Bow, City Manager

Reviewed by: 
Natalie C. Karpeles, Deputy City
Attorney

ATTACHMENTS:

1. Draft Ordinance
2. June 17, 2020 City Council Staff Report

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE ADDING CHAPTER 5.88 TO THE MONTEREY PARK MUNICIPAL CODE TO CLARIFY WHEN HOTEL OPERATORS MUST DISCLOSE GUEST REGISTRIES TO LAW ENFORCEMENT OFFICIALS

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. A new Chapter 5.88 is added to the Monterey Park Municipal Code (“MPMC”) to read as follows:

“CHAPTER 5.88

HOTEL REGISTRIES

5.88.010 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Chapter.

“Guest” means any person or persons seeking to rent or let a hotel room or suite within the city’s jurisdiction.

“Hotel” means any building or portion of any building with access provided through a common entrance, lobby or hallway to one or more guest rooms which are designed, occupied, used or intended to be used, rented or hired out as temporary or overnight accommodations for guests.

“Official identification card” means a driver’s license or other official picture identification card issued by a government entity.

“Responsible person” means any owner, manager, or proprietor of a hotel.

5.88.020 Guest Register Required; Time to Retain.

Every responsible person will keep a guest register for registering guests. The guest register will be preserved for at least two years and will be subject to inspection by any law enforcement officer in accordance with this chapter. A responsible person may not let, rent, or furnish any hotel room to any guest who fails to register in the guest register as required by this chapter.

5.88.030 Contents of Guest Register – Verification.

A. Each guest register must contain:

1. The name, address, and date when a guest registered;

2. The hour that the guest arrived and the time the guest departed or, if the exact time of departure is unknown, the date and time that the responsible owner ascertained the guest departed.
 3. The number of the room or suite assigned to the guest;
 4. If the guest has a motor vehicle, the vehicle license number, the name of the state issuing such license, the year, make, and model of the vehicle; and
 5. The guest's signature.
- B. The responsible person must verify that the information entered in the guest register corresponds with the guest's official identification card.
- C. No person may erase or alter any entry on a guest registry or allow erasure or alternation to occur.

5.88.040 Registration by Fictitious Name.

It is unlawful for a guest to provide false information, register under a fictitious name, or show or use a forged, altered, or counterfeit official identification card when renting a room.

5.88.050 Limitation on Hotel Stay.

Except for residential hotels, no guest may stay at a hotel for more than 30 days of any 90-day period. Any hotel guests must re-register before 30 days elapse.

5.88.060 Registry Inspection.

A sworn law enforcement official may request to review hotel registries at any time. The responsible person may either voluntarily provide such information to a sworn law enforcement official or refuse. Except under exigent circumstances, as defined by applicable law, upon refusal, the sworn law enforcement official may, in addition to any other lawful means of obtaining such information including a legislative subpoena, seek a search warrant issued by a court of competent jurisdiction.”

SECTION 2. MPMC § 21.04.481 is amended to read as follows:

“21.04.481 Hotel.

“Hotel” means any building or portion of any building with access provided through a common entrance, lobby or hallway to one or more guest rooms which are designed, occupied, used or intended to be used, rented or hired out as temporary or overnight accommodations for guests. Hotel facilities include banquet and meeting rooms, restaurant, coffee shops, retail uses, and lobby and entertainment bars. No

~~person(s) shall inhabit or shall be permitted to inhabit any unit or any combination of guest units of such facility for more than thirty (30) days of any ninety (90) day period. The owner and/or operator shall allow authorized representatives of the City to inspect the books and records of the hotel during reasonable business hours for the purpose of determining compliance with the provisions of this title.~~

~~The owner and/or operator of each hotel shall maintain a written record which indicates the date and time each and every customer checks into and out of the hotel. The owner and/or operator shall allow authorized representatives of the City to inspect such record during reasonable business hours for the purpose of determining compliance with the provisions of this chapter.”~~

SECTION 3. *Construction.* This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 4. *Enforceability.* Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5. *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 6. *Reliance on Record.* Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8. *Electronic Signatures.* This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 9. *Recording.* The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and

adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 10. *Effective Date.* This Ordinance becomes effective on the 30th day following its passage and adoption.

PASSED, APPROVED, AND ADOPTED July ____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Natalie C. Karpeles, Deputy City Attorney

ATTACHMENT 2
June 17, 2020 City Council Staff Report



City Council Staff Report

DATE: June 17, 2020

AGENDA ITEM NO: Old Business
Agenda Item 2-A

TO: The Honorable Mayor and City Council
FROM: Matt Hallock, Fire Chief
SUBJECT: Consideration and possible action to waive first reading and introduce an Ordinance amending the Monterey Park Municipal Code governing hotel/motel guest registries

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waive first reading and introduce a draft Ordinance amending the Monterey Park Municipal Code ("MPMC") regarding guest registries; and/or
2. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

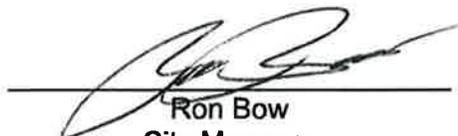
At its June 3, 2020 joint Special and Regular Meeting, the City Council continued its consideration of an Ordinance amending the MPMC regarding hotel/motel guest registries, to June 17, 2020. Enclosed as Attachment 1 is the June 3, 2020 staff report for this item.

Respectfully submitted,



Matt Hallock
Fire Chief

Approved By:



Ron Bow
City Manager

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

Attachments:

1. June 3, 2020 City Council Meeting Agenda Item 2A

Staff Report
June 17, 2020
Page 2

ATTACHMENT 1
June 3, 2020 City Council Meeting Agenda Item 2A



City Council Staff Report

DATE: June 3, 2020

AGENDA ITEM NO: Old Business
Agenda Item 2-A

TO: Honorable Mayor and Members of the City Council
FROM: Matt Hallock, Fire Chief
SUBJECT: Consideration and possible action to waive first reading and introduce an Ordinance amending the Monterey Park Municipal Code governing hotel/motel guest registries

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waive first reading and introduce a draft Ordinance amending the Monterey Park Municipal Code ("MPMC") regulating guest registries; or
2. Alternatively, discussing and taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The proposed amendments to the MPMC (specifically those regulating the inspection of guest registers) are intended to address an issue identified by the federal court in *Patel v. City of Long Beach* (DC No. 2:08-cv-02806-ABC-VBK) and *Patel v. City of Los Angeles* (9th Cir., 2013) 738 F.3d 1058.

DISCUSSION:

The MPMC requires that hotel owners collect and record information about guests, including their name, address, arrival/departure information, method of payment and valid identification (see existing MPMC § 21.04.481). Currently, the MPMC requires these records to be made available to any police officer for inspection upon demand. Failure to comply with an officer's demand is punishable as a misdemeanor.

Motel owners challenged similar code sections in Long Beach¹ and Los Angeles² based upon Fourth Amendment protections from warrantless searches. The Ninth Circuit Court of Appeals found that a police officer's inspection of business records, without the business owner's consent, constituted a Fourth Amendment search and that the ordinances in question did not contain a procedural safeguard: the opportunity for judicial review before disclosure. In order to comply with the Fourth Amendment, law

¹ *Patel v. City of Long Beach* (DC No. 2:08-cv-02806-ABC-VBK).

² *Patel v. City of Los Angeles* (9th Cir., 2013) 738 F.3d 1058.

enforcement must seek voluntarily compliance; obtain an inspection or search warrant; obtain a legislative subpoena; or otherwise give hotel operators the opportunity to challenge the reasonableness of an officer's demand for inspection. Accordingly, a new Chapter is proposed (Chapter 5.88 "Hotel Registries") for the MPMC to clarify that, in cases where consent is refused or cannot be obtained, a warrant or subpoena is required.

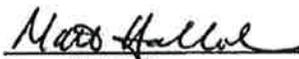
FISCAL IMPACT:

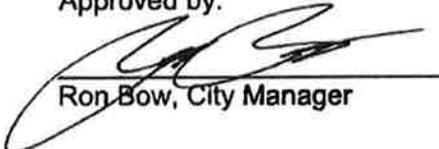
None.

ATTACHMENTS:

1. Draft Ordinance

Respectfully submitted:

By: 
Matt Hallock,
Fire Chief

Approved by:

Ron Bow, City Manager

Reviewed by:

Natalie C. Karpelas, Deputy City
Attorney

Staff Report
June 3, 2020

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE ADDING CHAPTER 5.88 TO THE MONTEREY PARK MUNICIPAL CODE TO CLARIFY WHEN HOTEL OPERATORS MUST DISCLOSE GUEST REGISTRIES TO LAW ENFORCEMENT OFFICIALS

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. A new Chapter 5.88 is added to the Monterey Park Municipal Code ("MPMC") to read as follows:

"CHAPTER 5.88

HOTEL REGISTRIES

5.88.010 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Chapter.

"Guest" means any person or persons seeking to rent or let a hotel room or suite within the city's jurisdiction.

"Hotel" means any building or portion of any building with access provided through a common entrance, lobby or hallway to one or more guest rooms which are designed, occupied, used or intended to be used, rented or hired out as temporary or overnight accommodations for guests.

"Official identification card" means a driver's license or other official picture identification card issued by a government entity.

"Responsible person" means any owner, manager, or proprietor of a hotel.

5.88.020 Guest Register Required; Time to Retain.

Every responsible person will keep a guest register for registering guests. The guest register will be preserved for at least two years and will be subject to inspection by any law enforcement officer in accordance with this chapter. A responsible person may not let, rent, or furnish any hotel room to any guest who fails to register in the guest register as required by this chapter.

5.88.030 Contents of Guest Register – Verification.

A. Each guest register must contain:

1. The name, address, and date when a guest registered;

2. The hour that the guest arrived and the time the guest departed or, if the exact time of departure is unknown, the date and time that the responsible owner ascertained the guest departed.
 3. The number of the room or suite assigned to the guest;
 4. If the guest has a motor vehicle, the vehicle license number, the name of the state issuing such license, the year, make, and model of the vehicle; and
 5. The guest's signature.
- B. The responsible person must verify that the information entered in the guest register corresponds with the guest's official identification card.
- C. No person may erase or alter any entry on a guest registry or allow erasure or alternation to occur.

5.88.040 Registration by Fictitious Name.

It is unlawful for a guest to provide false information, register under a fictitious name, or show or use a forged, altered, or counterfeit official identification card when renting a room.

5.88.050 Limitation on Hotel Stay.

Except for residential hotels, no guest may stay at a hotel for more than 30 days of any 90-day period. Any hotel guests must re-register before 30 days elapse.

5.88.060 Registry Inspection.

A sworn law enforcement official may request to review hotel registries at any time. The responsible person may either voluntarily provide such information to a sworn law enforcement official or refuse. Except under exigent circumstances, as defined by applicable law, upon refusal, the sworn law enforcement official may, in addition to any other lawful means of obtaining such information including a legislative subpoena, seek a search warrant issued by a court of competent jurisdiction."

SECTION 2. MPMC § 21.04.481 is amended to read as follows:

"21.04.481 Hotel.

"Hotel" means any building or portion of any building with access provided through a common entrance, lobby or hallway to one or more guest rooms which are designed, occupied, used or intended to be used, rented or hired out as temporary or overnight accommodations for guests. Hotel facilities include banquet and meeting rooms, restaurant, coffee shops, retail uses, and lobby and entertainment bars. ~~No~~

~~person(s) shall inhabit or shall be permitted to inhabit any unit or any combination of guest units of such facility for more than thirty (30) days of any ninety (90) day period. The owner and/or operator shall allow authorized representatives of the City to inspect the books and records of the hotel during reasonable business hours for the purpose of determining compliance with the provisions of this title.~~

~~The owner and/or operator of each hotel shall maintain a written record which indicates the date and time each and every customer checks into and out of the hotel. The owner and/or operator shall allow authorized representatives of the City to inspect such record during reasonable business hours for the purpose of determining compliance with the provisions of this chapter."~~

SECTION 3. Construction. This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 4. Enforceability. Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5. Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 6. Reliance on Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8. Electronic Signatures. This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 9. Recording. The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and

adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 10. *Effective Date.* This Ordinance becomes effective on the 30th day following its passage and adoption.

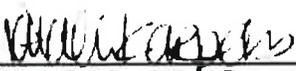
PASSED, APPROVED, AND ADOPTED June ____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Natalie C. Karpeles, Deputy City Attorney



City Council Staff Report

DATE: July 1, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-B

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
SUBJECT: Waive further reading and adopt an Ordinance Amending Monterey Park Municipal Code ("MPMC") 2.04.010 to Change the Regular Meeting Time.

RECOMMENDATION:

It is recommended that the City Council:

1. Waive second reading and adopt the draft proposed ordinance; or
2. Alternatively, take such additional related action that may be desirable.

EXECUTIVE SUMMARY:

The ordinance was introduced on June 17, 2020. At that meeting, the City Council conducted the first reading. The staff report from the June 17, 2020 meeting is attached for reference. Second reading and adoption of this ordinance is recommended; if adopted, the ordinance will take effect in 30 days.

Respectfully submitted by:



Ron Bow
City Manager

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

ATTACHMENT(S):

1. Draft Ordinance
2. June 17, 2020 City Council Staff Report

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") § 2.04.010 TO CHANGE THE REGULAR MEETING DAY AND TIME.

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. Monterey Park Municipal Code ("MPMC") § 2.04.010 is amended to read as follows:

"2.04.010 Meetings.

- A. Regular meetings of the city council will be held on the first and third Wednesday of each calendar month at 6:30 p.m. in the city council chambers of City Hall, located at 320 West Newmark Avenue or such location designated on an agenda in accordance with Government Code § 54954. If the date of any such meeting falls on a holiday, the regular meeting will be held the next succeeding day at the same time and place.
- B. Should the City Council wish to conduct a closed session or consider other business items at a regular or special meeting at a time earlier than 6:00 p.m., it may do so if properly noticed on an agenda with the time and place.
- C. In periods of emergency or when a large facility is likely to be necessary, the Council may meet as such other place within the corporate limits of the city as the Council may designate by motion or resolution."

SECTION 2. Environmental Review. The Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, the Ordinance does not constitute a "project" that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

SECTION 3. Construction. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 4. Enforceability. Repeal or supersession of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this

Ordinance's effective date. Any such repealed or superseded part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5. Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 6. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 7. Electronic Signatures. This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 8. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 9. This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL ON _____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Natalie C. Karpeles, Deputy City Attorney

ATTACHMENT 2
June 17, 2020 City Council Staff Report



City Council Staff Report

DATE: June 17, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-A

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
SUBJECT: Consideration of an Ordinance Amending Monterey Park Municipal Code ("MPMC") 2.04.010 to Change the Regular Meeting Time.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waiving first reading of an ordinance amending Monterey Park Municipal Code § 2.04.010 to change the regular meeting time; and/or
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

If adopted, the Ordinance would amend the Monterey Park Municipal Code ("MPMC") establishing a new regular City Council meeting time to the first and third Wednesday of each month beginning at 6:00 p.m.

BACKGROUND:

The draft ordinance would amend the MPMC § 2.04.010 regarding regular City Council meeting times from 7:00 p.m. to 6:00 p.m. Special Meetings may be called, as needed, to address any urgent City business. Most recently, agenda items have had to be carried over to the next regular City Council meeting due to the duration of discussion required for each item and the overall length of the meeting. A slightly earlier meeting time will accommodate discussion for agenda items and allow ample time for public comments in effort to address all City business on the agenda.

FISCAL IMPACT:

None.

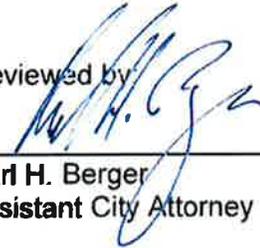
Staff Report
June 17, 2020
Page 2

Respectfully submitted and approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT:

1. Draft Ordinance

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") § 2.04.010 TO CHANGE THE REGULAR MEETING DAY AND TIME.

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. Monterey Park Municipal Code ("MPMC") § 2.04.010 is amended to read as follows:

"2.04.010 Meetings.

A. Regular meetings of the city council ~~shall~~ will be held on the first and third Wednesday of each calendar month at ~~seven-6:00~~ p.m. in the city council chambers of City Hall, located at 320 West Newmark Avenue or such location designated on an agenda in accordance with Government Code § 54954. If the date of any such meeting falls on a holiday, the regular meeting ~~shall~~ will be held the next succeeding day at the same time and place.

B. Should the City Council wish to conduct a closed session or consider other business items at a regular or special meeting at a time earlier than 6:00 p.m., it may do so if properly noticed on an agenda with the time and place.

C. In periods of emergency or when a large facility is likely to be necessary, the Council may meet as such other place within the corporate limits of the city as the Council may designate by motion or resolution."

SECTION 2. Environmental Review. The Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, the Ordinance does not constitute a "project" that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

SECTION 3. Construction. This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 4. Enforceability. Repeal or supersession of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this

Ordinance's effective date. Any such repealed or superseded part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5. Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 6. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 7. Electronic Signatures. This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 8. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 9. This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL ON _____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney



City Council Staff Report

DATE: July 1, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-C

TO: The Honorable Mayor and City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer
SUBJECT: Authorizing the Director of Public Works / City Engineer or designee to Execute All Documents and Agreements for Projects Funded Through the State of California Department of Transportation (Caltrans) on Behalf of the City of Monterey Park

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the Director of Public Works / City Engineer or designee to sign all documents related to federally funded grants for capital improvement projects on behalf of the City of Monterey Park; and
2. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The City of Monterey Park is eligible to receive federal funding for various transportation projects through the State of California Department of Transportation (Caltrans). To ensure receipt of federal funding for these projects, the City Council must adopt a resolution designating the Director of Public Works or his designee as the authorized official to execute documents and agreements for projects funded through Caltrans.

BACKGROUND:

From time to time, the City submits grant applications for federally funded programs. The City has been awarded federally funded grants for Capital Improvements Projects, which are managed by the Public Works Department. The federally funded grants, administered by Caltrans, require submittals from the City at the time of submission of the grant application, at the acceptance of the grant, during the grant project implementation, and/or following the grant project completion.

The City is required to process technical information such as environmental clearances, right-of-way certification and financial documentation to Caltrans for approval.

In order to comply with the federal requirements on certain submittals, staff recommends having the Director of Public Works or his designee to sign all federally funded documents.

FISCAL IMPACT:

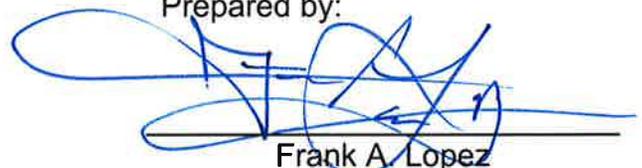
There is no fiscal impact with this action.

Respectfully submitted by:



Mark A. McAvoy
Director of Public Works/
City Engineer

Prepared by:



Frank A. Lopez
Assistant City Engineer

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT:

1. Resolution

ATTACHMENT 1
Resolution

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER, OR DESIGNEE, TO EXECUTE ALL DOCUMENTS AND AGREEMENTS FOR PROJECTS FUNDED THROUGH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS).

The City Council for the City of Monterey Park does resolve as follows:

SECTION 1: Findings. The City Council finds that the City is eligible to receive Federal and/or State funding for various transportation projects through the State California Department of Transportation (Caltrans).

SECTION 2: Authorizations. In accordance with Monterey Park Municipal Code ("MPMC") § 3.90.020 the City Manager or Public Works Director/City Engineer are directed to execute the following documents:

- A. All federally required documents in relations to each phase of federally funded work such as: Preliminary Engineering, Preliminary Environmental Studies, Right-of-Way, Construction, and Reimbursement and Closeout.
- B. All agreements between the City and the State of California Department of Transportation (Caltrans) for projects funded by State monies.

SECTION 3: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

SECTION 4: The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

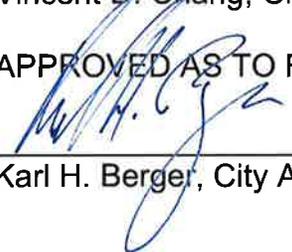
PASSED, AND ADOPTED this 1st day of July, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney



City Council Staff Report

DATE: July 1, 2020

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: Honorable Mayor and Members of the City Council

FROM: Mark A. McAvoy, Director of Public Works/City Engineer

SUBJECT: Appeal of Planning Commission Resolution No. 20-01, adopted on May 12, 2020, approving a Conditional Use Permit (CUP-19-13) to allow a retail eating establishment with a drive-through in the S-C (Shopping Center) Zone – 1970 South Atlantic Boulevard.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Opening a public hearing to consider the appeal;
- (2) Taking testimonial and documentary evidence;
- (3) Closing the public hearing;
- (4) After considering the evidence, determine whether to uphold, amend, or overturn Planning Commission Resolution No. 01-20; and
- (5) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Appellants, Rafael and Gina Casillas ("Appellants") reside within the City of Monterey Park near the project site (1970 South Atlantic Boulevard). On May 12, 2020, the Planning Commission adopted Resolution No. 01-20 approving a conditional use permit (CUP-19-13) for developing a new drive-through retail eating establishment. On May 22, 2020, Appellants appealed the Planning Commission's decision, pursuant to Monterey Park Municipal Code (MPMC) §§ 1.10.060 and 21.32.140.

BACKGROUND:

The Planning Commission approved a conditional use permit (CUP) for operation of a restaurant with a drive-through (the "Project"); pursuant to MPMC § 21.10.040(l), a drive-through is a conditionally permitted use. The property is zoned S-C (Shopping Center) and designated Commercial (C) in the General Plan.

On March 10, 2020, a three-member quorum of the Planning Commission considered the matter; while a majority of the quorum voted to approve the CUP, three affirmative votes were required to adopt the resolution. The Planning Commission staff report dated March 10, 2020 and the minutes from that meeting are attached.

On March 11, 2020, a local emergency was declared in Monterey Park due to the COVID-19 pandemic; part of that emergency included the cancellation of all non-essential public meetings until further notice.¹

On March 12, 2020, the Applicant requested an appeal before the City Council; however, no resolution of denial had been adopted by the Planning Commission.

On March 16, 2020, the City Manager cancelled all public events through the end of May.² Under these extraordinary circumstances, and based upon the ongoing local emergency, the City Planner determined (with the City Manager's concurrence) that the time periods for a Planning Commission decision – and potential appeal – should be tolled. The City Council ratified that action on June 3, 2020.³

Due to the COVID-19 pandemic, the Planning Commission was precluded from adopting a resolution of denial; the City Council meetings of April 1st, 7th and 15th were consumed by emergency-related COVID-19 matters and essential actions⁴; and the new Planning Commissioners had yet to be appointed.⁵ On April 10, 2020, the City informed the Applicant that it would need to supplement its March 11th appeal to the City Council or request that the Planning Commission consider the matter at a new public hearing. The Applicant chose a new public hearing, scheduled for May 12, 2020.

On May 12, 2020, the Planning Commission adopted Resolution No. 01-20 approving CUP 19-13 for the Project. As demonstrated in Resolution No. 01-20, the Planning Commission found there was substantial evidence supporting a conditional use permit allowing the proposed retail eating establishment with a drive-through. The Planning Commission staff report dated May 12, 2020 and the minutes from the May 12, 2020 Planning Commission meeting are attached. This matter was timely appealed by the Appellants.

After the public hearing, the City Council may sustain, modify, reject, or overrule the Planning Commission's decision. Should the City Council choose to modify, reject, or overrule the Planning Commission's decision, it would need to make findings consistent with MPMC §§ 1.10.070, 21.10.040(I) and 21.32.020(B) to support its decision. In this instance, a resolution reflecting the City Council's findings would be brought back at a subsequent meeting to memorialize the City Council's decision. An action to sustain Planning Commission Resolution No. 01-20 does not require any additional City Council findings; it can simply affirm the Planning Commission's decision by majority vote or take no action. Under those circumstances, Planning Commission Resolution No. 01-20 will reflect the City's final decision.

¹ See Resolution No. 12142, adopted on March 18, 2020

² See Resolution No. 12151, adopted April 15, 2020

³ See Resolution No. 12164, adopted June 3, 2020

⁴ *E.g.*, the April 1st meeting certifying election results and empaneling a new City Council

⁵ Indeed, the latest Planning Commission was not appointed until May 7, 2020

ANALYSIS & DISCUSSION:

Pursuant to MPMC § 1.10.070, appeals must be considered at a noticed public hearing. Evidence submitted at the hearing may include, without limitation, witness testimony, documents, or other similar evidence. Formal rules of evidence do not apply; any evidence proffered must be relevant and material to the issues upon appeal. Furthermore, appeals must specifically state the grounds for the appeal and specifically state instances in which the reviewing official or body erred in reaching the determination (see MPMC § 1.10.040(a)).

The Appellants allege the following errors: (1) the Planning Commission held an “illegal second hearing”; (2) certain sections of the Resolution and Conditions of Approval require amendment; (3) the Project does not qualify for a Class 32 Categorical Exemption and an Environmental Impact Report (EIR) is necessary (to address emissions, air quality, traffic, noise, soil quality and water quality); (4) the City failed to provide “the Project files” before the Project was approved; (5) the Traffic Impact Study prepared for the Project contains errors and omissions; and (6) the Project does not meet certain identified provisions of the MPMC. The Appellants’ Statement of Circumstances is attached for reference.

1. Good Sense and Due Process Justified the Planning Commission’s May 12, 2020 Public Hearing of the Project.

The Background of the Project, explained above, shows that the COVID-19 pandemic frustrated the normal procedures/processes related to the consideration of this Project. Under ordinary circumstances, the Planning Commission would have adopted a resolution of denial to memorialize its vote on March 10, 2020. It is unclear what would have happened at that time.

On March 11, 2020, however, the City declared an emergency related to the COVID-19 Pandemic. Thereafter, the City was engaged in emergency operations that included, without limitation, cancelling all non-essential public meetings. In addition to dozens of other actions, the City Manager – at the urging of the City Planner – tolled the time limits for various land use decisions including appeals. All such actions were ratified by the City Council.

In the midst of the City’s emergency operations, a new City Council took office on April 1, 2020. That City Council appointed new officials to the Planning Commission; the last of those new Commissioners took office on May 7, 2020.

Under all such circumstances, the matter was reheard by the Planning Commission on May 12, 2020 by five Planning Commissioners (two of them being newly appointed by the incoming City Council).

2. The Project is a Class 32 Categorical Exemption.

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects).

The Project site is located at 1970 South Atlantic Boulevard, between Brightwood Street and Floral Drive, in the City's commercial (C) zone. This is a substantially urban area: properties located to the north and south of the Project site include other one-story commercial buildings; west are South Atlantic Boulevard (a principal arterial street) and one-story commercial buildings; and east is an alleyway and single-family dwellings located at the top of hillside properties. Construction of the proposed restaurant and drive-through will take place entirely upon the Project site and is an in-fill development. The Project (1) is consistent with the applicable general plan designation and policies, as well as with applicable zoning designations and regulations (once zoning is amended as required by Condition No. 6); (2) is within City limits on a site of no more than five acres (specifically, 17,863 square feet (0.41 acres) in size); (3) has no value as habitat for endangered, rare or threatened species; (4) will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (5) can be adequately served by all required utilities and public services.

No special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment, and it is categorically exempt from the requirement for the preparation of environmental documents.

3. The Project Complies with the MPMC.

- a. Designation of the Project (MPMC Chapter 21.04). The MPMC permits drive-throughs as accessory to established restaurants or commercial businesses; restaurants are permitted in the C-S zone. The project description "retail eating establishment" is used to effectively describe that unlike a fast food restaurant, as defined by MPMC § 21.04.749, the Project business will predominantly sell food to be consumed off-site. Moreover, this phrase is a definition; it does not establish development criteria or required findings. Ultimately, the proposed business is a "restaurant" (as that term is defined in MPMC § 21.04.747 and the drive-through is an ancillary point of sales option permitted via CUP.
- b. Drive-Through Stacking Requirements (MPMC § 21.10.040(I)(5)). As discussed in at the March 10, 2020 Planning Commission meeting, the split menu boards will accommodate seven vehicles, which is more than the six-vehicle minimum required by this Section.
- c. Drive-Through Setback requirements (MPMC § 21.10.040(I)(9)). The Applicant is proposing a 28-foot setback from the ultimate curb face on Atlantic Boulevard to the proposed building; and a minimum 15-foot

setback from the ultimate curb face for the proposed parking areas and drive-through aisle. The MPMC currently requires a setback of 25 feet; it is unclear why a setback of this distance is required for the proposed use.⁶ Condition No. 6 to Resolution No. 01-20 requires an amendment to MPMC § 21.10.040(l)(9) regarding drive-through setback regulation before the City will issue a certificate of occupancy for the proposed Project.

- d. Noise (MPMC § 9.53.040). MPMC § 9.53.040 lists presumed ambient noise level thresholds for the City's residential, commercial and industrial zones; if the property sits on the boundary between two different noise zones, the lower noise level in the quieter zone will apply. The presumed decibel levels indicated in MPMC § 9.53.040 will not apply where the actual measured median ambient noise level is greater than those presumed by the ordinance.

LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **June 9, 2020**, with affidavit of posting on file. The legal notice of this hearing was mailed to **137** property owners within a 300 feet radius and current tenants of the property concerned on **June 9, 2020**.

Respectfully submitted by:



Mark A. McAvoy
Director of Public Works/City
Engineer

Prepared by:



Samantha Tewasart
Senior Planner

Approved by:



Ron Bow
City Manager

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

⁶ Assuming the Project did not include a drive-through component, the proposed parking spaces, driveway aisle, and building would be allowed to abut the front property line. In fact, all other commercial properties along Atlantic Boulevard have parking spaces, driveway aisles, and buildings that abut the front property line.

Appeal of Planning Commission Resolution No. 01-20
July 1, 2020
Page 6

Attachments:

- Attachment 1: Appellants' Statement of Circumstances
- Attachment 2: Planning Commission staff report, dated May 12, 2020
- Attachment 3: Planning Commission Resolution No. 01-20
- Attachment 4: Planning Commission Minutes May 12, 2020
- Attachment 5: Resolution No. 12142, adopted on March 18, 2020
- Attachment 6: Resolution No. 12151, adopted April 15, 2020

ATTACHMENT 1

Appellants' Statement of Circumstances

STATEMENT OF CIRCUMSTANCES

Attachment to Rafael and Gina Casillas' Appeal to City Council,
Dated May 22, 2020

The Monterey Park City Planning Commission's approval of Raising Cane's development project, including the Resolution approving the project and attached conditions of approval, has inadequate findings, lacks substantial evidence, is erroneous, arbitrary, capricious, and contrary to law, and is a prejudicial abuse of discretion. Rafael and Gina Casillas appeal the entire decision of the Monterey Park City Planning Commission approving the Raising Cane's project on May 12, 2020, which was item 4-A on the Planning Commission agenda. Please immediately proceed with the proper notice and procedure regarding the developer's project and conduct California Environmental Quality Act (CEQA) environmental review, including review through an environmental impact report (EIR), and comply with the Monterey Park Municipal Code, the Government Code, the U.S. and California Constitutions, and all applicable law.

The developers Raising Cane's and Kristen Roberts (herein collectively "developers" or "applicants") have submitted a conditional use permit (CUP) application for the Project and the City of Monterey Park (City) has erroneously decided that the Project is categorically exempt from CEQA based on CEQA Guidelines, Section 15332, Class 32 exemption for in-fill development. The City has failed to conduct proper environmental review and Gina Casillas and Rafael Casillas are aggrieved residents and persons who live toward the eastern boundary of the project site. Gina Casillas and Rafael Casillas have resided on their property for over 29 years and care about the environment and the community in which they reside.

Gina Casillas and Rafael Casillas objected to and opposed the Project since March 2020 and objected to the Monterey Park Planning Commission's (Planning Commission) hearing of May 12, 2020. In May 2020, Gina and Rafael Casillas asked the Planning Commission to please immediately abide by the Monterey Park Municipal Code (Municipal Code), CEQA, and Constitutional due process, and refrain from proceeding with the May 12, 2020 hearing to approve the Project, as the Planning Commission had denied Project approval at the March 10, 2020 hearing. Furthermore, the Project is illegal and invalid. For example, the Project has failed to comply with applicable law and requirements, such as the Municipal Code, CEQA, and the General Plan, among other things. The Project Site was previously used for a gas station, and has significant adverse impacts to traffic, planning and land use, noise, air quality, hazardous substances, cumulative impacts, and water quality. Moreover, the Project is detrimental to the health, safety, and general welfare of the public.

The March 10, 2020 and May 12, 2020 Staff Reports have not properly disclosed the Project nor the Project's significant adverse effects, among other things. The Project consists of a Raising Cane's drive-through on three parcels, including a structure of approximately 17,863 square feet with two drive-through lanes, two large menu boards, is on an extremely busy street, Atlantic Boulevard, and is separated by a narrow alleyway from certain neighboring residents (the "Project"). The Project will be on the real property commonly known as 1970 S. Atlantic Blvd., Monterey Park, CA, 91754 ("Project Site"), but the City has not disclosed the legal description of the parcels, such as lot numbers and assessor parcel numbers.

The errors and inadequacies of the Project include, but are not limited to, the following:

A. The Planning Commission Illegally Held a Second Hearing to Approve the Project

The developers' March 12, 2020 appeal, was to the City Council and should have proceeded to the City Council instead of the Planning Commission for a second hearing to reverse the Planning Commission's March 10, 2020 Project denial. See, e.g., MP Municipal Code §21.32.060. Instead, the developers subsequently sought a second hearing at the Planning Commission, and the Planning Commission inappropriately granted the developers' request and held a second hearing to approve the same Project. The developers stated the following in their appeal Statement of Circumstances:

“On 03/10/2020 the subject project was brought before the Planning Commission (PC) for consideration of staff's recommendation of approval. Due to scheduling conflicts (other obligations) and illness two (2) of the five (5) commissioners were not able to attend said PC. After deliberation of the commissioner's [*sic*] present, the subject was denied on a 2-1 (yay-nay) vote. The appeal of ruling is based on the fact that the decision made does not take into consideration the vote/input of the commissioners not present and that the approval/denial for the project is based on a body majority and not a present majority. The *applicant believes* that the *project has substantial support from City staff members and PC to be approved* at a hearing where all members are present.” (Emphasis added.)

The developers' statements evidence that the Planning Commission's project approval of May 12, 2020 was predetermined and the Planning Commission was biased toward the developers. The proceedings before the Planning Commission are quasi-judicial and the Planning Commission must be impartial. Where the Planning Commission's decision was predetermined to approve the Project, Rafael and Gina Casillas' Constitutional due process rights have been violated.

Thus, Project approval must be set aside.

B. Resolution Approving Project

“Section 1: The Planning Commission finds and declares that:”

Paragraph I. The City fails to specify the review conducted by the City Planner.

Paragraph J. The Planning Commission also received public testimony and letters from Gina Casillas, Rafael Casillas, other residents, and attorney Maria Mejia, but this is not mentioned.

Paragraph K. Testimony and evidence were presented by Gina Casillas, Rafael Casillas, their neighbors, other Monterey Park residents, and attorney Maria Mejia, but this is not mentioned.

“Section 2: Factual findings and conclusions....”

Paragraph A. The Project is not a new retail eating establishment. By definition, a new retail eating establishment has a gross floor area of less than 1,500 square feet with a dining area less than 50 percent of the gross floor area. MPMC §21.04.754. The Project is over 1,500 square feet and has no indoor dining area. The outdoor seating area only has approximately 7 tables. The Municipal Code Section 21.10.040(I)(1) requires an established restaurant, but the Project is not one. Further, the Project does not accommodate a minimum of 6 cars behind each menu board as required by Municipal Code Section 21.10.040(I)(5) and does not have the minimum 25-foot setback from the drive-through aisles and the parking to the ultimate curb face as required by Municipal Code Section 21.10.040(I)(9).

Paragraph B. The parcels are not identified and must be to confirm the Project location, lot size, and the building percentage of the lot area, among other things. Also, residents need to know the Project's light intensity because it will directly affect them, especially with business operations until 1:00 a.m., every single day. The Project includes two drive-through aisles that eventually merge into one aisle.

Paragraph C. The Project does not meet the minimum requirement of 6 cars behind the menu board as required by Municipal Code Section 21.10.040(I)(5).

Paragraph D. The residences to the east and the north of the Project Site are single-family residences, such as residences on Brightwood Street, Bradshaw Ave., and the Atlantic (easterly) frontage road, which have been disregarded through this Project approval. The Project Site is like an island with two additional businesses on the island, the Cook's Tortas restaurant and the multi-tenant commercial building.

Paragraph E. The Project has significant adverse impacts and effects to traffic. The developers' Traffic Report has several errors and omissions and was actually conducted in October 2018. The Project decreases the level of service to E, which is the second worst level that may have long lines waiting for vehicles through several signal cycles, causing traffic hazards around the Project Site. Expert review by traffic engineer Lau states that the traffic report contains several errors and omissions, such as failing to study traffic at the intersection of the north end of the alley with Brightwood Street. In addition, the traffic report failed to study the northbound traffic from Atlantic Blvd. to the alley and the traffic exiting from the commercial mall immediately south of the Project Site onto the alley. This exit driveway is about 25 feet from the intersection of Atlantic Blvd. and the alley, which is a very close distance. The Traffic Report also failed to study the Atlantic (easterly) frontage road intersection with Brightwood Street, which is about 60 feet from the intersection of Atlantic Blvd. and Brightwood Street, and is about 150 feet from the intersection of Brightwood Street and the north end of the alley. Peculiar and unusual intersections exist around the Project Site, which must be reviewed before any Project approval. See attached **Attachment 1**, which is a vicinity map depicting these intersections.

Paragraph F. The City fails to acknowledge the existing conflict between the Project and the City's zoning code and General Plan. Significant adverse impacts and effects exist as to traffic, planning and land use, noise, air quality, hazardous substances, cumulative impacts, and water quality. Also, the City provides no water utility service information, such as the amount of water the Project will require and the source of the water in this drought-stricken State of

California. The City fails to disclose that the Project Site was listed to contain hazardous substances and the Project Site has been identified on an Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report (Contamination Site Report). On March 16, 2004, the Contamination Site Report clearly stated, "Soil samples collected beneath fuel USTs detected TPHg, MtBe, TBA, and organic lead." (All capital letters omitted, emphasis added.) The Project Site intends to feed many people driving through the Project and affects several, surrounding residences, yet the City has not studied the underground hazardous substances, which were present around a minimum of three underground storage tanks.

"Section 3: Environmental Assessment."

This referenced Section 3 refers to Section 2, which is inadequate, lacks substantial evidence, and is conclusory, among other things. The City approval nowhere states why a CUP is necessary and why the project review changed from a variance application.

Further, a categorical exemption does not apply to this Project, as it is not the type of project to which Categorical Exemption 32 for infill development applies. The Project is not an infill development because it is on a shallow island, which has an alley at its eastern and southern boundaries and it has Atlantic Blvd. at its western boundary. The Project has insufficient space, which is why it is encroaching on the alley and cannot meet the Municipal Code and zoning setback requirements.

Moreover, CEQA Guidelines Section 15332 for infill developments specifically excludes projects that are not consistent with the general plan designations and policies and zoning designation and regulations, projects that may have significant effects relating to traffic, noise, air quality, or water quality, and projects that cannot be adequately served by all required utilities. Gina and Rafael Casillas have submitted letters and oral testimony to the Planning Commission, and their attorney Maria Mejia has also submitted a letter, providing a fair argument based on substantial evidence that the project will have significant adverse effects and impacts relating to the general plan designations and policies, zoning designation and regulations, and significant adverse effects and impacts to traffic, noise, air quality, hazardous substances, cumulative impacts, water quality, and water utilities.

In addition, CEQA Guidelines Section 15300.2 specifically states that a categorical exemption will not apply to projects that have cumulative impacts, a reasonable possibility of significant effects due to unusual circumstances, or are on hazardous waste site lists compiled pursuant to Government Code Section 65962.5. Gina and Rafael Casillas have submitted letters and oral testimony to the Planning Commission, and their attorney Maria Mejia has also submitted a letter, providing a fair argument based on substantial evidence that the project will have significant adverse effects and impacts relating to the general plan designations and policies, zoning designation and regulations, and significant adverse effects and impacts to traffic, noise, air quality, hazardous substances, cumulative impacts, water quality, and water utilities. Furthermore, the Project differs from the general circumstances of the projects covered by the particular categorical exemption because it is a former gas station that had underground storage tanks that leaked hazardous substances, such as TPHg, MtBe, TBA, and organic lead, into the soil, in addition to the significant, adverse effects and impacts previously mentioned. The circumstances create an environmental risk that does not exist for the general class of

exempt projects. For instance, elevated and other residential property immediately abuts the alley to the east of the Project Site, the Project Site is located on an island, several street intersections are closely and unusually situated to the north and south of the Project, the restaurant and multi-tenant commercial building also use the alley for ingress and egress, and the residences to the east and north of the Project Site will be significantly and adversely impacted by the traffic hazards, noise, air quality, and cumulative impacts.

If the local agency has failed to study an area of possible environmental impact, a fair argument may be used on the limited facts in the record. *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296.

Also, a violation of the City's planning and land use is a violation of the Government Code.

Thus, the fair argument standard here applies, not the categorical exemption, and an EIR should be prepared.

"Section 4: Conditional Use Permit Findings."

Paragraph A. The Project does not comply with all Municipal Code requirements for a CUP. As has been presented verbally and in writing, at or before the March 10, 2020 and May 12, 2020 Planning Commission hearings, and in Exhibits 1, 2, and 3 attached hereto and incorporated by reference, the Project fails to comply with CEQA, the City's Zoning Code, General Plan, and Municipal Code, among other things. Thus, the Project Site is inadequate in size, shape, and topography for the proposed Project; the Project Site has insufficient access to streets and highways and is inadequate in width; the Project proposed use is inconsistent with the General Plan, including Goal 5.0 and Policy 5.1.4; the Project will have adverse effects on the use, enjoyment, and valuation of the property in the neighborhood; the Project will have an adverse and detrimental effect on the public health, safety, and general welfare; and the Project use is one not authorized by CUP pursuant to the Municipal Code.

Paragraph B. "... [A]fter an amendment to the MPMC, the proposed drive-through complies with all requirements set forth ... pursuant to MPMC Section 21.10.040(I)." (Emphasis added.) The Project violates the zoning code and cannot proceed. Further, the Project fails to comply with MPMC Section 21.10.040(I) subsections (1), (5), and (9) where the Project is not an established restaurant, does not accommodate a minimum of 6 cars after the menu boards, and does not have a minimum 25-foot setback from the parking and drive-through aisle to the ultimate curb face.

"Exhibit A – Conditions of Approval"

Condition 2. The Project should completely comply with what is approved.

Condition 6. Before any Project approval, the applicants must comply with all applicable setback requirements set forth in the MPMC regarding drive-throughs, setbacks, and other Project requirements. Substantial evidence exists that the Project does **not** comply with the MPMC.

The real property is not properly identified. The Staff Reports say there are 3 parcels, but only one address is listed, which is 1970 S. Atlantic Blvd. If three parcels exist, the City should disclose all addresses and assessor parcel numbers.

Condition 11. The business hours are not appropriate for the surrounding residential neighborhood and other businesses in the vicinity. Even though the Friday through Saturday closing hours have been reduced from 3:30 a.m. to 1:00 a.m., that is still too late for this location. The Project intends to operate 7 days a week, i.e., every day.

Condition 12. What does this mean? The language is vague and ambiguous.

Condition 13. 13.c. The Project does not comply with the requirement to accommodate a minimum of 6 cars behind the menu board. This problem is compounded because there are two menu boards that do not meet the minimum requirements.

13.g. The Project does not comply with the 25-foot setbacks from the ultimate curb face. The parking area and drive-through aisle are not set back from the ultimate curb face for a minimum of 25 feet, as required by the zoning.

Condition 14. No space exists for a curb or slough wall of sufficient height to be constructed along the eastern edge of the alleyway. In certain areas the alley is less than 18 feet in width, and 20 feet are to be measured from the center of the alley.

Condition 19. What does this mean? The need for any lot line adjustments or merger must be disclosed and addressed before any Project approval. Deferment to the future is improper.

Condition 24. There must be a utility plan before any Project approval, including a water utility plan. Deferment to the future is improper.

Condition 26. Traffic impacts and hazards have been inadequately addressed by the City and must be addressed before any Project approval. Detailing the manner in which the Project will manage and control onsite traffic during peak operating hours, primarily how potential extended drive-through queuing will be managed to avoid impacts to S. Atlantic Blvd. and adjacent properties that abut the public alley, must be addressed before any Project approval.

Condition 40. Before Project approval, the location and light intensity must be addressed, as residences exist to the east and north of the Project Site, and much traffic uses Atlantic Blvd., the alley, and Brightwood Street.

Condition 41. What is the legal authority for this condition? Does the City intend to install surveillance cameras on private property to engage in government surveillance of the citizens?

Condition 43. No business should be open after 10:00 p.m. at the Project Site. Residences are to the east and north of the Project Site, and no other business on the same island, or across the street on Atlantic Blvd., closes after 10:00 p.m. The Project has been approved to close at 1:00 a.m. every single day, but this is contrary to law. Surrounding residents must be

able to enjoy their homes and surrounding community and not have these significant, adverse effects and impacts to 1:00 a.m. because of the Project.

C. Lack of Notice and Due Process

In addition, the City has failed to provide the public and Gina Casillas with the Project files for review before the Project approval. The City's website does not include the entire Project file. The City website includes only the March 10, 2020 and May 12, 2020 Staff Reports.

D. Additional Appellants' Comments Requiring Project Denial

As part of this appeal, Appellants Rafael and Gina Casillas have provided the City with additional comments based on substantial evidence, requiring that Project approval be denied. Attached hereto as **Attachment 2** is a true and correct copy of Maria J. Mejia, Esq. letter to the Planning Commission, Planning Secretary, and Project Planner, dated May 12, 2020, which is hereby incorporated by reference and is part of this entire appeal. Said letter provides, among other things: I. It is improper City procedure for the Planning Commission to hold a second hearing to approve Raising Cane's Project when the Planning Commission previously denied Project approval on March 10, 2020; II. CEQA and the fair argument standard require the preparation of an EIR; III. A fair argument exists as to substantial adverse impacts to traffic, Exhibit A thereto is a true and correct copy of traffic engineer Jeffrey Lau's review of the developers' Traffic Report, which contained several errors and omissions; IV. A fair argument exists as to significant adverse impacts to planning and land use; V. A fair arguments exists as to significant adverse impacts to noise; VI. A fair argument exists as to significant adverse impacts to air quality; VII. A fair argument exists as to significant adverse impacts of hazards and hazardous substances, Exhibit B thereto is a true and correct copy of the Contamination Site Report; VIII. A fair argument exists as to significant adverse impacts to cumulative impacts; IX a fair argument exists as to significant adverse impacts to water quality; and X. The Project is against the health, safety, and general welfare of the public.

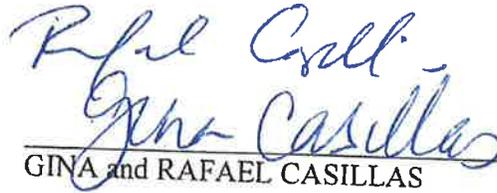
Attached hereto as **Attachment 3** please find Gina Casillas additional objection comments as part of this appeal, dated May 21, 2020, which are hereby incorporated by reference and part of this entire Appeal. Said objections address, among other things, the errors regarding the developers' appeal to the Planning Commission, the proposed project, Staff correspondence, project concerns, code deficiencies, the Resolution, the "Findings", and the Conditions.

Attached hereto as **Attachment 4** please find Rafael Casillas additional objection comments as part of this appeal, dated May 21, 2020, which are hereby incorporated by reference and part of this entire Appeal. Said objections address, among other things, planning and land use deficiencies, the developers' Traffic Report errors and omissions, impacts to traffic hazards, the inadequacy of the alley, and hazardous substances on the Project Site. Said letter includes Attachment A, which are photos of the alleyway field measurement, Attachment B, which is a SWITRS traffic collision report on Atlantic Blvd., and Attachment C, which is a

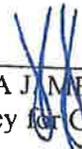
photograph of 55-gallon drums on the Project Site, all of which are incorporated by reference and part of this Appeal.

Appellants Rafael and Gina Casillas reserve the right to amend and/or supplement this Appeal.

Dated: May 22, 2020


GINA and RAFAEL CASILLAS

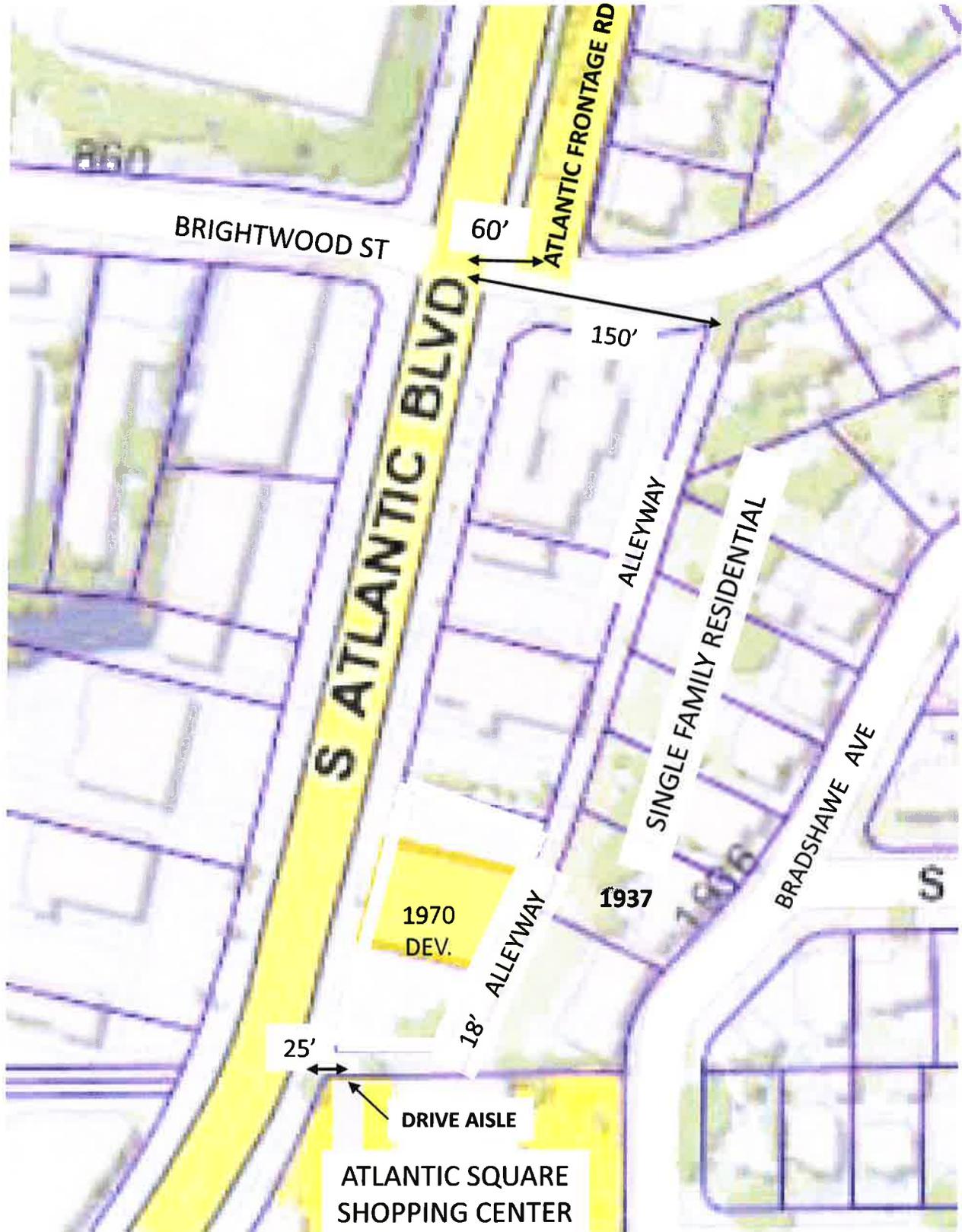
Dated: May 22, 2020


MARIA J. MEJIA, ESQ.
Attorney for Gina Casillas and Rafael Casillas

ATTACHMENTS

- 1—Vicinity Map
- 2-- Letter from Maria J. Mejia to City Planning Commission, et al., dated May 12, 2020
- 3 --Opposition Comments from Gina Casillas to City Council, et al., dated May 21, 2020
- 4 – Opposition Comments from Rafael Casillas to City Council, et al., dated May 21, 2020

ATTACHMENT 1



VICINITY MAP - ATTACHMENT 1

ATTACHMENT 2

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May 12, 2020

VIA E-MAIL AND U.S. MAIL

Monterey Park Planning Commissioners
Theresa Garcia Amador, Seat One
Eric Brossy de Dios, Seat Two
Ricky Choi, Seat Three
Tammy Sam, Seat Four
Kevin Lo, Seat Five
Planning Commission Secretary
Samantha Tewasart - Project Planner
Monterey Park City Hall
320 West Newmark Avenue
Monterey Park, CA 91754

Re: Raising Cane's Proposed Project at 1970 S. Atlantic Blvd., Monterey Park, California 91754, Agenda Item 4-A on May 12, 2020 Planning Commission's Agenda

Honorable Planning Commissioners:

I submit this letter on behalf of Gina Casillas and Rafael Casillas against the City of Monterey Park's second hearing for the Raising Cane's project development on the real property commonly known as 1970 S. Atlantic Blvd., Monterey Park, CA, 91754 ("Project Site"). The project consists of a Raising Cane's drive-through restaurant on three parcels (which have yet to be disclosed by the City), consisting of approximately 17,863 square feet with two drive-through lanes, two large menu boards, on an extremely busy street, Atlantic Boulevard, and separated by a narrow alleyway from certain neighboring residents (the "Project"). The developers Raising Cane's and Kristen Roberts (herein collectively "developers" or "applicants") have submitted a conditional use permit (CUP) for the Project and the City of Monterey Park (City) has erroneously decided that the Project is categorically exempt from the California Environmental Quality Act (CEQA) based on the CEQA Guidelines, Section 15332, Class 32 exemption for in-fill development. The City has failed to conduct proper environmental review and Gina Casillas and Rafael Casillas are aggrieved residents and persons who live near the project site. Gina Casillas and Rafael Casillas have resided on their property for over 29 years and care about the environment and the community in which they reside. Gina Casillas and Rafael Casillas object to and oppose the Project and the hearing you intend to conduct today. Please immediately abide by the Monterey Park Municipal Code (Municipal Code), CEQA, and Constitutional due process, and refrain from proceeding with today's hearing to approve the Project.

This Monterey Park Planning Commission (Planning Commission) previously denied the Project on March 10, 2020, so the developers have had their hearing before this commission and

are not entitled to a second hearing before this body. Furthermore, the Project is illegal and invalid. For example, the Project has failed to comply with applicable law and requirements, such as, the Municipal Code, CEQA, and the General Plan, among other things. Please require the developer to comply with all requirements under the Municipal Code, CEQA, the General Plan, and other applicable law and requirements. The Project site was a previously used for a gas station, and has significant adverse impacts to traffic, planning and land use, noise, air quality, hazardous substances, cumulative impacts, and water quality. Moreover, the Project harms the health, safety, and general welfare of public. Please immediately proceed with the proper notice and procedure regarding the developer's project and conduct environmental review through an environmental impact report (EIR).

The March 10, 2020 and May 12, 2020 Staff Reports have inadequate findings that lack substantial evidence, and are arbitrary, capricious, and contrary to law.

I. It is Improper City Procedure for this Planning Commission to Hold a Second Hearing to Approve Raising Cane's Project When This Planning Commission Previously Denied Project Approval on March 10, 2020.

Per the Municipal Code, the developers cannot have a second hearing before the Planning Commission to approve its Project. On March 10, 2020, the hearing before the Planning Commission commenced with the Project being noticed as Item 3-A on the Planning Commission's agenda, and the hearing proceeded. After the Commissioners deliberated on the Project, the developers gave their presentation and Gina Casillas and Rafael Casillas presented their oral objections to the Project, which were in addition to their written objections submitted prior to the hearing. The Commissioners voted on whether to approve the Project, which includes the CUP. A commissioner stated that the Project did not receive the required votes to pass where one of the commissioners voted, "no."

The Municipal Code provides that appeals from the Planning Commission are to the City Council, not to itself. Municipal Code §1.10.010(b) provides that Planning Commission decisions may be appealed to the City Council. Of Course, a developer is not required to appeal to the City Council if it decides not to proceed with the project. Also, the Municipal provides for the clear appeal to the City Council in Municipal Code §21.32.060. All appeals must be filed within 10 calendar days of the date of the rendering of the decision. MPMC §1.10.020. The appeal must specifically state the appeal grounds and specifically state the instances in which the reviewing body erred in reaching its determination. MPMC §1.10.040(a). Within 14 days of receiving an appeal the matter must be set for hearing. MPMC §1.10.050. Public hearings considering an appeal must be held within 60 days from the date the appeal was filed. MPMC §1.10.080. Notice must be given at least 10 days before the public hearing. *Ibid.* Notice of any public hearing considering an appeal must be published at least once in a newspaper of general circulation and published and circulated in Monterey Park. *Ibid.* Site posting must be made at least 11 days before the public hearing. *Ibid.* Upon the filing of an appeal, the Planning Commission Secretary shall forward the Planning Commission files regarding the project to the City Clerk. MPMC §21.32.140. The City Clerk shall promptly set the matter for public hearing before the City Council, which shall render its decision within 40 days after the hearing ends. *Ibid.*

Here, the City acknowledges in its Staff Report for the May 12, 2020 hearing (May Staff Report) that the developers filed an appeal with the City Clerk on March 12, 2020, two days after the March 10, 2020 Planning Commission hearing on its Project, which should have been forwarded to the City Council for public hearing. The Statement of Circumstances attached to the developers' appeal to the City Council states, "After deliberation of the commissioner's [*sic*] present, the subject was denied on a 2-1 (yay-nay) vote." Said Statement further adds that the denial is based on a body majority and not a present majority and the applicant believes that the project has substantial support from the City Staff members and the Planning Commission to be approved at a hearing where all members are present. This demonstrates that the developers were so certain that a re-vote at the Planning Commission level would be in its favor. How are the developers so certain of a pre-determined outcome?

The Project was required to be set for hearing within 14 days, but it was not. The May Staff Report states that since the March 10 hearing, the City has essentially been shut down because of the Coronavirus. The May Staff Report proceeds to state that the City Manager tolled all time periods and the applicant requested a new Planning Commission hearing, and to preserve the applicant's right to a fair hearing, the applicant will have a second Planning Commission hearing. The time for a hearing before the Planning Commission cannot be tolled after it occurred. The appeal was pending before the City Council, not the Planning Commission. If the City indeed could not hold the hearings before the City Council due to the coronavirus lockdowns, then it could have delayed the public hearing before the City Council. After March 10, 2020, the City Council has held 5 hearings.

The May 12, 2020 public hearing before the Planning Commission has not been properly noticed. No proof or representation exists that notice was circulated in a public newspaper. The "notice" lacks sufficient time to address the May Staff Report. Further, the notice fails to state that the May 12 hearing is a **second** hearing before the Planning Commission, even though the Planning Commission deliberated and voted on the Project on March 10, 2020, and denied Project approval, including the CUP.

We have been unable to determine whether the Planning Commission Secretary has forwarded the Planning Commission files to the City Clerk because the entire files have not been made available online nor to Gina Casillas, although Ms. Casillas requested copies of the entire files. It is likely the files are with the Planning Commission, since the Project hearing has been set in front of the Planning Commission instead of the City Council, in violation of the Municipal Code and due process for the residents and others surrounding the Project Site, including Gina Casillas and Rafael Casillas. Thus, the Project is improperly before the Planning Commission, which denied Project approval on March 10, 2020, and should not proceed.

Commissioner Brossy de Dios clearly stated that he is not accustomed to granting CUPs in conflict with the Code as currently set and they are not in a position to make an exception to that.

II. CEQA and The Fair Argument Standard Requires the Preparation of an EIR.

The fair argument standard here applies, not the Class 32 categorical exemption for infill development. "CEQA is a comprehensive scheme designed to provide long-term protection to the environment. [Citation.] In enacting CEQA, the Legislature declared its intention that all

public agencies responsible for regulating activities affecting the environment give prime consideration to preventing environmental damage when carrying out their duties. [Citations.] CEQA is to be interpreted 'to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.' [Citation.]" *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 329-330.

For CEQA purposes "substantial evidence" "means enough relevant information and reasonable inferences from this information that *a fair argument can be made* to support a conclusion, *even though other conclusions might also be reached*. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. *Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal.App.5th 358, 369.

The Project has significant adverse impacts, and CEQA review is required. A categorical exemption under the CEQA Guidelines is inappropriate for the Project where significant, adverse impacts exist. Substantial evidence and a fair argument require the preparation of an EIR. Categorical exemptions are narrowly construed because the statutes' objections limit the exempt activities. *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165. A categorical exemption is invalid where no evidence supports the use of an exemption. *Committee to Save Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1187. Where a fair argument exists, a categorical exemption is inappropriate. *Mejia, Voices for Rural Living v. El Dorado Irrig. Dist.* (2012) 209 Cal.App.4th 1096. Even the categorical exemptions were to apply, which they do not, the in-fill development exemption is subject to limitations regarding planning and zoning consistencies, significant impacts, and adequate utilities and public services. CEQA Guidelines, §15332. Here, a fair argument exists as to traffic, planning and land use, noise, air quality, hazardous substances, cumulative impacts, and water quality. The landfill categorical exemption is inappropriate, and an EIR is required.

Thus, the Project should be denied.

III. A Fair Argument Exists as to Substantial Adverse Impacts to Traffic.

A fair argument, based on substantial evidence, exists that the Project may have substantial impacts on traffic. *Mejia*, at pp. 340-343; see also, *Georgetown Preservation Society*, at p. 375. The Project Site is immediately by three intersections, one is at Brightwood Street, the second is at Atlantic (easterly) frontage road, which is a separate, two-way street, runs parallel to Atlantic Blvd., and also intersects with Brightwood Street, and the third is at the alleyway that is to the east and proceeds to the south of the Project Site. Atlantic (easterly) frontage road fronts over 6 residences. This is an odd juncture at the Project's northern corner at the intersection of Atlantic Blvd. and Brightwood Street. Toward the southern end of the Project, a curve exists on Atlantic Blvd., which makes it difficult to see oncoming vehicles when driving South on Atlantic Blvd. and attempting to make a left turn onto the Project Site. Within 2 blocks south of the Project Site many commercial areas exist, including stores, such as Staples, Boston Market, and Big 5. About one block south and two blocks west from the Project Site is East Los Angeles College. The alleyway is also used by a commercial center immediately south of the alley and the Project Site. Several of these facts are omitted from the Traffic Report, which is discussed below.

Residents surrounding the Project Site have submitted Project opposition letters to the City. For example, on March 9, 2020, Gina Casillas, submitted an opposition letter to the City and she also voiced her objections at the March 10, 2020 Planning Commission hearing. Gina Casillas has lived in her residence for 48 years and her residence is directly above the Project. Her property immediately abuts the alley connecting to the Project Site. Gina Casillas has been a planner for over 14 years and works for another city's planning department. Gina Casillas' March 9 letter states that the Traffic Report has identified traffic impacts, states that the trip generation projections indicate 800 vehicles per day and worsening levels of service (LOS) for adjacent intersections, and that the nearby McDonalds, In-n-Out, and Chick Fil A restaurants located in the Monterey Park Market Place all have overflowing queuing, i.e., vehicle stacking in the drive aisles, with McDonald's having queuing on the street. Rafael Casillas, a 27-year resident of Monterey Park also attended the March 10 hearing and submitted verbal opposition to the project, in addition to his March 9, 2020 opposition letter submitted to the City prior to the March 10 hearing. Rafael Casillas is a civil engineer and has been licensed for over 15 years. Rafael Casillas states in his March 9 letter that the on-site traffic circulation will not be able to accommodate vehicle queuing, vehicle backing out of parking stalls, and vehicles in the drive aisles within the development. Vehicles will overflow onto Atlantic Boulevard at peak hour traffic times. In addition, this segment of Atlantic Boulevard has a high number of vehicle collisions from vehicles performing left-turn movements.

The Traffic Report prepared by Kimley Horn for the Raising Cane's Project, dated January 2020 (Traffic Report), fails to address the Project's substantial, adverse impacts. Traffic engineer Jeffrey Lau, has reviewed the Traffic Report and finds that it is deficient and with errors and omissions. Attached hereto as **Exhibit A** is a true and correct copy of traffic engineer Lau's report. Engineer Lau's letter highlights the following:

- The Intersection of Brightwood Street and Alleyway should have been included as one of the study intersections. It is a reasonable assumption that vehicle traffic accessing the Raising Cane project from the alleyway could have originated from the Brightwood Street and Alleyway intersection. Since the traffic impact study analyzed the Atlantic Boulevard and Alleyway intersection, it should have also analyzed the north end of the Alleyway where it intersects Brightwood Street.
- Upon review of Figure 6 – Project Related Traffic Volumes, not all inbound and outbound trips for the project site are accounted for as shown in Table 2, Summary of Project Trip Generation.
- The Drive Thru Queueing Analysis performed by Kimley Horn in Appendix E is flawed. The analysis selected three existing Raising Cane drive-through locations that are located outside of the region: one of them in Riverside County and the other two locations in Orange County. In order to perform an accurate analysis and comparison to similar type locations, Kimley Horn should have selected locations within Los Angeles County to provide a similar regional demographic to Monterey Park. There are three existing Raising Cane drive-through locations located in the Cities of Pico Rivera, Downey, and Lakewood that meet this criteria and would have provided a more accurate comparison for the Drive Thru Queueing Analysis.

- Since the Drive Thru Queuing Analysis is flawed, he does have concerns with the onsite traffic circulation not being able to accommodate vehicle queuing during peak times. There is a possibility that the vehicle queue for the drive-through will spill onto Atlantic Boulevard and block the main drive aisle and prevent vehicles from backing out of parking stalls within the project site.
- The traffic count data was collected in 2018. Typically for traffic impact studies, traffic data should not be more than 1 year old. Since the traffic impact study is dated January 2020, it is recommended that more recent traffic counts be collected for the analysis.

Examples of Traffic Report deficiencies that we highlight are as follows: under Project Description, at p. 1, said Traffic Report states that the Project Site is bounded by an existing commercial use to the north, where only one restaurant, Cook's Tortas and multi-tenant commercial building exist. The Traffic Report does not address Atlantic (easterly) Frontage Road and the residences along that street. Also, the Traffic Report states that the City's LOS standard for peak hours is LOS D, identified as having enough lower volume periods to permit clearing of developing lines, preventing excessive back-ups. Traffic Report (TR) at p. 5. However, there are excessive backups during rush hour traffic. Under Significance Thresholds, the Traffic Report states that a project is considered to have a significant traffic impact at an intersection if the LOS deteriorates to an unacceptable LOS with the addition of project traffic. *Ibid.* The Traffic Report proceeds to state that for locations forecasted to operate worse than the acceptable LOS, even without the project, the traffic assessment must include improvements. The City cannot rely on thresholds when the Project will have significant adverse impacts on traffic. A threshold of significance may be useful to determine whether an environmental impact should be considered significant, but a threshold is not conclusive and does not relieve a public agency of the duty to consider the evidence under the fair argument standard. *Mejia*, at p. 342. The Traffic Report states that the Atlantic Blvd. intersection at the alleyway is at LOS E, which is "Poor" (TR at pp. 11, 12, 16), which represents that it is at the capacity for the most vehicles that can be accommodated at the intersection; and there may be long lines of waiting through several signal cycles. TR, at p. 5. The Traffic Report, Table 3, states that the bold and shaded values indicate intersections operating at LOS E or F per City standards. TR at p. 18. However, the Traffic Report fails to state how the City standards differ from other standards, such as State Standards. Table 3 also indicates that the Atlantic Boulevard and Project driveway intersection would be at LOS D. The Traffic Report omits why the Traffic Report study was conducted in October 2018. TR, at p. 9. Further, the Queuing Data Collection, dated December 4, 2019, at p. 2, states that the queuing observations and counts were conducted at the Laguna Hills, City of Orange, and City of Riverside Raising Cane's, but this is not a proper comparison, since they do not have dual drive-through lanes, and the Laguna Hills and Orange sites have 8-vehicle capacity, as opposed to the Project's accommodation of a minimum of 8 cars, with a queuing capacity for *approximately 17* vehicles. Also, the figures are not to scale, so they do not demonstrate the proximity of the Project Site to the neighboring streets, residences, and businesses. See, e.g., Figure 1, Vicinity Map, at p. 2. In addition, the Traffic Report contains inconsistencies. For instance, the Scoping Agreement attached as Appendix A to the Traffic Report states that there are 5 suggested study intersections, whereas some of the tables and figures do not include the Project driveway intersection. TR, at pp. 22, 23.

Furthermore, the Traffic Report states that, "Access to Raising Cane's project would be provided by one driveway on Atlantic Boulevard and one driveway along the alleyway on the east side of the project site. Both project driveways would be unsignalized." TR, at pp. 1, 21. The Attachment A Map, including construction notes, among other things, depicts that a curb will be installed along the existing pavement edge, and the curb shall not cross adjacent property. This is depicted as item 34. The alley width is less than 20 feet in certain places, either because it contains existing electrical power poles and/or the hillside is there located, so the addition of the curb, without taking land from the neighboring properties, will necessarily be less than 20 feet in width in certain segments of the alley. The Traffic Report fails to analyze the traffic on the alleyway, and the exit at Brightwood.

A CEQA cumulative impacts analysis must include past, present, and probable future projects, but the Traffic Report does not include this information. While Table 4 lists two projects, it does not list past, present, and probable future projects. TR, at p. 19.

The Traffic Report incorrectly concludes that all study intersections are currently operating at an acceptable LOS, except for the intersection at Atlantic Blvd. and the alleyway and recommends employee parking on the side streets, without analyzing the Project's parking impacts to the surrounding area. E.g., TR, at pp. 27-28.

Thus, significant adverse impacts exist, the Project cannot be approved, and proper CEQA environmental review must be conducted through an EIR.

IV. A Fair Argument Exists as to Significant Adverse Impacts to Planning and Land Use.

A fair argument exists as to significant adverse impacts to planning and land use. The Project is incompatible with other existing and permitted uses in the general area. MPMC §21.32.020(A). The CEQA Guidelines, Appendix G, asks whether potentially significant adverse impacts to land use and planning exist. *The Pocket Protectors, supra*, at p. 929. Appendix G asks whether the project would physically divide an established community and whether the project would conflict with any applicable land use plan, policy, or regulation of an agency. The Project physically divides an established community and conflicts with the City's land use plans, policies, and regulations.

The Project fails to comply with City's zoning and General Plan, including the land use element. For example, the Land Use Policy Map identifies the property as commercial (C) and surrounded by low density residential (LDR). The residences to the east, north, and south of the Project Site are LDR. The March 10, 2020 and May 12, 2020 Staff Reports state the Project Site is zoned Shopping Center (CS) and designated C in the General Plan. (May Staff Report, at p. 2.) The Land Use policies include maintaining the quality and diversity of the community's residential neighborhoods.

The developers have failed to meet the standards for issuance of a CUP. MPMC §21.32.020(B). For instance, the Project does not meet the required setbacks, does not have sufficient access to streets and highways with adequate width to carry the quantity and quality of traffic generated by the proposed Project use. In addition, per the March and May Staff Reports, a drive-through is a conditionally permitted use, yet the Municipal Code requires the parking areas and drive-through aisles and structures to be setback from the ultimate curb for a minimum

of 25 feet. MPMC §21.10.040(9). Although the developer is proposing a 28-foot setback from the ultimate curb face on Atlantic Blvd. to the proposed building, it is requesting a minimum 15-foot setback from the ultimate curb face from the parking and drive-through aisle, which is at least 10 feet under the minimum 25-foot setback requirement. The Staff Reports improperly requires amending the Municipal Code Section 12.10.040(9) --in the future-- to permit the drive-through, such as stated in the attached resolution on page 4 of 6, Section 4, paragraph B. This is improper, deferred mitigation, in addition to a violation of the Municipal Code. Municipal Code Section 21.10.040(5) requires drive-through aisles to provide sufficient stacking area behind the menu board to accommodate a minimum of six cars in each lane, but the Project fails to accommodate these six cars. Further, the Project's proposed use will have an adverse effect on the public's health, safety, and general welfare.

Thus, the City should require an EIR for the Project.

V. A Fair Argument Exists as to Significant Adverse Impacts to Noise.

A fair argument exists as to significant adverse impacts to noise. See CEQA Guidelines, Appendix G. The Project will generate a minimum of 800 trips, will include two drive-through lanes adjacent to a residential area, including the homes of Gina Casillas, Rafael Casillas and their surrounding neighbors, will have two, approximate 7-foot, menu boards that face the residents, and will have at least hundreds of people in and out of Raising Cane's on a daily basis.

Thus, the City should require an EIR for the Project.

VI. A Fair Argument Exists as to Significant Adverse Impacts to Air Quality.

A fair argument exists as to significant adverse impacts to air quality. See CEQA Guidelines, Appendix G. The excavation on the Project Site where a gas station formerly operated with underground storage tanks may release toxic chemicals, fumes, and odors in the air. Engineer Lau stated that the Project will generate high levels of greenhouse gas emissions from all the idling vehicles waiting for the drive-through and will negatively impact the surrounding residential neighborhoods. See Engineer Lau's letter attached hereto.

Thus, the City should require an initial study and EIR for the Project.

VII. A Fair Argument Exists as to Significant Adverse Impacts to Hazards and Hazardous Substances.

The Project has significant adverse impact to hazards and hazardous substances, where the Project Site was formerly used for a gas station with underground storage tanks. See CEQA Guidelines, Appendix G, Government Code §65962.5. The City fails to provide information on the use of the gas station, other than it existed. A March 16, 2004 Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report states that, "Soil samples collected beneath fuel USTs detected TPHg, MtBe, TBA, and organic lead." Attached hereto as **Exhibit B** is a true and correct copy of said Report from the Los Angeles County website. Hazardous substances often leak into the ground. The City must conduct environmental review through an

EIR before approving any project on this Project Site. In this manner the decision-makers and surrounding residents and businesses can know the extent of the potential, harmful impacts.

Thus, the City should require an initial study and EIR for the Project

VIII. A Fair Argument Exists as to Significant Adverse Impacts to Cumulative Impacts.

A fair argument exists significant adverse impacts that are cumulative impacts. Cumulative impacts also consist of mandatory findings of significance. Public Resources Code §21083(b)(2), 14 Cal Code Regs §15065(a)(3), CEQA Guidelines, Appendix G. Cumulative effects include the possible effects of a project that are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects an of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Public Resources Code §21083(b)(2). Cumulative impacts are two or more individual effects which, when considered together are considerable or which compound or increase other environmental impacts. CEQA Guidelines, §15355, *San Bernardino Valley Audubon Society v. Metropolitan Water District* (1999) 71 Cal.App.4th 382, 398-400. Here, the Traffic Report generally mentions two projects, but no disclosure exists as to the past, present, and probable future projects.

Thus, the City should require an EIR for the Project.

IX. A Fair Argument Exists as to Significant Adverse Impacts to Water Quality.

A fair argument exists as to significant adverse impacts to water quality. See CEQA Guidelines, Appendix G and Section 15332. The excavation on the Project Site where a gas station formerly operated with underground storage tanks and has been noted to have toxic chemicals, such as TPHg, MtBe, TBA, and organic lead, as discussed above. Moreover, the Staff Reports fail to address the sufficiency of water utilities, and this is particularly important since California has had droughts over many years.

Thus, the City should require an EIR for the Project.

X. The Project is Against the Health, Safety, and General Welfare of the Public.

For the reasons discussed above, the Project fails to comply with the Standards for Issuance of CUPS and is against the public's health, safety, and general welfare. MPMC §21.32.020 (B). Thus, the CUP cannot be issued and the Project should be denied.

Thus, the City should require an EIR for the Project



MARIA J. MEJIA, ESQ.
Attorney for Gina Cassillas and Rafael Casillas

EXHIBITS A --Traffic Engineer Jeffrey Lau Expert Letter
B --Underground Storage Tank Unauthorized Release (Leak) Contamination
Site Report

EXHIBIT A

May 11, 2020

City of Monterey Park
Planning Commission
320 West Newmark Avenue
Monterey Park, CA 91754

Attention: Chair and Members of the Planning Commission

Subject: Planning Commission March 10, 2020, Agenda Item 3A – 1970 South Atlantic Boulevard
Conditional Use Permit (CU-19-13)

Dear Planning Commission,

I performed an independent review of the Traffic Impact Study for the Raising Cane's Project prepared by Kimley Horn and Associates, dated January 2020. I am a licensed civil and traffic engineer with over 16 years of traffic engineering experience. This review was requested by long time Monterey Park resident, Mr. Rafael Casillas. Upon completion of my review of the traffic impact study, I have identified the following errors and omissions:

- The Intersection of Brightwood Street and Alleyway should have been included as one of the study intersections. It is a reasonable assumption that vehicle traffic accessing the Raising Cane project from the alleyway could have originated from the Brightwood Street and Alleyway intersection. Since the traffic impact study analyzed the Atlantic Boulevard and Alleyway intersection, it should have also analyzed the north end of the Alleyway where it intersects Brightwood Street.
- Upon review of Figure 6 – Project Related Traffic Volumes, not all inbound and outbound trips for the project site are accounted for as shown in Table 2, Summary of Project Trip Generation.
- The Drive Through Queueing Analysis performed by Kimley Horn in Appendix E is flawed. The analysis selected three existing Raising Cane drive-through locations that are located outside of the region: one of them in Riverside County and the other two locations in Orange County. All three of these locations have indoor seating, which is unlike the Monterey Park location that is described as having no indoor seating. The presence of indoor seating will shift some of the drive-through customers to dine-in customers thereby reducing the number of drive-through trips and queue length of the drive-through. In order to perform an accurate drive-through queueing analysis of similar type locations, Kimley Horn should have selected locations within Los Angeles County that have similar regional demographics to Monterey Park. There are three existing Raising Cane drive-through locations located in the Cities of Pico Rivera, Downey, and Lakewood that meet this criteria and would have provided a more accurate and consistent comparison for the Drive Thru Queueing Analysis.
- Since the Drive Through Queueing Analysis is flawed, I do have concerns that the onsite traffic circulation will be impacted by the drive-through queue during peak times. There is a possibility that the vehicle queue for the drive-through may spill onto the main drive aisle and prevent vehicles from backing out of parking stalls within the project site or entering the site from the main driveway along Atlantic Boulevard.

- The traffic count data was collected in 2018. Typically for traffic impact studies, traffic data should not be more than 1 year old. Since the traffic impact study is dated January 2020, it is recommended that more recent traffic counts be collected for the analysis.

In addition to these issues, I also believe the project will generate high levels of greenhouse gas emissions from all the idling vehicles waiting for the drive-through that will negatively impact the surrounding residential neighborhoods.

Based on the review comments identified above, it is recommended that the Planning Commission deny this Conditional Use Permit for now and direct Kimley Horn to update the traffic impact study to address these errors and omissions.

If you have any questions, I can be reached at (626) 636-1056 or mrilau23@gmail.com.

Sincerely,



Jeffrey Lau, PE, TE
Traffic Engineer



EXHIBIT B

KVL
CALKF

7105-38358

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

EMERGENCY YES NO
 HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? YES NO

FOR LOCAL AGENCY USE ONLY
 I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.

REPORT DATE: 03/16/04
 CASE #

SIGNED: _____ DATE: _____

REPORTED BY: NAME OF INDIVIDUAL FILING REPORT: CHRIS SWARTZ
 REPRESENTING: OWNER/OPERATOR REGIONAL BOARD
 LOCAL AGENCY OTHER

PHONE: (714) 428-7719
 SIGNATURE: Chris Swartz

ADDRESS: P.O. BOX 25376 SANTA ANA CA 92799-5376

COMPANY OR AGENCY NAME: CONOCO PHILLIPS COMPANY

RESPONSIBLE PARTY: NAME: CONOCO PHILLIPS COMPANY
 ADDRESS: P.O. BOX 25376 SANTA ANA CA 92799-5376

CONTACT PERSON: CHRIS SWARTZ
 PHONE: (714) 428-7719

SITE LOCATION: FACILITY NAME (IF APPLICABLE): 76 Station # 3627
 ADDRESS: 1970 South ATLANTIC BLVD. MONTEREY PARK LOS ANGELES 91754
 CROSS STREET: BRIGHTWOOD

OPERATOR: N/A
 PHONE: (714) 428-7719

IMPLEMENTING AGENCIES: LOCAL AGENCY: LOS ANGELES COUNTY DPW
 REGIONAL BOARD: LOS ANGELES REGION

CONTACT PERSON: Tim Smith
 PHONE: (626) 458-3512

CONTACT PERSON: YUE RONG
 PHONE: (213) 576-6710

SUBSTANCES INVOLVED: (1) GASOLINE
 QUANTITY LOST (GALLONS): UNKNOWN

DATE DISCOVERED: 07/18/03
 HOW DISCOVERED: INVENTORY CONTROL SUBSURFACE MONITORING NUISANCE CONDITIONS
 TANK TEST TANK REMOVAL OTHER

DISCOVERY/ABATEMENT: DATE DISCHARGE BEGAN: UNKNOWN
 HAS DISCHARGE BEEN STOPPED? YES NO
 IF YES, DATE: 07/18/03

METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY):
 REMOVE CONTENTS CLOSE TANK & REMOVE REPAIR PIPING
 REPAIR TANK CLOSE TANK & FILL IN PLACE CHANGE PROCEDURE
 REPLACE TANK OTHER

SOURCE/CAUSE: SOURCE OF DISCHARGE: TANK LEAK UNKNOWN
 PIPING LEAK OTHER

CAUSE(S): OVERFILL RUPTURE/FAILURE SPILL
 CORROSION UNKNOWN OTHER

CASE TYPE: CHECK ONE ONLY: UNDETERMINED SOIL ONLY GROUNDWATER DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)

CURRENT STATUS: CHECK ONE ONLY: NO ACTION TAKEN PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED POLLUTION CHARACTERIZATION
 LEAK BEING CONFIRMED PRELIMINARY SITE ASSESSMENT UNDERWAY POST CLEANUP MONITORING IN PROGRESS
 REMEDIATION PLAN CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) CLEANUP UNDERWAY

REMEDIAL ACTION: CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS):
 CAP SITE (CD) EXCAVATE & DISPOSE (EO) REMOVE FREE PRODUCT (FP) ENHANCED BIO DEGRADATION (IT)
 CONTAINMENT BARRIER (CB) EXCAVATE & TREAT (ET) PUMP & TREAT GROUNDWATER (GT) REPLACE SUPPLY (RS)
 VACUUM EXTRACT (VE) NO ACTION REQUIRED (NA) TREATMENT AT HOOKUP (HU) VENT SOIL (VS)
 OTHER (OT) *BASED ON SITE ASSESSMENT FINDINGS & AGENCY REQUIREMENTS*

COMMENTS: SOIL SAMPLES COLLECTED BENEATH FUEL USTS DETECTED TPHg, MTBE, TBA, AND ORGANIC LEAD.

Call # 504504

C 391802

HSC 05 (8/90)

ATTACHMENT 3

May 21, 2020

Re: Appeal of entire Planning Commission decision to approve Raising Cane's project, including the Conditional Use Permit (CU-19-13)

I have lived in my residence located at 1937 South Bradshaw Avenue in the City of Monterey Park for 48 years. My house fronts on Bradshaw Avenue and my rear yard overlooks Atlantic Boulevard. My residence is located at the top of the hill, directly above the proposed Raising Cane's project.

I have over 14 years of experience processing land use entitlements and preparing environmental compliance documents. I received a bachelor's degree in Geography with emphasis in Urban Analysis in 2006 from California State University, Los Angeles. Since 2006 I have worked as a land use planner in several different municipalities.

Appeal to Planning Commission

The City's processing of this application was unorthodox and unethical. This project item was first heard at the March 10, 2020 Planning Commission hearing. The March 10, 2020 hearing as Item 3-A, was attended by three Planning Commissioners. The City Attorney and City staff confirmed that the hearing was attended by the minimum number of Commissioners and deemed that the meeting had a "quorum". The meeting was held, the item was discussed, and the Commissioners took action on the item. At this meeting I expressed my objection to the project and the requested Conditional Use Permit application (CU-19-13) proposing a new retail eating establishment featuring dual drive through lanes, a walk-up ordering counter, outdoor patio seating and outdoor storage for Raising Cane's restaurant, among other things.

Not satisfied with the outcome the March 10th Planning Commission's meeting, the applicant submitted an application of appeal. The applicant requesting a "due over" simply because they were not satisfied with the project's outcome is not legal nor did it follow Monterey Park Municipal Code regulations. The application for appeal of the Planning Commission should have been declared invalid. The applicant alluded to a pre-determined decision expectation from the decision makers in the submitted appeal application. This was a predetermined decision. Furthermore, the granting the "de novo" hearing under the appeal heard before the Planning Commission was not ethical. As the project did not receive a majority vote, the motion failed, thus the project was denied. Denial findings should have been drafted and brought back to the Commission for approval.

Proposed Project

This letter informs you of my continued objection to the Planning Commission's decision rendered for the project and requested Conditional Use Permit application (CU-19-13) proposing a new retail eating establishment featuring dual drive through lanes, a walk-up ordering counter, outdoor patio seating and outdoor storage for Raising Cane's among other things.

Staff Correspondence

I became aware of this project when I received the first notice of Public Hearing in January 2020. As instructed if I have interest in the project, I visited the Planning Counter at the Monterey Park City Hall to obtain more detailed information regarding the project on Friday, January 24, 2020. I was able to review the proposed plans for the development however City staff was unavailable to speak to me to provide

additional information regarding the proposed business operations. On Wednesday, January 22, 2020, I spoke to the project planner over the phone, however she was unable to provide me with basic information related to the proposed project such as staff recommendation, business operating functions or hours of operation. On Friday, January 31, 2020, I provided the project planner in written correspondence (via email) a detailed list of concerns that I had of the project with regards to the lack of analysis of the project impacts as well as a list of code deficiencies/violations. On Tuesday, February 4, 2020, I sent a follow-up email requesting a response to my initial request. I received a response that same day which simply stated that the staff report was not available for review. City staff did not inform me that the February Planning Commission meeting in which the project was agendaed for was canceled. I discovered this when I attempted to view the staff report for the project from the City's website at 4:30 pm on that Friday. No information was provided to me on this proposed project until I was able to read the staff report when it was uploaded to the City's website on Friday, March 6, 2020 for the March 10th Planning Commission hearing. We received a second public hearing notice on March 6th (date stamped March 5th) which was less than required 10 days prior to hearing as required by State Law.

Project Concerns

The site and floor plans indicate that the 1,790 square foot building is proposed entirely as kitchen or "back of house" for the fast food restaurant. The floor plans for the proposed project illustrate that the project does not provide an indoor customer dining area. All proposed customer activities will occur outside building - via the walk-up customer order window, the dual vehicle drive through lanes and under the covered patio. No other customer friendly amenities will be provided. The two menu boards for the dual drive through lanes are located at the rear of the site directly behind the building, directly facing the residential properties located on Bradshaw Avenue. The applicant proposed to operate the business Sunday through Thursday, from 9:00 am to 1:00 am and Friday and Saturday from 9:00am to 3:30 am, with modified hours conditioned by the Planning Commission.

Firstly, it is my opinion that this site is being over intensified. It appears that the applicant is trying to squeeze in the drive through component onto a small site which totals 17,863 sf of area. The project proposes 14,263 sf of hardscape area - drive aisles, 18 parking stalls, and dual drive through lanes and 2,502 square feet of building area (kitchen/back of house, covered patio and outdoor storage). Based on these square footages, the primary use of the site is drive aisles, parking areas and drive through lanes and not a restaurant. The project also proposed to install approximately 393 square foot of landscaping for screening purposes. I do not believe that this use is the greatest and best use for the site or the general neighborhood.

Attached to the staff report was the only technical document - a Traffic Study used for evaluation for this project. This document is around 80 pages long and deficient in relevant data. The traffic report indicates that this project is estimated to generate over 800 vehicles per day. The report also indicates that the project will worsen traffic circulation at adjacent intersections. The traffic counts cited in the report are over two years old and the alley directly adjacent to the project site was not analyzed. Furthermore, the traffic failed to analyze past, current and the important "future" projects.

The staff reports falsely claim that this project (as conditioned) meets the findings for approving a conditional use permit. Planning staff was clearly aware of the project's municipal code deficiencies in January (2020) when public hearing notices were mailed out to the general public for the February 11, 2020 Planning Commission hearing. The public notice stated that the applicant was requesting a Conditional Use Permit and Variance for the development. The proposed project has not changed since January 2020. Staff determined that the project would not meet the findings to support the granting of a

variance. So staff is recommending a Zoning Code Amendment to facilitate this project which is not code compliant in its current state.

Code Deficiencies

I have identified a few code deficiencies for your reference, however this list is not exhaustive. MPMC Section 21.10.040(l)(9) requires that *parking areas and the drive-through aisle and structure shall be set back from the ultimate curb face a minimum of twenty-five (25) feet*. The staff report (and city staff) indicated that the applicant is proposing a 15'-0" setback instead of the required 25'-0" which warrants a code exception (variance). The application before you, is a use permit (with a zoning code amendment), not a variance request. City staff attempts to resolve this issue by recommending (Section 4) Condition B, which requires the applicant to amend the City Zoning Code to eliminate this code requirement instead of processing a code exception (variance). The reason city staff has decided to eliminate the variance request, is because the findings to approve a Conditional Use Permit require that **all** code requirements be meet **at time of approval** for the project. Whether the project is called a variance or a future zoning code amendment, the project just does not meet code. You cannot defer code compliance with a (potential) future zoning code amendment for this decision. As proposed under this application, this project does not meet this code requirement and the project should be denied.

The public notice, the staff report, and city staff indicated that the land use for this proposed project is a "retail eating establishment". According to the MPMC Section 21.04.754, a Retail Eating Establishment is defined as *a retail sale commercial business that prepares and sells quickly-prepared foods and/or beverages which are consumed on-site and/or off-site, with gross floor area of less than one thousand five hundred (1,500) square feet and with dining area less than fifty (50) percent of gross floor area*. The plans and the staff report indicate that the project will develop a **1,790**-square-foot kitchen. By definition, the project **exceeds** the 1,500 square footage threshold and **does not** meet this classification of "retail eating establishment". Furthermore, staff blatantly ignores the enclosed 232 square foot outdoor storage area and the 480 square foot covered patio (outdoor customer dining) in its evaluation. Staff has not addressed this code deficiency. As this project does not comply with this code requirement, this project should be **denied**.

As stated above, the proposed building does not definition of "retail eating establishment". As staff errors in the proper classification of this proposed building, this application should be denied. The proposed building however does meet the definition of "kitchen". MPMC Section 21.04.509 provides a definition of "Kitchen" which states *any room or space within a building designated, intended to be used or used for the cooking or the preparation of food*. However, an accessory use, drive through and/or outdoor dining uses are not permitted used for a kitchen-only building. Thus, this application shall be denied.

The site plan for the proposed project illustrates that 18 parking spaces will be provided for this use. Five standard size stalls and one ADA stall will be located "on site" via the projects two-way drive aisle and ten standard size stalls and one (van assessable ADA) stall located on the perimeter of the site accessed only from the adjacent one way 18-foot wide alley. Code regulations required one van accessible parking space and one standard accessible parking space for this use. As a result, the site will only provide for 16 standard parking spaces. If approved, the project will create major circulation issues. For example, the five parking stalls "on-site" will be blocked from entering or exiting the parking space(s) due to the overflowing vehicle queuing in the drive aisle (as specified in the traffic report). The parking spaces located on the perimeter of the site will be blocked by traffic circling around the "two -way" 18-foot wide alley, the project site looking for available parking. Additionally, one stall will be designated as a vehicle charging stall thus eliminating it for general use.

The staff report indicates that City staff has made a determination that the project qualified for a Class 32 Categorical Exemption from the California Environmental Quality Act. In order to determine a Class 32 exemption, the project must meet all zoning regulations and provide technical studies to analyze the project for any significant effects relating to traffic, noise, air quality, or water quality.

- Consistency with the General Plan and all Zoning regulations/requirements – City staff, the City Attorney, the Planning Commission, the staff report, resolution and conditions of approval clearly identify that the project does not meet all zoning code requirements.
- Traffic - Report was provided. The report states that trip generation projections indicate 800 vehicles per day and identified worsening levels of service (LOS) for adjacent intersections.
- Noise – No report was conducted.
- Air Quality – No report was conducted.
- Water Quality – No report was conducted.

This business (as proposed), operating essentially completely outdoors until 1:00 am 7-days a week (and originally requested by the applicant on weekdays until 1:00 am and 3:30 am on weekends) will create a significant noise impact, not only to me but to the other neighboring residential properties. The noise generated from the vehicles stacked in the two drive through lanes, the dual menu board (loud) speaker boxes directly facing residential properties, the walk-up order counter, the outdoor customer dining area, the mechanical equipment located on the roof of the building and electrical transformer warrants evaluation for noise impacts.

Noise levels are measured in decibels. A decibel is a unit of intensity of sound, abbreviated dB. According to the Centers for Disease Control and Prevention (CDC) “Hearing loss can result from a single loud sound (like firecrackers) near your ear. Or, more often, hearing loss can result over time from damage caused by repeated exposures to loud sounds. The louder the sound, the shorter the amount of time it takes for hearing loss to occur. The longer the exposure, the greater the risk for hearing loss (especially when hearing protection is not used or there is not enough time for the ears to rest between exposures).”¹ According to the article, Noise levels of everyday sounds (June 19, 2017), Elena McPhillips states, “the smallest audible sound is 0 dB and a sound that is 10 times more powerful is 10dB...0 dB is the softest sound a human ear can hear—something almost inaudible, like a leaf falling.”²

After residing on this property my entire life, it is easy for me to describe the existing ambient noises. My home is located at the top of the hill and sound travels easily through the air without buffers from trees or solid walls. At any time of day, we hear traffic traversing along Atlantic Blvd. Car alarms and emergency (police) sirens are intermittent noises. In the evenings, conversations can be heard when customers exit Shakey’s Pizzeria located on the west side of Atlantic Blvd. During the daytime we can hear the power tools operating from the tire shop, Just Tires located on the west side of Atlantic Blvd. These sounds taper off around 7:00 pm during the week and 6:00 pm during the weekend. These ambient noises can be heard from inside my home when the windows are open and from my backyard which overlooks Atlantic Blvd. Three of the bedrooms in my home have windows that face Atlantic Blvd. The hours of operation proposed for this business is not compatible with the adjacent commercial businesses. If approved the noise levels from this business will exceed the allowable thresholds established by code and will most certainly create significant impacts to me and the adjacent residential properties.

¹ https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html

² <https://www.audicus.com/noise-levels-of-everyday-sounds/>

Based on Monterey Park Municipal Code (MPMC) Section 9.53.040 *Noise standards - No person shall, at any location within the city, create nor allow the creation of noise on any property which causes the noise level to exceed the applicable noise standards except as set forth in this section.*

(1) *The noise standards shall be the actual measured median ambient noise level or the following presumed ambient noise level, whichever is greater:*

Noise Zone	Time	Allowable Noise Level— dBA
I. Residential	7 a.m.—10 p.m.	55
	10 p.m.—7 a.m.	50
II. Commercial	7 a.m.—10 p.m.	65
	10 p.m.—7 a.m.	55
III. Industrial	Anytime	70

(2) *If the intruding noise source is continuous and cannot be reasonably discontinued for sufficient time in which the ambient noise level can be determined, the above presumed ambient noise levels shall be used.*

(3) *If the property where the noise is received is located on the boundary between two different noise zones, the lower noise level standard applicable to the quieter zone shall apply. (Ord. 1519 § 1, 1980) .*

Based on MPMC Section 21.10.100 *Mechanical Equipment. - Each lot which has compressors, air-conditioning units or similar machinery, located outside of the exterior walls of any building, must comply with the following:*

- (A) *All mechanical equipment must be maintained in a clean and proper condition to prevent a collection of litter and filth **and to avoid the emission of unnecessary noise, dust or fumes.***
- (B) *Any mechanical equipment to be located on the roof of a commercial building, or at grade, must provide adequate screening from public rights-of-way and adjacent properties through the use of parapets or a solid, non-combustible, screening material. Such screening may either be painted to match the exterior color of the commercial building or treated as an architectural feature. (Ord. 2097 § 3, 2013)*

Based on the noise thresholds listed in the MPMC, 55 dBA is the maximum (residential) level during the daytime and 50 dbA is the maximum (residential) level during the nighttime. Noise thresholds for commercial zoned properties are slightly higher than what is permitted in residential zoned properties. However, when the commercial zone abuts a residential zone, the lower noise level standard is applicable to the quieter (residential) zone.

You can compare the noise level from the menu board sound system to the list of sounds provided by the CDC which illustrate the different dB levels and how noise from everyday sources can affect your hearing.³

³ https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html

Everyday Sounds and Noises	Average Sound Level (measured in decibels)	Typical Response (after routine or repeated exposure)
Softest sound that can be heard	0	Sounds at these dB levels typically don't cause any hearing damage.
Normal breathing	10	
Ticking watch	20	
Soft whisper	30	
Refrigerator hum	40	
Normal conversation, air conditioner	60	
Washing machine, dishwasher	70	You may feel annoyed by the noise
City traffic (inside the car)	80-85	You may feel very annoyed
Gas-powered lawnmowers and leaf blowers	80-85	Damage to hearing possible after 2 hours of exposure
Motorcycle	95	Damage to hearing possible after about 50 minutes of exposure
Approaching subway train, car horn at 16 feet (5 meters), and sporting events (such as hockey playoffs and football games)	100	Hearing loss possible after 15 minutes
The maximum volume level for personal listening devices; a very loud radio, stereo, or television; and loud entertainment venues (such as nightclubs, bars, and rock concerts)	105-110	Hearing loss possible in less than 5 minutes
Shouting or barking in the ear	110	Hearing loss possible in less than 2 minutes
Standing beside or near sirens	120	Pain and ear injury
Firecrackers	140-150	Pain and ear injury

If approved, the noise levels from this business will exceed the allowable thresholds established by code and will most certainly create significant impacts as illustrated in the table above. Not just me, but the five adjacent residential properties located on Bradshaw Avenue, the adjacent commercial businesses located on Atlantic Boulevard and the nearby residential properties located along Brightwood Street and Atlantic frontage road..

According to Howard Company, the leader manufacture of drive through menu board systems, "drive thru menu board systems create noise that range between 63 and 85 dBA". Even at the lowest range of 63 dBA, the drive thru menu board systems exceed this threshold limitation. McPhillips states that, "any exposure to sounds over 140 dBA is considered unsafe for humans, and continued exposure to noises over 85 dBA...will put your hearing in danger." The National Institute for Occupational Safety and Health (NIOSH) says a safe level of noise to avoid hearing loss is no more than 85 decibels (dB) over an eight-hour period. Thus, the continued exposure to the dual menu board systems over 17 hours during the weekdays and over 18.5 hours during the weekend would create significant noise impacts to me and my family as well as the families that reside in the adjacent residential properties. In addition to the negative noise impacts from the drive through menu board sound systems, the roof top mechanical equipment will also create additional ambient noise which is not addressed in the staff report or in any technical document.

It is evident that the City of Monterey Park is interested in the topic of noise as a variety of policy documents address the impacts of noise on the community as a whole. The City of Monterey Park addresses noise impacts by way of The General Plan's Safety and Community Services Element where several goals and polices address how to reduce the negative impacts of noise⁴. According to the City's website under Noise, "The planning for future land uses in Monterey Park requires that potentially problematic sources of noise be identified and that noise / land use conflicts be avoided..."⁵ According to Monterey Park's website on Noise/Land Use Compatibility Guidelines, "Monterey Park's primary goal with regard to community noise is to minimize the exposure of residential neighborhoods, schools, and hospitals to excessive or unhealthy noise levels..."⁶ Why would city staff support a project that does not promote these goals? Why would city staff support drive through business adjacent to sensitive noise receptors such as residential properties?

Furthermore, Monterey Park's website on Baseline Noise Environment, evaluated the city's noise impacts by "...establish a baseline against which to measure changes in the community noise environment over time, a noise modeling effort was performed, with year 2000 serving as the baseline year. Because traffic noise represents the dominant noise source in the community, the model focuses on traffic noise and the 24-hour ambient noise conditions resulting from this primary source...the city's Principal and Minor Arterials represent the major source of traffic noise. Both commercial and residential uses along Principal and Minor Arterials (such as Atlantic Boulevard, Garfield Avenue, Pomona Boulevard, Garvey Avenue, and Graves Avenue) lie within the 65 CNEL noise contour. A number of residential neighborhoods are also exposed to traffic noise from Minor Arterials, Collector, and Local streets...Since the city cannot control noise at the source, city noise programs focus on reducing the impact of transportation noise on the community."⁷ Based on these statements and the policies approved by the decisionmakers, noise impacts are indeed important to the Monterey Park community. Why would city staff disregard these studies and support a use that is clear would harm its residents?

According to the Safety and Community Services Element -Noise, Goal 5.0 - Minimize the impact of point-source noises and ambient noise levels throughout the community. Policy 5.1 - Continue to enforce the Noise Ordinance to control point-source noise. Policy 5.2 - Incorporate noise impact considerations into the development review process, particularly the relationship of parking and ingress/egress, loading, and refuse collection areas to surrounding residential and other noise-sensitive land uses. It is apparent that Policy 5.1 was not met as the review of this development project did not consider project noise impacts. A drive through business such as this proposed by the applicant, will create significant negative adverse impacts to the adjacent noise sensitive residential properties.

This project as proposed will not minimize the negative impacts of noise but rather will increase harmful levels of noise adjacent to noise sensitive land uses such as residential properties. With these noise reduction policy documents along with the established goals and policies set forth, why is staff not requiring the technical studies to ensure the well-being of the adjacent residential properties? Why is city staff not enforcing the City of Monterey Park policies established by the City Council?

The emissions generated with this project are also a large concern for me. The emissions generated from the projected 800 vehicles per day and the restaurant's exhaust system warrants an air quality evaluation. According to the staff report, the project proposed with two drive through lanes will provide vehicle

⁴ <http://www.montereypark.ca.gov/464/Safety-Community-Services-Element>

⁵ <https://www.montereypark.ca.gov/479/Noise>

⁶ <https://www.montereypark.ca.gov/489/Noise-Land-Use-Compatibility-Guidelines>

⁷ <https://www.montereypark.ca.gov/484/Baseline-Noise-Environment>

queuing (stacking) for approximately 17 vehicles and on peak times when the queuing is expected to exceed 17 vehicles which will overflow into to drive aisles, onto Atlantic Blvd and the adjacent alley. Vehicle emissions contain gases including carbon dioxide, which contributes to climate change, as well as harmful pollutants nitrogen dioxide, carbon monoxide and hydrocarbons. According to Monterey Park's Sustainable Community Element (adopted October 2014), "As of 2009, transportation-related emissions represented the largest sector in the community's GHG emissions inventory, accounting for about 63 percent of emissions. Besides generating these emissions, accommodating larger numbers of vehicles also leads to more land used for parking and streets, increasing surface water runoff, creating a "heat island" effect, and reducing space for vegetation." According to the Sustainable Community Element, "the City has focused on...encourage people to walk, bicycle or use public transit instead of the personal auto. Addressing safety concerns and investing in sidewalks has further supported the ability for community members to engage in daily activities without depending on a car." A business that is centered around the drive through feature does not promote the goals and policies of the residents or the City Council as addressed in this policy document.

The City's Climate Action Plan (CAP) (revised public draft January 2012) has the primary purpose to set forth a comprehensive strategy to address GHG emissions related to land use, transportation, building design, energy use, water demand, and waste generation. A CAP is a city's roadmap to reducing community GHG emissions associated with both existing and future actions and activities. The CAP focuses GHG-reducing efforts to areas that will have the greatest environmental benefit, have the least financial cost (or even savings), and preserve the character of the community. The CAP provides strategies and programs for government facilities, businesses and residents that can lead to a reduction of GHG emissions from daily activities. "For Monterey Park, the local impacts of climate change will include reduced air quality; diminished water supplies; higher seasonal temperatures; risks to local ecosystems, including those that supply the City with water; and increased energy costs." Land use patterns can affect the modes of transportation uses to move around a city. The CAP suggests that finding opportunities "to improve walkability and bike-ability" can reduce greenhouse gases...Greenhouse gases have far-ranging environmental and health effects contribute to respiratory disease from smog and air pollution."⁸ This project does not promote the goals and policies of the CAP as it is designed for the vehicle rather than a traditional sit down restaurant which would promote further walkable activities into the adjacent shopping center.

According to the U.S. Department of Energy "Idling your vehicle—running your engine when you're not driving it—truly gets you nowhere. Idling reduces your vehicle's fuel economy, costs you money, and creates pollution."⁹ Idling for more than 10 seconds uses more fuel and produces more emissions that contribute to smog and climate change than stopping and restarting your engine does."¹⁰ According to the Journal of Civil and Environmental Engineering, "An Evaluation of the Effects of Drive-Through Configurations on Air Quality at Fast Food Restaurants" (Volume 6 • Issue 3 • 1000235), "Some local governments have adopted policies in this issue and launched anti-idling campaigns to help educate people about negative impacts of idling on the environment. Furthermore, there are growing debates about the environmental impact of drive-thrus and a few governmental agencies have been trying to eliminate and ban drive thrus. The USA Federal Highway Administration (FHWA) recommends turning off the vehicle engines in drive-thrus to reduce emissions and climate change. However, most people do not know that a vehicle that is idle at a drive-through facility and wait for a long period of time produces a

⁸ <https://www.montereypark.ca.gov/242/Climate-Action-Plan>

⁹ <https://www.epa.gov/greenvehicles/greenhouse-gas-emissions-typical-passenger-vehicle>

¹⁰ https://afdc.energy.gov/files/u/publication/idling_personal_vehicles.pdf

considerable amount of emission.”¹¹ The study indicated that “when two lanes had to merge into one single lane”, such as the proposed project, “the vehicles had to be idle for longer time” thus this project is creating higher levels of air pollution just by design. By design, this project already creates more air pollution as it is proposed with two drive through lanes which merge into one lane. With this configuration the vehicles visiting the site will idle longer thus creating more air pollution than one single lane. Furthermore, the vehicles idling in the alley way as they circulate the project looking for available parking, stuck in the drive through queuing lane or trying to exist the site will contribute to increased air pollution. Why would city staff support a project such as this, when there has been significant negative effects of vehicle emissions and drive through businesses?

Traffic impacts are clearly identified in the traffic report. The traffic report indicated that Atlantic Boulevard is congested in its existing condition. Atlantic Boulevard is developed with several shopping centers between Brightwood Street and Riggan Avenue. The East Los Angeles Community College campus is located one block west of Atlantic Boulevard between Riggan Avenue and Floral Avenue. The college’s five-story tall parking structure is located on the southwest corner of Collegian Avenue and Floral Avenue. This proposed project, along with the (nearby) existing fast food restaurants (McDonalds, Taco Bell and Carl’s Jr), the existing shopping centers and the nearby regional community college will clearly contribute to significant cumulative adverse traffic impacts which were not identified in the traffic report.

One such municipality, the City of Minneapolis, has adopted a ban on new drive through businesses aimed to reduce air pollution. Local publication, The Drive, details how Minneapolis won the battle against drive through companies in “City of Minneapolis Bans Drive-Thrus to Increase Safety and Reduce Pollution details the fight against fast food restaurant. Author, Chris Chin reports that “the decision is also a part of Minneapolis 2040, a plan to progressively improve citywide infrastructure and reduce traffic fatalities and curb vehicle air pollution”.¹²

Based on facts from the EPA and the USA Federal Highway Administration, the use of vehicles, directly contribute to air pollution. With the approximately 800 vehicles projected to serve this business daily it is anticipated that this business alone will generate its fair share of air pollution. Without a proper analysis of the emissions generated from this project, staff cannot simply “make a determination of no impact”. Without requiring the proper technical studies this project cannot be determined to not create significant adverse air quality impacts for my adjacent property and the adjacent residential and commercial properties. Thus, city staff and the city attorney has not fully analyzed the project according to CEQA guidelines.

Traffic impacts have been identified in the Traffic Report. The report states that trip generation projections indicate that the site will accommodate approximately 800 vehicles per day. Additionally, the report indicated that all intersections see a worsening in the existing levels of service (LOS). The existing McDonalds restaurant located on Floral Avenue and Collegian Avenue and the new In-n-Out and Chick Fil A restaurants located in the Market Place have over-flowing queuing (vehicle stacking) into the drive aisles and in the McDonald’s case, on to the street. The proposed project will create vehicle circulation issues that will impact the adjacent alley and Atlantic Boulevard. The project will most certainly create significant adverse traffic impacts.

¹¹ <https://www.hilarispublisher.com/open-access/an-evaluation-of-the-effects-of-drivethrough-configurations-on-airquality-at-fast-food-restaurants-2165-784X-1000235.pdf>

¹² <https://www.thedrive.com/news/29377/city-of-minneapolis-bans-drive-thrus-to-increase-safety-and-reduce-pollution>

The proposed primary use of the site is identified as a fast food restaurant (with no indoor customer seating) and dual drive lanes. However, when comparing the square footage of the building and the square footage of the drive thru lanes, it appears that the primary use of the site is actually “drive through” based on the submitted plans. The restaurant is lacking in customer amenities and the site in general is lacking basic elements that would benefit the neighborhood as exemplified by locating the only dining area directly adjacent to the drive aisle/overflow vehicle queuing lane/parking lot. The prepared findings for the positive recommendation of the Conditional Use Permit are false and misleading with regards to the project not creating adverse effecting on the general welfare of the community or neighborhood.

Resolution

Section 3 – Environmental Assessment fails to factually indicate that the proposed project does not meet all zoning regulations as set forth in MPMC Section 21.10.040(i) and 21.32020(B). Because the project does not meet all zoning code requirements, it does not qualify for a Class 32 categorical exemption determination. Without the proper technical studies which provide the actual facts related to impacts City staff, the City Attorney nor the Planning Commission can make a “no impact CEQA determination.” This project was improperly reviewed under CEQA guidelines. Therefore, a full environmental review should be conducted. Thus Section 3 states false claims.

Section 4 - Findings

This section provides two sets of findings, A and B.

Set A requires that the project **not** create unusual noise, traffic, or other conditions that may be objectionable, detrimental or incompatible with surrounding properties. The use, a drive through, is not a compatible land use adjacent to residential zoned properties. The drive through will certainly create significant adverse impacts that will directly affect the adjacent residential and commercial zoned properties. The project is required to meet all code requirements at the time of approval, and it shall not defer compliance with a future code amendment. As this project does not meet all of the findings listed in Set A, the use permit shall be **denied**.

Set B - The findings set forth in Set B are **subject to a future code amendment**. Such approval of a Conditional Use Permit shall not be subject to a future code amendment thus Set B findings should be eliminated entirely as they have no basis on current code requirements under this use permit request. Furthermore, City staff suggests that the Monterey Park residents will **not** wish to address the Planning Commission on these “future” text code changes specifically amendments that affect changes to drive through development standards. As required under MPMC the **future text code amendment** is subject to public review and comment as well as compliance with CEQA. It is anticipated that many residents, such as myself, will be quite interested in the new proposed language and wish to identify additional language to specifically address the adverse impacts of drive through businesses. Such as requiring a larger buffering distance between the use and nearby sensitive land uses, and additional site design criteria aimed to minimize adverse impacts. As these findings for the **future text amendments** have not been fully analyzed through a duly noticed public review process, Set B “Findings” should be **eliminated entirely** from the Resolution and should have no basis for the decision for this CUP request.

Section 6

Reliance on Record states “that each and every one of the findings and determinations are based on competent and substantial evidence. The findings and the determinations constitute the independent findings and determinations of the Planning Commission.” Without the required technical studies regarding true project impacts on traffic, air quality, noise, and water quality, the project has not been

fully analyzed under CEQA guidelines. A Class 32 Categorical Exemption cannot be legally determined by staff or be recommended to the Planning Commission when the project is deficient in code compliance at time of vote for the item. The traffic report identified true negative, adverse traffic impacts, and thus the project does not comply with code requirements and shall be denied.

Conditions

Condition 6 states that the applicant must comply with all applicable setback requirements set forth in the MPMC regulating drive throughs. Based on this condition, it is understood by city staff and the City Attorney are aware that that in its current state, the project does not comply with code requirements related to drive throughs. If the project fails to comply with code requirements, it shall be denied as a whole.

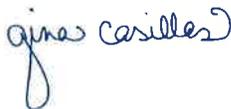
Condition 12 states that the drive-through speaker systems must not be audible above the daytime and nighttime ambient noise levels beyond the property boundaries. Based on industry standards, drive-through speaker systems exceed maximum noise thresholds and will not be able to comply as conditioned. A condition such as this has no merit and should be eliminated if the project cannot meet the minimum zoning code requirements it shall be denied as a whole.

Condition 13(g) requires that the drive-through component of the project must comply with MPMC Section 21.10.040(l)(9) which states that parking areas and the drive-through aisle and structure shall be set back from the ultimate curb face a minimum of twenty-five (25) feet. The proposed project fails to comply with this code section as the drive aisle is shown set back from the ultimate curb face a minimum of 15 feet. Based on the need for this condition, it is understood that staff, the City Attorney and the Planning Commission are aware that in its current state, the project does not comply with code requirements related to drive throughs and the project shall be denied.

Condition 26 requires the applicant to submit a traffic management plan to address the onsite traffic during peak operating hours, such as during the times that traffic will cause the drive-through queuing to over-flow onto the drive aisle and Atlantic Blvd and the adjacent properties that abut the alley. Placing a condition onto a project in such a way that it clearly concludes that traffic impacts will materialize for this proposed project. If City staff, the City Attorney and the Planning Commission knowingly understand that traffic impacts are forecasted for this proposed project then the Class 32 categorical exemption is not factual or warranted and a full environmental review is warranted by CEQA.

In conclusion, I oppose this project and request that the City Council overturn the Planning Commission's decision made on May 12, 2020 and deny this application in whole based on the project's deficiencies outlined in this letter and the lack of proper environmental impact evaluation related to noise, air quality, traffic.

Thank you,



ATTACHMENT 4

May 21, 2020

Subject: Appeal the City of Monterey Park Planning Commission Decision to approve Raising Canes Project, including Conditional Use Permit (CUP 19-13) – 1970 South Atlantic Boulevard

My name is Rafael O Casillas, a 29-year resident of Monterey Park and a registered civil engineer for the State of California (RE 68234). I have over 20 years of experience working performing Public Works and Engineering plan reviews for entitlements of new developments for municipalities. My experience has been in the Cities of South Pasadena, Duarte, Monrovia, Montebello, Santa Fe Springs and Paramount. I plan check developments to assure compliance with the City's standards and municipal code requirements. Therefore, as a resident of the City of Monterey Park, I am appealing the Planning Commission's decision to approve the project and granting Conditional Use Permit (CUP) 19-13.

The proposed development as designed will create adverse impacts to the adjacent Single-Family Residential and Shopping Center Land Uses, R1 and S-C respectively (M.P.MC 21.02.210 Zone Designations). The development is not consistent with the current Zoning Codes, General Plan Land Use Element, exceeds the building intensity, hours of operation, exceeds noise, traffic impacts and will significantly impact the quality of life to Monterey Park residents and generate a public nuisance(s). The development does not meet various legal requirements, such as the following MPMC standards and code requirements:

The proposed project does not meet the definition of a "restaurant", per Monterey Park Municipal Code (MPMC) Section 21.40.747. The project exceeds the gross floor area (1,500 s.f.) to be classified as a "retail eating establishment", MPMC Section 21.04.754. The outdoor dining/seating is only allowed as an accessory function to a restaurant; this project does not qualify for "outdoor dining/seating", MPMC Section 21.12.030 (G). Drive-through businesses shall comply to the MPMC Sections 21.04.336 and 21.10.040(I)(1). In addition, per MPMC 21.10.040(I)(11) drive-through restaurants are only permitted in S-C zoning with restaurant classification.

The proposed development does not comply with MPMC Section 21.32.020(A)(B) Conditional Use Permit requirements compatible with other existing and permitted uses located in the general area, the site is inadequate for the proposed development, deficient in required yards, walls, fences parking and loading facilities, landscaping, setbacks, lacks adequate alleyway width to provide quality of traffic generated by the proposed use, is not consistent with the General Plan, the project will create unusual noise, traffic and other conditions that are incompatible with surrounding properties, use will have an detrimental effect on the public health, safety and general welfare.

The project requires (condition 25) off-site improvements consisting of commercial driveways, sidewalks, concrete curbs, concrete gutters, alley pavement reconstruction and toe of slope improvements. Per the site plan (Kimley Horn, January 2020, Exhibit A), a setback variance is required for the development in order to meet the required twenty-six (26) parking back up distance (MPMC Section 21.22.380). The alley pavement width, along with the existing power poles along the alleyway, create a physical width of the alleyway that is less than eight-teen feet. The existing measurements are confirmed per my field measurements of the exiting alleyway, see Attachment A which includes two

photos of my measurements of the alleyway. Per MPMC Section 21.22.380 Appendix A – Off Street Parking Reequipments Part 5, the required ingress and egress width of parking facilities is minimum of clear width of twenty-four (24) feet with twelve-foot (12) travel lane widths. The narrow alleyway width will hinder proper traffic circulation.

Per the Traffic Impact Study (Kimley Horn, January 2020), *“For locations forecasted to operate worse than the acceptable Level of Service even without the project, the traffic assessment must include improvements to achieve acceptable Level of Service per the City’s standards.”* Condition 26 acknowledges that the project will generate traffic impacts at the site and spillover onto South Atlantic Boulevard and adjacent properties. Kimley Horn states, *“potential queue of vehicles at the intersection of Atlantic Boulevard and the alleyway.”* The traffic study estimates the project to generate over 800 vehicle trips on a daily basis to the site and neighborhood. The traffic study identifies Atlantic Boulevard at the alleyway operates below the City’s standard and fails to identify the project impacts to the northerly alleyway at Brightwood Avenue and Atlantic Blvd (easterly frontage road).

In addition, Brightwood Avenue between Atlantic Avenue and Bradshaw Avenue will at a minimum receive 10% of the traffic volumes (Kimley Horn, attachment C). Increased traffic volumes will increase traffic collisions to local streets. Per the Statewide Integrated Traffic Records System (SWITRS), Atlantic Boulevard from Brightwood Avenue to Floral Avenue experiences a high volume of traffic collisions from left-turn movements in and out of the businesses. A total of 115 traffic collisions occurred in a five-year period and left-turn traffic movements should be restricted from the development (see attachment B, SWITRS Traffic Collision Data which consists of true and correct data that I obtained from the California Highway Patrol Statewide Integrated Traffic Records System). From our home we have observed and heard many traffic collisions on Atlantic Blvd. south of Brightwood. The steep grades on Atlantic Blvd., sharp roadway curve at 1970 Atlantic Blvd. and left-turn movements in/out of the commercial business create an extremely hazardous condition for motorist driving on Atlantic Blvd., see attached SWITRS report.

The Kimley Horn, Appendix E, Drive-Through Queuing Analysis fails to compare similar locations to Monterey Park in Los Angeles County. The analysis utilizes locations in Orange and Riverside Counties with different project customer demographics. A que analysis from similar city demographics and within Los Angeles County, such as the Cities of Pico Rivera, Downey and Lakewood, will yield more accurate que length and time results to compare. The use of the further locations purposely minimizes the true impact to Monterey Park. In addition, as mentioned in the que study analysis the other locations include indoor dining as an option for customers *“to go into the building, rather than join the existing queue,”* and this is not a retail eating establishment. Appraisals performed outside of the immediate area will generate inaccurate comparisons.

The Kimley Horn traffic study is inconsistent with and fails to address the City of Monterey Park’s General Plan Circulation Element Goals and Policies 1.3 alternatives to reduce traffic loads and 2.6 establish and maintain a **Neighborhood Traffic Control Program**. In addition, the General Plan Circulation Element identified Atlantic Boulevard at Floral Drive and Atlantic Boulevard at Brightwood Street as “hot spots.” This designation requires ongoing efforts to improve traffic flow, **reduce non-local trips through residential neighborhoods** and best accommodate truck traffic. General Plan Circulation Element, “In particular, Atlantic Boulevard, Garvey Avenue and Garfield Avenue – the City’s three primary travel routes – experience Level of Service (LOS) conditions of E or F.” The project’s traffic study

clearly identifies significant impacts without providing proper mitigations. This project should be denied do to the fact that it does not meet the Goals established by the City Council.

The hours of operation (condition 11) should be modified to meet the applicable noise ordinances of the commercial and residential zones. The increased traffic circulation, engine idling, menu board loudspeakers, no interior protected public restrooms and outdoor dining will generate higher than allowed decibels. Thus, the business should be required to operate no later than 10:00 p.m. consistent with the noise ordinance of 50 decibels after 10:00 p.m.

The proposed site, 1970 S. Atlantic Blvd, has history of soil contamination as specified by Los Angeles County Public Works and State Water Quality Control Board (Concophillips Company #253627, Tosco/Unocal #30527, Unocal #3627 and LACO case no. 038358). The record information indicates underground storage tank removals and contamination detections in the soil as of 2006, such as contaminate MTBE. The potential of soil contamination will prohibit compliance with the National Pollutant Discharge Elimination System (NPDES) (condition 15) and failure to comply with the Low Impact Development (LID) requirements for on-site stormwater detention and best management practices. The property owner is currently storing 55-gallon drums on site with soil cuttings, see Attachment C, which a photograph of the project site with five (5) drums.

Resolution Section 4 Finding B.9 is technically a variance (MPMC 21.04.915) to grant a setback modification to the zoning requirements for the project that does not follow proper due process (MPMC 21.32.010). In addition, the project site plan clearly identifies the need of a variance for the required twenty-six foot backup setback along the perimetry on the alleyway. Granting of this variance/finding will grant special privilege to the applicant.

Per MPMC Section 21.22.210, the project requires the construction of a wall or fence due to every parking area abutting R-zoned property and must be separated from such property by a solid view-obscuring fence or wall six feet in height, but this project can not meet the reequipment because the alley is too narrow.

This project does not qualify for a California Environmental Quality Act Exemption Class 32. Attached is an independent traffic study review of the project performed by Mr. Jeffrey Lau, Licensed Traffic Engineer, to provide errors and omissions and additional guidance.

The project as submitted incomplete and inconsistent with the MPMC. The Planning Commission should deny this project in its entirety, including the Conditional Use Permit. If you have any questions, please contact me at (323) 803-0779 or via email at roc-engineer@earthlink.net.

Sincerely,



Rafael O. Casillas, PE
1937 S. Bradshaw Avenue
Monterey Park, CA 91754

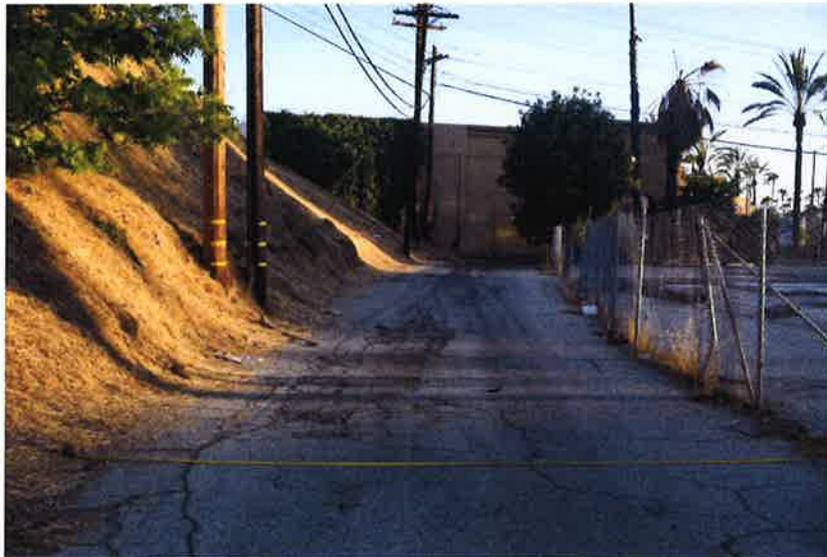
Attachments:

- A. Alleyway Field Measurement
- B. SWITRS Traffic Collision Report
- C. 55-Gallon Containers

Attachment A



17 – Feet to Edge of Pavement



Alleyway with Power Poles 18 – Feet Clear Distance

Attachment B

City of Monterey Park
 SWITRS 5 year Traffic Collisions
 Atlantic Blvd from Brightwood Avenue to Floral Avenue

No.	Primary Road	Secondary Road	Distance	Direction	Date	Time	Primary Collision Factor	Collision Type	Severity
1	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	1/1/2014	3:22	STOP SGN/SIG	BROADSIDE	PDO
17	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	55	N	1/8/2014	15:23	STOP SGN/SIG	SIDESWIPE	PDO
2	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	1/17/2014	19:40	R-O-W AUTO	BROADSIDE	PDO
6	ATLANTIC BLVD	BRIGHTWOOD ST	22	N/A	1/27/2014	9:23	UNSAFE SPEED	REAR END	PDO
54	ATLANTIC BLVD	BRIGHTWOOD ST	203	S	1/30/2014	13:14	IMPROP TURN	SIDESWIPE	PDO
53	ATLANTIC BLVD	BRIGHTWOOD ST	186	S	2/12/2014	22:02	IMPROP TURN	SIDESWIPE	PDO
19	RIGGIN ST	ATLANTIC BLVD	93	E	2/17/2014	19:31	STRNG/BCKNG	AUTO/PED	INJURY
8	ATLANTIC BLVD	FLORAL DR	127	N	2/19/2014	16:24	UNSAFE SPEED	REAR END	PDO
15	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	129	N	3/4/2014	12:54	IMPROP TURN	SIDESWIPE	PDO
9	ATLANTIC BLVD	FLORAL DR	0	N/A	4/25/2014	22:51	R-O-W PED	AUTO/PED	INJURY
56	ATLANTIC BLVD	FLORAL DR	215	N	5/7/2014	13:14	UNSAFE SPEED	REAR END	INJURY
7	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	5/15/2014	9:55	STOP SGN/SIG	BROADSIDE	INJURY
10	ATLANTIC BLVD	FLORAL DR	83	W	5/25/2014	23:33	UNSAFE SPEED	REAR END	PDO
59	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	1000	N	6/1/2014	17:15	R-O-W PED	AUTO/PED	INJURY
57	ATLANTIC BLVD	FLORAL DR	519	N	6/22/2014	3:46	DRVR ALC/DRG	HEAD-ON	INJURY
18	AVENIDA CESAR CHAVEZ	ATLANTIC BLVD	126	W	7/3/2014	11:56	UNSAFE SPEED	REAR END	PDO
3	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	7/24/2014	15:28	R-O-W AUTO	HEAD-ON	INJURY
58	ATLANTIC BLVD	FLORAL DR	246	N	8/8/2014	16:14	OTHER HAZ	BROADSIDE	INJURY
4	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	10/27/2014	11:45	UNSAFE SPEED	REAR END	INJURY
5	ATLANTIC BLVD	BRIGHTWOOD ST	62	N	11/1/2014	3:10	UNSAFE SPEED	REAR END	PDO
11	ATLANTIC BLVD	FLORAL DR	0	N/A	11/6/2014	7:30	LANE CHANGE	SIDESWIPE	INJURY
14	FLORAL DR	ATLANTIC BLVD	12	W	11/6/2014	15:48	R-O-W PED	HEAD-ON	INJURY
55	ATLANTIC BLVD	BRIGHTWOOD ST	563	S	11/10/2014	9:05	UNSAFE SPEED	REAR END	PDO
12	ATLANTIC BLVD	FLORAL DR	83	N	11/18/2014	15:25	UNSAFE SPEED	REAR END	INJURY
20	ATLANTIC BLVD	RIGGIN ST	20	S	12/4/2014	15:55	UNSAFE SPEED	REAR END	PDO
13	ATLANTIC BLVD	FLORAL DR	34	N	12/11/2014	2:00	UNSAFE SPEED	REAR END	INJURY
16	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	143	S	12/29/2014	15:18	IMPROP TURN	SIDESWIPE	PDO
21	ATLANTIC BLVD	BRIGHTWOOD ST	129	S	1/12/2015	21:37	UNSAFE SPEED	REAR END	INJURY
23	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	2/2/2015	14:04	UNSAFE SPEED	OTHER	INJURY
31	AVENIDA CESAR CHAVEZ	ATLANTIC BLVD	33	N	2/10/2015	11:02	STRNG/BCKNG	REAR END	PDO
24	ATLANTIC BLVD	BRIGHTWOOD ST	144	N	2/16/2015	20:21	UNSAFE SPEED	REAR END	PDO
32	ATLANTIC BLVD	RIGGIN ST	98	N	2/28/2015	18:55	UNSAFE SPEED	REAR END	INJURY
62	ATLANTIC BLVD	BRIGHTWOOD ST	187	S	3/27/2015	21:41	IMPROP TURN	HIT OBJECT	PDO
60	ATLANTIC BLVD	BRIGHTWOOD ST	433	S	5/8/2015	12:42	UNSAFE SPEED	REAR END	PDO
61	ATLANTIC BLVD	BRIGHTWOOD ST	492	S	6/1/2015	18:53	R-O-W AUTO	BROADSIDE	INJURY
26	ATLANTIC BLVD	FLORAL DR	20	N	7/2/2015	13:15	TOO CLOSE	REAR END	PDO
28	FLORAL DR	ATLANTIC BLVD	129	W	7/8/2015	17:16	STRNG/BCKNG	BROADSIDE	PDO
33	ATLANTIC BLVD	RIGGIN ST	28	N	7/15/2015	11:39	UNSAFE SPEED	BROADSIDE	PDO
22	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	9/7/2015	12:30	NOT STATED	BROADSIDE	PDO
34	RIGGIN ST	ATLANTIC BLVD	0	E	10/1/2015	11:21	R-O-W AUTO	BROADSIDE	PDO
30	AVENIDA CESAR CHAVEZ	ATLANTIC BLVD	13	W	10/16/2015	14:54	UNKNOWN	AUTO/PED	INJURY
63	ATLANTIC BLVD	FLORAL DR	1000	S	10/21/2015	18:36	IMPROP TURN	BROADSIDE	INJURY
29	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	80	S	11/23/2015	16:13	IMPROP TURN	SIDESWIPE	PDO
25	ATLANTIC BLVD	BRIGHTWOOD ST	0	N/A	12/7/2015	11:39	STOP SGN/SIG	BROADSIDE	PDO
27	ATLANTIC BLVD	FLORAL DR	47	S	12/13/2015	15:06	LANE CHANGE	SIDESWIPE	PDO
35	ATLANTIC BLVD	RIGGIN ST	0	N/A	12/23/2015	16:03	LANE CHANGE	SIDESWIPE	PDO
37	ATLANTIC BLVD	FLORAL DR	150	S	1/5/2016	14:35	UNSAFE SPEED	REAR END	INJURY
65	ATLANTIC BLVD	FLORAL DR	268	S	2/5/2016	16:22	UNSAFE SPEED	REAR END	PDO
43	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	67	N	2/14/2016	20:16	NOT DRIVER	BROADSIDE	PDO
64	ATLANTIC BLVD	BRIGHTWOOD ST	183	S	3/1/2016	13:24	WRONG SIDE	HIT OBJECT	PDO
38	ATLANTIC BLVD	FLORAL DR	50	S	3/23/2016	16:48	IMPROP TURN	SIDESWIPE	PDO
39	ATLANTIC BLVD	FLORAL DR	60	N	5/3/2016	7:59	UNSAFE SPEED	SIDESWIPE	PDO
50	RIGGIN ST	ATLANTIC BLVD	130	E	5/18/2016	10:36	LANE CHANGE	SIDESWIPE	PDO
48	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	515	N	5/24/2016	17:12	STOP SGN/SIG	BROADSIDE	INJURY
41	ATLANTIC BLVD	FLORAL DR	100	S	6/28/2016	9:59	IMPROP TURN	SIDESWIPE	PDO
49	ATLANTIC BLVD	RIGGIN ST	20	S	7/4/2016	17:47	UNKNOWN	REAR END	PDO

City of Monterey Park
 SWITRS 5 year Traffic Collisions
 Atlantic Blvd from Brightwood Avenue to Floral Avenue

36	ATLANTIC BLVD	BRIGHTWOOD ST	50 S	7/24/2016	20:30 UNSAFE SPEED	OTHER	INJURY
44	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	112 S	8/3/2016	10:20 UNSAFE SPEED	REAR END	PDO
45	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	40 N	8/19/2016	23:48 DRVR ALC/DRG	REAR END	PDO
52	ATLANTIC BLVD	RIGGIN ST	600 N	10/7/2016	8:24 IMPROP TURN	SIDESWIPE	PDO
51	RIGGIN ST	ATLANTIC BLVD	98 E	10/10/2016	14:54 IMPROP TURN	SIDESWIPE	PDO
47	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	155 N	11/21/2016	13:52 UNKNOWN	REAR END	INJURY
46	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	150 N	12/12/2016	14:29 UNSAFE SPEED	REAR END	PDO
40	ATLANTIC BLVD	FLORAL DR	0 N/A	12/14/2016	19:31 R-O-W AUTO	BROADSIDE	PDO
42	ATLANTIC BLVD	FLORAL DR	28 S	12/15/2016	10:54 IMPROP TURN	SIDESWIPE	PDO
88	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	10 S	1/5/2017	12:45 WRONG SIDE	BROADSIDE	INJURY
78	ATLANTIC BLVD	FLORAL DR	0 N/A	1/23/2017	8:45 NOT STATED	HEAD-ON	PDO
89	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	0 N/A	1/30/2017	16:43 UNSAFE SPEED	SIDESWIPE	PDO
93	AVENIDA CESAR CHAVEZ	ATLANTIC BLVD	108 W	2/9/2017	23:12 UNSAFE SPEED	REAR END	PDO
83	ATLANTIC BLVD	FLORAL DR	0 N/A	2/17/2017	20:27 STOP SGN/SIG	BROADSIDE	PDO
90	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	12 N	3/7/2017	20:10 IMPROP TURN	AUTO/PED	INJURY
67	ATLANTIC BLVD	BRIGHTWOOD ST	0 N/A	3/22/2017	11:16 STOP SGN/SIG	BROADSIDE	INJURY
94	AVENIDA CESAR CHAVEZ	ATLANTIC BLVD	23 W	4/7/2017	16:58 STRTNG/BCKNG	REAR END	PDO
68	ATLANTIC BLVD	BRIGHTWOOD ST	300 S	4/24/2017	14:37 R-O-W AUTO	BROADSIDE	PDO
95	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	151 N	4/26/2017	13:46 R-O-W AUTO	BROADSIDE	PDO
69	ATLANTIC BLVD	BRIGHTWOOD ST	15 N	5/22/2017	22:37 UNSAFE SPEED	REAR END	INJURY
70	ATLANTIC BLVD	BRIGHTWOOD ST	32 N	5/24/2017	17:57 UNSAFE SPEED	REAR END	INJURY
71	ATLANTIC BLVD	BRIGHTWOOD ST	67 S	6/3/2017	15:42 UNSAFE SPEED	REAR END	PDO
72	ATLANTIC BLVD	BRIGHTWOOD ST	240 S	6/13/2017	19:26 IMPROP TURN	HEAD-ON	INJURY
82	FLORAL DR	ATLANTIC BLVD	90 W	6/22/2017	19:03 WRONG SIDE	SIDESWIPE	PDO
79	ATLANTIC BLVD	FLORAL DR	0 N/A	6/24/2017	22:05 UNSAFE SPEED	REAR END	PDO
84	ATLANTIC BLVD	FLORAL DR	40 N	6/26/2017	12:03 UNSAFE SPEED	REAR END	PDO
96	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	109 S	7/21/2017	19:23 IMPROP TURN	OVERTURNED	PDO
73	ATLANTIC BLVD	BRIGHTWOOD ST	42 S	7/28/2017	20:31 STRTNG/BCKNG	REAR END	INJURY
74	BRIGHTWOOD ST	ATLANTIC BLVD	3 N	8/7/2017	10:33 UNSAFE SPEED	OTHER	INJURY
80	ATLANTIC BLVD	FLORAL DR	627 N	8/14/2017	17:49 R-O-W AUTO	SIDESWIPE	INJURY
75	BRIGHTWOOD ST	ATLANTIC BLVD	150 W	8/25/2017	17:02 UNSAFE SPEED	REAR END	PDO
81	ATLANTIC BLVD	FLORAL DR	0 N/A	8/27/2017	16:08 STOP SGN/SIG	BROADSIDE	INJURY
85	ATLANTIC BLVD	FLORAL DR	60 S	9/11/2017	16:12 OTHER IMPROP DRV	BROADSIDE	INJURY
86	ATLANTIC BLVD	FLORAL DR	544 S	9/12/2017	11:51 UNKNOWN	BROADSIDE	INJURY
87	FLORAL DR	ATLANTIC BLVD	100 W	9/29/2017	15:19 IMPROP TURN	SIDESWIPE	PDO
97	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	35 N	10/3/2017	15:19 UNSAFE SPEED	REAR END	INJURY
91	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	30 S	10/27/2017	14:01 IMPROP TURN	SIDESWIPE	PDO
66	ATLANTIC BLVD	BRIGHTWOOD ST	0 N/A	11/15/2017	15:14 UNSAFE SPEED	REAR END	PDO
76	BRIGHTWOOD ST	ATLANTIC BLVD	10 E	11/23/2017	12:55 STRTNG/BCKNG	REAR END	INJURY
92	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	144 N	12/9/2017	12:07 R-O-W AUTO	REAR END	PDO
77	ATLANTIC BLVD	BRIGHTWOOD ST	243 S	12/21/2017	13:36 UNSAFE SPEED	REAR END	PDO
105	ATLANTIC BLVD	FLORAL DR	358 N	1/2/2018	11:20 R-O-W AUTO	BROADSIDE	PDO
114	RIGGIN ST	ATLANTIC BLVD	50 E	1/8/2018	11:13 IMPROP TURN	SIDESWIPE	PDO
104	FLORAL DR	ATLANTIC BLVD	132 W	2/14/2018	9:49 IMPROP TURN	SIDESWIPE	PDO
100	ATLANTIC BLVD	FLORAL DR	261 S	2/15/2018	18:50 STRTNG/BCKNG	REAR END	PDO
107	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	40 S	3/4/2018	10:02 IMPROP TURN	SIDESWIPE	PDO
98	ATLANTIC BLVD	BRIGHTWOOD ST	0 N/A	3/11/2018	11:14 STOP SGN/SIG	BROADSIDE	INJURY
110	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	0 N/A	4/14/2018	8:35 R-O-W AUTO	BROADSIDE	INJURY
101	ATLANTIC BLVD	FLORAL DR	0 N/A	5/10/2018	10:18 IMPROP TURN	SIDESWIPE	PDO
111	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	0 N/A	5/17/2018	11:35 IMPROP TURN	HEAD-ON	PDO
102	ATLANTIC BLVD	FLORAL DR	0 N/A	6/20/2018	8:25 UNKNOWN	BROADSIDE	INK
113	ATLANTIC BLVD	RIGGIN ST	506 N	8/3/2018	19:15 R-O-W AUTO	BROADSIDE	INJURY
103	ATLANTIC BLVD	FLORAL DR	8 N	8/20/2018	14:32 UNSAFE SPEED	REAR END	PDO
99	ATLANTIC BLVD	BRIGHTWOOD ST	550 S	8/23/2018	18:20 WRONG SIDE	BROADSIDE	INJURY
109	AVENIDA CESAR CHAVEZ	ATLANTIC BLVD	46 W	9/12/2018	21:00 UNSAFE SPEED	REAR END	PDO
115	RIGGIN ST	ATLANTIC BLVD	42 E	9/14/2018	13:01 STRTNG/BCKNG	REAR END	PDO
112	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	22 N	11/29/2018	14:52 UNSAFE SPEED	REAR END	INJURY
108	ATLANTIC BLVD	AVENIDA CESAR CHAVEZ	0 N	12/7/2018	16:08 UNSAFE SPEED	REAR END	PDO
106	ATLANTIC BLVD	FLORAL DR	640 S	12/21/2018	15:51 IMPROP TURN	SIDESWIPE	PDO

Attachment C



On-Site 55-Gallon Drums

ATTACHMENT 2

Planning Commission staff report, dated May 12, 2020



Planning Commission Staff Report

DATE: May 12, 2020

AGENDA ITEM NO: 4-A

TO: The Planning Commission
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider a Conditional Use Permit (CU-19-13) for the construction of a new retail eating establishment with a drive-through at 1970 South Atlantic Boulevard.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution approving a Conditional Use Permit (CU-19-13), subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects). The Project consists of the construction of a new retail eating establishment with a drive-through. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The property is designated Commercial in the General Plan Land Use Element. The Project will take place within City limits on a site of not more than five acres substantially surrounded by urban uses. The site has no value as habitat for endangered, rare or threatened species; and can be adequately served by all required utilities and public services.

EXECUTIVE SUMMARY:

On March 10, 2020, the Planning Commission considered the Applicant's proposal for constructing and operating a new retail eating establishment with a drive-through. Pursuant to Monterey Park Municipal Code ("MPMC") § 21.10.040(I), a drive-through is a conditionally permitted use. Consequently, a CUP is required for the project. During the meeting, the Planning Commission failed to adopt a resolution approving the CUP on a 2-1 vote.

Since the March 10th meeting, the City has been essentially shut down because of the COVID-19 Pandemic. While the Applicant appealed the Planning Commission's decision to the City Council, all public meetings were cancelled other than as needed for

emergency operations or essential actions (e.g., the certification of elections on April 1, 2020).

To ensure that the Applicant's – and public's – right to a fair hearing were preserved, the City Manager tolled all time periods during the local emergency. As a result, the Applicant requested that the Planning Commission – which is now also comprised of new Commissioners – conduct a new public hearing regarding its application. Accordingly, the matter was noticed for May 12, 2020.

BACKGROUND AND ANALYSIS:

Applicant, Raising Cane's, seeks a conditional use permit to operate a new retail eating establishment with a drive-through at 1970 South Atlantic Boulevard. The property is zoned S-C (Shopping Center) and designated Commercial (C) in the General Plan.

A three-member quorum of the Planning Commission considered the matter on March 10, 2020. While a majority of the quorum voted to approve the CUP, three affirmative votes were required to adopt the resolution (see, e.g., Government Code § 36936) approving a land-use decision. Ordinarily, and in accordance with the MPMC, a written resolution denying the project would have been brought back to the Planning Commission for approval on or before April 19, 2020.¹

However, on March 11, 2020, a local emergency was declared in Monterey Park due to the COVID-19 Pandemic; this emergency was confirmed by the City Council on March 18, 2020 by Resolution No. 12142. Part of that emergency included the cancellation of all non-essential public meetings until further notice. On March 12, 2020, the Applicant filed an appeal with the City Clerk. While the Planning Commission had not yet adopted a written resolution of denial, the City processed the appeal and tentatively scheduled the matter for the April 15, 2020 City Council meeting.

On March 16, 2020, however, the City Manager cancelled all public events through the end of May; this action was confirmed by the City Council via Resolution No. 12151 on April 15, 2020. Under these extraordinary circumstances, and based upon the ongoing local emergency, the City Planner determined (with the City Manager's concurrence) that the time periods for a Planning Commission decision – and potential appeal – should be tolled.

On April 10, 2020, the City informed the Applicant that it would need to supplement its March 11th appeal to the City Council or request that the Planning Commission consider the matter at a new public hearing. The Applicant chose a new public hearing.

Ordinarily, all time periods would have now expired; for instance, the Planning Commission was to have rendered a decision by April 19, 2020, and an appeal from that decision would need to have been filed not later than April 29, 2020.² However, due to the COVID-19 pandemic, the Planning Commission was precluded from adopting a

¹ See MPMC § 21.32.100

² See MPMC §§ 21.32.100, 1.10.010 and 1.10.020

resolution of denial based upon its March 10th meeting. Additionally, the City Council meetings of April 1st, April 7th, and April 15th, were consumed by emergency-related COVID-19 matters and essential actions (e.g., the April 1st meeting certifying election results and empaneling a new City Council). Additionally, new Planning Commissioners were appointed as a result of the new City Council (the last being appointed on May 7, 2020).

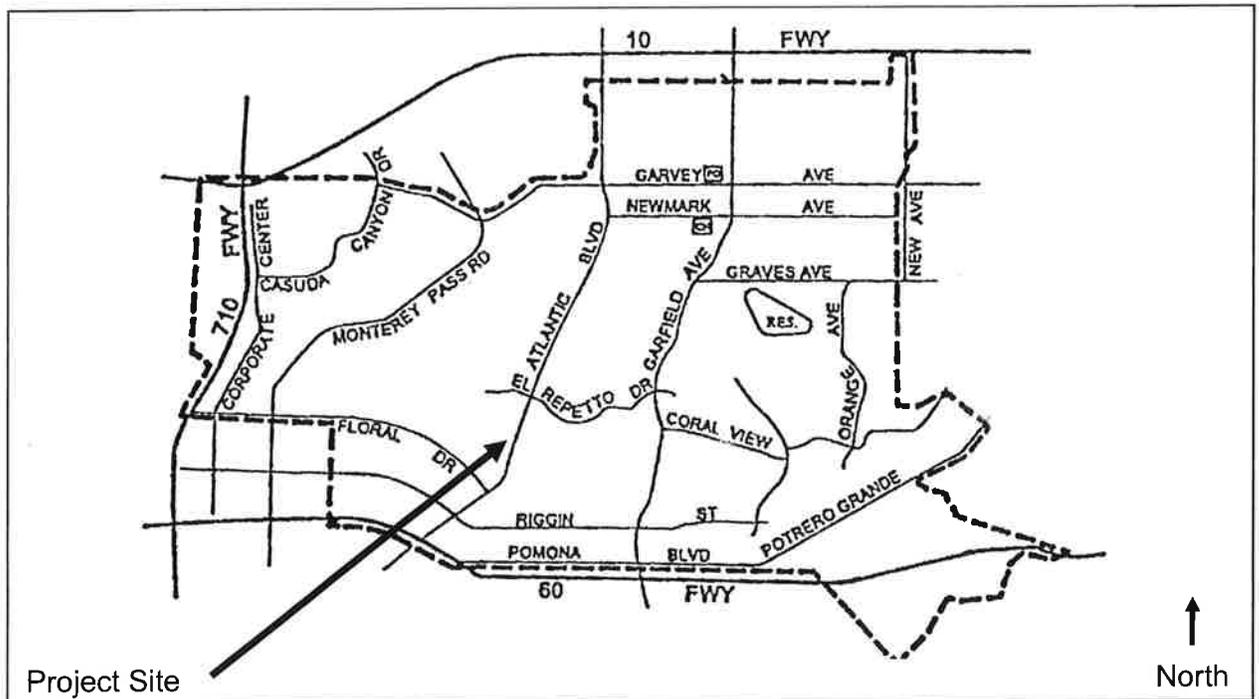
In light of all the circumstances, it seems that due process and good sense justifies this matter being again considered by the Planning Commission.

OTHER ITEMS:

Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **April 29, 2020**, with affidavits of posting on file. The legal notice of this hearing was mailed to **137** property owners within a 300 feet radius and current tenants of the property concerned on **April 29, 2020**.

Vicinity Map



Aerial Map



ALTERNATIVE COMMISSION CONSIDERATIONS:

None

FISCAL IMPACT:

There may be an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

Respectfully submitted,

Mark A. McAvoy
Director of Public Works/
City Engineer/City Planner

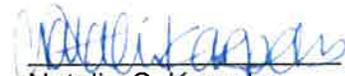
Staff Report
May 12, 2020
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Prepared by:



Samantha Tewasart
Senior Planner

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Site, floor, elevation plans
- Attachment 3: Traffic Study December 2019
- Attachment 4: Planning Commission Staff Report dated March 10, 2020
- Attachment 5: Planning Commission Minutes dated March 10, 2020

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP-19-13) TO ALLOW THE CONSTRUCTION OF A NEW RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH AT 1970 SOUTH ATLANTIC BOULEVARD.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On December 5, 2019, Ruben Gonzales of PM Design Group, Inc. submitted an application on behalf Raising Cane's ("Applicant") seeking a conditional use permit (CU-19-13) to allow operation of a new retail eating establishment with a drive-through ("Project");
- B. The Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for March 10, 2020. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On March 10, 2020, the Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant. At the conclusion of the March 10, 2020 meeting, the motion to adopt the Resolution approving the CUP failed. On March 12, 2020, the Applicant filed a request for an appeal before the City Council with the City Clerk;
- F. On March 16, 2020 the City Manager cancelled all public events through the end of May; this action was confirmed by the City Council via Resolution No. 12151. Relatedly, based upon the ongoing local emergency, the City Planner determined (with the City Manager's concurrence) that the time periods for a Planning Commission decision – and potential appeal – should be tolled;
- G. On or about April 10, 2020, the Applicant withdrew its request for an appeal and elected to have a new public hearing before the Planning Commission. However, as a result of the new City Council, new Planning Commissioners were appointed; the last new Planning Commissioner was not appointed until May 7, 2020;
- H. In light of the circumstances, due process and good sense justifies this matter being again considered by the Planning Commission;

**PLANNING COMMISSION
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- I. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for May 12, 2020. Notice of the public hearing was posted and mailed as required by the MPMC;
- J. On May 12, 2020, the Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and
- K. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its March 10, 2020 and May 12, 2020 public hearing including, without limitation, the staff report submitted by the City Planner.

SECTION 2: Factual findings and Conclusions. The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. 1970 South Atlantic Boulevard is located on the east side of South Atlantic Boulevard, between Brightwood Street and Floral Drive ("Project Site"). It is designated Commercial (C) in the Monterey Park General Plan. The Project Site is currently vacant. The Project proposes constructing a new retail eating establishment with a drive-through. According to MPMC §§ 21.10.040(I) and 21.32.020(B), a drive-through may be permitted via a conditional use permit and the limitations or special standards described in MPMC § 21.10.040(I).
- B. The Project Site is comprised of three consolidated parcels totaling 17,863 square feet (0.41 acres) in size. The proposed building area will be 1,790 square feet, which equates to 10 percent of the lot area. The Applicant's proposed business operating will be Sunday through Thursday from 9:00 a.m. to 1:00 a.m. and Friday through Saturday from 9:00 a.m. to 3:30 a.m. The MPMC require properties to be adequately maintained and condition numbers 40 and 45 are included to address security concerns. The proposed retail eating establishment will have a walk-up window; no indoor seating; a drive-through aisle; and a covered outdoor seating area. The proposed retail eating establishment will be designed to screen all service areas, restrooms and mechanical equipment; landscaping will be provided to screen the drive-through driveway aisle. The menu boards will be not more than 30 square feet and seven feet high and will face away from the street.
- C. The Project will provide 18 parking spaces. The Project will maintain the existing driveway cut accessible from South Atlantic Boulevard and the existing alleyway along the eastern and southern property lines. The drive-through aisles will be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; they will also be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements/repairs are anticipated. The drive-through aisle will be made of concrete and will be constructed to accommodate a minimum of eight cars.

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- D. Properties located to the north and south of the Project Site include other one-story commercial buildings; west are South Atlantic Boulevard (a principal arterial street) and one-story commercial buildings; and east is an alleyway and single-family dwellings located at the top of hillside properties. The properties located to the north, south and west of the subject property are zoned S-C (Shopping Center) and those to the east are zoned R-1 (Single-Family Residential).
- E. A Traffic Impact Analysis dated December 2019 was prepared for the proposed Project. That Analysis showed that the proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- F. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area and is an in-fill development. Construction of the proposed retail eating establishment with a drive-through will take place entirely upon the Project Site. The Project is proposed within City limits on a site of no more than five acres substantially surrounded by urban uses; the Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the Project Site can be adequately served by all required utilities and public services. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: *Conditional Use Permit Findings.* Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.040(I) and 21.32.020(B):

- A. The Project complies with all MPMC requirements for a CUP.
 - 1. The project site is adequate in size, shape and topography for the proposed Project;
 - 2. The site has sufficient access to streets and highways and is adequate in width and pavement type;

**PLANNING COMMISSION
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3. The proposed use is consistent with the General Plan, specifically Goal 5.0 and Policy 5.1. 4;
 4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood;
 5. The proposed Project will not have an adverse effect on the public health, safety and general welfare; and
 6. The use is properly one authorized by conditional use permit pursuant to the MPMC.
- B. As conditioned by this Resolution and after an amendment to the MPMC, the proposed drive-through complies with all requirements set forth for a conditional use permit pursuant to MPMC § 21.10.040(l):
1. The drive-through is an accessory to a proposed restaurant or commercial business;
 2. The proposed location of the drive-through is designated commercial in the City's General Plan and is not located in any area designated as MU-I in the General Plan Land Use Map;
 3. The pedestrian walkways will have clear visibility and will be emphasized by striping;
 4. The drive-through aisle will be 12-foot width on curves and a minimum 11-foot width on straight sections;
 5. The drive-through aisles will provide sufficient stacking area behind the menu boards to accommodate a minimum of six cars;
 6. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment will be screened from view;
 7. The proposed landscaping will screen drive-through or drive-in aisles from the public right-of-way and will be used to minimize the visual impact of reader board signs and directional signs;
 8. The drive-through aisles will be constructed with concrete;
 9. Following an amendment to the MPMC as required by Condition No. 6 in attached Exhibit A, the structure will be set back from the ultimate curb face a

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minimum of 28 feet, and the parking areas and drive-through aisles will be set back from the ultimate curb face a minimum of 15 feet.

10. The menu boards will be no more than 30 square feet and seven feet high, and will face away from the street;
11. No drive-through aisles will exit directly onto a public right-of-way; and
12. The architectural style of the drive-through will be consistent with the theme established in the vicinity and provide compatibility with surrounding uses in form, materials, colors and scale, among other things.

SECTION 5: Approval. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Conditional Use Permit (CU-19-13). Pursuant to Condition No. 6, the City may not issue a certificate of occupancy for the Project until the MPMC is amended to allow the setbacks proposed by the Project.

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: Limitations. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: Electronic Signatures. This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

**PLANNING COMMISSION
RESOLUTION NO.
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SECTION 10: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 11: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 12: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 13: Except as provided in Section 12, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 12th day of May 2020.

Chairperson Eric Brossy de Dios

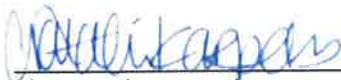
I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 12th day of May 2020, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Mark A. McAvoy, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By:



Natalie C. Karpeles,
Deputy City Attorney

RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

1970 SOUTH ATLANTIC BOULEVARD

In addition to all applicable provisions of the Monterey Park Municipal Code (“MPMC”), Raising Cane’s agrees that it will comply with the following conditions for the City of Monterey Park’s approval of Conditional Use Permit (CU-19-13) (“Project Conditions”).

PLANNING:

1. Raising Cane’s (“Applicant”) agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising from the City’s approval of CU-19-13 except for such loss or damage arising from the City’s sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of CU-19-13, the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of Monterey Park’s elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and dated March 2, 2020. Before the City issues a building permit, the Applicant must submit building plans showing that the project substantially complies with the plans referenced in this Resolution. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
6. Before the City issues a certificate of occupancy, the Applicant must comply with all applicable setback requirements set forth in the MPMC regulating drive-throughs.

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RESOLUTION NO.**

7. The real property subject to CU-19-13 must remain well-maintained and free of graffiti.
8. Building permits are required for any interior tenant improvements.
9. Landscaping/irrigation must be maintained in good condition at all times.
10. Landscaping for the project must be designed to comply with the MPMC's regulations governing efficient landscaping.
11. The business hours of operation will be Sunday through Thursday from 9:00 a.m. to 1:00 a.m. and Friday through Saturday from 9:00 a.m. to 3:30 a.m.
12. The drive-through speaker systems must not be audible above the daytime and nighttime ambient noise levels beyond the property boundaries.
13. The drive-through component of the Project must comply with MPMC § 21.10.040(I). Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
 - b. The drive-through aisles must have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
 - c. The drive-through aisles must provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 - d. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment must be screened from view;
 - e. Landscaping will screen the drive-thru or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
 - f. The drive-through aisles must be constructed with (PCC) concrete;
 - g. The parking areas, drive-through aisles and structure must be set back from the ultimate curb face as required by the MPMC;
 - h. Menu boards can be no more than 30 square feet, with a maximum height of seven feet, and must face away from the street;
 - i. The architectural style of the drive-through must be consistent with the theme established in the vicinity and provide compatibility with surrounding uses in form, materials, colors, and scale, among other things; and
 - j. The drive-through aisles will not exit directly onto a public right-of-way.

**PLANNING COMMISSION
RESOLUTION NO.**

ENGINEERING:

14. To minimize sediment intrusion from the adjacent slope into the public alley, a curb or slough wall of sufficient height must be constructed along the eastern edge of the southerly portion of the public alley. The curb must be shown on the grading and drainage plan, and is subject to approval by the City Engineer.
15. Under the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit, issued under the National Pollutant Discharge Elimination System (NPDES) Program, the developer/owner is required to obtain a General Construction Storm Water Permit. This project will require the preparation of a Low Impact Development (LID) Plan; and a Storm Water Pollution Prevention Plan (SWPPP) if over an acre in size, including hydrology and hydraulic study/analysis required for their submittal. A preliminary/conceptual LID report and plan is requested as early as possible, to avoid impacts to the site plan should changes be required.
16. Upon approval of the LID and SWPPP, an electronic copy of the approved files, including site drawings, must be submitted to the City Engineer before the City issues a building or grading permit.
17. The property drainage must be designed so that the property drains to an approved device(s) and/or the public street unless otherwise approved by the City Engineer.
18. Sizing of water infrastructure is subject to the submittal of water system calculations that include domestic and fire system demand sizing. Installation of water services for irrigation, domestic, and fire service within the public right of way must be accomplished at permittee's cost.
19. The permittee must adjust the Project Site's lot lines, either by a lot line adjustment or lot merger, to avoid constructing structures over property lines in compliance with the California Building Code, as adopted by the MPMC.
20. The adjacent public alley is in poor, deteriorated condition, and will need to be resurfaced, to the satisfaction of the City Engineer, before a certificate of occupancy is issued for the project.
21. Grading and drainage plan(s) must be submitted with the first building permit plan check submittal and must address drainage of the adjacent public alley in a manner satisfactory to the City Engineer.

**PLANNING COMMISSION
RESOLUTION NO.**

22. All improvement plans, including grading plan(s), must be based upon City approved data; benchmark data are available from the Public Works Department's Engineering Division.
23. Permittee agrees to pay City any development impact fees ("DIFs") that may be applicable to the Project. Permittee takes notice pursuant to Government Code § 66020(d) that City is imposing the DIFs upon the Project in accordance with the Mitigation Fee Act (Government Code § 66000, *et seq.*). Applicant is informed that it may protest DIFs in accordance with Government Code § 66020.
24. A utility plan must be approved by the City Engineer before the City issues grading permits.
25. Any abandoned driveways will need to be removed and replaced with a new curb, gutter, and sidewalk. Any damaged, out of grade, deteriorated or obsolete frontage improvements will need to be repaired to the satisfaction of the City Engineer, before a certificate of occupancy is issued.
26. A traffic management plan must be submitted to the City Engineer, detailing the manner in which the project will manage and control onsite traffic during peak operating hours, primarily how potential extended drive-through queuing will be managed to avoid impacts to South Atlantic Boulevard and adjacent properties that abut the public alley. The format of the plan is subject to approval by the City Engineer, and the plan must be approved before the City issues a certificate of occupancy.

FIRE:

27. A fire permit must be obtained from the Fire Department before engaging in activities, operations, practices or functions as indicated in the California Fire Code (CFC) per §§ 105.6 and 105.7.
28. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction, per CFC § 501.4.
29. Provide an approved automatic fire sprinkler system and fire alarm as set forth by Fire Code §§ 903 and 907 for the new structure. This may be submitted to the Fire Official as a deferred submittal.

**PLANNING COMMISSION
RESOLUTION NO.**

30. Provide an approved kitchen automatic extinguishing system as set forth by the CFC § 904. This may be submitted to the Fire Official as a deferred submittal.
31. Provide an approved carbon dioxide alarm system per Fire Code § 908.7. This may be submitted to the Fire Official as a deferred submittal.
32. Provide approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the Fire Inspector, per CFC § 501.4.

Fire Flow:

33. The minimum fire flow required must comply with the current adopted edition of the CFC Appendix B.
34. Pursuant to the plans date stamped March 2, 2020, the required fire flow for the new structure is 1,500 gallons per minutes (gpm) at 20 pounds per square inch (psi) for a minimum of 2-hour duration.
35. The City must provide a will serve letter confirming that it can accommodate the required water flow.

Fire Hydrant Installation

36. Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gpm at 20 psi must be installed and in service along the access road/driveway at a location approved by the Fire Code Official, but no further than 250 feet from the construction. The owner of the combustible construction is responsible for the cost of this installation.

Fire Flow Verification

37. Per CFC Appendix C, a minimum of one fire hydrant must be provided within 250 feet of new structure. Show locations of all existing and/or new hydrants on Site Plan.
38. Portable fire extinguishers must be installed on all floors, per CFC § 906.1.
39. The review of any revised plans will be subject to an additional plan-check fee in an amount approved in the Master Schedule of Fees and Charges.

**PLANNING COMMISSION
RESOLUTION NO.**

POLICE:

40. The permittee must submit plans to the Police Chief, or designee, demonstrating that the Project has adequate exterior lighting. The Police Chief, or designee, must approve the location and light intensity before the City issues a certificate of occupancy.
41. All major common areas of the locations, including all parking areas must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrances/exits and must be positioned to capture the faces of people entering and exiting. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional cameras installed, the management must comply with the request within seven days. Also, access to all security video cameras must be made available to the Police Department, via the internet, by providing the IP address for all cameras. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.
42. An alarm system must be installed at the main entrance and exits to the business. The alarm system will be a deterrent to criminal activity, and allow notification of the police and security in the event of any such attempt. Contact the Monterey Park Police Department Community Relations Bureau at (626) 307-1215 for additional information and alarm permits.
43. One licensed, insured, and bonded security guard in the parking lot between 10:00 p.m. to closing, subject to the review and approval of the Police Chief.
44. Access to the roof of the buildings will be locked and secured. Access of the roof will be restricted to maintenance personnel, building management, or other authorized personnel.
45. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.

**PLANNING COMMISSION
RESOLUTION NO.**

MISCELLANEOUS:

46. The applicant/owner is responsible for ascertaining and paying all City fees and costs required by MPMC including, without limitation, legal costs associated with processing this CUP. All fees must be paid before the City issues a final certificate of occupancy.

By signing this document, Kristen Roberts, on behalf of Raising Cane's, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Kristen Roberts, on behalf of Raising Canes, Applicant

ATTACHMENT 2

Site, floor, elevation plans

ATTACHMENT 3

Traffic Study



Traffic Impact Study

for:

Raising Cane's Project

In the City of Monterey Park

Prepared for:

Raising Cane's

January, 2020

Kimley»»Horn

**TRAFFIC IMPACT STUDY
FOR THE RAISING CANE'S PROJECT
IN THE CITY OF MONTEREY PARK**

Prepared by:

Kimley-Horn and Associates, Inc.
765 The City Drive, Suite 200
Orange, California 92868

January, 2020

**TRAFFIC IMPACT STUDY
FOR THE RAISING CANE'S PROJECT
IN THE CITY OF MONTEREY PARK**

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APPENDICES

- Appendix A** – Approved Scoping Agreement
- Appendix B** – Traffic Data Collection Worksheets
- Appendix C** – Intersection Analysis Worksheets
- Appendix D** – Traffic Signal Worksheets
- Appendix E** – Drive-Through Queuing Analysis

**TRAFFIC IMPACT STUDY
FOR THE RAISING CANE'S PROJECT
IN THE CITY OF MONTEREY PARK**

INTRODUCTION

This traffic impact study has been prepared to evaluate the project-related traffic impacts associated with the proposed Raising Cane's project in the City of Monterey Park. This report has been prepared in accordance with the traffic impact study requirements of the City of Monterey Park.

The project location is shown in its regional setting on **Figure 1**. As shown on Figure 1, the street system in the project vicinity is oriented on a diagonal. For ease of reference, throughout this report, Atlantic Boulevard and Collegian Avenue are referred to as the north-south streets, and Brightwood Street and Floral Drive are referred to as the east-west streets.

PROJECT DESCRIPTION

The project site is bounded by an existing commercial use to the north, Atlantic Boulevard to the west, and an alleyway to the east and south. The project site is currently vacant.

The applicant proposes to develop a 1,790-square-foot Raising Cane's drive-through restaurant. The proposed site plan is shown on **Figure 2**. As shown on the site plan, the Raising Cane's building would be located on the northeast corner of the intersection of Atlantic Boulevard and the alleyway. The project would consist of demolition of the existing foundation and subsurface structures, and construction of the Raising Cane's restaurant and drive-through lane. Access to the Raising Cane's project would be provided by one driveway on Atlantic Boulevard and one driveway along the alleyway on the east side of the project site. Both project driveways would be unsignalized.

The proposed project would provide a drive-through lane with two order boards. The drive through lane would begin as a single lane, branch out to two drive-through lanes for use of the two order boards, and then merge back into a single drive-through lane prior to the pay and pick-up window.

ANALYSIS SCENARIOS AND METHODOLOGY

Analysis Scenarios

This traffic analysis provides an evaluation of evening peak hour intersection operations for the following scenarios:

- Existing Conditions
- Existing Plus Project Conditions
- Opening Year 2020 without Project
- Opening Year 2020 with Project



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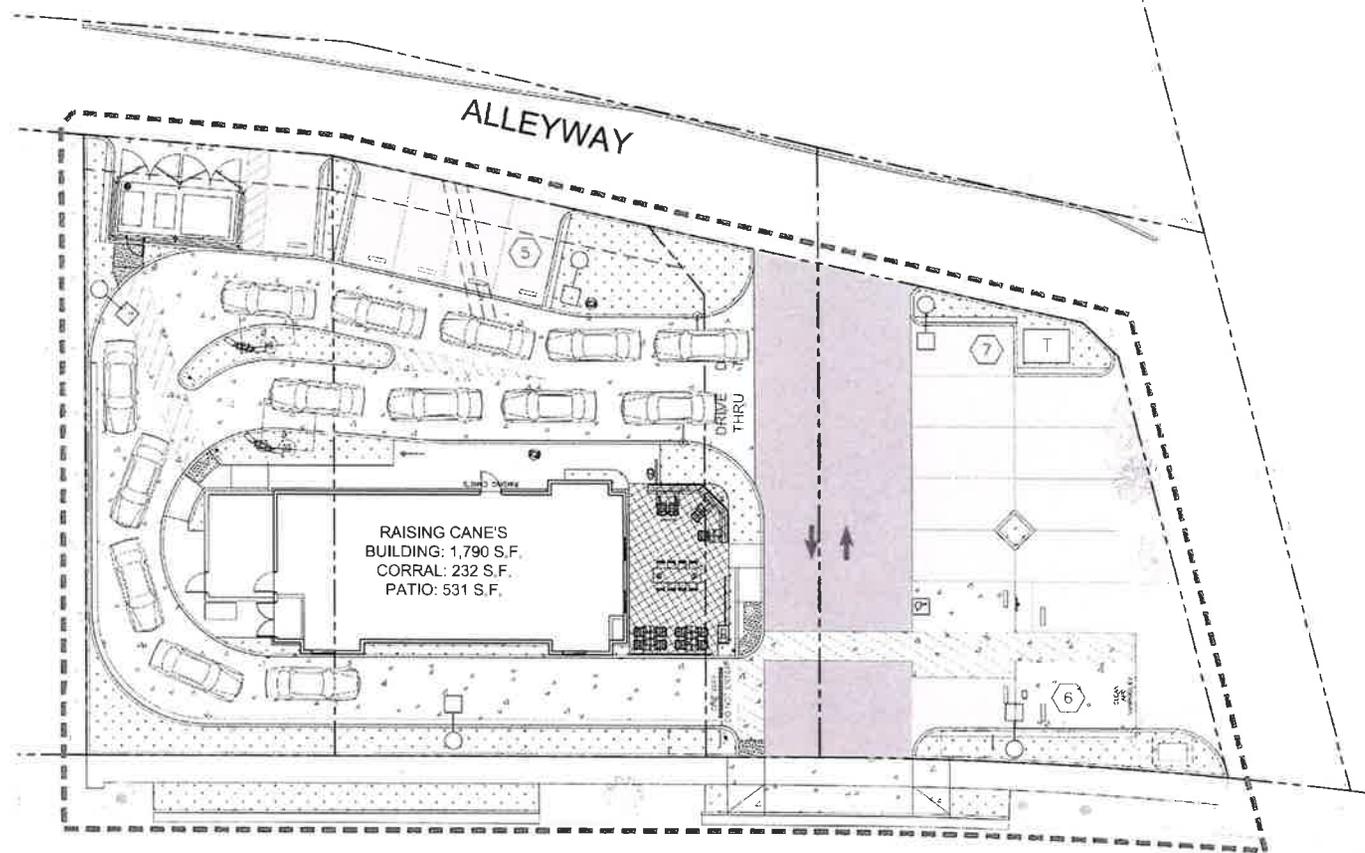
**FIGURE 1
VICINITY MAP**

LEGEND:
[Grey rectangle] = Project Site





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- 3 -

FIGURE 2
SITE PLAN

Study Locations

This traffic study includes documentation of existing conditions, analysis of future traffic conditions, and identification of project-related impacts, if any, at the following study intersections:

Existing Intersections:

1. Atlantic Boulevard at Brightwood Street
2. Atlantic Boulevard at Alleyway
3. College View Lane at Floral Drive
4. Atlantic Boulevard at Floral Drive

Project Driveway Intersection:

- D1. Atlantic Boulevard at Project Driveway

The study locations were established in consultation with City staff through the Scoping Agreement process. A copy of the approved Scoping Agreement is provided in **Appendix A**.

Intersection Analysis Methodology

In accordance with the City of Monterey Park study requirements, intersection operation for signalized intersections is evaluated using the Intersection Capacity Utilization (ICU) methodology, and intersection operation for study area unsignalized intersections is evaluated using the Highway Capacity Manual (HCM) methodology.

The ICU methodology provides a comparison of the theoretical hourly vehicular capacity of an intersection to the number of vehicles passing through that intersection during the peak hour. The ICU calculation returns a volume-to-capacity (V/C) ratio. The ICU calculations assume a per-lane capacity of 1,600 vehicles per hour (vph) for each left-turn and shared lane; and 1,700 vph for each through and right-turn, with a clearance interval of 0.10.

The procedure for stop-control analysis determines the average total delay, expressed in seconds of delay per vehicle, for left turns from the major street and from the stop-controlled minor street traffic stream. Delay values are calculated based on the relationship between traffic on the major street and the availability of acceptable “gaps” in this stream through which conflicting traffic movements can be made.

Operating conditions for the ICU capacity-based methodology and the HCM delay-based methodology are expressed in terms of Level of Service (LOS). The ICU calculation returns a V/C ratio that translates into a corresponding Level of Service, ranging from LOS A, representing uncongested, free-flowing conditions; to LOS F, representing congested, over-capacity conditions. The HCM methodology returns a delay value, expressed in terms of the average seconds of delay per vehicle, which also corresponds to a Level of Service measure. A summary description of each Level of Service and the corresponding V/C ratio for the ICU methodology, and average seconds of delay for the HCM methodology are provided on the chart on the following page.

INTERSECTION PEAK HOUR LEVEL OF SERVICE DESCRIPTIONS			
LOS	Signalized: ICU	Unsignalized: HCM	Description
	V/C Ratio	Delay (sec)	
A	0.00 - 0.60	≤10.0	EXCELLENT – No vehicle waits longer than one red light, and no approach phase is fully used.
B	0.61 - 0.70	> 10.0 and ≤ 15.0	VERY GOOD – An occasional approach phase is fully utilized; drivers begin to feel somewhat restricted within groups of vehicles.
C	0.71 - 0.80	> 15.0 and ≤ 25.0	GOOD – Occasionally drivers may have to wait through more than one red light; back-ups may develop behind turning vehicles.
D	0.81 - 0.90	> 25.0 and ≤ 35.0	FAIR – Delays may be substantial during portions of the rush hours, but enough lower volume periods occur to permit clearing of developing lines, preventing excessive back-ups.
E	0.91 - 1.00	> 35.0 and ≤ 50.0	POOR – Represents the most vehicles that intersection approaches can accommodate; may be long lines of waiting vehicles through several signal cycles.
F	> 1.00	> 50.0	FAILURE – Back-ups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of intersection approaches. Substantial delays with continuously increasing queue lengths.

Performance Criteria

The City of Monterey Park Level of Service standard for peak hour intersection operation is Level of Service D.

Significance Thresholds

A project is considered to have a significant traffic impact at an intersection if the Level of Service deteriorates to an unacceptable Level of Service with the addition of project traffic. Improvements are required for locations that operate at an acceptable Level of Service without the project, but which operate at an unacceptable Level of Service with the project. For locations forecasted to operate worse than the acceptable Level of Service even without the project, the traffic assessment must include improvements to achieve acceptable Level of Service per the City's standards.

EXISTING TRAFFIC ENVIRONMENT / AREA CONDITIONS

Existing Transportation System

Regional access to the site is provided by the State Route 60 (SR-60) Freeway, the Interstate 710 (I-710) Freeway, and the Interstate 10 (I-10) Freeway. The SR-60 Freeway is located approximately one-half mile to the south of the project site. The I-710 Freeway is located approximately one and one-half miles to the west of the project site. The I-10 Freeway is located approximately 2 miles north of the project site.

Existing lane configurations and traffic controls of the study intersections are shown on **Figure 3**. As mentioned previously, the street system in the project vicinity is oriented on a diagonal. For ease of reference, Atlantic Boulevard and Collegian Avenue are referred to as the north-south streets, and Brightwood Street and Floral Drive are referred to as the east-west streets. Local access to the project vicinity is provided by the following roadways:

Atlantic Boulevard is a north-south roadway that forms the western boundary of the project site. It provides two to three travel lanes in each direction and a painted two-way-left-turn median in the project vicinity. The posted speed limit is 35 miles per hour (mph), and on-street parking is prohibited on both sides of the street. Atlantic Boulevard is classified as a Principal Arterial in the City of Monterey Park Circulation Element of the General Plan.

Brightwood Street is an east-west roadway that provides one travel lane in each direction. The posted speed limit is 25 mph, and on-street parking is provided on both sides of the street.

Floral Drive is an east-west roadway that provides one travel lane in each direction. The posted speed limit is 40 mph, and on-street parking is provided on both sides of the street. Within the project vicinity, Floral Drive is classified as a Minor Arterial in the Circulation Element.

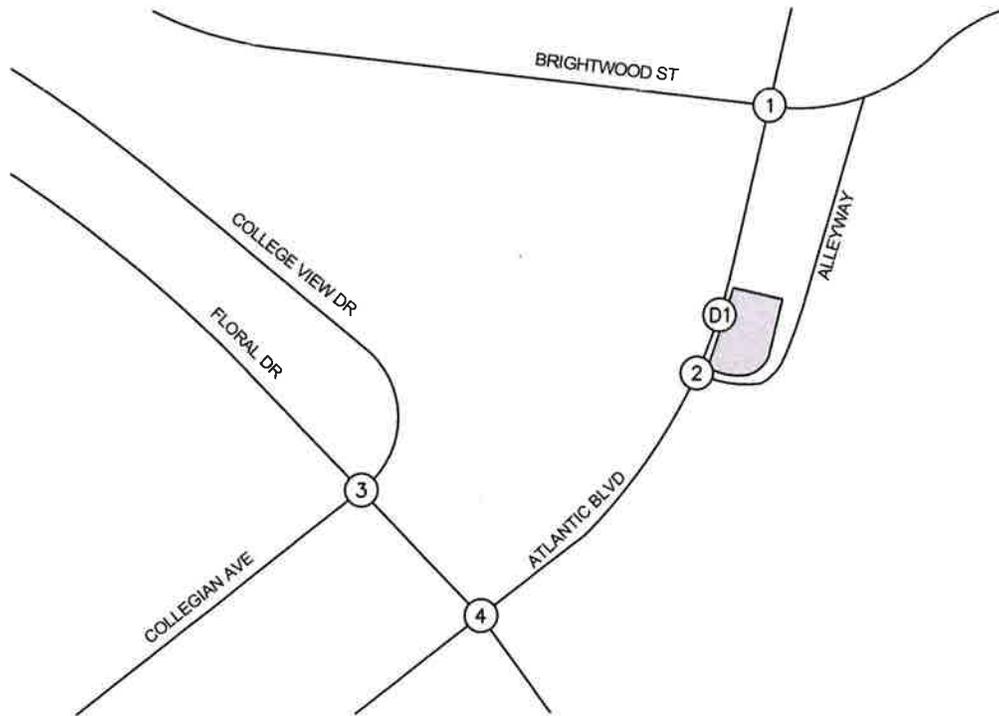
College View Drive is an east-west roadway just north of Floral Drive. College View Drive provides one travel lane in each direction. On-street parking is provided on both sides of the street.

Collegian Avenue is a north-south roadway just south of Floral Drive. Collegian Avenue provides one travel lane in each direction. On-street parking is prohibited on both sides of the street.

The Alleyway is a north-south roadway just south of Brightwood Street that forms the eastern and southern boundary of the project site. Alleyway provides one travel lane in each direction and allows ease of access for customers. On-street parking is prohibited on both sides of the street.



NOT TO SCALE



1. Atlantic Blvd at Brightwood St	2. Atlantic Blvd at Alleyway	3. College View Ln at Floral Dr	4. Atlantic Blvd at Floral Dr

LEGEND:

- = Project Site
- = Study Intersection
- = Turn or Through Lane
- = Signal

**FIGURE 3
EXISTING LANE CONFIGURATION AND
TRAFFIC CONTROL**



Transit Service

Public transit service in the project vicinity is provided by the City of Monterey Park (Spirit) and the Los Angeles County Metropolitan Transportation Authority (LA Metro). Bus stops near the project site are currently located:

- On the northeast and southwest corners of the intersection of Atlantic Boulevard at Brightwood Street
- On the northeast, northwest, and southwest corners of the intersection of Atlantic Boulevard at Floral Drive
- On the northeast, southeast, and southwest corners of Atlantic Boulevard and Avenida Cesar Chavez/Riggin Street

The following discussion provides a brief description of the Spirit and LA Metro transit routes that operate on the roadways serving the project site.

Spirit Routes 1 and 2

Spirit Routes 1 and 2 operate along Atlantic Boulevard within the project vicinity. On weekdays, both routes operate from 6:30 AM to 6:30 PM, with 40-minute headways (the interval between bus arrivals) throughout the day. On Saturdays, both routes operate from 9:10 AM to 5:45 PM, with 40-minute headways throughout the day. On Sundays, the routes do not operate.

Spirit Route 5

Spirit Route 5 operates along Floral Drive and Atlantic Boulevard within the project vicinity. On weekdays, Route 5 operates from 6:30 AM to 6:30 PM, with 15-minute headways throughout the day. On weekends and all holidays, the route does not operate.

LA Metro Route 68

LA Metro Route 68 operates between the cities of Los Angeles and Monterey Park via Cesar E. Chavez Avenue (Avenida Cesar Chavez) within the project vicinity. On weekdays, Route 68 operates from 4:00 AM to 1:00 AM, with 15-minute to 40-minute headways throughout the day. On Saturdays, Route 68 operates from 5:00 AM to 1:00 AM, with 20-minute to 40-minute headways throughout the day. On Sundays and holidays, Route 68 operates from 5:00 AM to 1:00 AM, with 20-minute to 30-minute headways throughout the day.

LA Metro Route 106

LA Metro Route 106 operates between the cities of Boyle Heights and Monterey Park. Within the project vicinity, Route 106 travels north on Atlantic Boulevard, west on Floral Drive, south on Collegian Avenue, and east on Avenida Cesar Chavez before traveling back onto Atlantic Boulevard. On weekdays, Route 106 operates from 5:30 AM to 9:00 PM, with 50-minute headways throughout the day. Route 106 does not operate on weekends or holidays.

LA Metro Route 260

LA Metro Route 260 operates between the cities of Altadena and Long Beach via Atlantic Boulevard within the project vicinity. On weekdays, Route 260 operates from 4:00 AM to 1:20 AM, with 15-minute to 50-minute headways throughout the day. On Saturdays, Route 260 operates from 5:20 AM to 1:10 AM, with 20-minute to 50-minute headways throughout the day. On Sundays and holidays, Route 260 operates from 6:00 AM to 1:10 AM, with 20-minute to 65-minute headways throughout the day.

LA Metro Rapid Route 726

LA Metro Rapid Route 726 operates, between the cities of Altadena and Long Beach via Atlantic Boulevard within the project vicinity. On weekdays, Route 726 operates from 4:30 AM to 9:30 PM, with 30-minute to 60-minute headways throughout the day. Route 726 does not operate on the weekends or holidays.

LA Metro Rapid Route 770

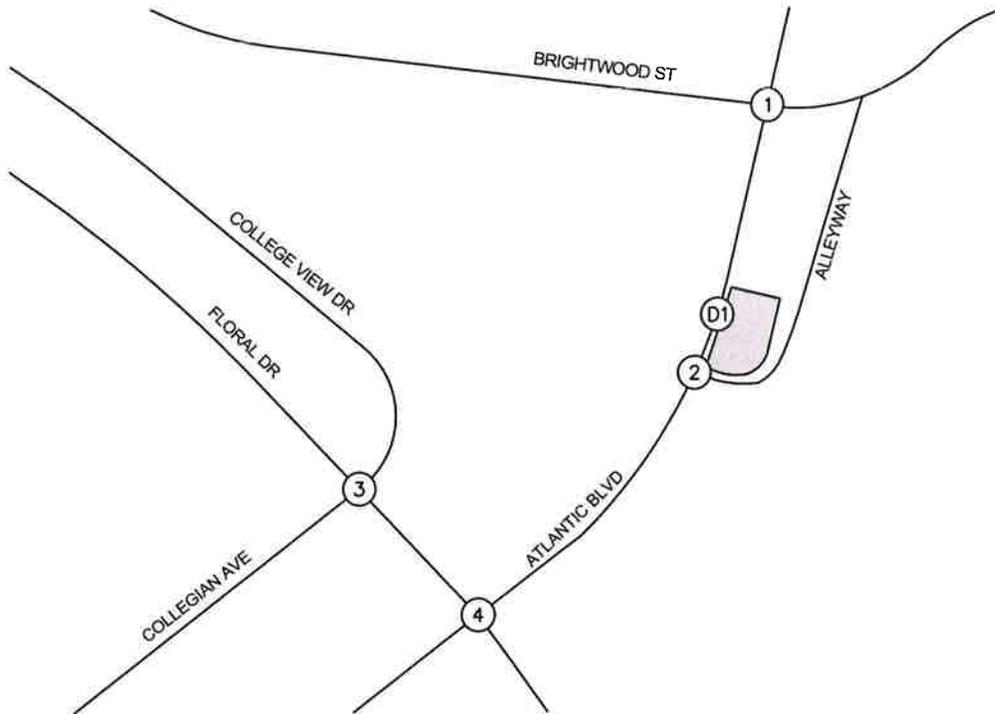
LA Metro Rapid Route 770 operates between Downtown Los Angeles and the City of El Monte via Atlantic Boulevard and Avenida Cesar Chavez within the project vicinity. On weekdays, Route 770 operates from 4:30 AM to 9:30 PM with 15-minute to 30-minute headways throughout the day. On Saturdays, Route 770 operates from 6:00 AM to 7:30 PM with 20-minute to 30-minute headways throughout the day. Route 770 does not operate on the Sundays or holidays.

Existing Traffic Volumes

Existing evening peak hour turning movement counts for the study intersections were collected in October 2018. Evening peak hour traffic volumes are shown on **Figure 4**. Copies of the traffic count data worksheets are provided in **Appendix B** to this report.



NOT TO SCALE



1. Atlantic Blvd at Brightwood St	2. Atlantic Blvd at Alleyway	3. College View Ln at Floral Dr	4. Atlantic Blvd at Floral Dr

**FIGURE 4
EXISTING EVENING PEAK HOUR
TRAFFIC VOLUMES**

LEGEND:

- = Project Site
- = Study Intersection
- XXX = PM Peak Hour Turning Movement Volumes

EXISTING OPERATING CONDITIONS

Intersection Level of Service analysis was conducted for the evening peak hour using the analysis procedures and assumptions described previously in this report. A summary of the intersection Level of Service is presented on **Table 1**. Intersection analysis worksheets are provided in **Appendix C** of this report. Review of the table shows that all study intersections currently operate at an acceptable Level of Service in the evening peak hour, with the exception of the following intersection:

- #2 – Atlantic Boulevard at the Alleyway – PM, LOS E

The Level of Service for an unsignalized intersection is reported based on the single approach movement with the highest delay, which in this case, would be the westbound approach. The side street traffic at this intersection experiences delay during the peak hours while waiting for an acceptable gap in traffic on Atlantic Boulevard. While the side street approach operates at a deficient Level of Service based on the highest delay approach, the overall intersection delay would be acceptable. Any queuing that occurs on the side street is contained on the minor intersection approach and does not impact the progression of traffic on the main arterial.

PROJECT TRAFFIC

Project Trip Generation

Daily and evening peak hour trips for the project were estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition) trip rates for Fast-Food Restaurant with Drive-thru (ITE Land Use 934). Pass-by reduction factors were applied to the proposed land use based on the ITE Trip Generation Handbook (3rd Edition).

The trip rates and the estimated project trip generation are shown on **Table 2**. After applying pass-by reduction factors, the project is estimated to generate approximately 814 vehicle trips on a daily basis, with 29 trips in the evening peak hour.

Project Trip Distribution and Assignment

Project trip distribution assumptions for the project site were developed based on existing traffic patterns, the likely origins and destinations of site employees and patrons, and input from City staff. Trip distribution assumptions are shown on **Figure 5**. Based on the trip distribution and assignment assumptions, the project trips to be added to the street system by the proposed project were calculated and are shown on **Figure 6**.

**TABLE 1
SUMMARY OF INTERSECTION OPERATION
EXISTING CONDITIONS**

Int. #	Intersection	Traffic Control	PM Peak Hour	
			V/C / Delay	LOS
1	Atlantic Boulevard at Brightwood Street	S	0.655	B
2	Atlantic Boulevard at Alleyway	U	35.5	E
3	College View Lane/Collegian Avenue at Floral Drive	S	0.648	B
4	Atlantic Boulevard at Floral Drive	S	0.709	C

Notes:

- S = Signalized; U = Unsignalized
- ICU = Intersection Capacity Utilization; LOS = Level of Service
- Delay refers to the average control delay measured in seconds per vehicle.
- **Bold** and shaded values indicate intersections operating at LOS E or F per City standards.

**TABLE 2
SUMMARY OF PROJECT TRIP GENERATION**

Land Use	ITE Code	Unit	Trip Generation Rates ¹			
			Daily	PM Peak Hour		
				In	Out	Total
Fast-Food Restaurant w/ Drive-thru	934	KSF	470.95	16.988	15.682	32.67
Land Use	Quantity	Unit	Trip Generation Estimates			
			Daily	PM Peak Hour		
				In	Out	Total
Fast-Food Restaurant w/ Drive-thru	1.790	KSF	843	30	28	58
<i>Pass-by Trips (50% PM) ²</i>			-29	-15	-14	-29
Total Net Project Trips			814	15	14	29
¹ Source: Institute of Transportation Engineers (ITE) <u>Trip Generation Manual</u> , 10th Edition ² Source: Institute of Transportation Engineers (ITE) <u>Trip Generation Handbook</u> , 3rd Edition						



NOT TO SCALE

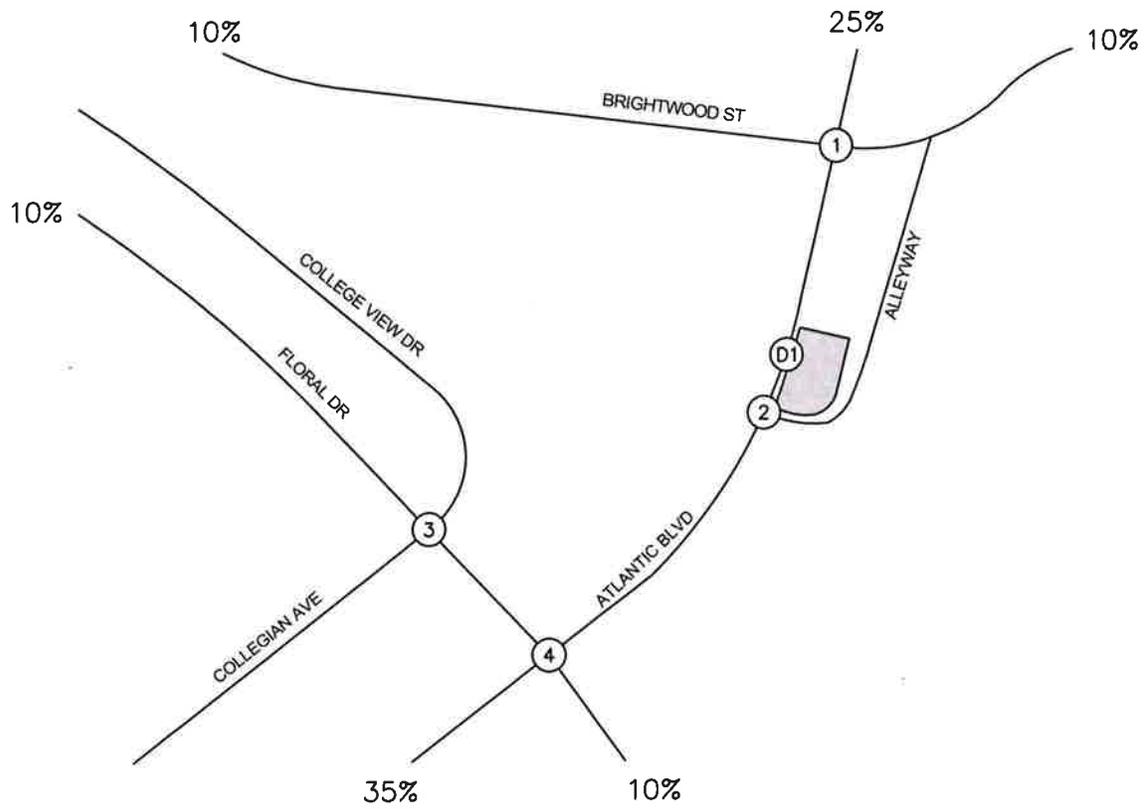


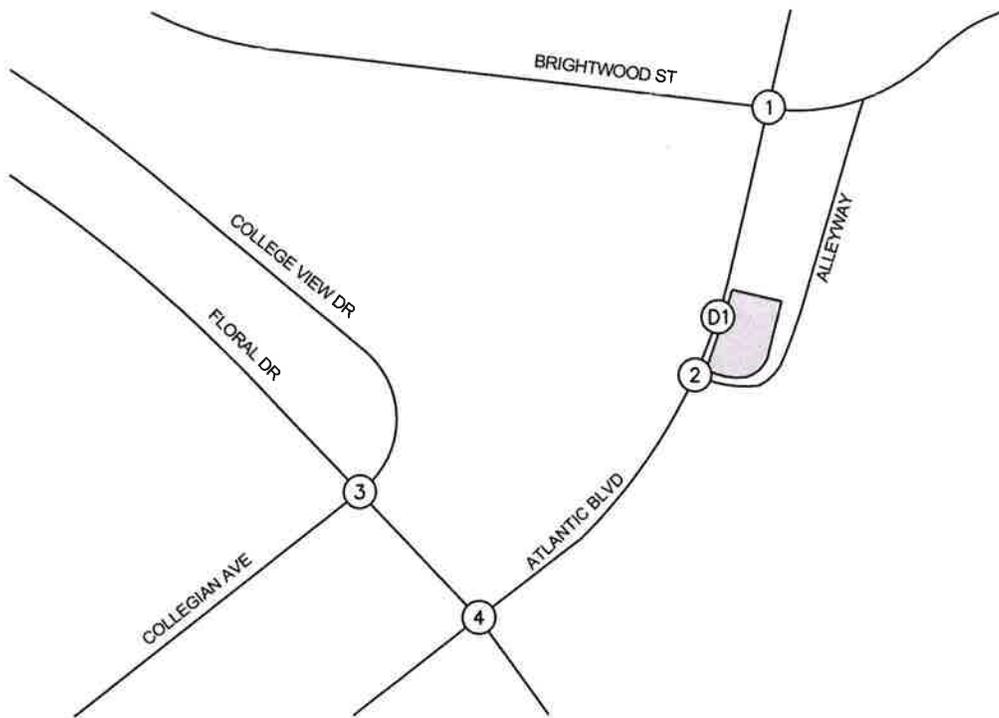
FIGURE 5
PROJECT TRIP DISTRIBUTION

LEGEND:
[Shaded Box] = Project Site
XX% = Trip Distribution Percentage





NOT TO SCALE



1. Atlantic Blvd at Brightwood St	2. Atlantic Blvd at Alleyway	3. College View Ln at Floral Dr	4. Atlantic Blvd at Floral Dr
D1. Atlantic Blvd at Project Driveway			

LEGEND:

= Project Site

= Study Intersection

XXX = PM Peak Hour Turning Movement Volume

**FIGURE 6
PROJECT-RELATED
TRAFFIC VOLUMES**

EXISTING PLUS PROJECT CONDITIONS

This section addresses the impacts associated with adding project-related trips to Existing Conditions traffic volumes. The Existing Plus Project scenario is a hypothetical scenario which assumes that the Project would be fully implemented at the present time, with no other changes to area traffic volumes or to the street network serving the site.

Existing evening peak hour plus project traffic volumes are shown on **Figure 7**. A summary of the resulting intersection Level of Service is provided on **Table 3**. As review of this table shows, all study intersections would continue to operate at an acceptable Level of Service in the evening peak hour, with the exception of the following intersection:

- #2 – Atlantic Boulevard at the Alleyway – PM, LOS E

FUTURE CONDITIONS

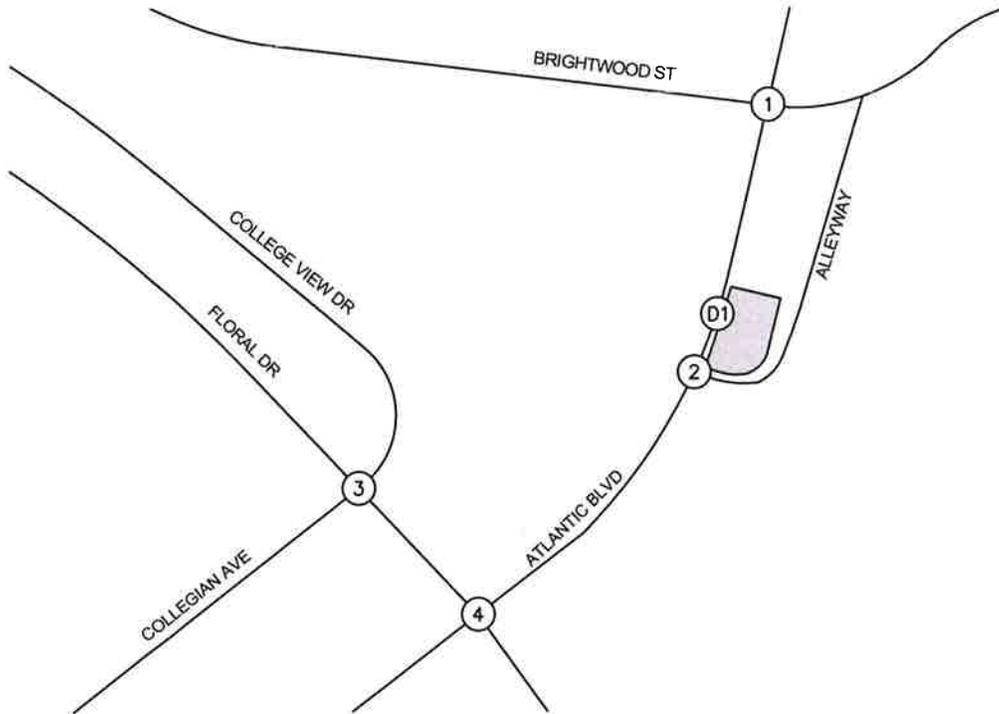
Project completion is estimated to occur in Year 2020. Future year forecasts for Opening Year 2020 were developed using the “build-up” forecasting process, starting with adding a background growth factor of 0.81 percent per year, for a total of two years, to existing traffic volumes.

In addition to ambient growth, Cumulative Projects, if any exist within the project vicinity, are considered in the Future Conditions analysis. Cumulative Project consist of projects that are approved but not yet built, built but not fully occupied, and projects that are in various stages of the application and approval process, but have not yet been approved. These projects are considered to be “reasonably foreseeable,” and must therefore be analyzed for CEQA purposes.

Cumulative Project information was obtained from the City of Monterey Park Planning Department. A summary of the Cumulative Projects included in the Future Conditions analysis is provided on **Table 4**. The location of the Cumulative Projects in relation to the project site is shown on **Figure 8**.



NOT TO SCALE



1. Atlantic Blvd at Brightwood St	2. Atlantic Blvd at Alleyway	3. College View Ln at Floral Dr	4. Atlantic Blvd at Floral Dr																																																								
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LEGEND:

- = Project Site
- = Study Intersection
- XXX = PM Peak Hour Turning Movement Volume

**FIGURE 7
EXISTING PLUS PROJECT
TRAFFIC VOLUMES**



**TABLE 3
SUMMARY OF INTERSECTION OPERATION
EXISTING PLUS PROJECT CONDITIONS**

Int. #	Intersection	Traffic Control	PM Peak Hour					
			Without Project		With Project		Project Impact	Impact Sig?
			V/C / Delay	LOS	V/C / Delay	LOS		
1	Atlantic Boulevard at Brightwood Street	S	0.655	B	0.656	B	0.001	No
2	Atlantic Boulevard at Alleyway	U	35.5	E	37.8	E	2.3	No
3	College View Lane/Collegian Avenue at Floral Drive	S	0.648	B	0.649	B	0.001	No
4	Atlantic Boulevard at Floral Drive	S	0.709	C	0.713	C	0.004	No
D1	Atlantic Boulevard at Project Driveway	U			29.8	D	-	-

Notes:

- S = Signalized, U = Unsignalized
- ICU = Intersection Capacity Utilization; LOS = Level of Service
- Delay refers to the average control delay measured in seconds per vehicle.
- **Bold** and shaded values indicate intersections operating at LOS E or F per City standards.

**TABLE 4
SUMMARY OF CUMULATIVE PROJECTS**

Proj. No.	Project Address	Land Use	Quantity	Unit	Project Trips		
					Daily Trips	PM Peak Hour	
						In	Out
1	808 W Garvey Avenue	Commercial	19.385	KSF	6,887	334	361
		Hotel	148	Rooms	1,237	45	44
		Apartments	98	DU	337	25	11
2	500 E Markland Drive	Storage	123.062	KSF	214	6	17
Total					8,675	410	433
KSF = Thousand Square Feet, DU = Dwelling Units							



NOT TO SCALE

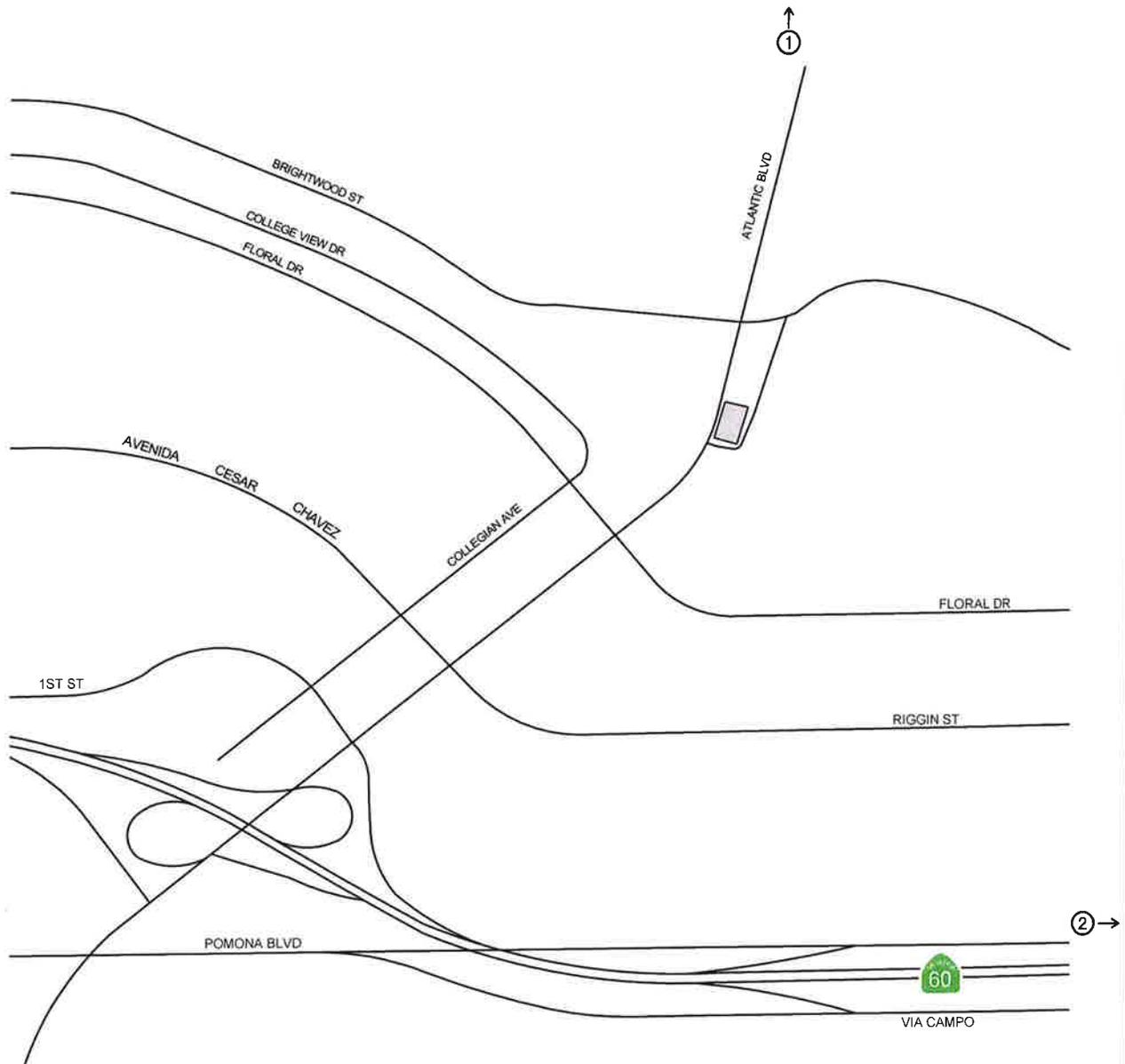


FIGURE 8
LOCATION OF CUMULATIVE PROJECTS

LEGEND:

-  = Project Site
-  = Cumulative Project



Opening Year 2020 Without Project

The ambient growth and Cumulative Project Traffic were added to the existing traffic volumes to develop Opening Year 2020 Without Project volumes. The resulting traffic volumes are shown on **Figure 9**.

A summary of the resulting intersection Level of Service is provided on **Table 5**. Intersection analysis worksheets are provided in **Appendix C**. With the addition of ambient growth and Cumulative Project traffic, all study intersections would operate at an acceptable Level of Service in the evening peak hour, with the exception of the following intersection:

- #2 – Atlantic Boulevard at the Alleyway – PM, LOS E

Opening Year 2020 With Project

The project-related traffic was added to Opening Year 2020 Without Project volumes to develop Opening Year 2020 With Project traffic forecasts. The resulting traffic volumes are shown on **Figure 10**.

A summary of the resulting intersection Level of Service is provided on **Table 6**. Intersection analysis worksheets are provided in **Appendix C**. With the addition of project traffic, all study intersections would continue to operate at an acceptable Level of Service in the evening peak hour, with the exception of the following intersection:

- #2 – Atlantic Boulevard at the Alleyway – PM, LOS E

SITE ACCESS AND CIRCULATION

Access to the Raising Cane's project would be provided by two full-movement driveways, one on Atlantic Boulevard and the other driveway on the Alleyway on the east side of the project site. Both driveways would provide access to the opening of the drive-through lane. All driveways would be unsignalized.

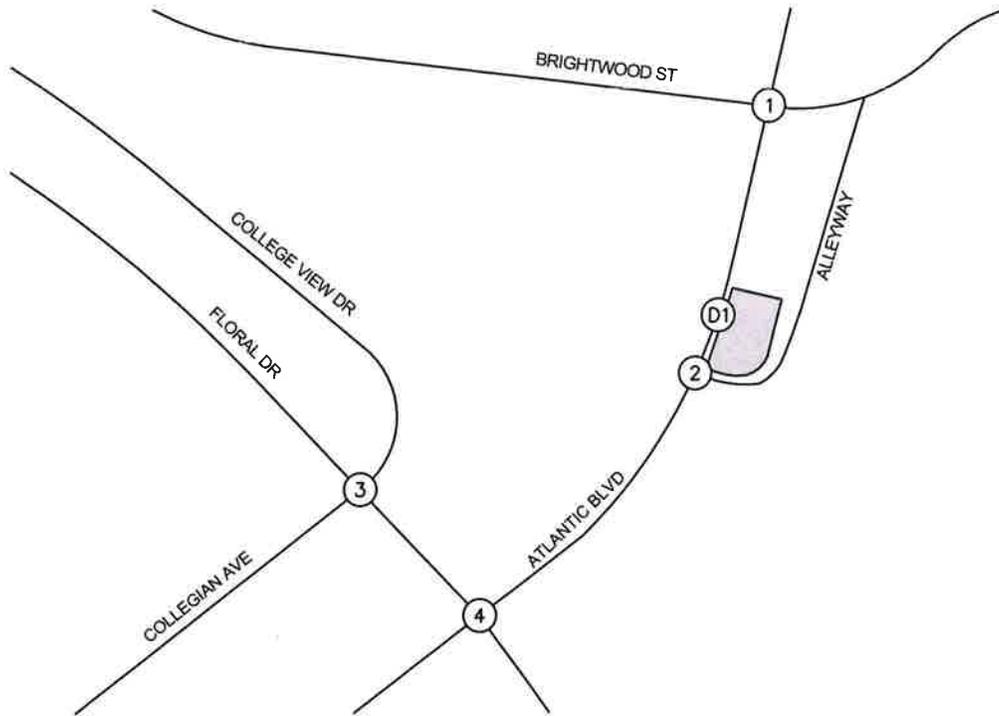
Traffic Signal Warrants

Traffic signal warrant analyses were completed for the intersections of Atlantic Boulevard at the Alleyway and Atlantic Boulevard at the Project Driveway. The intersection of Atlantic Boulevard at the Alleyway is expected to operate in future conditions at LOS E.

The California Manual on Uniform Traffic Control Devices (MUTCD, 2017), Warrant 3 for peak hour was used. Using the Opening Year 2020 with Project forecasted volumes, Warrant 3 is not met for either of the intersections. The traffic signal warrant worksheets are provided in **Appendix D**.



NOT TO SCALE



1. Atlantic Blvd at Brightwood St	2. Atlantic Blvd at Alleyway	3. College View Ln at Floral Dr	4. Atlantic Blvd at Floral Dr

LEGEND:

= Project Site

= Study Intersection

XXX = PM Peak Hour
Turning Movement
Volume

**FIGURE 9
OPENING YEAR 2020
TRAFFIC VOLUMES**

TABLE 5
SUMMARY OF INTERSECTION OPERATION
OPENING YEAR 2020 CONDITIONS

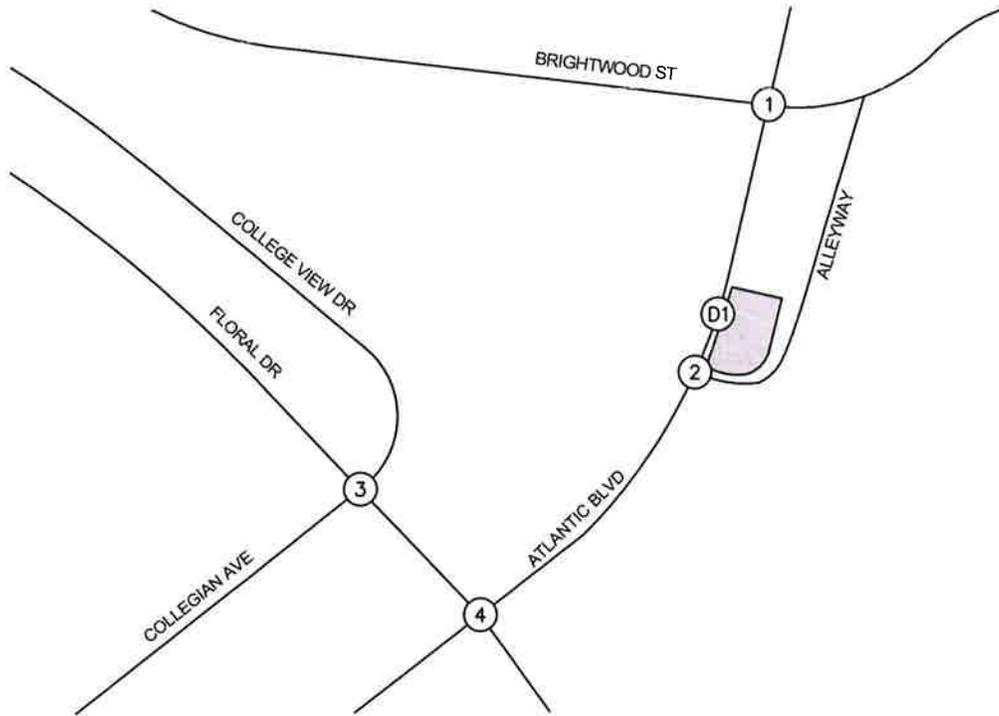
Int. #	Intersection	Traffic Control	PM Peak Hour	
			V/C / Delay	LOS
1	Atlantic Boulevard at Brightwood Street	S	0.671	B
2	Atlantic Boulevard at Alleyway	U	37.6	E
3	College View Lane/Collegian Avenue at Floral Drive	S	0.657	B
4	Atlantic Boulevard at Floral Drive	S	0.724	C

Notes:

- S = Signalized, U = Unsignalized
- ICU = Intersection Capacity Utilization; LOS = Level of Service
- Delay refers to the average control delay measured in seconds per vehicle.
- **Bold** and shaded values indicate intersections operating at LOS E or F per City standards.



NOT TO SCALE



1. Atlantic Blvd at Brightwood St	2. Atlantic Blvd at Alleyway	3. College View Ln at Floral Dr	4. Atlantic Blvd at Floral Dr																																																					
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LEGEND:

- = Project Site
- = Study Intersection
- XXX = PM Peak Hour Turning Movement Volume

FIGURE 10
OPENING YEAR 2020 PLUS PROJECT
TRAFFIC VOLUMES



TABLE 6
SUMMARY OF INTERSECTION OPERATION
OPENING YEAR 2020 WITH PROJECT CONDITIONS

Int. #	Intersection	Traffic Control	PM Peak Hour					
			Without Project		With Project		Project Impact	Impact Sig?
			V/C / Delay	LOS	V/C / Delay	LOS		
1	Atlantic Boulevard at Brightwood Street	S	0.671	B	0.672	B	0.001	No
2	Atlantic Boulevard at Alleyway	U	37.6	E	40.3	E	2.7	No
3	College View Lane/Collegian Avenue at Floral Drive	S	0.657	B	0.658	B	0.001	No
4	Atlantic Boulevard at Floral Drive	S	0.724	C	0.728	C	0.004	No
D1	Atlantic Boulevard at Project Driveway	U			31.3	D	-	-

Notes:

- S = Signalized, U = Unsignalized
- ICU = Intersection Capacity Utilization; LOS = Level of Service
- Delay refers to the average control delay measured in seconds per vehicle.
- **Bold** and shaded values indicate intersections operating at LOS E or F per City standards.

Drive-Through Queuing

The opening to the drive-through lane is shown at the southeast corner of the building, and the pick-up window is shown on the west side of the building. The drive-through lane would wrap around the east, north, and west sides of the building in a counter-clockwise direction. The proposed project would provide a drive-through lane with two order boards. The drive through lane would begin as two drive-through lanes for use of the two order boards, which would allow Raising Cane's to take orders from two customers at the same time. and then merge back into a single drive-through lane prior to the pay and pick-up window. The drive-through lane would provide a queuing capacity for approximately 17 vehicles.

A drive-through queuing analysis was prepared to evaluate the drive-through queuing capacity of the proposed Raising Cane's, based on drive-through data from existing Raising Cane's restaurants in Southern California. The drive-through queuing analysis is provided in **Appendix E**.

On-Site Parking

The proposed project would provide a parking supply of 18 on-site parking spaces, including 1 ADA parking space and 1 EV parking space. Five parking spaces would have direct access to the alleyway on the east side of the project site. 6 parking spaces would have direct access to the alleyway on the south side of the project site, and 7 parking spaces would be along an internal project drive aisle. There is an existing shopping center driveway south of the alleyway. It is recommended that Raising Cane's employees be instructed to park in the parking spaces adjacent to the alleyway on the south side of the project site to free up the parking spaces least likely to be impacted by the potential queue of vehicles at the intersection of Atlantic Boulevard and the alleyway.

Queuing Analysis – Atlantic Boulevard at Alleyway

As congestion increases it is common for traffic at stop signs to form lines of stopped (or queued) vehicles. The 95th percentile queue is calculated by using 95th percentile traffic to account for fluctuations in traffic and represents a condition where 95 percent of the time during the peak period, traffic volumes and related queuing will be at, or less, than determined by the analysis.

A 95th percentile queuing analysis was performed for the westbound approach at the intersection of Atlantic Boulevard at Alleyway under Opening Year 2020 and Opening Year With Project conditions. Currently, there is a shopping center driveway directly south of the Alleyway close to the intersection of Atlantic Boulevard at Alleyway. With the proposed project Alleyway driveway, the westbound approach would have a storage capacity of approximately 125 ft, or 5 vehicles, assuming 25 feet per vehicle.

Under Opening Year 2020 conditions, the westbound approach would have a 95th percentile queue length of 27 feet. Under Opening Year With Project conditions, the westbound approach would have a 95th percentile queue of 36 feet. Assuming 25 feet per vehicle, the addition of project traffic increases the 95th percentile queue length by less than one vehicle. With the addition of project traffic, the increase in 95th percentile queue on the westbound approach is negligible.

SUMMARY OF FINDINGS AND CONCLUSIONS

- The applicant proposes to develop a 1,790-square-foot Raising Cane's drive-through restaurant. The project site is bounded by an existing commercial use to the north, Atlantic Boulevard to the west, and an alleyway to the east and south. The proposed site is currently vacant.
- Evening peak hour operating conditions were evaluated at four study intersections for the following study scenarios:
 - Existing,
 - Existing Plus Project,
 - Opening Year 2020 without Project, and
 - Opening Year 2020 with Project.
- Existing peak hour traffic counts were collected in October 2018.
- Under Existing Conditions, all study intersections are currently operating at an acceptable Level of Service, with the exception of the following intersection:
 - #2 – Atlantic Boulevard at the Alleyway – PM, LOS E
- After applying pass-by reduction factors, the project is estimated to generate approximately 814 vehicle trips on a daily basis, with 29 trips in the evening peak hour.
- Under Existing Plus Project Conditions, all study intersections would continue to operate at an acceptable Level of Service, with the exception of the following intersections:
 - #2 – Atlantic Boulevard at the Alleyway – PM, LOS E
- Ambient traffic growth and Cumulative Project traffic was added to Existing Conditions to establish Opening Year 2020 without Project Conditions.
- Under Opening Year 2020 without Project Conditions, all study intersections would operate at an acceptable Level of Service, with the exception of the following intersection:
 - #2 – Atlantic Boulevard at the Alleyway – PM, LOS E
- Under Opening Year 2020 with Project Conditions, all study intersections would continue to operate at an acceptable Level of Service in the evening peak hour, with the exception of the following intersections:
 - #2 – Atlantic Boulevard at the Alleyway – PM, LOS E

- Traffic signal warrant analyses were completed for the unsignalized intersections of Atlantic Boulevard at the Alleyway and Atlantic Boulevard at the Project Driveway. Based on the California MUTCD, Warrant 3 is not met for either intersection.
- It is recommended Raising Cane's employees be instructed to park in the parking spaces adjacent to the alleyway on the south side of the project site to free up the parking spaces least likely to be impacted by the potential queue of vehicles at the intersection of Atlantic Boulevard and the alleyway.
- A 95th percentile queue analysis was performed for the westbound approach at the intersection of Atlantic Boulevard at Alleyway. With the addition of project traffic, the increase in 95th percentile queue on the westbound approach is negligible.

APPENDIX A
APPROVED SCOPING AGREEMENT

TRAFFIC STUDY SCOPING AGREEMENT

Project Name:	Monterey Park Raising Cane's		
Project Location:	1970 S Atlantic Blvd, Monterey Park, CA 91754		
Project Description:	1,790 SF Fast-food Restaurant with Drive-thru (Site Plan – ATTACHMENT A)		
Opening Year:	2019	Build-out Year:	N/A
Annual Growth Rate:	0.81% (per CMP)		

Applicant Firm:	Raising Cane's	Applicant Contact:	6800 Bishop Rd, Plano, TX 75024
Phone Number:		E-mail Address:	
Consultant Firm:	Kimley-Horn and Assoc.	Consultant Contact:	Trevor Briggs
Phone Number:	(714) 939-1030	E-mail Address:	Trevor.Briggs@kimley-horn.com

Project Trip Generation Summary
(Trip Generation Table – ATTACHMENT B)

Source of Rates:	ITE Trip Generation Manual, 10th Edition	Other:	
-------------------------	--	---------------	--

ITE Land Use:	Fast-Food Res. w/ Drive-thru	ITE Land Use Code:	934			
Daily Trips:	<i>Inbound:</i>	407	<i>Outbound:</i>	407	<i>Total:</i>	814
AM Peak Hour Trips*:	<i>Inbound:</i>	N/A	<i>Outbound:</i>	N/A	<i>Total:</i>	N/A
PM Peak Hour Trips:	<i>Inbound:</i>	15	<i>Outbound:</i>	14	<i>Total:</i>	29

See attached Trip Generation table for details.

*Raising Cane's does not open until 10 A.M.

Trip Distribution: (Trip Distribution Exhibit – ATTACHMENT C)

Suggested Study Intersections

1	Atlantic Blvd and Brightwood St	11	
2	Atlantic Blvd and Floral Dr	12	
3	College View Ln/Collegian Ave and Floral Dr	13	
4	Atlantic Blvd and Project Driveway	14	
5	Atlantic Blvd and Alleyway	15	
6		16	
7		17	
8		18	
9		19	
10		20	



October 4, 2018

Consultant's Representative

Date

Approved by:

City Representative

Date

Attachments:

- A. Project Site Plan
- B. Trip Generation Table
- C. Project Trip Distribution & Suggested Traffic Area Map

TITLE REPORT EXCEPTIONS

- EASEMENTS ARE PLOTTED HEREON WITH REFERENCE TO SCHEDULE B EXCEPTION NUMBER
- ⑥ AN EASEMENT AFFECTING THAT PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN AND INCIDENTAL PURPOSES AS PROVIDED IN THE FOLLOWING:
 - SOUTHERN CALIFORNIA EDISON COMPANY
 - POLE LINES
 - MARCH 25, 1950 IN BOOK 32644 OF OFFICIAL RECORDS, PAGE 182 AS INSTRUMENT NO. 2550
 - THE EASTERN 6 FEET OF LOTS 191 & 192.
 - ⑦ AN EASEMENT AFFECTING THAT PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN AND INCIDENTAL PURPOSES AS PROVIDED IN THE FOLLOWING:
 - SOUTHERN CALIFORNIA EDISON COMPANY
 - POLES AND CONDUITS
 - AUGUST 13, 1953 IN BOOK 42456 OF OFFICIAL RECORDS, PAGE 189 AS INSTRUMENT NO. 2759
 - AS DESCRIBED THEREIN

SIGN INFORMATION

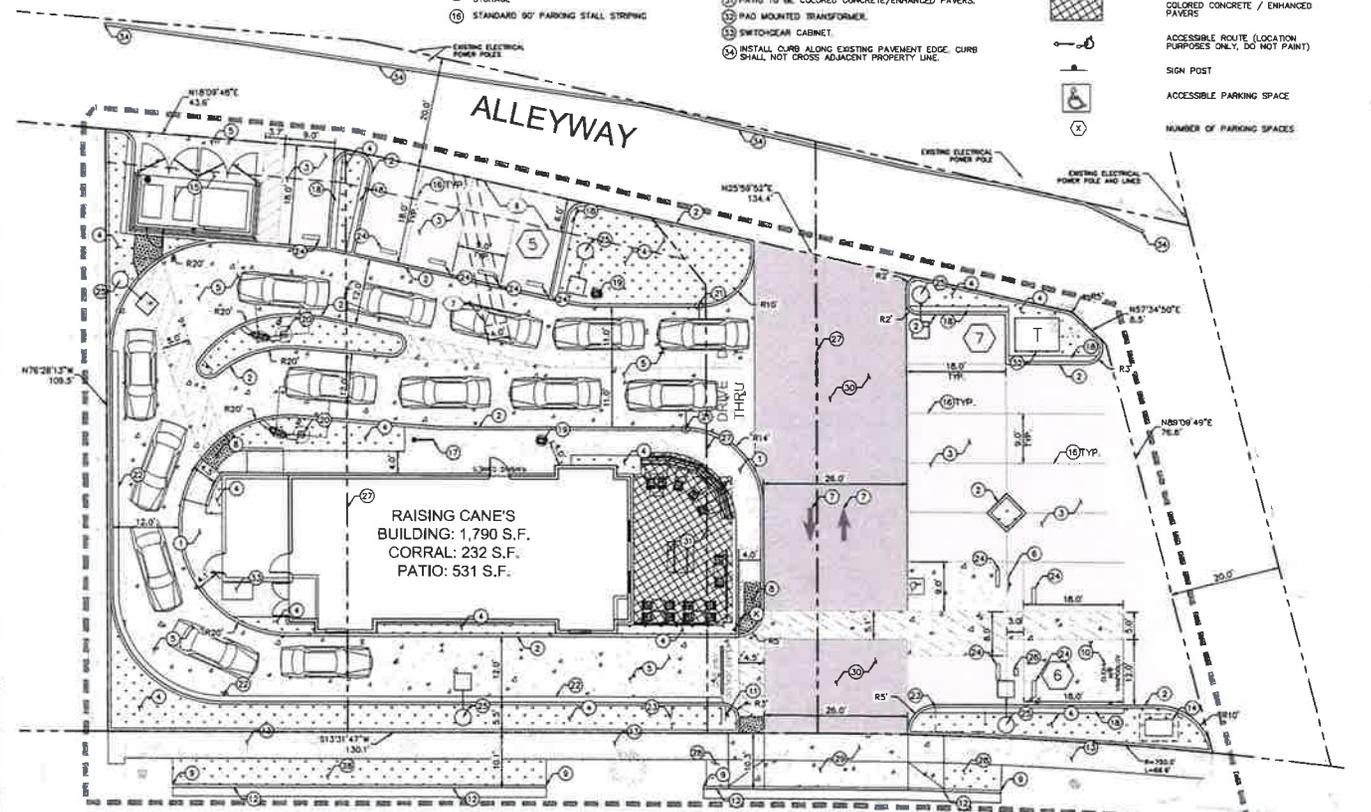
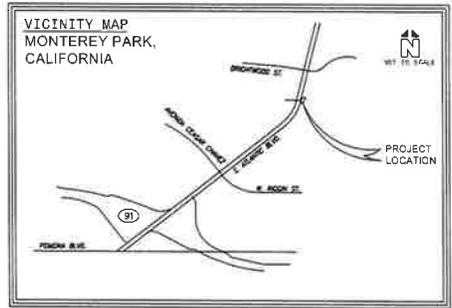
- ① OMITTED SIGN R5-1 - "DO NOT ENTER"

CONSTRUCTION NOTES:

- ① STANDARD DUTY CONCRETE PAVEMENT
- ② CONCRETE CURB
- ③ STANDARD DUTY ASPHALT CONCRETE PAVEMENT
- ④ LANDSCAPE/PLANTER AREA
- ⑤ HEAVY DUTY CONCRETE PAVEMENT
- ⑥ ACCESSIBLE PARKING STALL SIGN IN BOLLARD
- ⑦ DIRECTIONAL MARKING PER PLAN
- ⑧ ACCESSIBLE RAMP WITH DETECTABLE WARNING (TRUNCATED DOMES)
- ⑨ JOIN EXISTING CURB, CURB & GUTTER, SIDEWALK
- ⑩ "CLEAN AIR/VAN POOL/EV" IN 12" HIGH WHITE LETTERS AT THE END OF PARKING STALL
- ⑪ ADA PATH OF TRAVEL SIGN
- ⑫ PUBLIC CURB AND GUTTER PER CITY OF MONTEREY PARK STANDARDS
- ⑬ PUBLIC SIDEWALK PER CITY OF MONTEREY PARK STANDARDS
- ⑭ PYLON SIGN
- ⑮ COVERED TRASH ENCLOSURE AND RECYCLING BIN STORAGE
- ⑯ STANDARD 90° PARKING STALL STRIPING
- ⑰ BIKE RACK
- ⑱ 18" WALK-OFF CURB
- ⑲ PREVIEW BOARD
- ⑳ ORDER BOARD
- ㉑ HEADACHE BAR
- ㉒ CONCRETE CURB AND GUTTER
- ㉓ PROPRIETARY STORMWATER BIOFILTRATION SYSTEM, PRELIMINARY SIZING SHOWN FOR REFERENCE ONLY.
- ㉔ INSTALL WHEELSTOPS FOR PARKING SPACES
- ㉕ SITE LIGHTING
- ㉖ FUTURE E/V CHARGING STATION, CONDUIT TO BE RAN TO STALL FOR FUTURE CONNECTION
- ㉗ PARCEL MERGER SHALL BE COMPLETED FOR THE PROPOSED PROJECT
- ㉘ PARKWAY LANDSCAPING PER CITY OF MONTEREY PARK STANDARDS
- ㉙ COMMERCIAL DRIVEWAY PER CITY OF MONTEREY PARK STANDARDS
- ㉚ HEAVY DUTY ASPHALT CONCRETE PAVEMENT
- ㉛ PAVED TO BE COLORED CONCRETE/ENHANCED PAVERS
- ㉜ PAD MOUNTED TRANSFORMER
- ㉝ SWITCHGEAR CABINET
- ㉞ INSTALL CURB ALONG EXISTING PAVEMENT EDGE. CURB SHALL NOT CROSS ADJACENT PROPERTY LINE.

LEGEND: ATTACHMENT A

- CENTER LINE
- PROPERTY LINE
- EASEMENT LINE
- APPROXIMATE LIMIT OF WORK
- STANDARD DUTY CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- LANDSCAPE/PLANTER AREA
- STANDARD DUTY ASPHALT PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- DETECTABLE WARNING SYSTEM
- COLORLED CONCRETE / ENHANCED PAVERS
- ACCESSIBLE ROUTE (LOCATION PURPOSES ONLY, DO NOT PAINT)
- SIGN POST
- ACCESSIBLE PARKING SPACE
- NUMBER OF PARKING SPACES



SITE DATA

PROJECT DESCRIPTION: DEMOLITION OF EXISTING FOUNDATION AND SUBSURFACE STRUCTURES AND NEW CONSTRUCTION OF A RAISING CANE'S RESTAURANT

ADDRESS: 1970 S ATLANTIC BLVD, MONTEREY PARK, CA 91754

ZONING DISTRICT: S-C

LAND USE: SHOPPING CENTER

FLOOD ZONE: ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

TOTAL DISTURBED AREA:	17,863 S.F.	(0.41 AC)
TOTAL PAD AREA:	3,632 S.F.	(0.08 AC)
PROPOSED LEASE AREA:	17,863 S.F.	(0.41 AC)

LOT COVERAGE:	17,863 S.F.	(0.41 AC)	100%
TOTAL SITE AREA:	1,600 S.F.	(0.04 AC)	10.0%
BUILDING AREA:	1,883 S.F.	(0.32 AC)	17.6%
IMPERVIOUS AREA:	2,320 S.F.	(0.05 AC)	2.4%
LANDSCAPE AREA:	142 S.F.	(0.003 AC)	0.3%

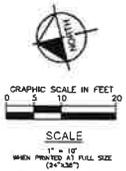
FRONTAGE: 142 S.F. (0.003 AC) OF TOTAL LANDSCAPING ALONG S. ATLANTIC BLVD.

NET-SITE COVERAGE:	1,569 S.F.	(0.04 AC)	100%
TOTAL OFF-SITE AREA:	1,176 S.F.	(0.03 AC)	78.0%
IMPERVIOUS AREA:	393 S.F.	(0.01 AC)	23.0%

PARKING / LANDSCAPE BUFFER: 5.5'-0" REAR: 0'-0" SIDE (N): 0'-0" SIDE (S): 0'-0" *4' SETBACK VARIANCE IS BEING REQUESTED AS PART OF THIS APPLICATION

PARKING SUMMARY: 1,790 S.F. BUILDING 1 STALL / 100 S.F. REQUIRED BY CITY CODE PARKING REQUIRED = 18 STALLS REQUIRED: ADA PARKING FOR 1-25 PARKING STALLS = 1 ADA PARKING STALL REQUIRED PER 2016 CBC FUTURE EV FOR 1-25 PARKING STALLS = 1 FUTURE EV STALL REQUIRED PER 2016 CALGREEN 1 FUTURE EV STALL MUST BE VAN ACCESSIBLE NUMBER OF REQUIRED DESIGNATED STALLS FOR LOW-EMITTING, FUEL-EFFICIENT, CARPOOL, VANPOOL, AND ELECTRIC VEHICLES (PER 2016 CALIFORNIA GREEN BUILDING STANDARDS) = 2 TOTAL NUMBER OF PARKING SPACES PROVIDED = 18

PARKING TABLE:	REQUIRED	PROVIDED
STANDARD	18	18
COMPACT (C)	0	0
MOTORCYCLE DESIGNATED	0	0
E/V CHARGING	1	1 (EV STALLS ARE ALSO DESIGNATED FOR EV)
ACCESSIBLE	1	1
TOTAL	18	18



DIGALERT
CALL BEFORE YOU DIG
TOLL FREE 1-800-427-4333
UNDERGROUND SERVICE ALERT

DATE	DESCRIPTION
08/15/2018	INITIAL SUBMITTAL

ENGINEER SEAL
DRAWN BY: JP
CHECKED BY: TH
RECOMMENDED

Kimley»Horn
705 THE CITY DRIVE SUITE 200
ORANGE, CA 92668
971-615-1000
PREPARED UNDER THE DIRECT SUPERVISION OF:
DATE: 8/15/2018 EXP: 11/20/18

CITY OF MONTEREY PARK
APPROVED BY:
PLANNING DIVISION DATE:

Raising Cane's
1970 S ATLANTIC BLVD
MONTEREY PARK, CA 91754

CITY OF MONTEREY PARK
PRELIMINARY SITE PLAN

1 OF 1

**TABLE 1
SUMMARY OF PROJECT TRIP GENERATION
MONTEREY PARK RAISING CANE'S**

Land Use	ITE Code	Unit	Trip Generation Rates ¹			
			Daily	PM Peak Hour		
				In	Out	Total
Fast-Food Restaurant w/ Drive-thru	934	KSF	470.95	16.988	15.682	32.67
Land Use	Quantity	Unit	Trip Generation Estimates			
			Daily	PM Peak Hour		
				In	Out	Total
Fast-Food Restaurant w/ Drive-thru	1.790	KSF	843	30	28	58
<i>Pass-by Trips (50% PM) ²</i>			-29	-15	-14	-29
Total Net Project Trips			814	15	14	29
¹ Source: Institute of Transportation Engineers (ITE) <u>Trip Generation Manual</u> , 10th Edition ² Source: Institute of Transportation Engineers (ITE) <u>Trip Generation Handbook</u> , 3rd Edition						

TRAFFIC STUDY AREA – MONTEREY PARK RAISING CANE'S PROJECT



APPENDIX B
TRAFFIC DATA COLLECTION WORKSHEETS

National Data & Surveying Services Intersection Turning Movement Count

Location: Atlantic Blvd & Brightwood St
City: Monterey Park
Control: Signalized

Project ID: 18-05680-001
Date: 2018-10-16

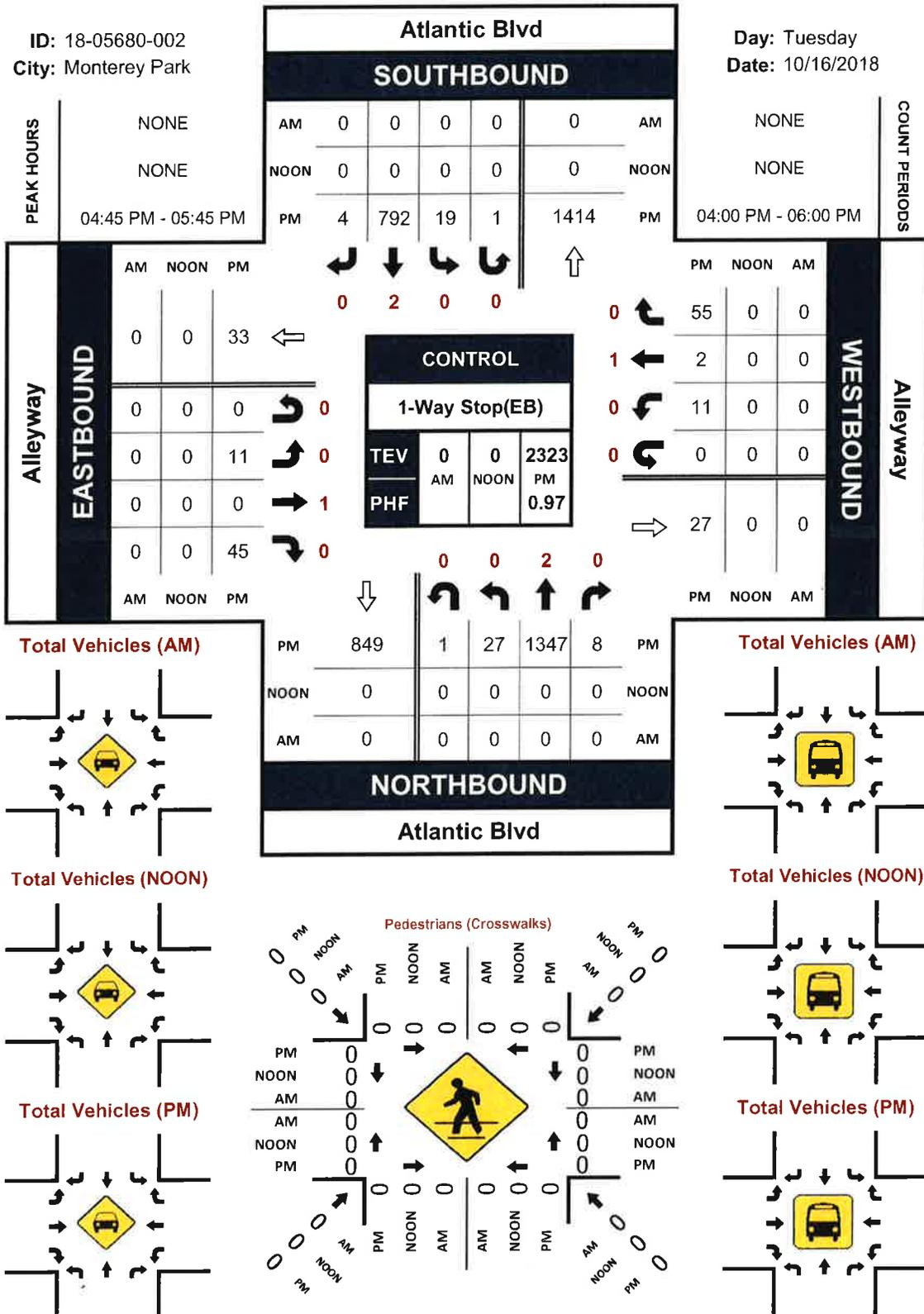
NS/EW Streets:		Total																				TOTAL						
		Atlantic Blvd					Atlantic Blvd					Brightwood St					Brightwood St											
PM	1	NORTHBOUND				SOUTHBOUND					EASTBOUND					WESTBOUND					SOUTHBOUND					TOTAL		
		NL	NT	NR	NU	NT2	SL	ST	SR	SU	SU2	EL	ET	ER	EU	EL2	WL	WT	WR	WU	WR2	S2L	S2U	S2L2	S2T2		S2R2	S2U2
4:00 PM	9	224	23	0	0	13	178	11	0	0	30	35	22	0	0	15	13	10	0	0	0	0	0	0	1	0	0	574
4:15 PM	4	253	17	0	0	15	169	7	0	0	16	54	19	0	0	8	9	6	0	0	0	0	0	0	2	0	0	579
4:30 PM	7	251	21	2	2	12	216	15	0	0	30	47	17	0	0	8	8	6	0	1	0	0	1	1	0	0	645	
4:45 PM	13	268	37	0	1	12	168	14	0	0	26	65	23	0	1	6	17	10	0	0	0	0	1	0	1	0	663	
5:00 PM	6	290	33	1	1	12	214	11	0	0	43	56	16	0	0	6	9	8	0	0	0	0	0	0	0	0	706	
5:15 PM	15	324	33	0	1	19	158	7	0	0	38	59	16	0	0	8	12	4	0	1	0	0	0	0	0	0	697	
5:30 PM	14	298	26	0	1	15	169	25	0	0	34	63	16	0	0	13	17	9	0	0	0	0	0	1	0	0	701	
5:45 PM	14	296	36	0	0	9	167	11	0	0	27	63	17	0	0	9	16	11	0	0	0	0	0	1	0	0	677	
TOTAL VOLUMES:		NL	NT	NR	NU	NT2	SL	ST	SR	SU	SU2	EL	ET	ER	EU	EL2	WL	WT	WR	WU	WR2	S2L	S2U	S2L2	S2T2	S2R2	S2U2	TOTAL
		82	2204	226	3	6	107	1439	101	0	0	234	442	148	0	1	73	101	64	0	2	0	0	2	6	1	0	5242
APPROACH %'s:		3.25%	87.43%	8.96%	0.12%	0.24%	6.50%	87.37%	6.13%	0.00%	0.00%	28.36%	53.58%	17.94%	0.00%	0.12%	30.42%	42.08%	26.67%	0.00%	0.83%	0.00%	0.00%	22.22%	66.67%	11.11%	0.00%	
PEAK HR:		05:00 PM - 06:00 PM																										
PEAK HR VOL:		49	1208	128	1	3	55	708	54	0	0	142	241	67	0	0	36	54	32	0	1	0	0	0	2	0	0	2781
PEAK HR FACTOR:		0.817	0.932	0.889	0.250	0.750	0.724	0.827	0.540	0.000	0.000	0.826	0.956	0.931	0.000	0.000	0.692	0.794	0.727	0.000	0.250	0.000	0.000	0.000	0.500	0.300	0.000	0.985
		0.931					0.862					0.978					0.788											

Atlantic Blvd & Alleyway

Peak Hour Turning Movement Count

ID: 18-05680-002
City: Monterey Park

Day: Tuesday
Date: 10/16/2018



National Data & Surveying Services

Intersection Turning Movement Count

Location: Atlantic Blvd & Alleyway
 City: Monterey Park
 Control: 1-Way Stop(EB)

Project ID: 18-05680-002
 Date: 2018-10-16

Total

NS/EW Streets:	Atlantic Blvd				Atlantic Blvd				Alleyway				Alleyway				TOTAL		
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND						
PM	0	2	0	0	0	2	0	0	0	1	0	0	0	0	1	0	0	0	0
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU			
4:00 PM	10	262	2	0	5	205	1	0	1	0	19	0	1	0	9	0			515
4:15 PM	6	271	2	0	9	195	1	0	4	2	7	0	3	0	13	0			513
4:30 PM	8	272	0	0	2	239	0	0	2	0	12	0	1	0	8	0			544
4:45 PM	8	309	3	0	7	186	1	0	0	0	8	0	3	1	15	0			541
5:00 PM	4	329	2	0	3	230	1	1	1	0	12	0	2	1	14	0			600
5:15 PM	10	364	3	1	5	177	0	0	5	0	11	0	3	0	12	0			591
5:30 PM	5	345	0	0	4	199	2	0	5	0	14	0	3	0	14	0			591
5:45 PM	6	312	3	0	9	187	0	0	0	0	10	0	3	0	10	0			540
TOTAL VOLUMES:	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU			TOTAL
APPROACH %'s:	57	2464	15	1	44	1618	6	1	18	2	93	0	19	2	95	0			4435
	2.25%	97.12%	0.59%	0.04%	2.64%	96.94%	0.36%	0.06%	15.93%	1.77%	82.30%	0.00%	16.38%	1.72%	81.90%	0.00%			
PEAK HR:	04:45 PM - 05:45 PM																		
PEAK HR VOL:	27	1347	8	1	19	792	4	1	11	0	45	0	11	2	55	0			TOTAL
PEAK HR FACTOR:	0.675	0.925	0.667	0.250	0.679	0.861	0.500	0.250	0.550	0.000	0.804	0.000	0.917	0.500	0.917	0.000			0.968
	0.915				0.868				0.737				0.895						

National Data & Surveying Services

Intersection Turning Movement Count

Location: College View Ln/Collegian Ave & Floral Dr
City: Monterey Park
Control: Signalized

Project ID: 18-05680-003
Date: 2018-10-16

Total

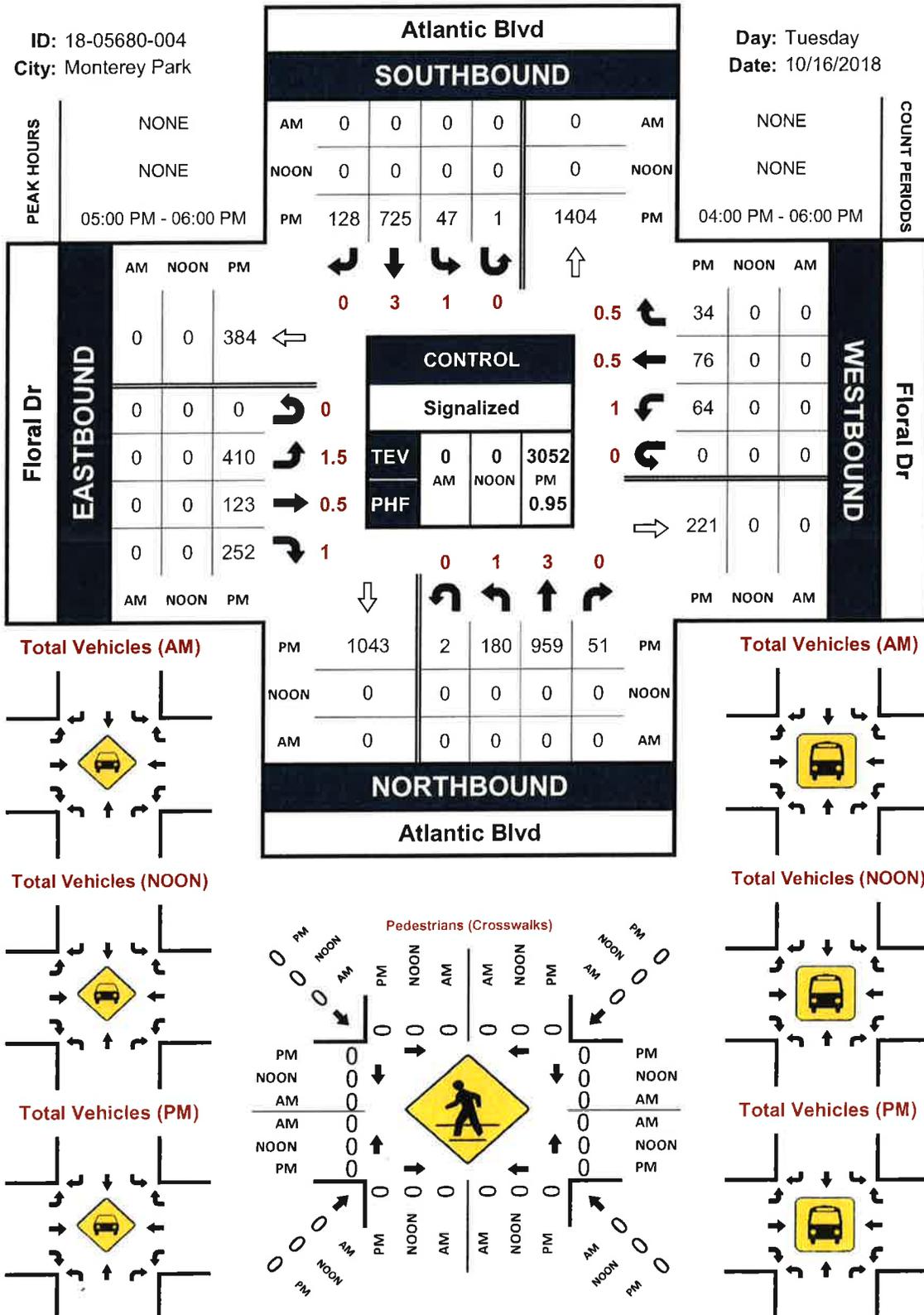
NS/EW Streets:	College View Ln/Collegian Ave				College View Ln/Collegian Ave				Floral Dr				Floral Dr				TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
PM	1 NL	1 NT	0 NR	0 NU	0 SL	1 ST	0 SR	0 SU	1 EL	1 ET	1 ER	0 EU	1 WL	1 WT	0 WR	0 WU	
4:00 PM	28	7	33	0	4	3	1	0	5	157	37	0	13	70	9	0	367
4:15 PM	37	4	49	0	5	5	0	0	2	149	42	0	12	90	7	0	402
4:30 PM	22	5	35	0	6	7	0	0	2	144	30	0	16	64	3	0	334
4:45 PM	27	5	43	0	9	6	0	0	2	144	36	0	11	72	6	0	361
5:00 PM	42	12	47	0	11	7	0	0	5	154	49	0	18	84	2	0	431
5:15 PM	47	6	45	0	10	8	3	0	4	155	43	0	11	61	7	0	400
5:30 PM	44	7	49	0	11	15	0	0	1	142	42	0	17	81	8	0	417
5:45 PM	34	10	39	0	9	12	0	0	1	142	30	0	16	78	7	0	378
TOTAL VOLUMES :	NL 281	NT 56	NR 340	NU 0	SL 65	ST 63	SR 4	SU 0	EL 22	ET 1187	ER 309	EU 0	WL 114	WT 600	WR 49	WU 0	TOTAL 3090
APPROACH %'s :	41.51%	8.27%	50.22%	0.00%	49.24%	47.73%	3.03%	0.00%	1.45%	78.19%	20.36%	0.00%	14.94%	78.64%	6.42%	0.00%	
PEAK HR :	05:00 PM - 06:00 PM																TOTAL
PEAK HR VOL :	167	35	180	0	41	42	3	0	11	593	164	0	62	304	24	0	1626
PEAK HR FACTOR :	0.888	0.729	0.918	0.000	0.932	0.700	0.250	0.000	0.550	0.956	0.837	0.000	0.861	0.905	0.750	0.000	0.943
	0.946				0.827				0.923				0.920				

Atlantic Blvd & Floral Dr

Peak Hour Turning Movement Count

ID: 18-05680-004
City: Monterey Park

Day: Tuesday
Date: 10/16/2018



National Data & Surveying Services

Intersection Turning Movement Count

Location: Atlantic Blvd & Floral Dr
 City: Monterey Park
 Control: Signalized

Project ID: 18-05680-004
 Date: 2018-10-16

Total

NS/EW Streets:	Atlantic Blvd				Atlantic Blvd				Floral Dr				Floral Dr				TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
PM	1 NL	3 NT	0 NR	0 NU	1 SL	3 ST	0 SR	0 SU	1.5 EL	0.5 ET	1 ER	0 EU	1 WL	0.5 WT	0.5 WR	0 WU	
4:00 PM	44	198	4	1	17	198	31	0	73	38	72	0	16	18	11	0	721
4:15 PM	50	179	13	0	10	179	31	1	98	36	71	0	14	22	6	0	710
4:30 PM	42	206	14	0	17	206	33	1	62	27	73	0	22	15	10	0	728
4:45 PM	48	203	3	0	11	158	21	0	103	24	63	0	29	18	13	0	694
5:00 PM	62	230	16	1	10	220	34	0	97	27	66	0	12	19	13	0	807
5:15 PM	35	247	13	0	12	164	23	1	124	36	59	0	22	14	10	0	760
5:30 PM	50	264	11	0	8	173	36	0	88	33	70	0	15	21	3	0	772
5:45 PM	33	218	11	1	17	168	35	0	101	27	57	0	15	22	8	0	713
TOTAL VOLUMES :	NL 364	NT 1745	NR 85	NU 3	SL 102	ST 1466	SR 244	SU 3	EL 746	ET 248	ER 531	EU 0	WL 145	WT 149	WR 74	WU 0	TOTAL 5905
APPROACH %'s :	16.57%	79.43%	3.87%	0.14%	5.62%	80.77%	13.44%	0.17%	48.92%	16.26%	34.82%	0.00%	39.40%	40.49%	20.11%	0.00%	
PEAK HR :	05:00 PM - 06:00 PM																TOTAL
PEAK HR VOL :	180	959	51	2	47	725	128	1	410	123	252	0	64	76	34	0	3052
PEAK HR FACTOR :	0.726	0.908	0.797	0.500	0.691	0.824	0.889	0.250	0.827	0.854	0.900	0.000	0.727	0.864	0.654	0.000	0.945
	0.917				0.853				0.896				0.946				

APPENDIX C
INTERSECTION ANALYSIS WORKSHEETS

Monterey Park Raising Cane's

Vistro File: K:\...\Monterey Park_PM_CURRENT.vistro

Scenario 1 EX PM

Report File: K:\...\1 - EX PM.pdf

1/29/2020

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Atlantic Blvd at Brightwood St	Signalized	ICU 1	NB Thru	0.655	-	B
2	Atlantic Blvd at Alleyway	Two-way stop	HCM 2010	WB Left	0.087	35.5	E
3	College View Ln at Floral Dr	Signalized	ICU 1	EB Thru	0.648	-	B
4	Atlantic Blvd at Floral Dr	Signalized	ICU 1	EB Left	0.709	-	C

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Atlantic Blvd at Brightwood St

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.655

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	三三三			三三三			三三三			三三三		
Turning Movement	Left	Thru	Right									
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			25.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Base Volume Input [veh/h]	50	1211	128	55	710	54	142	241	67	36	54	33
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	50	1211	128	55	710	54	142	241	67	36	54	33
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	303	32	14	178	14	36	60	17	9	14	8
Total Analysis Volume [veh/h]	50	1211	128	55	710	54	142	241	67	36	54	33
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal Group		6			2			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.36	0.08	0.03	0.23	0.23	0.09	0.14	0.04	0.02	0.05	0.05
Intersection LOS	B											
Intersection V/C	0.655											

Intersection Level Of Service Report
Intersection 2: Atlantic Blvd at Alleyway

Control Type:	Two-way stop	Delay (sec / veh):	35.5
Analysis Method:	HCM 2010	Level Of Service:	E
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.087

Intersection Setup

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Approach	Northbound		Southbound		Westbound	
Lane Configuration						
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	150.00	100.00	160.00	163.00	100.00	100.00
Speed [mph]	35.00		35.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Base Volume Input [veh/h]	1347	8	20	792	11	55
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	1347	8	20	792	11	55
Peak Hour Factor	0.9150	0.9150	0.8680	0.8680	0.8950	0.8950
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	368	2	6	228	3	15
Total Analysis Volume [veh/h]	1472	9	23	912	12	61
Pedestrian Volume [ped/h]					0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			No
Storage Area [veh]			
Two-Stage Gap Acceptance			Yes
Number of Storage Spaces in Median			1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.13	1.00	0.05	0.21	0.09	0.17
d_M, Delay for Movement [s/veh]	2.02	3.65	13.42	9.13	35.47	19.36
Movement LOS	A	A	B	A	E	C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.16	0.00	1.00	1.00
95th-Percentile Queue Length [ft/ln]	0.00	0.00	4.02	0.00	25.00	25.00
d_A, Approach Delay [s/veh]	0.00		0.33		22.01	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.77					
Intersection LOS	E					

Intersection Level Of Service Report
Intersection 3: College View Ln at Floral Dr

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.648

Intersection Setup

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	⇌			⊕			⇌			⇌		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	130.00	120.00	105.00	120.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	25.00			25.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	167	35	180	41	42	3	11	593	164	62	304	24
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	167	35	180	41	42	3	11	593	164	62	304	24
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	42	9	45	10	11	1	3	148	41	16	76	6
Total Analysis Volume [veh/h]	167	35	180	41	42	3	11	593	164	62	304	24
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss
Signal Group	6				2		3	8		7	4	
Auxiliary Signal Groups												
Lead / Lag							Lead			Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.10	0.13	0.13	0.03	0.05	0.05	0.01	0.35	0.10	0.04	0.21	0.21
Intersection LOS	B											
Intersection V/C	0.648											

Intersection Level Of Service Report
Intersection 4: Atlantic Blvd at Floral Dr

Control Type: Signalized
 Analysis Method: ICU 1
 Analysis Period: 15 minutes

Delay (sec / veh): -
 Level Of Service: C
 Volume to Capacity (v/c): 0.709

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T			T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	182	959	51	48	725	128	410	123	252	64	76	34
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	182	959	51	48	725	128	410	123	252	64	76	34
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	46	240	13	12	181	32	103	31	63	16	19	9
Total Analysis Volume [veh/h]	182	959	51	48	725	128	410	123	252	64	76	34
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss	Split	Split	Split	Split	Split	Split
Signal Group	1	6	3	5	2	7	9	8	10	11	4	12
Auxiliary Signal Groups												
Lead / Lag	Lead			Lead								

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.11	0.20	0.20	0.03	0.17	0.17	0.26	0.07	0.15	0.04	0.07	0.07
Intersection LOS	C											
Intersection V/C	0.709											

Monterey Park Raising Cane's

Vistro File: K:\...Monterey Park_PM_CURRENT.vistro
 Report File: K:\...2 - EX WP PM.pdf

Scenario 2 EX WP PM
 1/29/2020

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Atlantic Blvd at Brightwood St	Signalized	ICU 1	NB Thru	0.656	-	B
2	Atlantic Blvd at Alleyway	Two-way stop	HCM 2010	WB Left	0.147	37.8	E
3	College View Ln at Floral Dr	Signalized	ICU 1	EB Thru	0.649	-	B
4	Atlantic Blvd at Floral Dr	Signalized	ICU 1	EB Left	0.713	-	C
5	Atlantic Blvd at Project Driveway	Two-way stop	HCM 2010	WB Left	0.046	29.8	D

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Atlantic Blvd at Brightwood St

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.656

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T T			T T		
Turning Movement	Left	Thru	Right									
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	150.00	150.00	150.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			25.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Base Volume Input [veh/h]	50	1211	128	55	710	54	142	241	67	36	54	33
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	1	4	0	0	3	0	0	0	2	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	51	1215	128	55	713	54	142	241	69	36	54	33
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	304	32	14	178	14	36	60	17	9	14	8
Total Analysis Volume [veh/h]	51	1215	128	55	713	54	142	241	69	36	54	33
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal Group		6			2			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.36	0.08	0.03	0.23	0.23	0.09	0.14	0.04	0.02	0.05	0.05
Intersection LOS	B											
Intersection V/C	0.656											

Intersection Level Of Service Report
Intersection 2: Atlantic Blvd at Alleyway

Control Type:	Two-way stop	Delay (sec / veh):	37.8
Analysis Method:	HCM 2010	Level Of Service:	E
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.147

Intersection Setup

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Approach	Northbound		Southbound		Westbound	
Lane Configuration						
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	103.00	103.00	103.00	103.00	103.00	103.00
Speed [mph]	35.00		35.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Base Volume Input [veh/h]	1347	8	20	792	11	55
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	6	2	0	4	4	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	3	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	1353	10	20	796	18	55
Peak Hour Factor	0.9150	0.9150	0.8680	0.8680	0.8950	0.8950
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	370	3	6	229	5	15
Total Analysis Volume [veh/h]	1479	11	23	817	20	61
Pedestrian Volume [ped/h]					0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			No
Storage Area [veh]			
Two-Stage Gap Acceptance			Yes
Number of Storage Spaces in Median			1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.22	0.22	0.05	0.23	0.15	0.17
d_M, Delay for Movement [s/veh]	21.47	21.47	13.49	21.47	37.84	21.54
Movement LOS	A	A	B	A	E	C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.16	0.00	1.32	1.32
95th-Percentile Queue Length [ft/ln]	0.00	0.00	4.06	0.00	32.93	32.93
d_A, Approach Delay [s/veh]	0.00		0.33		25.56	
Approach LOS	A		A		D	
d_I, Intersection Delay [s/veh]	0.95					
Intersection LOS	E					

Intersection Level Of Service Report
Intersection 3: College View Ln at Floral Dr

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.649

Intersection Setup

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T			+			T T			T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	25.00			25.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	167	35	180	41	42	3	11	593	164	62	304	24
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	2	0	0	1	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	167	35	180	41	42	3	11	595	164	62	305	24
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	42	9	45	10	11	1	3	149	41	16	76	6
Total Analysis Volume [veh/h]	167	35	180	41	42	3	11	595	164	62	305	24
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss
Signal Group		6			2		3	8		7	4	
Auxiliary Signal Groups												
Lead / Lag							Lead			Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.10	0.13	0.13	0.03	0.05	0.05	0.01	0.35	0.10	0.04	0.21	0.21
Intersection LOS	B											
Intersection V/C	0.649											

Intersection Level Of Service Report
Intersection 4: Atlantic Blvd at Floral Dr

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.713

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T			T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	182	959	51	48	725	128	410	123	252	64	76	34
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	4	0	1	6	1	2	0	0	0	0	2
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	182	963	51	49	731	129	412	123	252	64	76	36
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	46	241	13	12	183	32	103	31	63	16	19	9
Total Analysis Volume [veh/h]	182	963	51	49	731	129	412	123	252	64	76	36
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss	Split	Split	Split	Split	Split	Split
Signal Group	1	6	5	5	2	8					4	
Auxiliary Signal Groups												
Lead / Lag	Lead			Lead								

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.11	0.20	0.20	0.03	0.17	0.17	0.26	0.07	0.15	0.04	0.07	0.07
Intersection LOS	C											
Intersection V/C	0.713											

Intersection Level Of Service Report
Intersection 5: Atlantic Blvd at Project Driveway

Control Type:	Two-way stop	Delay (sec / veh):	29.8
Analysis Method:	HCM 2010	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.046

Intersection Setup

Name	Atlantic Blvd		Atlantic Blvd		Project Driveway	
Approach	Northbound		Southbound		Westbound	
Lane Configuration						
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	105.00	105.00	105.00	105.00	105.00	105.00
Speed [mph]	35.00		35.00		25.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Atlantic Blvd		Atlantic Blvd		Project Driveway	
Base Volume Input [veh/h]	1413	0	0	816	0	0
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	6	5	0	4	5
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	-8	8	7	-7	3	8
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	1405	14	12	809	7	13
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	351	4	3	202	2	3
Total Analysis Volume [veh/h]	1405	14	12	809	7	13
Pedestrian Volume [ped/h]					0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			No
Storage Area [veh]	3	3	3
Two-Stage Gap Acceptance			Yes
Number of Storage Spaces in Median	3	3	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.01	0.02	0.03	0.03	0.05	0.03
d_M, Delay for Movement [s/veh]	0.02	0.07	12.76	0.02	29.84	15.83
Movement LOS	A	A	B	A	D	C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.08	0.00	0.26	0.26
95th-Percentile Queue Length [ft/ln]	0.00	0.00	1.94	0.00	6.50	6.50
d_A, Approach Delay [s/veh]	0.00		0.19		20.73	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.25					
Intersection LOS	D					

Monterey Park Raising Cane's

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Scenario 3 OY PM

Report File: K:\...\3 - OY PM.pdf

1/29/2020

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Atlantic Blvd at Brightwood St	Signalized	ICU 1	NB Thru	0.671	-	B
2	Atlantic Blvd at Alleyway	Two-way stop	HCM 2010	WB Left	0.092	37.6	E
3	College View Ln at Floral Dr	Signalized	ICU 1	EB Thru	0.657	-	B
4	Atlantic Blvd at Floral Dr	Signalized	ICU 1	EB Left	0.724	-	C

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Atlantic Blvd at Brightwood St

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.671

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	[Diagram]			[Diagram]			[Diagram]			[Diagram]		
Turning Movement	Left	Thru	Right									
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			25.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Base Volume Input [veh/h]	50	1211	128	55	710	54	142	241	67	36	54	33
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	22	0	0	20	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	51	1253	130	56	742	55	144	245	68	37	55	34
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	313	33	14	186	14	36	61	17	9	14	9
Total Analysis Volume [veh/h]	51	1253	130	56	742	55	144	245	68	37	55	34
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal Group		6			2			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.37	0.08	0.04	0.24	0.24	0.09	0.14	0.04	0.02	0.06	0.06
Intersection LOS	B											
Intersection V/C	0.671											

Intersection Level Of Service Report
Intersection 2: Atlantic Blvd at Alleyway

Control Type:	Two-way stop	Delay (sec / veh):	37.6
Analysis Method:	HCM 2010	Level Of Service:	E
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.092

Intersection Setup

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Approach	Northbound		Southbound		Westbound	
Lane Configuration						
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	00.00	100.00	00.00	100.00	100.00
Speed [mph]	35.00		35.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Base Volume Input [veh/h]	1347	8	20	792	11	55
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	20	0	0	22	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	1389	8	20	827	11	56
Peak Hour Factor	0.9150	0.9150	0.8680	0.8680	0.8950	0.8950
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	380	2	6	238	3	16
Total Analysis Volume [veh/h]	1518	9	23	953	12	63
Pedestrian Volume [ped/h]					0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			No
Storage Area [veh]	2	2	2
Two-Stage Gap Acceptance			Yes
Number of Storage Spaces in Median	2	2	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.05	0.05	0.07	0.09	0.18
d_M, Delay for Movement [s/veh]	2.00	2.25	13.79	0.23	37.60	20.28
Movement LOS	A	A	B	A	E	C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.17	0.00	1.09	1.09
95th-Percentile Queue Length [ft/ln]	0.00	0.00	4.20	0.00	27.13	27.13
d_A, Approach Delay [s/veh]	0.00		0.33		23.05	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.79					
Intersection LOS	E					

Intersection Level Of Service Report
Intersection 3: College View Ln at Floral Dr

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.657

Intersection Setup

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	⇌			+			⇌			⇌		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	159.00	156.00	182.00	155.00	153.00	188.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	25.00			25.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	167	35	180	41	42	3	11	593	164	62	304	24
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	170	36	183	42	43	3	11	603	167	63	309	24
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	43	9	46	11	11	1	3	151	42	16	77	6
Total Analysis Volume [veh/h]	170	36	183	42	43	3	11	603	167	63	309	24
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss
Signal Group		6			2		3	8		7	4	
Auxiliary Signal Groups												
Lead / Lag							Lead			Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.11	0.14	0.14	0.03	0.06	0.06	0.01	0.35	0.10	0.04	0.21	0.21
Intersection LOS	B											
Intersection V/C	0.657											

Intersection Level Of Service Report
Intersection 4: Atlantic Blvd at Floral Dr

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.724

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T			T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	3	0	0	3	0	0	2	0	0	2	0
Pocket Length [ft]	165.00	165.00	102.00	102.00	102.00	102.00	100.00	100.00	100.00	100.00	150.00	150.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	182	959	51	48	725	128	410	123	252	64	76	34
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	20	0	0	22	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	185	995	52	49	759	130	417	125	256	65	77	35
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	46	249	13	12	190	33	104	31	64	16	19	9
Total Analysis Volume [veh/h]	185	995	52	49	759	130	417	125	256	65	77	35
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss	Split	Split	Split	Split	Split	Split
Signal Group	1	6	5	5	2	3	7	8	2	7	4	3
Auxiliary Signal Groups												
Lead / Lag	Lead	-	-	Lead	-	-	-	-	-	-	-	-

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.12	0.21	0.21	0.03	0.18	0.18	0.26	0.07	0.15	0.04	0.07	0.07
Intersection LOS	C											
Intersection V/C	0.724											

Monterey Park Raising Cane's

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 Report File: K:\...4 - OY WP PM.pdf

Scenario 4 OY WP PM
 1/29/2020

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Atlantic Blvd at Brightwood St	Signalized	ICU 1	NB Thru	0.672	-	B
2	Atlantic Blvd at Alleyway	Two-way stop	HCM 2010	WB Left	0.155	40.3	E
3	College View Ln at Floral Dr	Signalized	ICU 1	EB Thru	0.658	-	B
4	Atlantic Blvd at Floral Dr	Signalized	ICU 1	EB Left	0.728	-	C
5	Atlantic Blvd at Project Driveway	Two-way stop	HCM 2010	WB Left	0.048	31.3	D

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Atlantic Blvd at Brightwood St

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.672

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	[Diagram]			[Diagram]			[Diagram]			[Diagram]		
Turning Movement	Left	Thru	Right									
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			25.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Brightwood St			Brightwood St		
Base Volume Input [veh/h]	50	1211	128	55	710	54	142	241	67	36	54	33
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	22	0	0	20	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	1	4	0	0	3	0	0	0	2	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	52	1257	130	56	745	55	144	245	70	37	55	34
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	314	33	14	186	14	36	61	18	9	14	9
Total Analysis Volume [veh/h]	52	1257	130	56	745	55	144	245	70	37	55	34
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal Group	6				2			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.37	0.08	0.04	0.24	0.24	0.09	0.14	0.04	0.02	0.06	0.06
Intersection LOS	B											
Intersection V/C	0.672											

Intersection Level Of Service Report
Intersection 2: Atlantic Blvd at Alleyway

Control Type:	Two-way stop	Delay (sec / veh):	40.3
Analysis Method:	HCM 2010	Level Of Service:	E
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.155

Intersection Setup

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Approach	Northbound		Southbound		Westbound	
Lane Configuration						
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00		35.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Atlantic Blvd		Atlantic Blvd		Alleyway	
Base Volume Input [veh/h]	1347	8	20	792	11	55
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	20	0	0	22	0	0
Site-Generated Trips [veh/h]	6	2	0	4	4	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	3	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	1395	10	20	831	18	56
Peak Hour Factor	0.9150	0.9150	0.8680	0.8680	0.8950	0.8950
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	381	3	6	239	5	16
Total Analysis Volume [veh/h]	1525	11	23	957	20	63
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			No
Storage Area [veh]	5	5	5
Two-Stage Gap Acceptance			Yes
Number of Storage Spaces in Median	5	5	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.01	0.02	0.05	0.01	0.16	0.18
d_M, Delay for Movement [s/veh]	0.00	0.00	13.87	0.00	40.29	22.78
Movement LOS	A	A	B	A	E	C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.17	0.00	1.43	1.43
95th-Percentile Queue Length [ft/ln]	0.00	0.00	4.24	0.00	35.82	35.82
d_A, Approach Delay [s/veh]	0.00		0.33		27.00	
Approach LOS	A		A		D	
d_I, Intersection Delay [s/veh]	0.99					
Intersection LOS	E					

Intersection Level Of Service Report
Intersection 3: College View Ln at Floral Dr

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.658

Intersection Setup

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	⇐⇐⇐			⇐⇐⇐			⇐⇐⇐			⇐⇐⇐		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	25.00			25.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	College View Dr			College View Dr			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	167	35	180	41	42	3	11	593	164	62	304	24
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	2	0	0	1	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	170	36	183	42	43	3	11	605	167	63	310	24
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	43	9	46	11	11	1	3	151	42	16	78	6
Total Analysis Volume [veh/h]	170	36	183	42	43	3	11	605	167	63	310	24
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss
Signal Group		6			2		3	8		7	4	
Auxiliary Signal Groups												
Lead / Lag							Lead			Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.11	0.14	0.14	0.03	0.06	0.06	0.01	0.36	0.10	0.04	0.21	0.21
Intersection LOS	B											
Intersection V/C	0.658											

Intersection Level Of Service Report
Intersection 4: Atlantic Blvd at Floral Dr

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.728

Intersection Setup

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	↵↵↵			↵↵↵			↵↵			↵↵		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Atlantic Blvd			Atlantic Blvd			Floral Dr			Floral Dr		
Base Volume Input [veh/h]	182	959	51	48	725	128	410	123	252	64	76	34
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	20	0	0	22	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	4	0	1	6	1	2	0	0	0	0	2
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	185	999	52	50	765	131	419	125	256	65	77	37
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	46	250	13	13	191	33	105	31	64	16	19	9
Total Analysis Volume [veh/h]	185	999	52	50	765	131	419	125	256	65	77	37
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss	Split	Split	Split	Split	Split	Split
Signal Group	1	6		5	2			8				4
Auxiliary Signal Groups												
Lead / Lag	Lead			Lead								

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.12	0.21	0.21	0.03	0.18	0.18	0.26	0.07	0.15	0.04	0.07	0.07
Intersection LOS	C											
Intersection V/C	0.728											

Intersection Level Of Service Report
Intersection 5: Atlantic Blvd at Project Driveway

Control Type:	Two-way stop	Delay (sec / veh):	31.3
Analysis Method:	HCM 2010	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.048

Intersection Setup

Name	Atlantic Blvd		Atlantic Blvd		Project Driveway	
Approach	Northbound		Southbound		Westbound	
Lane Configuration	T		T		T	
Turning Movement	Thru	Right	Left	Thru	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	120.00	100.00	100.00	100.00
Speed [mph]	35.00		35.00		25.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Atlantic Blvd		Atlantic Blvd		Project Driveway	
Base Volume Input [veh/h]	1413	0	0	816	0	0
Base Volume Adjustment Factor	1.0163	1.0163	1.0163	1.0163	1.0163	1.0163
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	20	0	0	22	0	0
Site-Generated Trips [veh/h]	0	6	5	0	4	5
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	-8	8	7	-7	3	8
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	1448	14	12	844	7	13
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	362	4	3	211	2	3
Total Analysis Volume [veh/h]	1448	14	12	844	7	13
Pedestrian Volume [ped/h]					0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			No
Storage Area [veh]	6	7	6
Two-Stage Gap Acceptance			Yes
Number of Storage Spaces in Median	3	2	1

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.23	0.09	0.03	0.01	0.05	0.04
d_M, Delay for Movement [s/veh]	2.15	2.02	13.07	2.22	31.28	16.27
Movement LOS	A	A	B	A	D	C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.08	0.00	0.27	0.27
95th-Percentile Queue Length [ft/ln]	0.00	0.00	2.01	0.00	6.82	6.82
d_A, Approach Delay [s/veh]	0.00		0.18		21.52	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.25					
Intersection LOS	D					

APPENDIX D
SIGNAL WARRANT ANALYSIS WORKSHEET

TRAFFIC SIGNAL VOLUME WARRANT ANALYSIS (2000 MUTCD)

MAJOR STREET: Atlantic Boulevard NB SB # OF APPROACH LANES:

MINOR STREET: Alleyway EB WB # OF APPROACH LANES:

CITY, STATE: Monterey Park, CA

COMMENTS: Signal Warrant Analysis - OY WP Condition

ISOLATED COMMUNITY WITH POPULATION LESS THAN 10,000 (Y OR N):

85TH PERCENTILE SPEED GREATER THAN 40 MPH ON MAJOR STREET (Y OR N):

	MAJOR ST TWO-WAY TRAFFIC	MINOR ST TRAFFIC HEAVY LEG	WARRANT 1 - Condition A, Part 1			WARRANT 1 - Condition B, Part 1			WARRANT 1 - Condition A, Part 2			WARRANT 1 - Condition B, Part 2			WARRANT 2 Four-Hour	WARRANT 3 Peak Hour
			MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET		
THRESHOLD VALUES			800	150		900	75		480	120		720	60			
06:00 AM TO 07:00 AM	0	0														
07:00 AM TO 08:00 AM	0	0														
08:00 AM TO 09:00 AM	0	0														
09:00 AM TO 10:00 AM	0	0														
10:00 AM TO 11:00 AM	0	0														
11:00 AM TO 12:00 PM	0	0														
12:00 PM TO 01:00 PM	0	0														
01:00 PM TO 02:00 PM	0	0														
02:00 PM TO 03:00 PM	0	0														
03:00 PM TO 04:00 PM	0	0														
04:00 PM TO 05:00 PM	0	0														
05:00 PM TO 06:00 PM	2,256	74	Y			Y			Y			Y	Y	Y		
06:00 PM TO 07:00 PM	0	0														
07:00 PM TO 08:00 PM	0	0														
08:00 PM TO 09:00 PM	0	0														
09:00 PM TO 10:00 PM	0	0														
	2,256	74	1	0	0	1	0	0	1	0	0	1	1	1	0	
			8 HOURS NEEDED			8 HOURS NEEDED			8 HOURS NEEDED for both Condition A & B						4 HRS NEEDED	1 HR NEEDED
			NOT SATISFIED			NOT SATISFIED			NOT SATISFIED						NOT SATISFIED	NOT SATISFIED

01/29/20
Kimley-Horn and Associates

TRAFFIC SIGNAL VOLUME WARRANT ANALYSIS (2000 MUTCD)

MAJOR STREET: Atlantic Boulevard NB SB # OF APPROACH LANES:

MINOR STREET: Proj DWY EB WB # OF APPROACH LANES:

CITY, STATE: Monterey Park, CA

COMMENTS: Signal Warrant Analysis - OY WP Condition

ISOLATED COMMUNITY WITH POPULATION LESS THAN 10,000 (Y OR N):
 85TH PERCENTILE SPEED GREATER THAN 40 MPH ON MAJOR STREET (Y OR N):

	MAJOR ST TWO-WAY TRAFFIC	MINOR ST TRAFFIC HEAVY LEG	WARRANT 1 - Condition A, Part 1			WARRANT 1 - Condition B, Part 1			WARRANT 1 - Condition A, Part 2			WARRANT 1 - Condition B, Part 2			WARRANT 2 Four-Hour	WARRANT 3 Peak Hour
			MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET	MAIN LINE	SIDE STREET	BOTH MET		
THRESHOLD VALUES			600	150		900	75		480	120		720	60			
06:00 AM TO 07:00 AM	0	0														
07:00 AM TO 08:00 AM	0	0														
08:00 AM TO 09:00 AM	0	0														
09:00 AM TO 10:00 AM	0	0														
10:00 AM TO 11:00 AM	0	0														
11:00 AM TO 12:00 PM	0	0														
12:00 PM TO 01:00 PM	0	0														
01:00 PM TO 02:00 PM	0	0														
02:00 PM TO 03:00 PM	0	0														
03:00 PM TO 04:00 PM	0	0														
04:00 PM TO 05:00 PM	0	0														
05:00 PM TO 06:00 PM	2,318	20	Y			Y			Y			Y				
06:00 PM TO 07:00 PM	0	0														
07:00 PM TO 08:00 PM	0	0														
08:00 PM TO 09:00 PM	0	0														
09:00 PM TO 10:00 PM	0	0														
	2,318	20	1	0	0	1	0	0	1	0	0	1	0	0	0	
			8 HOURS NEEDED			8 HOURS NEEDED			8 HOURS NEEDED for both Condition A & B			4 HRS NEEDED		1 HR NEEDED		
			NOT SATISFIED			NOT SATISFIED			NOT SATISFIED			NOT SATISFIED		NOT SATISFIED		

01/29/20
 Kimley-Horn and Associates

APPENDIX E
DRIVE-THROUGH QUEUING ANALYSIS

MEMORANDUM

To: Samantha Tewasart

From: Trevor Briggs, P.E. (C87664)

Date: December 4, 2019

Re: Drive-through Queuing Analysis for the Proposed Raising Cane's Project in the City of Monterey Park

This memorandum has been prepared to evaluate the drive-through queuing capacity of the proposed Raising Cane's restaurant located on the northeast corner at the intersection of Atlantic Boulevard and the alleyway.

PROJECT DESCRIPTION

The project site is located on the northeast corner at the intersection of Atlantic Boulevard and the alleyway. The project will involve demolition of the existing foundation and subsurface structures, and construction of a 1,790-square-foot Raising Cane's restaurant building with two drive-through lanes that merge into one drive-through lane after the order boards. Access to the Raising Cane's site would be provided primarily by two unsignalized driveways.

DRIVE-THROUGH QUEUING ANALYSIS

The City has requested that a drive-through queuing study be conducted for the proposed project, to evaluate the adequacy of the drive-through lane queuing capacity.

The opening to the drive-through lane would be located at the southeastern corner of the project site, and the drive-through lane would wrap around the building in a counter-clockwise direction. The drive-through would provide two side-by-side entry lanes and two order boards, which would allow Raising Cane's to take orders from two customers at the same time. After the order boards, the two lanes would merge back into a single drive-through lane prior to the pay and pick-up window. There will be approximately 240 feet of total queuing lane capacity (approximately 120 feet per lane) from the opening of the two drive-through lanes to the two order boards and approximately 130 feet from the order boards to the pick-up window. This would provide a total drive-through queue length of approximately 370 feet, for a drive-through queuing capacity of 17 vehicles, assuming 22 feet per vehicle, from the beginning of the drive-through lanes to the pick-up window.

Queuing Data Collection

Drive-through queuing observations and counts were conducted at the following existing drive-through Raising Cane's sites:

- City of Laguna Hills: Northeast corner of El Toro Road and Avenida De La Carlota
- City of Orange: 2249 North Tustin Street
- City of Riverside: 11066 Magnolia Avenue

These sites do not have dual side-by-side drive-through lanes or dual order boards. The drive-through queuing capacity for the Laguna Hills and Orange sites is 8 vehicles, assuming 22 feet per vehicle. The drive-through queuing capacity for the Riverside site is 12 vehicles, assuming 22 feet per vehicle.

These sites were selected for queuing data collection because of the following site characteristics that are similar to the proposed project:

- A Raising Cane's restaurant with a drive-through lane;
- Located in Southern California;

The drive-through activity was observed during the following times for the Raising Cane's sites on a typical weekday and Saturday:

- Laguna Hills Site:
 - 11:00 AM – 2:00 PM (lunch-time)
 - 4:00 PM – 7:00 PM (commute peak hour/dinner-time)
- Orange Site:
 - 12:00 PM – 2:30 PM (lunch-time)
 - 7:00 PM – 9:30 PM (dinner-time)
- Riverside Site:
 - 11:00 AM – 2:00 PM (lunch-time)
 - 4:00 PM – 7:00 PM (commute peak hour/dinner-time)

The results of the observations are summarized on **Table 1** and **Table 2** for a typical weekday and Saturday, respectively.

The data summaries on Tables 1 and 2 present the number of vehicles in the drive-through lane, broken down into 15-minute periods, based on the observed average queue, 85th percentile queue, and the peak queue for each of the data collection periods. A copy of the queuing data collection worksheets is provided in **Attachment A**.

Queuing Observations

The queuing activity was observed to vary with an ebb and flow pattern throughout the data collection periods. The following vehicle movement and queuing observations of the drive-through operations at the study locations were made:

Laguna Hills Site

- The peak 15 minutes during the weekday lunch-time peak was from 12:15 PM to 12:30 PM, with an average queue of 9 vehicles and a peak queue of 15 vehicles.
- The peak 15 minutes during the weekday dinner-time peak was from 6:45 PM to 7:00 PM, with an average queue of 13 vehicles and a peak queue of 14 vehicles.
- The peak 15 minutes during the Saturday lunch-time peak was from 1:00 PM to 1:15 PM, with an average queue of 8 vehicles and a peak queue of 14 vehicles.
- The peak 15 minutes during the Saturday dinner-time peak was from 6:15 PM to 6:30 PM, with an average queue of 9 vehicles and a peak queue of 13 vehicles.

Orange Site

- The peak 15 minutes during the weekday lunch-time peak was from 12:45 PM to 1:00 PM, with an average queue of 10 vehicles and a peak queue of 16 vehicles.
- The peak 15 minutes during the weekday dinner-time peak was from 7:15 PM to 7:30 PM, with an average queue of 12 vehicles and a peak queue of 14 vehicles.
- The peak 15 minutes during the Saturday lunch-time peak was from 1:00 PM to 1:15 PM, with an average queue of 11 vehicles and a peak queue of 13 vehicles.
- The peak 15 minutes during the Saturday dinner-time peak was from 8:45 PM to 9:00 PM, with an average queue of 15 vehicles and a peak queue of 17 vehicles.

Riverside Site

- The peak 15 minutes during the weekday lunch-time peak was from 12:30 PM to 12:45 PM, with an average queue of 8 vehicles and a peak queue of 12 vehicles.

- The peak 15 minutes during the weekday dinner-time peak was from 6:00 PM to 6:15 PM, with an average queue of 7 vehicles and a peak queue of 11 vehicles.
- The peak 15 minutes during the Saturday lunch-time peak was from 1:30 PM to 1:45 PM, with an average queue of 10 vehicles and a peak queue of 12 vehicles.
- The peak 15 minutes during the Saturday dinner-time peak was from 6:45 PM to 7:00 PM, with an average queue of 8 vehicles and a peak queue of 11 vehicles.

General Observations

- At the Raising Cane's sites, spillovers outside the drive-through lane opening were observed to occur occasionally and to last briefly.
- On occasion, the spillover outside the drive-through lane was due to a delay at the order board, rather than a lack of capacity in the drive-through lane itself. A more-than-average delay at the order board (i.e., due to a large order, or indecisiveness on the part of the customer) would briefly hold up the movement of the queue, sometimes causing the remainder of the queue to extend beyond the drive-through lane opening. When the vehicle at the order board finished the ordering process and pulled forward, the remaining cars in the queue would once again move through the order and pick-up process at the normal pace, and the gap between the order board and the pick-up window would fill in.
- Some customers were observed to pull into the site; evaluate the wait time, based on the vehicle queue; and choose to park and go into the building, rather than join the existing queue.

Drive-through Queue Length Calculation

To supplement the empirical data collected at the existing Raising Cane's restaurants in Laguna Hills, Orange, and Riverside, the drive-through queuing capacity was also analyzed using queuing analysis formulas published in the Institute of Transportation Engineers (ITE) Transportation Planning Handbook, 3rd Edition.

Raising Cane's typical service time in the drive-through is 2-1/2 minutes from the order board to the pick-up window, with a vehicle being processed and progressing through the order board, pay window and pick-up window every 35 to 40 seconds during the peak drive-through periods. Assuming the more conservative processing time of 40 seconds, and applying the ITE queuing formulas, the analysis indicates that the average queue length is estimated to be 5 vehicles, and

that the probability that the queue would be exactly 17 vehicles would be 0.92%. The probability of exceeding 17 vehicles is estimated to be 5.16%. The queuing calculation worksheet and formulas are provided as **Attachment B** of this report.

The ITE queuing analysis assumes a single-lane drive-through for a more conservative approach. The occurrence of the drive-through queue extending beyond the opening of the drive-through lane is expected to be an infrequent occurrence, and of short duration. The use of dual side-by-side drive-through lanes with dual order boards would improve the service rate, which would lower the number of vehicles queuing in the drive-through, as described in the following section.

Side-by-Side Operational Features

The proposed side-by-side configuration would begin with a single drive-through lane at the northeastern corner of the building. The drive-through lane would branch out into two drive-through lanes along the northern and western side of the building. Each drive-through lane would have its own order board. After the order boards, the two lanes would merge back into a single drive-through lane prior to the pay and pick-up window.

While regular customers who are familiar with the menu choices typically would complete the order part of the process in less than the average time, infrequent or new customers are more likely to dwell at the menu board before making their choices, slowing down the process for everyone behind them. As a result, the order board is considered to be the most significant bottleneck in the drive-through process.

The side-by-side ordering configuration, as proposed by Raising Cane's, would provide two lanes with a separate order board for each lane. This will increase the number of customers processed through the order board portion of the drive-through, and "keep the line moving" even if one customer takes a longer-than-average time to make their menu selections, allowing the restaurant to continue to take and complete orders from the other order lane. The newest customer to arrive at the drive-through entrance will naturally choose the empty lane or the shorter line, so that one customer who takes a longer time to order at one order board can be bypassed, thereby not holding up the entire drive-through line.

With the added efficiency of having two order boards and the ability to by-pass customers taking a longer-than-average time to order at the other order board, the service rate would increase, compared to a single drive-through lane, as more orders can be processed. The cooks would receive the orders at a more efficient rate, which allows them to continue cooking the food, rather than waiting for the slower customer to finish ordering. As a result of added efficiency in the cooking area, the efficiency at the pick-up window would increase, compared to a single drive-through lane, because the food would be processed by the cooking area at a more efficient rate.

CONCLUSION

The proposed Raising Cane's duo drive-through lanes would provide a total queue length of approximately 370 feet, for a queuing capacity for 17 vehicles, assuming 22 feet per vehicle, from the beginning of the drive-through lanes to the pick-up window. Based on the drive-through queuing data collection and analysis presented in this memorandum, the overall average number of queued vehicles is estimated to be 5 (calculated at 4.74 and rounded up to 5) during the peak drive-through operations. The peak queue based on the queuing observations described earlier is 17 vehicles during the peak 15-minute time period.

The side-by-side ordering configuration, as proposed by Raising Cane's, would provide two drive-through entry lanes at the southeastern corner of the building, with a separate order board for each lane. This would allow the ability to by-pass customers taking a longer-than-average time to order at the order board. The side-by-side ordering configuration would help address potential bottleneck issues at the order board, as well as reduce the service time at the drive-through as orders can be processed at a more efficient rate.

ATTACHMENT A
QUEUING DATA COLLECTION WORKSHEETS

Queue Study

Locations: 17-1215-001
City: Laguna Hills, CA

Day: Thursday
Date: 10/19/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
11:00:40 AM	1	1	2
11:01:23 AM	2	0	2
11:02:01 AM	2	1	3
11:02:40 AM	3	0	3
11:03:24 AM	2	0	2
11:04:38 AM	1	0	1
11:05:26 AM	0	0	0
11:07:48 AM	0	1	1
11:08:22 AM	1	0	1
11:09:33 AM	0	0	0
11:17:15 AM	0	1	1
11:17:26 AM	0	2	2
11:17:51 AM	1	1	2
11:19:12 AM	2	0	2
11:19:27 AM	1	0	1
11:20:08 AM	1	1	2
11:20:36 AM	2	0	2
11:21:05 AM	1	0	1
11:23:05 AM	1	1	2
11:23:17 AM	1	2	3
11:23:21 AM	1	1	2
11:24:06 AM	2	0	2
11:25:45 AM	2	0	2
11:26:53 AM	1	0	1
11:28:15 AM	0	1	1
11:28:45 AM	0	2	2
11:29:01 AM	1	1	2
11:29:47 AM	2	0	2
11:29:59 AM	1	0	1
11:30:19 AM	1	1	2
11:31:01 AM	1	0	1
11:31:55 AM	1	1	2
11:32:18 AM	2	0	2
11:32:25 AM	2	1	3
11:32:54 AM	2	2	4
11:33:07 AM	3	1	4
11:33:23 AM	2	2	4
11:33:59 AM	3	1	4
11:34:07 AM	2	1	3
11:34:49 AM	3	0	3
11:35:22 AM	3	1	4
11:36:02 AM	3	2	5
11:36:34 AM	3	1	4
11:36:51 AM	3	2	5
11:37:00 AM	3	1	4
11:37:27 AM	4	0	4
11:38:07 AM	3	0	3
11:38:39 AM	2	0	2
11:38:58 AM	1	0	1
11:39:19 AM	0	1	1
11:40:16 AM	1	0	1
11:41:34 AM	0	0	0
11:42:11 AM	0	1	1
11:42:50 AM	1	0	1
11:43:15 AM	1	1	2
11:43:43 AM	0	1	1
11:44:10 AM	1	0	1
11:44:26 AM	1	1	2
11:44:36 AM	1	2	3
11:44:56 AM	2	1	3
11:45:33 AM	3	1	4

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
4:00:00 PM	3	0	3
4:00:59 PM	3	1	4
4:01:32 PM	3	2	5
4:01:41 PM	4	2	6
4:02:23 PM	4	3	7
4:02:43 PM	3	3	6
4:03:01 PM	4	2	6
4:03:17 PM	4	3	7
4:03:26 PM	5	3	8
4:03:40 PM	4	3	7
4:03:59 PM	5	2	7
4:05:50 PM	4	2	6
4:06:01 PM	5	1	6
4:06:11 PM	5	2	7
4:06:32 PM	5	3	8
4:06:41 PM	4	3	7
4:07:16 PM	5	2	7
4:07:48 PM	4	2	6
4:08:16 PM	5	1	6
4:08:25 PM	4	2	6
4:08:47 PM	4	1	5
4:09:26 PM	4	2	6
4:09:37 PM	3	2	5
4:10:01 PM	4	2	6
4:10:17 PM	3	2	5
4:10:38 PM	4	1	5
4:11:02 PM	4	0	4
4:12:24 PM	4	1	5
4:13:11 PM	4	0	4
4:13:31 PM	4	1	5
4:13:40 PM	3	1	4
4:13:57 PM	3	2	5
4:14:15 PM	3	1	4
4:14:44 PM	3	0	3
4:15:06 PM	3	1	4
4:16:13 PM	4	0	4
4:16:39 PM	3	0	3
4:17:21 PM	3	1	4
4:17:28 PM	3	2	5
4:17:36 PM	2	2	4
4:17:59 PM	3	1	4
4:18:06 PM	3	2	5
4:18:12 PM	3	3	6
4:18:18 PM	3	4	7
4:18:34 PM	4	4	8
4:19:02 PM	4	5	9
4:19:11 PM	3	5	8
4:19:35 PM	4	4	8
4:19:45 PM	3	4	7
4:20:24 PM	4	3	7
4:20:31 PM	3	3	6
4:20:53 PM	4	2	6
4:21:12 PM	4	1	5
4:21:27 PM	4	2	6
4:22:17 PM	5	1	6
4:24:00 PM	4	1	5
4:25:15 PM	5	0	5
4:25:22 PM	5	1	6
4:26:43 PM	4	1	5
4:26:52 PM	4	2	6
4:27:01 PM	4	3	7

Locations: 17-1215-001
 City: Laguna Hills, CA

Day: Thursday
 Date: 10/19/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
11:45:36 AM	2	2	4
11:45:50 AM	3	1	4
11:46:20 AM	2	1	3
11:46:38 AM	3	0	3
11:46:47 AM	2	1	3
11:47:02 AM	2	2	4
11:47:22 AM	2	1	3
11:47:51 AM	3	0	3
11:48:00 AM	2	0	2
11:48:46 AM	1	0	1
11:50:58 AM	1	1	2
11:51:31 AM	2	0	2
11:51:40 AM	1	1	2
11:52:13 AM	2	0	2
11:52:42 AM	1	0	1
11:53:19 AM	1	1	2
11:53:40 AM	1	2	3
11:53:51 AM	2	1	3
11:54:32 AM	3	0	3
11:55:01 AM	2	1	3
11:55:17 AM	2	2	4
11:55:34 AM	1	2	3
11:56:04 AM	0	3	3
11:56:10 AM	0	4	4
11:56:42 AM	0	5	5
11:57:30 AM	0	6	6
11:57:42 AM	0	7	7
11:58:03 AM	1	7	8
11:58:39 AM	2	6	8
11:59:08 AM	2	7	9
11:59:17 AM	3	8	11
11:59:40 AM	4	7	11
12:00:00 PM	4	5	9
12:00:18 PM	3	5	8
12:00:29 PM	4	4	8
12:00:48 PM	3	4	7
12:00:58 PM	3	5	8
12:02:07 PM	4	4	8
12:02:12 PM	3	4	7
12:02:32 PM	3	3	6
12:03:07 PM	4	2	6
12:03:55 PM	4	1	5
12:04:05 PM	3	1	4
12:04:37 PM	4	0	4
12:04:56 PM	3	0	3
12:05:18 PM	2	1	3
12:05:56 PM	2	0	2
12:06:03 PM	1	0	1
12:06:23 PM	1	1	2
12:07:03 PM	2	0	2
12:07:11 PM	1	0	1
12:08:24 PM	0	1	1
12:08:51 PM	0	2	2
12:09:00 PM	1	2	3
12:09:43 PM	0	3	3
12:10:08 PM	1	2	3
12:10:41 PM	2	1	3
12:11:14 PM	3	0	3
12:11:29 PM	3	1	4
12:12:12 PM	3	2	5
12:12:29 PM	3	1	4
12:12:44 PM	2	1	3
12:12:58 PM	1	1	2
12:13:06 PM	2	0	2
12:13:14 PM	2	1	3
12:13:29 PM	1	1	2
12:14:11 PM	2	0	2

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
4:27:06 PM	4	4	8
4:27:29 PM	3	4	7
4:27:35 PM	3	5	8
4:27:49 PM	4	4	8
4:27:58 PM	3	4	7
4:28:27 PM	3	5	8
4:28:34 PM	4	4	8
4:29:14 PM	4	3	7
4:29:44 PM	4	2	6
4:30:25 PM	5	1	6
4:32:00 PM	4	2	6
4:32:25 PM	5	1	6
4:32:39 PM	4	1	5
4:33:19 PM	5	0	5
4:33:28 PM	4	0	4
4:33:38 PM	4	1	5
4:33:44 PM	4	2	6
4:33:58 PM	4	3	7
4:34:13 PM	5	2	7
4:34:29 PM	4	2	6
4:35:01 PM	4	3	7
4:35:19 PM	4	2	6
4:35:33 PM	4	3	7
4:35:53 PM	4	3	7
4:37:11 PM	3	3	6
4:37:21 PM	4	2	6
4:37:57 PM	4	1	5
4:38:25 PM	5	0	5
4:39:12 PM	4	0	4
4:39:36 PM	4	1	5
4:40:06 PM	4	0	4
4:40:19 PM	4	1	5
4:40:45 PM	3	2	5
4:40:58 PM	3	3	6
4:41:05 PM	4	2	6
4:41:16 PM	4	3	7
4:43:22 PM	4	3	7
4:43:47 PM	4	4	8
4:44:24 PM	4	5	9
4:45:06 PM	4	5	9
4:45:51 PM	3	4	7
4:46:16 PM	4	3	7
4:46:50 PM	3	3	6
4:47:52 PM	3	4	7
4:48:20 PM	2	4	6
4:48:32 PM	3	3	6
4:49:00 PM	3	2	5
4:49:31 PM	3	3	6
4:49:36 PM	3	4	7
4:49:50 PM	4	3	7
4:50:05 PM	3	3	6
4:50:23 PM	2	3	5
4:50:39 PM	3	2	5
4:50:51 PM	2	2	4
4:51:35 PM	3	2	5
4:52:04 PM	3	3	6
4:52:15 PM	3	4	7
4:52:26 PM	4	4	8
4:52:58 PM	4	3	7
4:53:21 PM	3	3	6
4:53:31 PM	4	2	6
4:53:47 PM	3	2	5
4:53:59 PM	3	3	6
4:54:05 PM	4	2	6
4:54:26 PM	3	2	5
4:54:39 PM	2	3	5
4:55:01 PM	3	2	5

Locations: 17-1215-001
 City: Laguna Hills,CA

Day: Thursday
 Date: 10/19/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:14:18 PM	1	0	1
12:16:09 PM	0	0	0
12:16:29 PM	0	1	1
12:16:36 PM	0	2	2
12:16:43 PM	0	3	3
12:17:12 PM	0	4	4
12:17:36 PM	1	3	4
12:17:49 PM	1	4	5
12:18:00 PM	1	5	6
12:18:07 PM	2	5	7
12:18:30 PM	2	6	8
12:18:43 PM	2	7	9
12:19:05 PM	2	7	9
12:19:16 PM	2	6	8
12:19:49 PM	3	5	8
12:20:20 PM	4	4	8
12:20:37 PM	3	5	8
12:21:10 PM	3	6	9
12:21:31 PM	4	6	10
12:21:52 PM	4	6	10
12:22:30 PM	4	7	11
12:22:42 PM	5	7	12
12:23:31 PM	5	8	13
12:24:12 PM	5	7	12
12:24:33 PM	4	7	11
12:25:01 PM	4	6	10
12:25:19 PM	4	7	11
12:26:09 PM	5	7	12
12:26:35 PM	5	8	13
12:27:00 PM	5	9	14
12:27:08 PM	5	10	15
12:28:02 PM	4	10	14
12:28:23 PM	3	10	13
12:28:34 PM	4	9	13
12:29:14 PM	3	9	12
12:30:22 PM	4	8	12
12:30:43 PM	3	9	12
12:30:51 PM	4	9	13
12:30:59 PM	3	10	13
12:31:33 PM	4	9	13
12:31:47 PM	4	8	12
12:32:13 PM	4	9	13
12:32:42 PM	3	9	12
12:33:38 PM	4	8	12
12:33:43 PM	3	8	11
12:34:02 PM	2	8	10
12:34:36 PM	1	9	10
12:35:03 PM	1	10	11
12:35:26 PM	0	10	10
12:35:52 PM	1	9	10
12:36:31 PM	2	9	11
12:37:06 PM	3	8	11
12:37:38 PM	4	9	13
12:37:52 PM	4	9	13
12:38:02 PM	3	9	12
12:38:32 PM	2	9	11
12:38:44 PM	3	8	11
12:39:23 PM	3	7	10
12:39:50 PM	2	8	10
12:40:19 PM	1	8	9
12:40:35 PM	1	7	8
12:41:09 PM	2	8	10
12:41:16 PM	3	7	10
12:41:42 PM	3	6	9
12:42:46 PM	3	7	10
12:43:08 PM	2	7	9
12:43:26 PM	2	6	8

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
4:55:43 PM	3	1	4
4:56:23 PM	3	0	3
4:56:41 PM	3	1	4
4:56:46 PM	3	2	5
4:56:59 PM	2	2	4
4:57:27 PM	3	2	5
4:57:52 PM	2	2	4
4:58:04 PM	3	2	5
4:58:44 PM	2	2	4
4:58:52 PM	3	1	4
4:59:18 PM	3	0	3
4:59:34 PM	3	1	4
4:59:40 PM	3	2	5
4:59:42 PM	3	3	6
5:00:01 PM	3	2	5
5:01:05 PM	4	1	5
5:01:20 PM	3	1	4
5:01:49 PM	4	0	4
5:03:00 PM	3	1	4
5:03:32 PM	4	0	4
5:03:49 PM	3	0	3
5:04:30 PM	3	1	4
5:04:40 PM	3	2	5
5:05:16 PM	3	1	4
5:05:18 PM	3	2	5
5:05:49 PM	4	2	6
5:07:07 PM	4	2	6
5:07:31 PM	5	1	6
5:07:40 PM	4	2	6
5:08:02 PM	3	2	5
5:08:10 PM	4	1	5
5:08:16 PM	4	2	6
5:08:33 PM	4	3	7
5:08:44 PM	5	2	7
5:09:15 PM	4	2	6
5:09:26 PM	4	3	7
5:09:38 PM	4	2	6
5:10:09 PM	4	1	5
5:10:38 PM	5	0	5
5:10:43 PM	5	1	6
5:10:49 PM	5	2	7
5:10:55 PM	4	2	6
5:11:06 PM	4	3	7
5:11:17 PM	5	3	8
5:11:36 PM	5	2	7
5:12:04 PM	4	2	6
5:12:28 PM	3	2	5
5:12:47 PM	4	2	6
5:13:07 PM	4	1	5
5:13:19 PM	3	1	4
5:13:44 PM	4	1	5
5:13:53 PM	3	1	4
5:14:59 PM	4	0	4
5:15:29 PM	4	1	5
5:16:03 PM	3	2	5
5:16:14 PM	3	1	4
5:17:06 PM	4	1	5
5:17:39 PM	3	1	4
5:18:00 PM	4	1	5
5:18:17 PM	3	1	4
5:18:39 PM	3	2	5
5:18:41 PM	2	2	4
5:19:24 PM	3	1	4
5:19:40 PM	3	2	5
5:20:27 PM	4	1	5
5:20:35 PM	3	2	5
5:20:47 PM	2	3	5

Locations: 17-1215-001
 City: Laguna Hills, CA

Day: Thursday
 Date: 10/19/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:43:53 PM	3	5	8
12:44:39 PM	3	6	9
12:44:43 PM	2	6	8
12:44:57 PM	1	6	7
12:45:15 PM	2	5	7
12:45:29 PM	1	5	6
12:45:46 PM	2	5	7
12:46:04 PM	3	5	8
12:46:18 PM	2	6	8
12:46:42 PM	1	6	7
12:46:56 PM	2	6	8
12:47:09 PM	2	7	9
12:47:37 PM	1	8	9
12:48:10 PM	0	8	8
12:48:44 PM	1	7	8
12:49:18 PM	1	8	9
12:49:30 PM	2	7	9
12:50:06 PM	2	6	8
12:50:25 PM	2	7	9
12:50:36 PM	3	6	9
12:50:45 PM	2	6	8
12:51:09 PM	3	5	8
12:51:21 PM	2	5	7
12:51:41 PM	2	6	8
12:51:48 PM	3	5	8
12:52:22 PM	3	6	9
12:52:29 PM	3	6	9
12:52:43 PM	2	6	8
12:52:50 PM	3	5	8
12:53:13 PM	2	5	7
12:53:23 PM	3	4	7
12:54:08 PM	3	3	6
12:54:28 PM	4	2	6
12:54:52 PM	3	2	5
12:55:06 PM	2	2	4
12:55:21 PM	1	3	4
12:55:46 PM	2	2	4
12:56:12 PM	3	1	4
12:57:32 PM	3	2	5
12:57:42 PM	4	3	7
12:58:11 PM	3	3	6
12:58:27 PM	2	3	5
12:58:36 PM	3	2	5
12:58:47 PM	3	3	6
12:59:08 PM	4	2	6
12:59:16 PM	3	2	5
1:00:07 PM	4	1	5
1:00:15 PM	3	2	5
1:00:33 PM	4	1	5
1:00:52 PM	3	1	4
1:01:03 PM	4	0	4
1:01:10 PM	4	1	5
1:01:43 PM	5	0	5
1:02:21 PM	4	0	4
1:02:42 PM	3	0	3
1:03:24 PM	2	1	3
1:03:51 PM	3	0	3
1:04:34 PM	3	1	4
1:04:39 PM	3	2	5
1:05:09 PM	3	3	6
1:05:18 PM	3	4	7
1:05:30 PM	4	3	7
1:05:39 PM	4	4	8
1:05:51 PM	3	4	7
1:06:06 PM	4	3	7
1:06:28 PM	3	3	6
1:07:41 PM	2	3	5

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
5:21:21 PM	2	4	6
5:21:30 PM	2	5	7
5:21:40 PM	3	4	7
5:22:02 PM	4	3	7
5:22:19 PM	3	3	6
5:23:17 PM	4	2	6
5:23:19 PM	3	2	5
5:23:30 PM	3	3	6
5:24:02 PM	4	2	6
5:24:25 PM	3	2	5
5:24:40 PM	2	3	5
5:24:57 PM	3	2	5
5:25:38 PM	3	3	6
5:25:47 PM	3	3	6
5:26:18 PM	3	4	7
5:26:31 PM	4	5	9
5:27:19 PM	4	4	8
5:28:00 PM	3	4	7
5:28:16 PM	4	3	7
5:28:57 PM	4	2	6
5:29:08 PM	4	3	7
5:29:17 PM	4	4	8
5:29:28 PM	5	3	8
5:31:01 PM	5	4	9
5:31:20 PM	5	5	10
5:32:26 PM	5	4	9
5:33:20 PM	4	4	8
5:33:32 PM	5	3	8
5:33:47 PM	5	2	7
5:34:05 PM	4	3	7
5:34:30 PM	3	3	6
5:35:17 PM	4	2	6
5:36:02 PM	5	1	6
5:36:54 PM	5	2	7
5:37:20 PM	5	3	8
5:38:15 PM	4	2	6
5:39:39 PM	4	1	5
5:39:58 PM	4	2	6
5:40:33 PM	5	1	6
5:40:55 PM	4	1	5
5:42:02 PM	4	2	6
5:42:10 PM	4	3	7
5:42:13 PM	4	4	8
5:42:31 PM	4	3	7
5:42:51 PM	4	4	8
5:43:39 PM	4	3	7
5:43:57 PM	3	4	7
5:44:08 PM	3	5	8
5:44:39 PM	4	4	8
5:44:49 PM	3	4	7
5:45:01 PM	3	5	8
5:45:17 PM	3	6	9
5:47:23 PM	4	6	10
5:47:49 PM	3	7	10
5:48:09 PM	4	6	10
5:48:56 PM	3	7	10
5:50:01 PM	4	8	12
5:51:02 PM	5	8	13
5:51:32 PM	5	8	13
5:52:01 PM	5	7	12
5:53:08 PM	5	6	11
5:53:54 PM	5	6	11
5:54:40 PM	5	6	11
5:55:46 PM	5	6	11
5:56:11 PM	4	7	11
5:56:44 PM	5	6	11
5:56:57 PM	5	6	11

Locations: 17-1215-001
 City: Laguna Hills,CA

Day: Thursday
 Date: 10/19/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:08:02 PM	3	2	5
1:08:23 PM	4	2	6
1:08:36 PM	4	3	7
1:09:07 PM	4	2	6
1:09:40 PM	4	3	7
1:10:25 PM	5	2	7
1:10:41 PM	4	1	5
1:10:49 PM	3	1	4
1:11:19 PM	4	0	4
1:12:40 PM	4	1	5
1:12:51 PM	3	1	4
1:12:57 PM	3	2	5
1:13:33 PM	4	1	5
1:13:59 PM	3	1	4
1:14:16 PM	4	1	5
1:14:28 PM	3	1	4
1:14:34 PM	3	2	5
1:14:41 PM	3	3	6
1:14:56 PM	3	4	7
1:15:40 PM	4	3	7
1:15:47 PM	4	4	8
1:16:06 PM	5	3	8
1:16:18 PM	5	4	9
1:16:23 PM	5	5	10
1:16:43 PM	5	5	10
1:17:19 PM	5	5	10
1:17:34 PM	4	5	9
1:17:49 PM	4	4	8
1:18:25 PM	5	3	8
1:18:37 PM	5	2	7
1:18:58 PM	5	1	6
1:19:33 PM	5	0	5
1:19:53 PM	5	1	6
1:20:07 PM	4	1	5
1:20:28 PM	5	0	5
1:20:48 PM	4	0	4
1:21:03 PM	4	1	5
1:21:09 PM	3	2	5
1:21:42 PM	4	1	5
1:21:54 PM	3	2	5
1:22:37 PM	2	3	5
1:22:51 PM	3	2	5
1:22:58 PM	2	2	4
1:23:34 PM	3	1	4
1:23:53 PM	3	2	5
1:24:01 PM	2	2	4
1:24:23 PM	3	1	4
1:24:54 PM	4	0	4
1:25:17 PM	4	1	5
1:25:50 PM	3	1	4
1:26:13 PM	2	1	3
1:26:21 PM	3	0	3
1:27:14 PM	3	1	4
1:27:23 PM	3	2	5
1:28:29 PM	3	3	6
1:28:30 PM	4	2	6
1:28:38 PM	5	1	6
1:29:53 PM	5	0	5
1:30:22 PM	5	1	6
1:30:46 PM	5	0	5
1:32:09 PM	4	0	4
1:32:11 PM	3	0	3
1:32:27 PM	2	0	2
1:32:40 PM	1	0	1
1:32:45 PM	0	1	1
1:33:00 PM	0	2	2
1:33:11 PM	1	1	2

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
5:57:48 PM	5	7	12
5:58:06 PM	5	6	11
5:58:22 PM	4	6	10
5:59:14 PM	5	6	11
6:00:00 PM	4	7	11
6:00:09 PM	5	6	11
6:01:23 PM	5	6	11
6:02:01 PM	5	6	11
6:02:33 PM	5	5	10
6:03:40 PM	5	4	9
6:04:39 PM	4	5	9
6:05:14 PM	3	6	9
6:05:30 PM	3	5	8
6:06:44 PM	2	5	7
6:06:55 PM	3	5	8
6:07:39 PM	2	6	8
6:07:56 PM	2	7	9
6:08:39 PM	3	6	9
6:08:51 PM	3	5	8
6:09:31 PM	4	4	8
6:09:42 PM	4	5	9
6:10:38 PM	4	6	10
6:11:19 PM	4	5	9
6:12:09 PM	3	5	8
6:12:44 PM	3	4	7
6:13:15 PM	3	3	6
6:13:54 PM	4	3	7
6:14:28 PM	3	3	6
6:14:52 PM	4	3	7
6:15:09 PM	4	4	8
6:15:35 PM	4	5	9
6:15:42 PM	4	6	10
6:15:59 PM	4	6	10
6:16:28 PM	3	7	10
6:16:51 PM	2	8	10
6:17:03 PM	3	7	10
6:17:49 PM	2	7	9
6:18:40 PM	3	6	9
6:19:02 PM	3	5	8
6:19:10 PM	3	6	9
6:19:38 PM	3	7	10
6:19:46 PM	4	6	10
6:20:15 PM	5	5	10
6:20:31 PM	5	6	11
6:20:40 PM	5	7	12
6:21:23 PM	5	7	12
6:21:32 PM	4	7	11
6:22:18 PM	4	7	11
6:22:58 PM	5	7	12
6:23:35 PM	4	8	12
6:24:13 PM	3	8	11
6:24:38 PM	4	8	12
6:25:17 PM	5	8	13
6:26:30 PM	4	7	11
6:26:49 PM	4	8	12
6:27:22 PM	3	9	12
6:28:28 PM	3	10	13
6:29:01 PM	4	9	13
6:29:10 PM	5	8	13
6:29:23 PM	5	7	12
6:30:26 PM	5	6	11
6:31:09 PM	5	6	11
6:32:38 PM	5	6	11
6:33:17 PM	5	7	12
6:33:27 PM	5	6	11
6:33:43 PM	4	6	10
6:34:05 PM	5	6	11

Locations: 17-1215-001
City: Laguna Hills, CA

Day: Thursday
Date: 10/19/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:34:14 PM	2	0	2
1:34:36 PM	1	0	1
1:35:49 PM	1	1	2
1:36:10 PM	1	2	3
1:36:32 PM	2	1	3
1:37:29 PM	2	0	2
1:38:26 PM	2	1	3
1:39:04 PM	1	1	2
1:39:38 PM	0	1	1
1:39:56 PM	1	0	1
1:41:11 PM	0	1	1
1:42:01 PM	1	0	1
1:42:14 PM	1	1	2
1:42:20 PM	1	2	3
1:43:10 PM	2	1	3
1:43:24 PM	2	2	4
1:43:33 PM	3	1	4
1:43:41 PM	3	2	5
1:43:49 PM	3	3	6
1:44:43 PM	2	3	5
1:44:46 PM	2	3	5
1:45:07 PM	1	3	4
1:46:33 PM	2	2	4
1:47:15 PM	2	1	3
1:47:49 PM	3	0	3
1:48:26 PM	3	1	4
1:49:08 PM	4	0	4
1:49:24 PM	3	0	3
1:49:35 PM	2	0	2
1:49:44 PM	2	1	3
1:49:55 PM	2	2	4
1:50:26 PM	2	1	3
1:50:45 PM	1	1	2
1:50:59 PM	2	0	2
1:51:18 PM	2	1	3
1:51:35 PM	3	1	4
1:52:12 PM	2	2	4
1:52:47 PM	1	2	3
1:53:02 PM	1	3	4
1:53:23 PM	2	2	4
1:53:33 PM	1	2	3
1:53:47 PM	2	1	3
1:54:39 PM	3	0	3
1:54:48 PM	3	1	4
1:54:52 PM	2	2	4
1:55:37 PM	2	1	3
1:55:54 PM	3	0	3
1:56:17 PM	3	1	4
1:56:45 PM	4	1	5
1:56:59 PM	5	0	5
1:57:53 PM	5	1	6
1:58:21 PM	4	1	5
1:58:30 PM	4	2	6
1:58:38 PM	3	2	5
1:58:50 PM	3	1	4
1:59:06 PM	2	1	3
1:59:15 PM	1	1	2
1:59:19 PM	2	0	2
1:59:59 PM	1	0	1

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
6:34:22 PM	5	7	12
6:35:23 PM	5	6	11
6:35:51 PM	5	7	12
6:36:25 PM	5	7	12
6:36:35 PM	5	8	13
6:36:49 PM	4	8	12
6:37:17 PM	5	8	13
6:37:38 PM	5	9	14
6:38:25 PM	4	9	13
6:39:15 PM	5	8	13
6:39:51 PM	4	8	12
6:40:14 PM	4	7	11
6:40:27 PM	4	6	10
6:40:41 PM	3	6	9
6:41:36 PM	4	5	9
6:41:59 PM	4	6	10
6:42:10 PM	5	5	10
6:42:21 PM	4	5	9
6:42:35 PM	4	6	10
6:42:54 PM	4	5	9
6:43:10 PM	4	6	10
6:43:41 PM	5	6	11
6:44:04 PM	5	7	12
6:44:44 PM	5	6	11
6:45:11 PM	4	7	11
6:45:42 PM	4	6	10
6:46:00 PM	5	7	12
6:46:52 PM	4	8	12
6:47:01 PM	5	8	13
6:48:12 PM	4	7	11
6:48:48 PM	4	7	11
6:49:10 PM	5	8	13
6:49:51 PM	5	8	13
6:50:23 PM	5	8	13
6:51:03 PM	5	9	14
6:51:53 PM	5	9	14
6:52:45 PM	5	9	14
6:53:19 PM	4	10	14
6:54:04 PM	4	9	13
6:54:11 PM	3	10	13
6:55:15 PM	4	10	14
6:55:55 PM	5	9	14
6:56:16 PM	4	9	13
6:57:50 PM	4	9	13
6:58:39 PM	5	9	14
6:59:01 PM	5	9	14
6:59:33 PM	4	9	13
7:00:30 PM	3	9	12

Queue Study

Locations: 17-1215-001
City: Laguna Hills,CA

Day: Saturday
Date: 10/14/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
11:00:00 AM	1	0	1
11:00:27 AM	0	0	0
11:00:45 AM	0	1	1
11:01:10 AM	1	2	3
11:01:47 AM	2	1	3
11:02:30 AM	2	2	4
11:02:50 AM	2	3	5
11:02:55 AM	2	2	4
11:03:34 AM	3	1	4
11:04:10 AM	2	1	3
11:04:57 AM	2	2	4
11:05:12 AM	3	1	4
11:05:30 AM	3	2	5
11:06:08 AM	2	1	3
11:06:27 AM	3	1	4
11:06:38 AM	4	0	4
11:07:19 AM	4	1	5
11:08:13 AM	5	0	5
11:09:33 AM	4	0	4
11:10:11 AM	3	0	3
11:10:56 AM	2	0	2
11:11:19 AM	1	0	1
11:11:51 AM	1	1	2
11:12:54 AM	2	0	2
11:12:59 AM	1	0	1
11:14:55 AM	1	1	2
11:15:26 AM	0	1	1
11:15:55 AM	1	0	1
11:17:49 AM	0	1	1
11:17:52 AM	1	0	1
11:17:59 AM	1	1	2
11:19:18 AM	0	1	1
11:20:41 AM	1	2	3
11:21:15 AM	2	1	3
11:21:46 AM	3	0	3
11:22:10 AM	3	1	4
11:22:32 AM	3	0	3
11:23:06 AM	2	0	2
11:23:25 AM	1	0	1
11:23:41 AM	0	0	0
11:27:18 AM	0	1	1
11:28:47 AM	1	0	1
11:29:18 AM	1	1	2
11:29:34 AM	1	2	3
11:29:52 AM	1	1	2
11:30:27 AM	2	1	3
11:30:59 AM	2	0	2
11:31:40 AM	1	0	1
11:31:58 AM	0	0	0
11:32:35 AM	0	2	2
11:34:45 AM	1	1	2
11:35:00 AM	2	3	5
11:35:36 AM	1	3	4
11:35:55 AM	2	2	4
11:36:12 AM	1	2	3
11:36:28 AM	1	3	4
11:36:45 AM	2	3	5

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
4:00:00 PM	3	6	9
4:00:28 PM	2	6	8
4:00:52 PM	3	6	9
4:01:09 PM	4	7	11
4:01:43 PM	3	7	10
4:02:24 PM	4	6	10
4:02:34 PM	3	6	9
4:02:54 PM	3	5	8
4:03:19 PM	2	4	6
4:03:57 PM	3	3	6
4:04:10 PM	2	4	6
4:04:42 PM	3	3	6
4:04:56 PM	2	4	6
4:05:26 PM	3	3	6
4:05:43 PM	2	3	5
4:06:10 PM	1	3	4
4:06:15 PM	2	2	4
4:06:49 PM	3	1	4
4:07:23 PM	4	0	4
4:07:35 PM	4	1	5
4:07:49 PM	4	2	6
4:08:20 PM	5	1	6
4:08:40 PM	5	2	7
4:09:03 PM	4	2	6
4:09:22 PM	5	3	8
4:09:44 PM	4	3	7
4:09:58 PM	3	3	6
4:10:35 PM	2	3	5
4:10:45 PM	3	3	6
4:11:24 PM	2	3	5
4:11:30 PM	3	2	5
4:11:58 PM	2	3	5
4:12:18 PM	1	3	4
4:12:27 PM	2	3	5
4:12:44 PM	3	2	5
4:13:12 PM	4	1	5
4:14:17 PM	4	0	4
4:14:56 PM	3	0	3
4:15:07 PM	3	1	4
4:15:51 PM	2	1	3
4:16:10 PM	2	2	4
4:16:25 PM	2	3	5
4:16:41 PM	3	2	5
4:17:02 PM	4	1	5
4:17:34 PM	5	0	5
4:18:10 PM	5	1	6
4:18:20 PM	4	1	5
4:18:46 PM	4	2	6
4:19:00 PM	3	2	5
4:19:19 PM	4	1	5
4:19:39 PM	3	1	4
4:19:49 PM	3	2	5
4:20:07 PM	4	1	5
4:20:19 PM	3	2	5
4:20:50 PM	4	1	5
4:21:01 PM	3	1	4
4:21:09 PM	3	2	5

Locations: 17-1215-001
 City: Laguna Hills, CA

Day: Saturday
 Date: 10/14/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
11:37:05 AM	1	3	4
11:37:32 AM	1	6	7
11:38:45 AM	0	6	6
11:39:26 AM	1	7	8
11:39:59 AM	2	7	9
11:41:04 AM	1	11	12
11:41:24 AM	2	8	10
11:42:05 AM	3	5	8
11:43:12 AM	3	5	8
11:44:20 AM	2	6	8
11:44:47 AM	2	5	7
11:45:28 AM	3	6	9
11:45:46 AM	2	6	8
11:45:51 AM	3	6	9
11:46:29 AM	4	7	11
11:46:55 AM	3	7	10
11:47:12 AM	4	8	12
11:48:16 AM	5	7	12
11:48:26 AM	4	7	11
11:49:14 AM	5	4	9
11:49:28 AM	4	4	8
11:49:57 AM	5	3	8
11:50:59 AM	5	4	9
11:52:11 AM	5	5	10
11:52:51 AM	5	4	9
11:53:21 AM	4	3	7
11:54:19 AM	3	4	7
11:54:37 AM	3	3	6
11:54:57 AM	3	2	5
11:55:28 AM	3	2	5
11:55:48 AM	3	3	6
11:56:24 AM	2	3	5
11:56:41 AM	3	3	6
11:56:59 AM	2	2	4
11:57:23 AM	2	4	6
11:57:42 AM	1	4	5
11:57:59 AM	2	3	5
11:58:16 AM	2	4	6
11:58:31 AM	1	4	5
11:58:41 AM	2	3	5
11:58:59 AM	2	5	7
11:59:09 AM	1	6	7
11:59:35 AM	2	5	7
12:00:21 PM	2	4	6
12:01:04 PM	3	3	6
12:01:29 PM	4	2	6
12:01:39 PM	3	2	5
12:02:00 PM	4	1	5
12:02:15 PM	3	1	4
12:02:34 PM	3	2	5
12:02:49 PM	4	1	5
12:03:15 PM	3	1	4
12:03:27 PM	2	3	5
12:03:38 PM	3	2	5
12:04:01 PM	4	1	5
12:04:40 PM	3	0	3
12:05:30 PM	3	2	5
12:05:45 PM	2	2	4
12:06:15 PM	2	1	3
12:06:35 PM	1	2	3
12:06:46 PM	2	1	3
12:07:10 PM	2	2	4

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
4:21:25 PM	3	3	6
4:22:07 PM	4	2	6
4:22:19 PM	3	2	5
4:22:45 PM	4	1	5
4:23:04 PM	5	0	5
4:23:22 PM	5	1	6
4:24:17 PM	4	1	5
4:24:48 PM	5	0	5
4:25:28 PM	4	0	4
4:26:46 PM	3	0	3
4:26:58 PM	3	1	4
4:27:37 PM	2	1	3
4:28:33 PM	3	0	3
4:28:44 PM	2	0	2
4:29:43 PM	1	0	1
4:30:14 PM	0	0	0
4:31:46 PM	0	1	1
4:31:48 PM	0	2	2
4:32:31 PM	1	1	2
4:33:38 PM	2	0	2
4:33:51 PM	1	0	1
4:34:27 PM	1	1	2
4:34:58 PM	2	0	2
4:35:08 PM	1	0	1
4:35:58 PM	0	0	0
4:36:08 PM	0	1	1
4:37:40 PM	1	1	2
4:38:17 PM	2	0	2
4:39:21 PM	2	1	3
4:40:02 PM	3	0	3
4:40:12 PM	2	0	2
4:40:23 PM	2	1	3
4:40:34 PM	1	1	2
4:40:44 PM	1	2	3
4:40:57 PM	2	1	3
4:41:20 PM	3	0	3
4:41:32 PM	2	1	3
4:41:46 PM	1	1	2
4:42:15 PM	2	0	2
4:42:41 PM	1	0	1
4:43:02 PM	0	0	0
4:43:13 PM	0	1	1
4:43:28 PM	1	1	2
4:44:25 PM	1	2	3
4:44:40 PM	1	3	4
4:44:56 PM	0	4	4
4:45:25 PM	1	4	5
4:45:59 PM	1	4	5
4:46:20 PM	1	5	6
4:46:32 PM	2	4	6
4:46:52 PM	2	4	6
4:47:28 PM	1	4	5
4:48:26 PM	2	3	5
4:48:36 PM	1	5	6
4:49:44 PM	2	6	8
4:50:19 PM	1	6	7
4:50:46 PM	0	6	6
4:51:12 PM	1	5	6
4:51:56 PM	2	4	6
4:52:42 PM	3	4	7
4:53:21 PM	4	3	7
4:53:42 PM	4	2	6

Locations: 17-1215-001
 Clty: Laguna Hills,CA

Day: Saturday
 Date: 10/14/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:07:32 PM	3	1	4
12:07:50 PM	3	2	5
12:08:00 PM	2	2	4
12:08:15 PM	3	2	5
12:08:40 PM	2	3	5
12:08:50 PM	1	5	6
12:09:44 PM	1	4	5
12:10:09 PM	1	4	5
12:11:02 PM	2	3	5
12:11:21 PM	3	2	5
12:11:32 PM	4	1	5
12:11:47 PM	3	2	5
12:12:42 PM	4	1	5
12:13:22 PM	3	3	6
12:13:49 PM	2	3	5
12:13:57 PM	2	2	4
12:14:21 PM	3	2	5
12:14:30 PM	2	2	4
12:14:51 PM	1	2	3
12:15:08 PM	1	3	4
12:15:22 PM	1	4	5
12:15:42 PM	1	4	5
12:15:55 PM	1	4	5
12:16:37 PM	2	4	6
12:16:57 PM	1	4	5
12:17:18 PM	2	3	5
12:17:37 PM	1	3	4
12:18:04 PM	1	4	5
12:18:27 PM	2	3	5
12:19:07 PM	1	4	5
12:19:27 PM	0	4	4
12:19:40 PM	1	3	4
12:20:01 PM	2	2	4
12:20:43 PM	2	2	4
12:21:01 PM	3	1	4
12:21:36 PM	4	0	4
12:21:51 PM	3	0	3
12:22:10 PM	2	0	2
12:22:24 PM	2	1	3
12:22:33 PM	1	2	3
12:22:49 PM	2	1	3
12:23:12 PM	2	2	4
12:23:21 PM	2	1	3
12:23:41 PM	2	2	4
12:23:51 PM	2	3	5
12:23:59 PM	2	2	4
12:24:36 PM	3	1	4
12:24:52 PM	2	1	3
12:25:38 PM	1	2	3
12:26:13 PM	1	1	2
12:26:24 PM	1	2	3
12:26:39 PM	2	2	4
12:27:27 PM	3	1	4
12:28:11 PM	4	1	5
12:28:23 PM	3	3	6
12:28:37 PM	2	3	5
12:29:25 PM	2	2	4
12:29:39 PM	2	3	5
12:29:54 PM	3	2	5
12:30:14 PM	2	3	5
12:30:48 PM	1	4	5
12:31:15 PM	0	4	4

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
4:54:24 PM	3	2	5
4:54:53 PM	3	1	4
4:55:39 PM	3	0	3
4:55:53 PM	3	1	4
4:56:06 PM	2	1	3
4:56:21 PM	3	0	3
4:56:32 PM	3	1	4
4:56:47 PM	3	2	5
4:57:17 PM	3	3	6
4:57:57 PM	3	2	5
4:58:21 PM	4	1	5
4:59:03 PM	3	1	4
4:59:32 PM	3	2	5
4:59:48 PM	2	2	4
5:00:01 PM	3	1	4
5:00:40 PM	2	1	3
5:01:08 PM	3	0	3
5:01:29 PM	2	0	2
5:01:38 PM	2	1	3
5:01:52 PM	2	2	4
5:02:27 PM	2	3	5
5:02:43 PM	1	4	5
5:03:24 PM	2	4	6
5:04:00 PM	1	4	5
5:04:34 PM	2	3	5
5:04:55 PM	2	4	6
5:05:44 PM	3	4	7
5:05:49 PM	3	4	7
5:06:16 PM	2	4	6
5:06:51 PM	2	3	5
5:06:59 PM	1	4	5
5:07:10 PM	2	4	6
5:07:30 PM	3	3	6
5:08:48 PM	3	4	7
5:08:58 PM	2	4	6
5:09:11 PM	3	3	6
5:09:25 PM	3	4	7
5:09:51 PM	3	4	7
5:10:15 PM	2	4	6
5:10:39 PM	3	3	6
5:11:10 PM	2	3	5
5:11:40 PM	1	4	5
5:12:03 PM	2	3	5
5:12:16 PM	3	3	6
5:13:12 PM	2	5	7
5:14:24 PM	2	7	9
5:14:50 PM	3	6	9
5:15:13 PM	3	6	9
5:15:25 PM	2	5	7
5:16:16 PM	3	4	7
5:17:12 PM	4	5	9
5:18:13 PM	3	7	10
5:18:29 PM	2	7	9
5:18:39 PM	3	5	8
5:18:59 PM	3	7	10
5:19:15 PM	4	6	10
5:19:27 PM	4	8	12
5:19:41 PM	4	5	9
5:20:30 PM	3	7	10
5:20:42 PM	4	7	11
5:21:04 PM	3	8	11
5:21:42 PM	4	7	11

Locations: 17-1215-001
 City: Laguna Hills,CA

Day: Saturday
 Date: 10/14/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:31:26 PM	1	4	5
12:32:06 PM	2	3	5
12:33:10 PM	1	3	4
12:33:40 PM	2	3	5
12:35:10 PM	2	4	6
12:35:32 PM	3	4	7
12:35:51 PM	2	5	7
12:36:22 PM	2	5	7
12:36:50 PM	2	6	8
12:37:17 PM	1	6	7
12:37:44 PM	2	6	8
12:38:50 PM	1	7	8
12:39:07 PM	2	9	11
12:39:34 PM	2	7	9
12:40:41 PM	3	8	11
12:40:57 PM	3	9	12
12:41:21 PM	2	9	11
12:41:38 PM	3	10	13
12:42:17 PM	2	10	12
12:42:36 PM	3	9	12
12:42:50 PM	2	10	12
12:43:21 PM	1	9	10
12:43:41 PM	2	8	10
12:44:21 PM	2	5	7
12:44:44 PM	3	5	8
12:45:20 PM	2	5	7
12:45:46 PM	3	6	9
12:46:22 PM	2	6	8
12:46:56 PM	2	6	8
12:47:48 PM	3	5	8
12:48:11 PM	4	4	8
12:48:32 PM	3	9	12
12:48:49 PM	4	7	11
12:49:24 PM	4	4	8
12:50:08 PM	4	4	8
12:50:55 PM	3	4	7
12:51:43 PM	4	6	10
12:51:57 PM	3	7	10
12:52:18 PM	3	6	9
12:52:55 PM	2	6	8
12:52:59 PM	3	6	9
12:53:48 PM	2	6	8
12:54:00 PM	3	6	9
12:54:32 PM	4	5	9
12:55:21 PM	5	7	12
12:55:40 PM	4	7	11
12:55:56 PM	3	8	11
12:56:16 PM	3	6	9
12:56:45 PM	2	6	8
12:57:06 PM	3	6	9
12:57:44 PM	2	6	8
12:57:59 PM	3	7	10
12:58:25 PM	4	8	12
12:59:01 PM	4	8	12
12:59:24 PM	3	8	11
1:00:19 PM	4	10	14
1:00:28 PM	3	10	13
1:00:47 PM	2	7	9
1:01:06 PM	3	7	10
1:01:34 PM	3	4	7
1:02:14 PM	4	3	7
1:02:33 PM	3	3	6

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
5:21:54 PM	3	7	10
5:22:08 PM	4	8	12
5:22:35 PM	3	7	10
5:22:46 PM	4	7	11
5:23:06 PM	3	9	12
5:23:18 PM	4	8	12
5:24:13 PM	5	7	12
5:24:28 PM	4	8	12
5:24:56 PM	5	7	12
5:25:11 PM	4	6	10
5:25:28 PM	3	6	9
5:25:46 PM	4	7	11
5:26:10 PM	3	7	10
5:26:35 PM	4	6	10
5:26:51 PM	3	6	9
5:27:02 PM	2	7	9
5:27:53 PM	3	8	11
5:28:25 PM	2	8	10
5:28:46 PM	1	8	9
5:29:17 PM	2	6	8
5:29:38 PM	3	4	7
5:30:00 PM	4	4	8
5:30:11 PM	3	4	7
5:30:38 PM	4	3	7
5:31:19 PM	3	3	6
5:31:43 PM	4	2	6
5:31:56 PM	4	3	7
5:32:24 PM	2	4	6
5:32:37 PM	3	4	7
5:33:09 PM	2	5	7
5:34:07 PM	3	3	6
5:34:29 PM	3	4	7
5:35:42 PM	2	4	6
5:36:06 PM	1	5	6
5:36:47 PM	2	6	8
5:37:35 PM	2	5	7
5:38:30 PM	3	8	11
5:39:02 PM	3	5	8
5:39:37 PM	3	3	6
5:40:01 PM	2	3	5
5:40:23 PM	2	2	4
5:40:38 PM	2	3	5
5:41:17 PM	3	2	5
5:42:03 PM	4	1	5
5:42:30 PM	4	0	4
5:43:07 PM	3	0	3
5:43:30 PM	2	0	2
5:45:15 PM	1	0	1
5:45:45 PM	0	0	0
5:46:42 PM	0	1	1
5:47:10 PM	0	2	2
5:47:24 PM	0	3	3
5:47:58 PM	1	2	3
5:48:14 PM	1	3	4
5:48:38 PM	2	3	5
5:49:08 PM	3	4	7
5:49:32 PM	2	4	6
5:50:04 PM	1	6	7
5:50:19 PM	2	5	7
5:50:38 PM	2	7	9
5:50:50 PM	1	6	7
5:51:18 PM	2	6	8

Locations: 17-1215-001
 City: Laguna Hills, CA

Day: Saturday
 Date: 10/14/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:02:59 PM	4	4	8
1:03:17 PM	5	4	9
1:03:58 PM	4	5	9
1:04:15 PM	5	4	9
1:04:34 PM	4	4	8
1:04:48 PM	3	4	7
1:05:07 PM	5	3	8
1:05:42 PM	4	3	7
1:06:08 PM	3	4	7
1:06:21 PM	3	4	7
1:06:59 PM	2	4	6
1:07:25 PM	1	4	5
1:07:47 PM	2	4	6
1:08:06 PM	1	4	5
1:08:21 PM	2	3	5
1:08:38 PM	3	3	6
1:09:13 PM	2	3	5
1:09:39 PM	1	3	4
1:09:59 PM	2	5	7
1:10:27 PM	3	4	7
1:10:40 PM	2	4	6
1:10:58 PM	3	4	7
1:11:11 PM	2	5	7
1:11:49 PM	3	4	7
1:12:21 PM	2	5	7
1:12:55 PM	2	4	6
1:13:40 PM	3	5	8
1:14:00 PM	2	5	7
1:14:10 PM	3	4	7
1:14:30 PM	2	5	7
1:14:37 PM	3	4	7
1:14:55 PM	2	3	5
1:15:29 PM	2	4	6
1:15:52 PM	1	4	5
1:16:06 PM	2	3	5
1:16:22 PM	2	4	6
1:16:35 PM	1	5	6
1:17:15 PM	0	5	5
1:17:39 PM	1	5	6
1:18:05 PM	2	4	6
1:18:30 PM	3	4	7
1:18:49 PM	3	4	7
1:19:42 PM	4	5	9
1:20:13 PM	3	5	8
1:20:37 PM	5	4	9
1:20:57 PM	4	4	8
1:21:12 PM	3	7	10
1:22:19 PM	3	5	8
1:22:45 PM	2	5	7
1:22:59 PM	3	6	9
1:23:37 PM	2	7	9
1:23:51 PM	3	6	9
1:24:11 PM	3	5	8
1:24:22 PM	2	7	9
1:24:58 PM	1	8	9
1:25:14 PM	2	6	8
1:25:41 PM	2	5	7
1:25:58 PM	3	4	7
1:26:13 PM	2	6	8
1:27:01 PM	3	5	8
1:27:13 PM	2	4	6
1:27:34 PM	1	4	5

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
5:51:55 PM	3	6	9
5:52:42 PM	4	8	12
5:53:21 PM	5	8	13
5:55:28 PM	4	6	10
5:56:58 PM	5	6	11
5:57:18 PM	4	6	10
5:57:49 PM	5	7	12
5:58:22 PM	5	6	11
5:58:59 PM	4	6	10
5:59:30 PM	5	7	12
5:59:49 PM	4	6	10
6:00:23 PM	5	6	11
6:01:35 PM	4	5	9
6:02:06 PM	3	5	8
6:02:20 PM	4	5	9
6:02:47 PM	3	6	9
6:03:27 PM	4	6	10
6:03:58 PM	3	5	8
6:04:10 PM	2	5	7
6:04:19 PM	2	4	6
6:05:26 PM	3	5	8
6:05:56 PM	2	5	7
6:06:34 PM	3	4	7
6:07:01 PM	4	3	7
6:07:37 PM	5	2	7
6:08:41 PM	5	3	8
6:08:49 PM	5	4	9
6:09:48 PM	4	7	11
6:09:59 PM	5	6	11
6:10:26 PM	4	5	9
6:10:42 PM	5	7	12
6:11:15 PM	4	7	11
6:11:28 PM	4	7	11
6:11:54 PM	3	7	10
6:12:12 PM	4	6	10
6:12:35 PM	4	6	10
6:12:51 PM	3	5	8
6:13:11 PM	3	5	8
6:13:28 PM	2	5	7
6:13:48 PM	3	3	6
6:14:49 PM	4	3	7
6:15:04 PM	3	2	5
6:15:17 PM	3	3	6
6:15:28 PM	2	2	4
6:15:39 PM	3	3	6
6:15:52 PM	3	5	8
6:16:10 PM	3	4	7
6:16:33 PM	4	4	8
6:16:53 PM	5	6	11
6:17:22 PM	5	6	11
6:17:37 PM	5	8	13
6:17:52 PM	4	8	12
6:18:04 PM	5	5	10
6:18:23 PM	5	6	11
6:19:57 PM	5	6	11
6:20:48 PM	5	5	10
6:21:15 PM	4	5	9
6:21:36 PM	3	5	8
6:21:44 PM	4	5	9
6:21:59 PM	4	5	9
6:22:13 PM	4	4	8
6:22:29 PM	3	4	7

Locations: 17-1215-001
 City: Laguna Hills, CA

Day: Saturday
 Date: 10/14/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:28:20 PM	2	4	6
1:28:42 PM	2	5	7
1:28:59 PM	3	4	7
1:29:33 PM	4	4	8
1:29:47 PM	3	4	7
1:30:33 PM	4	3	7
1:30:48 PM	3	3	6
1:31:26 PM	3	4	7
1:31:45 PM	4	3	7
1:32:02 PM	3	3	6
1:32:37 PM	4	2	6
1:32:51 PM	3	2	5
1:33:09 PM	3	1	4
1:33:36 PM	3	2	5
1:33:46 PM	4	2	6
1:34:13 PM	4	3	7
1:34:25 PM	4	4	8
1:34:43 PM	5	4	9
1:35:03 PM	5	5	10
1:35:30 PM	4	4	8
1:36:12 PM	4	3	7
1:36:41 PM	3	3	6
1:37:03 PM	2	3	5
1:37:20 PM	3	4	7
1:38:01 PM	4	3	7
1:38:15 PM	5	4	9
1:38:38 PM	5	5	10
1:39:40 PM	4	5	9
1:40:14 PM	5	4	9
1:40:33 PM	4	4	8
1:40:43 PM	4	5	9
1:41:01 PM	5	4	9
1:41:17 PM	4	3	7
1:41:30 PM	3	2	5
1:42:00 PM	3	3	6
1:42:30 PM	2	3	5
1:42:35 PM	3	4	7
1:43:11 PM	2	4	6
1:43:38 PM	3	3	6
1:43:52 PM	2	3	5
1:44:49 PM	3	2	5
1:45:00 PM	3	3	6
1:46:30 PM	3	4	7
1:46:43 PM	2	4	6
1:47:17 PM	1	4	5
1:47:27 PM	2	3	5
1:47:49 PM	2	4	6
1:48:13 PM	1	5	6
1:48:36 PM	2	4	6
1:49:08 PM	1	5	6
1:49:42 PM	2	4	6
1:50:05 PM	2	4	6
1:50:52 PM	2	4	6
1:51:10 PM	3	4	7
1:51:44 PM	3	5	8
1:51:55 PM	3	3	6
1:52:06 PM	2	5	7
1:52:42 PM	3	5	8
1:52:58 PM	2	5	7
1:53:14 PM	3	4	7
1:53:32 PM	2	5	7
1:53:50 PM	1	5	6

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
6:22:46 PM	3	4	7
6:23:10 PM	4	4	8
6:23:27 PM	4	5	9
6:23:43 PM	5	5	10
6:24:01 PM	5	5	10
6:24:40 PM	4	5	9
6:24:48 PM	5	5	10
6:25:30 PM	4	5	9
6:25:46 PM	5	7	12
6:25:58 PM	4	7	11
6:26:10 PM	3	7	10
6:26:30 PM	2	7	9
6:26:41 PM	3	5	8
6:27:08 PM	2	5	7
6:27:50 PM	1	4	5
6:28:17 PM	2	4	6
6:29:19 PM	1	4	5
6:30:01 PM	2	3	5
6:30:10 PM	3	3	6
6:30:32 PM	4	3	7
6:31:00 PM	3	3	6
6:31:12 PM	4	2	6
6:31:44 PM	4	3	7
6:31:56 PM	5	3	8
6:32:13 PM	4	3	7
6:32:21 PM	5	2	7
6:32:43 PM	4	2	6
6:32:54 PM	4	3	7
6:33:16 PM	3	3	6
6:33:30 PM	4	2	6
6:33:38 PM	3	1	4
6:33:52 PM	3	2	5
6:34:17 PM	2	2	4
6:34:42 PM	3	2	5
6:35:01 PM	2	2	4
6:35:19 PM	1	2	3
6:35:29 PM	2	1	3
6:35:43 PM	2	2	4
6:35:55 PM	2	3	5
6:36:28 PM	3	2	5
6:36:42 PM	3	3	6
6:36:54 PM	4	2	6
6:37:23 PM	3	2	5
6:38:08 PM	3	3	6
6:38:36 PM	2	3	5
6:38:51 PM	3	2	5
6:39:09 PM	2	2	4
6:39:24 PM	2	1	3
6:39:53 PM	2	2	4
6:40:04 PM	3	2	5
6:40:20 PM	3	3	6
6:40:32 PM	2	3	5
6:40:50 PM	2	4	6
6:40:58 PM	3	4	7
6:41:21 PM	3	6	9
6:41:40 PM	4	5	9
6:42:42 PM	5	5	10
6:43:08 PM	4	5	9
6:43:26 PM	5	4	9
6:43:57 PM	4	4	8
6:44:14 PM	3	4	7
6:44:31 PM	4	3	7

Locations: 17-1215-001
 City: Laguna Hills, CA

Day: Saturday
 Date: 10/14/2017

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:54:05 PM	2	5	7
1:54:28 PM	3	4	7
1:54:59 PM	4	5	9
1:55:13 PM	3	5	8
1:56:03 PM	3	4	7
1:56:18 PM	3	5	8
1:56:31 PM	3	4	7
1:57:05 PM	3	5	8
1:57:37 PM	3	7	10
1:57:56 PM	4	6	10
1:58:31 PM	3	5	8
1:59:01 PM	4	4	8
1:59:25 PM	4	6	10
1:59:46 PM	5	5	10
2:00:00 PM	4	6	10

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
6:44:58 PM	3	4	7
6:45:12 PM	4	3	7
6:45:26 PM	3	3	6
6:45:47 PM	4	2	6
6:46:01 PM	3	2	5
6:46:15 PM	4	1	5
6:46:36 PM	4	2	6
6:46:58 PM	3	2	5
6:47:10 PM	3	3	6
6:47:29 PM	2	3	5
6:47:47 PM	2	4	6
6:47:58 PM	3	4	7
6:48:11 PM	3	5	8
6:48:40 PM	4	4	8
6:49:01 PM	3	4	7
6:49:16 PM	4	3	7
6:49:30 PM	3	3	6
6:49:43 PM	3	4	7
6:50:03 PM	4	3	7
6:50:26 PM	3	3	6
6:50:48 PM	3	2	5
6:51:49 PM	2	2	4
6:52:11 PM	3	1	4
6:52:39 PM	4	0	4
6:53:33 PM	4	1	5
6:53:44 PM	3	1	4
6:54:01 PM	4	0	4
6:54:29 PM	4	1	5
6:54:43 PM	3	1	4
6:54:59 PM	3	2	5
6:55:10 PM	4	1	5
6:55:39 PM	3	1	4
6:55:51 PM	3	2	5
6:56:04 PM	2	2	4
6:56:29 PM	2	1	3
6:56:42 PM	2	2	4
6:56:56 PM	3	1	4
6:57:09 PM	2	1	3
6:57:20 PM	3	0	3
6:57:46 PM	2	0	2
6:58:02 PM	1	0	1
6:58:39 PM	1	1	2
6:59:02 PM	0	1	1
6:59:17 PM	0	2	2
6:59:29 PM	1	1	2
7:00:00 PM	1	1	2

Queue Study

Project: 18-1161
City: Orange

Date: 8/22/2018
Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:00:00 PM	1	2	3
12:01:05 PM	1	3	4
12:01:10 PM	2	2	4
12:01:35 PM	1	3	4
12:01:50 PM	2	3	5
12:02:07 PM	2	3	5
12:02:49 PM	2	5	7
12:03:38 PM	3	4	7
12:04:03 PM	2	3	5
12:04:16 PM	1	5	6
12:04:34 PM	2	5	7
12:04:48 PM	2	4	6
12:05:08 PM	2	3	5
12:05:33 PM	2	3	5
12:05:46 PM	3	2	5
12:06:10 PM	2	2	4
12:06:30 PM	1	2	3
12:06:45 PM	2	1	3
12:06:53 PM	2	2	4
12:07:01 PM	2	3	5
12:07:14 PM	3	3	6
12:07:47 PM	3	2	5
12:08:01 PM	3	2	5
12:08:23 PM	4	1	5
12:08:38 PM	3	1	4
12:08:53 PM	2	1	3
12:09:14 PM	2	2	4
12:09:28 PM	3	1	4
12:09:33 PM	3	2	5
12:09:50 PM	3	2	5
12:10:05 PM	2	2	4
12:10:12 PM	3	1	4
12:10:21 PM	2	1	3
12:10:44 PM	2	2	4
12:10:49 PM	2	3	5
12:10:50 PM	2	3	5
12:11:07 PM	3	2	5
12:11:23 PM	3	3	6
12:11:37 PM	3	4	7
12:11:50 PM	4	3	7
12:12:01 PM	4	4	8
12:13:16 PM	4	3	7
12:13:21 PM	4	7	11
12:13:31 PM	4	8	12
12:13:43 PM	4	9	13
12:14:25 PM	4	10	14
12:15:39 PM	4	8	12

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
7:01:36 PM	4	10	14
7:01:49 PM	2	10	12
7:02:39 PM	2	10	12
7:03:06 PM	2	10	12
7:03:20 PM	2	9	11
7:03:31 PM	1	9	10
7:03:48 PM	2	9	11
7:03:55 PM	2	9	11
7:04:28 PM	2	9	11
7:04:48 PM	2	8	10
7:05:15 PM	1	7	8
7:05:23 PM	2	7	9
7:05:59 PM	3	8	11
7:06:31 PM	2	7	9
7:06:59 PM	1	7	8
7:07:13 PM	2	7	9
7:07:45 PM	3	8	11
7:08:17 PM	4	8	12
7:08:30 PM	3	9	12
7:08:55 PM	4	8	12
7:09:18 PM	4	9	13
7:09:56 PM	5	8	13
7:10:33 PM	5	9	14
7:10:56 PM	4	8	12
7:11:19 PM	4	8	12
7:11:34 PM	3	8	11
7:12:18 PM	3	8	11
7:13:07 PM	4	8	12
7:13:10 PM	3	6	9
7:13:31 PM	2	6	8
7:13:56 PM	3	8	11
7:14:07 PM	2	9	11
7:14:57 PM	3	9	12
7:15:03 PM	2	9	11
7:15:44 PM	2	9	11
7:16:07 PM	3	8	11
7:16:44 PM	4	9	13
7:17:17 PM	3	9	12
7:17:38 PM	2	9	11
7:17:51 PM	2	9	11
7:18:01 PM	3	8	11
7:18:31 PM	4	9	13
7:19:15 PM	5	8	13
7:19:25 PM	4	10	14
7:20:05 PM	3	10	13
7:20:21 PM	3	10	13
7:20:37 PM	2	10	12

Project: 18-1161
City: Orange

Date: 8/22/2018
Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:15:50 PM	5	8	13
12:16:18 PM	5	7	12
12:16:41 PM	4	5	9
12:17:01 PM	3	5	8
12:17:22 PM	4	5	9
12:17:34 PM	3	3	6
12:17:55 PM	2	3	5
12:18:01 PM	2	3	5
12:18:34 PM	1	3	4
12:18:53 PM	1	3	4
12:19:21 PM	1	4	5
12:19:29 PM	2	5	7
12:19:49 PM	2	5	7
12:20:18 PM	3	3	6
12:20:31 PM	2	4	6
12:20:45 PM	2	4	6
12:20:59 PM	2	5	7
12:21:05 PM	2	6	8
12:21:27 PM	3	4	7
12:21:44 PM	2	4	6
12:21:54 PM	3	4	7
12:22:05 PM	2	4	6
12:22:12 PM	3	3	6
12:22:28 PM	2	3	5
12:22:43 PM	2	3	5
12:22:49 PM	3	2	5
12:22:57 PM	3	3	6
12:23:06 PM	2	3	5
12:23:23 PM	2	3	5
12:23:30 PM	0	3	3
12:24:02 PM	2	3	5
12:24:19 PM	2	4	6
12:24:30 PM	1	4	5
12:25:06 PM	1	3	4
12:25:25 PM	1	4	5
12:25:32 PM	1	4	5
12:26:00 PM	2	3	5
12:26:17 PM	2	4	6
12:26:35 PM	2	4	6
12:26:47 PM	1	4	5
12:27:45 PM	2	4	6
12:27:44 PM	3	3	6
12:27:58 PM	3	4	7
12:28:15 PM	3	5	8
12:28:37 PM	4	7	11
12:28:55 PM	4	7	11
12:29:27 PM	3	5	8
12:29:54 PM	2	5	7
12:30:12 PM	3	3	6
12:30:31 PM	2	3	5
12:30:50 PM	3	4	7

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
7:20:55 PM	4	10	14
7:21:22 PM	4	9	13
7:21:41 PM	3	10	13
7:21:53 PM	4	8	12
7:22:21 PM	5	9	14
7:22:35 PM	3	9	12
7:22:54 PM	2	9	11
7:23:09 PM	4	9	13
7:23:19 PM	3	9	12
7:23:34 PM	2	9	11
7:23:48 PM	2	9	11
7:24:05 PM	2	9	11
7:24:10 PM	3	9	12
7:24:44 PM	2	8	10
7:24:55 PM	3	8	11
7:25:03 PM	2	9	11
7:25:15 PM	3	8	11
7:25:28 PM	2	8	10
7:25:44 PM	2	9	11
7:25:58 PM	3	8	11
7:26:11 PM	2	9	11
7:26:35 PM	3	8	11
7:26:54 PM	4	7	11
7:27:07 PM	3	6	9
7:27:33 PM	3	6	9
7:27:47 PM	3	6	9
7:28:10 PM	3	7	10
7:29:10 PM	4	7	11
7:29:35 PM	5	7	12
7:29:47 PM	4	8	12
7:30:18 PM	5	7	12
7:30:42 PM	3	7	10
7:31:16 PM	4	7	11
7:31:42 PM	4	7	11
7:31:52 PM	5	6	11
7:32:04 PM	4	6	10
7:32:24 PM	3	6	9
7:32:36 PM	4	7	11
7:32:46 PM	3	7	10
7:33:05 PM	4	6	10
7:33:27 PM	3	7	10
7:33:40 PM	4	6	10
7:34:21 PM	4	5	9
7:34:52 PM	3	5	8
7:35:08 PM	3	5	8
7:36:07 PM	3	6	9
7:36:16 PM	3	5	8
7:36:36 PM	4	4	8
7:37:19 PM	5	3	8
7:37:43 PM	4	3	7
7:37:55 PM	5	2	7

Project: 18-1161
 City: Orange

Date: 8/22/2018
 Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:31:40 PM	4	3	7
12:31:59 PM	4	3	7
12:32:25 PM	4	4	8
12:32:46 PM	3	4	7
12:33:06 PM	2	4	6
12:33:11 PM	2	3	5
12:33:26 PM	2	4	6
12:33:43 PM	1	4	5
12:33:55 PM	2	3	5
12:34:08 PM	2	4	6
12:34:15 PM	2	5	7
12:34:32 PM	2	5	7
12:34:50 PM	2	6	8
12:35:10 PM	3	6	9
12:35:22 PM	3	6	9
12:35:45 PM	3	4	7
12:36:17 PM	3	4	7
12:36:38 PM	3	4	7
12:36:54 PM	3	3	6
12:37:25 PM	3	6	9
12:38:05 PM	5	5	10
12:40:02 PM	5	4	9
12:40:39 PM	2	4	6
12:40:42 PM	3	3	6
12:41:08 PM	2	3	5
12:41:25 PM	2	4	6
12:41:39 PM	1	4	5
12:41:05 PM	2	6	8
12:42:28 PM	2	7	9
12:42:38 PM	3	6	9
12:43:34 PM	2	5	7
12:44:09 PM	2	6	8
12:44:46 PM	2	5	7
12:45:04 PM	2	5	7
12:45:30 PM	3	4	7
12:45:45 PM	2	4	6
12:46:01 PM	3	4	7
12:46:24 PM	4	5	9
12:47:00 PM	5	4	9
12:47:36 PM	4	4	8
12:47:54 PM	5	4	9
12:48:21 PM	4	4	8
12:48:49 PM	4	3	7
12:48:57 PM	4	3	7
12:49:23 PM	3	3	6
12:49:44 PM	5	2	7
12:49:59 PM	4	2	6
12:50:31 PM	3	3	6
12:50:47 PM	4	3	7
12:51:10 PM	3	6	9
12:51:38 PM	4	5	9

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
7:38:10 PM	5	3	8
7:38:37 PM	4	4	8
7:38:58 PM	3	4	7
7:39:14 PM	4	3	7
7:39:19 PM	4	3	7
7:40:02 PM	5	2	7
7:40:41 PM	5	3	8
7:41:36 PM	5	4	9
7:41:49 PM	5	4	9
7:42:06 PM	4	4	8
7:42:19 PM	4	4	8
7:42:41 PM	5	3	8
7:42:49 PM	4	3	7
7:43:01 PM	4	3	7
7:43:12 PM	4	4	8
7:43:30 PM	4	3	7
7:43:50 PM	4	4	8
7:44:09 PM	5	3	8
7:45:10 PM	5	4	9
7:45:39 PM	4	4	8
7:45:56 PM	5	3	8
7:46:04 PM	4	3	7
7:46:21 PM	4	4	8
7:46:30 PM	4	4	8
7:47:12 PM	3	4	7
7:47:46 PM	2	4	6
7:48:05 PM	3	4	7
7:48:10 PM	2	4	6
7:48:45 PM	2	4	6
7:49:02 PM	1	4	5
7:49:10 PM	2	5	7
7:49:37 PM	3	4	7
7:50:12 PM	4	3	7
7:50:21 PM	3	3	6
7:50:43 PM	4	3	7
7:51:02 PM	3	3	6
7:51:29 PM	3	3	6
7:51:42 PM	3	3	6
7:51:50 PM	3	4	7
7:52:00 PM	4	3	7
7:52:11 PM	4	4	8
7:53:04 PM	4	3	7
7:53:36 PM	5	6	11
7:54:08 PM	4	6	10
7:54:28 PM	5	7	12
7:54:42 PM	4	6	10
7:55:12 PM	3	6	9
7:55:33 PM	3	6	9
7:55:40 PM	2	6	8
7:55:49 PM	3	6	9
7:56:12 PM	3	6	9

Project: 18-1161
 City: Orange

Date: 8/22/2018
 Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:51:59 PM	3	5	8
12:52:39 PM	3	5	8
12:52:58 PM	4	4	8
12:53:21 PM	4	6	10
12:53:30 PM	4	8	12
12:53:49 PM	5	11	16
12:54:21 PM	3	11	14
12:55:06 PM	4	10	14
12:55:36 PM	4	9	13
12:56:19 PM	3	9	12
12:56:35 PM	4	8	12
12:56:54 PM	4	8	12
12:57:25 PM	4	10	14
12:58:02 PM	5	8	13
12:59:14 PM	4	9	13
12:59:24 PM	4	9	13
12:59:57 PM	5	8	13
1:00:12 PM	4	9	13
1:00:32 PM	4	9	13
1:00:46 PM	4	7	11
1:00:59 PM	3	7	10
1:01:36 PM	4	6	10
1:01:49 PM	3	7	10
1:02:05 PM	4	6	10
1:02:26 PM	3	6	9
1:02:48 PM	2	8	10
1:03:01 PM	3	9	12
1:03:24 PM	2	9	11
1:03:40 PM	3	8	11
1:03:48 PM	3	8	11
1:04:13 PM	1	7	8
1:04:29 PM	2	8	10
1:05:06 PM	4	8	12
1:05:22 PM	3	7	10
1:05:45 PM	4	7	11
1:06:01 PM	2	7	9
1:06:39 PM	4	6	10
1:07:19 PM	2	6	8
1:07:34 PM	4	5	9
1:07:48 PM	4	5	9
1:07:58 PM	2	5	7
1:08:06 PM	4	7	11
1:08:34 PM	4	5	9
1:09:03 PM	5	4	9
1:09:36 PM	4	6	10
1:09:59 PM	5	6	11
1:10:09 PM	4	4	8
1:10:36 PM	3	4	7
1:10:53 PM	3	3	6
1:11:26 PM	3	2	5
1:12:01 PM	4	2	6

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
7:56:24 PM	4	6	10
7:57:00 PM	5	6	11
7:57:11 PM	4	6	10
7:57:34 PM	5	7	12
7:57:59 PM	4	8	12
7:58:30 PM	3	7	10
7:58:48 PM	4	6	10
7:59:11 PM	5	6	11
8:00:34 PM	5	7	12
8:01:21 PM	5	6	11
8:01:53 PM	4	6	10
8:02:21 PM	4	5	9
8:02:31 PM	4	6	10
8:02:50 PM	3	6	9
8:02:59 PM	2	6	8
8:03:22 PM	3	5	8
8:03:34 PM	2	6	8
8:03:46 PM	3	6	9
8:04:04 PM	2	7	9
8:04:30 PM	2	7	9
8:04:45 PM	2	7	9
8:05:17 PM	3	6	9
8:05:39 PM	2	9	11
8:05:51 PM	3	6	9
8:06:10 PM	2	6	8
8:06:37 PM	2	7	9
8:06:49 PM	3	7	10
8:07:03 PM	2	8	10
8:07:14 PM	1	8	9
8:07:41 PM	1	7	8
8:07:56 PM	2	6	8
8:08:30 PM	3	6	9
8:08:52 PM	3	5	8
8:09:11 PM	3	6	9
8:09:25 PM	2	6	8
8:09:41 PM	2	6	8
8:09:52 PM	3	6	9
8:10:41 PM	3	7	10
8:11:18 PM	3	7	10
8:11:41 PM	2	6	8
8:11:52 PM	3	7	10
8:12:16 PM	3	6	9
8:12:48 PM	3	7	10
8:12:59 PM	4	7	11
8:13:39 PM	4	8	12
8:14:19 PM	5	8	13
8:14:41 PM	4	8	12
8:15:02 PM	3	8	11
8:15:21 PM	4	8	12
8:15:59 PM	4	7	11
8:16:12 PM	4	7	11

Project: 18-1161
 City: Orange

Date: 8/22/2018
 Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:12:30 PM	3	3	6
1:12:57 PM	3	3	6
1:13:05 PM	4	2	6
1:13:17 PM	3	2	5
1:13:28 PM	3	2	5
1:13:45 PM	3	3	6
1:13:58 PM	3	5	8
1:14:19 PM	3	6	9
1:14:52 PM	4	6	10
1:15:11 PM	4	5	9
1:15:26 PM	5	5	10
1:16:09 PM	5	5	10
1:16:37 PM	3	5	8
1:17:15 PM	3	6	9
1:17:38 PM	4	5	9
1:18:46 PM	4	4	8
1:18:58 PM	5	6	11
1:19:42 PM	4	6	10
1:20:30 PM	3	7	10
1:21:01 PM	2	7	9
1:21:09 PM	2	7	9
1:21:20 PM	2	6	8
1:21:42 PM	1	6	7
1:22:12 PM	0	6	6
1:22:34 PM	1	6	7
1:22:55 PM	2	5	7
1:23:33 PM	3	4	7
1:23:41 PM	2	4	6
1:23:49 PM	3	3	6
1:24:10 PM	2	3	5
1:24:12 PM	3	2	5
1:24:45 PM	3	3	6
1:24:57 PM	3	3	6
1:25:14 PM	3	4	7
1:25:42 PM	3	3	6
1:25:51 PM	2	3	5
1:26:03 PM	3	3	6
1:26:14 PM	2	3	5
1:26:20 PM	2	3	5
1:26:28 PM	3	2	5
1:26:47 PM	2	2	4
1:27:07 PM	3	1	4
1:27:25 PM	2	2	4
1:27:42 PM	2	3	5
1:27:53 PM	3	2	5
1:28:07 PM	2	2	4
1:28:23 PM	3	2	5
1:28:43 PM	3	3	6
1:28:42 PM	2	3	5
1:29:09 PM	1	3	4
1:29:42 PM	2	2	4

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
8:16:31 PM	3	7	10
8:16:54 PM	4	7	11
8:17:32 PM	5	7	12
8:17:53 PM	4	6	10
8:18:34 PM	4	6	10
8:18:47 PM	5	6	11
8:19:07 PM	3	7	10
8:19:34 PM	3	8	11
8:19:57 PM	3	7	10
8:20:23 PM	2	7	9
8:20:51 PM	3	7	10
8:21:08 PM	2	6	8
8:21:47 PM	2	6	8
8:21:55 PM	3	5	8
8:22:12 PM	2	5	7
8:22:34 PM	3	6	9
8:23:02 PM	3	6	9
8:23:09 PM	2	6	8
8:23:33 PM	2	6	8
8:23:54 PM	1	6	7
8:24:21 PM	1	5	6
8:24:56 PM	2	4	6
8:25:19 PM	2	4	6
8:25:28 PM	3	5	8
8:25:53 PM	3	5	8
8:26:06 PM	4	6	10
8:26:48 PM	5	6	11
8:27:02 PM	4	6	10
8:27:11 PM	5	5	10
8:27:40 PM	4	5	9
8:27:53 PM	4	4	8
8:28:14 PM	5	4	9
8:28:30 PM	3	2	5
8:28:46 PM	2	3	5
8:28:59 PM	2	4	6
8:29:00 PM	1	4	5
8:29:13 PM	2	3	5
8:29:39 PM	1	3	4
8:29:55 PM	2	2	4
8:30:01 PM	2	2	4
8:30:38 PM	3	1	4
8:30:43 PM	3	2	5
8:30:50 PM	2	2	4
8:30:59 PM	2	3	5
8:31:11 PM	2	3	5
8:31:48 PM	1	4	5
8:32:23 PM	2	4	6
8:32:31 PM	1	4	5
8:32:49 PM	2	4	6
8:32:59 PM	2	4	6
8:33:10 PM	2	5	7

Project: 18-1161
 City: Orange

Date: 8/22/2018
 Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:29:54 PM	3	2	5
1:30:06 PM	2	2	4
1:30:30 PM	1	2	3
1:30:30 PM	1	2	3
1:30:57 PM	1	1	2
1:31:27 PM	2	0	2
1:31:33 PM	2	0	2
1:32:29 PM	2	0	2
1:33:28 PM	2	1	3
1:33:40 PM	2	2	4
1:33:42 PM	2	3	5
1:33:51 PM	1	3	4
1:34:06 PM	0	3	3
1:34:19 PM	1	2	3
1:34:39 PM	2	1	3
1:35:10 PM	3	0	3
1:35:28 PM	3	1	4
1:35:56 PM	4	1	5
1:36:08 PM	5	2	7
1:36:56 PM	3	2	5
1:37:09 PM	3	1	4
1:37:22 PM	3	2	5
1:37:39 PM	3	2	5
1:38:04 PM	2	2	4
1:38:34 PM	2	1	3
1:39:13 PM	3	0	3
1:39:19 PM	3	1	4
1:39:25 PM	3	1	4
1:39:40 PM	2	1	3
1:40:01 PM	2	1	3
1:40:24 PM	2	1	3
1:40:45 PM	1	2	3
1:41:11 PM	2	2	4
1:41:32 PM	2	1	3
1:41:45 PM	2	2	4
1:41:53 PM	3	2	5
1:42:21 PM	3	3	6
1:43:17 PM	4	2	6
1:43:29 PM	3	3	6
1:43:42 PM	3	2	5
1:44:18 PM	3	1	4
1:44:59 PM	4	0	4
1:45:10 PM	3	0	3
1:45:27 PM	2	0	2
1:45:36 PM	2	0	2
1:46:06 PM	2	0	2
1:46:53 PM	1	0	1
1:48:15 PM	0	1	1
1:49:02 PM	0	2	2
1:49:40 PM	1	2	3
1:50:28 PM	2	3	5

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
8:33:26 PM	2	5	7
8:33:48 PM	2	6	8
8:33:58 PM	1	6	7
8:34:13 PM	2	5	7
8:34:20 PM	1	5	6
8:35:02 PM	2	5	7
8:35:21 PM	2	6	8
8:35:48 PM	3	5	8
8:36:07 PM	4	5	9
8:36:40 PM	5	4	9
8:36:54 PM	5	4	9
8:37:06 PM	5	5	10
8:37:20 PM	5	5	10
8:37:41 PM	4	5	9
8:38:13 PM	3	5	8
8:38:34 PM	4	5	9
8:39:00 PM	5	5	10
8:39:23 PM	4	5	9
8:39:51 PM	3	5	8
8:40:19 PM	3	3	6
8:40:43 PM	2	4	6
8:41:05 PM	3	3	6
8:41:18 PM	2	3	5
8:41:26 PM	3	2	5
8:41:55 PM	2	2	4
8:42:09 PM	3	1	4
8:42:19 PM	2	1	3
8:42:25 PM	2	2	4
8:42:37 PM	1	3	4
8:42:49 PM	2	3	5
8:43:17 PM	2	3	5
8:43:32 PM	3	2	5
8:43:42 PM	3	3	6
8:43:56 PM	4	2	6
8:44:09 PM	4	3	7
8:44:17 PM	3	3	6
8:44:29 PM	4	3	7
8:44:46 PM	4	3	7
8:45:24 PM	5	2	7
8:45:32 PM	4	3	7
8:45:50 PM	3	3	6
8:46:04 PM	3	4	7
8:46:22 PM	3	3	6
8:46:47 PM	3	3	6
8:46:58 PM	4	2	6
8:47:07 PM	3	2	5
8:47:37 PM	4	1	5
8:48:04 PM	3	1	4
8:48:30 PM	3	0	3
8:49:06 PM	2	0	2
8:49:17 PM	2	0	2

Project: 18-1161
City: Orange

Date: 8/22/2018
Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:50:57 PM	3	3	6
1:51:12 PM	3	2	5
1:51:33 PM	3	2	5
1:51:44 PM	4	1	5
1:51:50 PM	4	2	6
1:52:02 PM	4	2	6
1:52:07 PM	3	2	5
1:52:23 PM	2	2	4
1:52:32 PM	2	2	4
1:52:41 PM	3	1	4
1:52:44 PM	3	2	5
1:52:54 PM	3	2	5
1:53:10 PM	2	2	4
1:53:31 PM	2	3	5
1:53:51 PM	3	2	5
1:54:03 PM	2	3	5
1:54:21 PM	2	2	4
1:54:30 PM	2	2	4
1:54:36 PM	3	1	4
1:54:57 PM	2	1	3
1:55:10 PM	3	0	3
1:55:14 PM	2	2	4
1:55:25 PM	2	2	4
1:55:43 PM	1	2	3
1:55:50 PM	2	1	3
1:55:57 PM	2	1	3
1:56:23 PM	3	0	3
1:56:31 PM	3	0	3
1:56:44 PM	2	0	2
1:56:55 PM	2	1	3
1:57:07 PM	1	1	2
1:57:54 PM	1	2	3
1:57:59 PM	0	2	2
1:58:18 PM	1	2	3
1:58:35 PM	1	3	4
1:58:49 PM	2	2	4
1:58:57 PM	2	2	4
1:59:21 PM	1	2	3
1:59:32 PM	1	2	3
1:59:41 PM	2	1	3
1:59:49 PM	2	2	4
1:59:55 PM	2	3	5
2:00:03 PM	1	3	4
2:00:14 PM	2	2	4
2:00:21 PM	2	3	5
2:00:38 PM	3	2	5
2:00:47 PM	2	2	4
2:01:05 PM	2	3	5
2:01:22 PM	2	3	5
2:01:32 PM	2	2	4
2:01:49 PM	1	3	4

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
8:49:28 PM	2	1	3
8:49:45 PM	1	1	2
8:50:12 PM	2	0	2
8:50:24 PM	2	1	3
8:50:28 PM	2	2	4
8:50:59 PM	2	2	4
8:51:09 PM	1	2	3
8:51:44 PM	0	2	2
8:51:55 PM	0	3	3
8:52:29 PM	1	2	3
8:52:44 PM	1	3	4
8:52:52 PM	1	4	5
8:53:34 PM	1	5	6
8:53:42 PM	1	5	6
8:53:56 PM	2	5	7
8:54:19 PM	2	4	6
8:54:58 PM	3	3	6
8:55:21 PM	3	3	6
8:55:32 PM	3	4	7
8:55:51 PM	3	4	7
8:56:05 PM	2	4	6
8:56:15 PM	2	5	7
8:56:29 PM	3	4	7
8:56:53 PM	3	5	8
8:57:04 PM	2	5	7
8:57:29 PM	2	4	6
8:57:49 PM	2	4	6
8:58:10 PM	3	3	6
8:58:39 PM	3	4	7
8:59:01 PM	2	4	6
8:59:19 PM	3	4	7
9:00:11 PM	4	4	8
9:00:22 PM	4	5	9
9:00:31 PM	5	4	9
9:00:48 PM	5	5	10
9:01:12 PM	4	5	9
9:01:46 PM	5	5	10
9:02:37 PM	4	5	9
9:02:48 PM	5	4	9
9:03:45 PM	4	4	8
9:04:01 PM	3	4	7
9:04:15 PM	4	3	7
9:04:20 PM	4	4	8
9:04:25 PM	3	4	7
9:04:34 PM	4	4	8
9:04:45 PM	3	3	6
9:05:12 PM	4	2	6
9:05:18 PM	3	2	5
9:05:34 PM	3	3	6
9:05:46 PM	4	2	6
9:05:57 PM	3	3	6

Project: 18-1161
 City: Orange

Date: 8/22/2018
 Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
2:02:12 PM	1	3	4
2:02:22 PM	2	2	4
2:02:56 PM	3	1	4
2:03:05 PM	3	1	4
2:03:10 PM	4	0	4
2:03:23 PM	3	1	4
2:03:39 PM	2	1	3
2:04:05 PM	2	2	4
2:04:10 PM	1	2	3
2:04:17 PM	2	1	3
2:04:39 PM	2	1	3
2:04:52 PM	3	2	5
2:05:01 PM	2	2	4
2:05:30 PM	2	2	4
2:05:42 PM	2	1	3
2:06:02 PM	1	2	3
2:06:22 PM	2	1	3
2:06:27 PM	2	2	4
2:00:35 PM	2	3	5
2:06:43 PM	3	2	5
2:07:27 PM	2	2	4
2:07:35 PM	3	2	5
2:07:55 PM	2	2	4
2:08:09 PM	3	1	4
2:08:24 PM	3	2	5
2:08:34 PM	2	2	4
2:08:54 PM	3	2	5
2:09:03 PM	3	2	5
2:09:10 PM	2	2	4
2:09:17 PM	3	1	4
2:09:46 PM	4	0	4
2:09:51 PM	3	0	3
2:10:37 PM	2	1	3
2:10:59 PM	2	1	3
2:11:17 PM	3	0	3
2:11:26 PM	2	0	2
2:11:46 PM	1	0	1
2:11:52 PM	1	0	1
2:11:56 PM	1	1	2
2:12:22 PM	2	1	3
2:12:46 PM	2	2	4
2:13:01 PM	3	1	4
2:13:11 PM	2	1	3
2:13:22 PM	3	0	3
2:13:49 PM	2	0	2
2:14:15 PM	1	1	2
2:14:36 PM	2	0	2
2:14:54 PM	2	1	3
2:15:08 PM	1	1	2
2:15:17 PM	2	0	2
2:15:36 PM	1	0	1

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
9:06:26 PM	3	2	5
9:06:39 PM	3	2	5
9:06:52 PM	2	3	5
9:07:19 PM	3	2	5
9:07:50 PM	3	2	5
9:08:15 PM	3	2	5
9:08:23 PM	3	3	6
9:08:28 PM	2	3	5
9:08:45 PM	3	2	5
9:08:51 PM	2	2	4
9:09:00 PM	2	3	5
9:09:19 PM	2	2	4
9:09:51 PM	1	2	3
9:09:57 PM	1	2	3
9:10:35 PM	2	3	5
9:10:55 PM	1	3	4
9:11:24 PM	2	3	5
9:11:41 PM	2	5	7
9:11:50 PM	2	6	8
9:12:14 PM	2	6	8
9:12:34 PM	2	6	8
9:13:02 PM	2	5	7
9:13:44 PM	2	4	6
9:13:51 PM	2	5	7
9:14:11 PM	1	5	6
9:14:39 PM	1	5	6
9:14:52 PM	2	5	7
9:15:24 PM	2	6	8
9:15:45 PM	3	5	8
9:16:20 PM	4	5	9
9:17:06 PM	4	6	10
9:17:52 PM	3	6	9
9:18:01 PM	2	6	8
9:18:11 PM	3	5	8
9:18:22 PM	2	5	7
9:18:50 PM	3	4	7
9:19:13 PM	4	4	8
9:19:37 PM	3	5	8
9:19:54 PM	4	4	8
9:20:21 PM	4	4	8
9:20:41 PM	5	4	9
9:21:35 PM	4	6	10
9:22:31 PM	5	5	10
9:22:50 PM	5	6	11
9:23:46 PM	4	6	10
9:23:55 PM	5	7	12
9:24:21 PM	3	6	9
9:24:51 PM	3	6	9
9:25:21 PM	3	4	7
9:25:36 PM	3	5	8
9:26:14 PM	3	4	7

Project: 18-1161
 City: Orange

Date: 8/22/2018
 Day: Wednesday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
2:15:54 PM	1	0	1
2:16:32 PM	1	1	2
2:17:21 PM	1	2	3
2:17:31 PM	2	1	3
2:17:50 PM	3	0	3
2:18:04 PM	3	0	3
2:18:27 PM	2	0	2
2:19:06 PM	1	0	1
2:19:34 PM	0	1	1
2:19:55 PM	1	1	2
2:20:05 PM	1	3	4
2:20:37 PM	1	4	5
2:20:45 PM	1	4	5
2:21:28 PM	2	3	5
2:21:52 PM	3	2	5
2:22:05 PM	3	3	6
2:22:27 PM	4	2	6
2:22:47 PM	4	2	6
2:22:56 PM	3	2	5
2:23:21 PM	3	2	5
2:23:33 PM	4	1	5
2:23:42 PM	3	1	4
2:23:51 PM	4	0	4
2:23:53 PM	3	0	3
2:24:25 PM	2	0	2
2:24:50 PM	2	1	3
2:25:31 PM	1	1	2
2:25:52 PM	0	1	1
2:26:02 PM	1	0	1
2:26:13 PM	1	1	2
2:26:49 PM	2	1	3
2:27:04 PM	2	1	3
2:27:20 PM	1	1	2
2:27:27 PM	1	1	2
2:27:50 PM	0	1	1
2:27:57 PM	1	0	1
2:28:36 PM	1	0	1
2:28:42 PM	1	1	2
2:29:31 PM	1	1	2
2:29:37 PM	1	2	3
2:29:53 PM	2	1	3

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
9:26:42 PM	4	3	7
9:27:03 PM	4	3	7
9:27:27 PM	3	2	5
9:27:43 PM	3	3	6
9:27:57 PM	2	3	5
9:28:21 PM	3	3	6
9:28:32 PM	3	4	7
9:28:41 PM	2	4	6
9:28:49 PM	2	4	6
9:29:09 PM	2	4	6
9:29:09 PM	2	3	5
9:29:32 PM	2	3	5
9:29:41 PM	3	2	5
9:29:59 PM	2	3	5
9:30:05 PM	2	3	5

Queue Study

Project: 18-1161
City: Orange

Date: 8/18/2018
Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:02:39 PM	0	1	1
12:03:46 PM	2	1	3
12:04:53 PM	1	1	2
12:05:49 PM	2	1	3
12:06:12 PM	2	2	4
12:06:34 PM	1	2	3
12:06:44 PM	2	1	3
12:06:53 PM	2	2	4
12:07:00 PM	2	3	5
12:07:15 PM	2	2	4
12:07:37 PM	2	2	4
12:08:04 PM	3	2	5
12:08:23 PM	2	2	4
12:08:38 PM	2	2	4
12:08:57 PM	1	2	3
12:09:05 PM	2	3	5
12:09:22 PM	2	4	6
12:09:43 PM	3	3	6
12:09:17 PM	2	4	6
12:10:02 PM	2	4	6
12:10:18 PM	3	4	7
12:10:32 PM	3	4	7
12:10:53 PM	4	4	8
12:11:26 PM	5	3	8
12:11:38 PM	5	4	9
12:12:03 PM	4	5	9
12:12:19 PM	3	5	8
12:12:36 PM	4	4	8
12:13:04 PM	3	5	8
12:13:14 PM	3	4	7
12:13:38 PM	4	4	8
12:13:56 PM	3	4	7
12:14:12 PM	2	4	6
12:14:47 PM	2	4	6
12:14:58 PM	1	4	5
12:15:05 PM	1	4	5
12:16:10 PM	2	3	5
12:16:28 PM	2	4	6
12:16:43 PM	1	4	5
12:16:50 PM	1	4	5
12:17:05 PM	2	3	5
12:17:22 PM	1	4	5
12:17:41 PM	2	3	5
12:17:53 PM	2	3	5
12:18:16 PM	3	3	6
12:18:29 PM	3	4	7
12:18:57 PM	3	4	7

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
7:01:58 PM	1	8	9
7:03:12 PM	0	8	8
7:03:33 PM	1	7	8
7:04:10 PM	2	7	9
7:04:21 PM	2	7	9
7:04:40 PM	3	7	10
7:04:53 PM	4	6	10
7:05:10 PM	3	6	9
7:05:17 PM	2	5	7
7:05:29 PM	2	7	9
7:06:15 PM	0	7	7
7:06:57 PM	2	6	8
7:07:21 PM	2	8	10
7:07:46 PM	3	10	13
7:08:36 PM	3	9	12
7:08:56 PM	2	9	11
7:09:28 PM	4	8	12
7:09:52 PM	3	7	10
7:10:11 PM	2	8	10
7:10:42 PM	3	8	11
7:11:01 PM	1	8	9
7:11:20 PM	3	7	10
7:11:31 PM	2	7	9
7:11:51 PM	2	7	9
7:12:07 PM	1	7	8
7:12:38 PM	0	7	7
7:12:46 PM	1	6	7
7:13:28 PM	2	7	9
7:13:50 PM	3	6	9
7:14:19 PM	4	5	9
7:14:43 PM	3	5	8
7:15:49 PM	3	6	9
7:16:08 PM	2	6	8
7:16:29 PM	1	6	7
7:16:50 PM	0	8	8
7:17:03 PM	1	9	10
7:17:38 PM	2	9	11
7:18:06 PM	2	10	12
7:18:13 PM	3	10	13
7:18:40 PM	4	9	13
7:19:36 PM	5	8	13
7:20:07 PM	5	7	12
7:20:27 PM	4	7	11
7:20:48 PM	3	9	12
7:21:28 PM	2	10	12
7:21:41 PM	2	11	13
7:22:00 PM	1	11	12

Project: 18-1161
City: Orange

Date: 8/18/2018
Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:19:20 PM	2	4	6
12:19:35 PM	3	4	7
12:19:58 PM	4	4	8
12:20:10 PM	3	4	7
12:20:46 PM	3	4	7
12:21:05 PM	2	4	6
12:21:15 PM	2	3	5
12:21:31 PM	1	3	4
12:21:38 PM	2	3	5
12:21:49 PM	2	4	6
12:22:21 PM	2	4	6
12:22:48 PM	1	4	5
12:22:59 PM	2	5	7
12:23:01 PM	2	5	7
12:23:32 PM	1	6	7
12:23:53 PM	1	6	7
12:24:24 PM	0	6	6
12:24:32 PM	1	5	6
12:25:00 PM	2	6	8
12:25:46 PM	3	5	8
12:26:27 PM	4	5	9
12:26:42 PM	3	5	8
12:27:06 PM	3	6	9
12:27:37 PM	3	5	8
12:27:52 PM	3	6	9
12:28:06 PM	3	7	10
12:28:31 PM	2	8	10
12:28:52 PM	2	8	10
12:29:03 PM	3	7	10
12:29:29 PM	2	6	8
12:29:57 PM	3	5	8
12:30:20 PM	2	5	7
12:30:32 PM	2	5	7
12:30:47 PM	2	6	8
12:31:11 PM	2	6	8
12:31:24 PM	2	6	8
12:31:57 PM	3	5	8
12:32:07 PM	2	5	7
12:32:21 PM	2	5	7
12:32:40 PM	3	4	7
12:32:58 PM	2	4	6
12:33:08 PM	3	3	6
12:33:19 PM	2	3	5
12:33:36 PM	3	2	5
12:33:56 PM	3	2	5
12:34:06 PM	4	1	5
12:34:16 PM	4	2	6
12:34:25 PM	3	3	6
12:34:39 PM	2	3	5
12:34:53 PM	2	3	5
12:35:03 PM	3	3	6

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
7:22:27 PM	0	11	11
7:22:55 PM	1	11	12
7:23:30 PM	2	10	12
7:23:58 PM	2	10	12
7:24:24 PM	3	9	12
7:24:40 PM	3	9	12
7:24:52 PM	2	9	11
7:25:03 PM	3	9	12
7:25:21 PM	3	9	12
7:25:59 PM	4	9	13
7:26:19 PM	4	9	13
7:26:48 PM	3	9	12
7:27:01 PM	2	10	12
7:27:33 PM	3	10	13
7:27:57 PM	4	9	13
7:29:43 PM	4	9	13
7:30:04 PM	3	9	12
7:30:17 PM	4	11	15
7:31:07 PM	4	10	14
7:31:17 PM	3	10	13
7:31:44 PM	3	10	13
7:31:59 PM	4	9	13
7:32:06 PM	3	9	12
7:32:16 PM	4	12	16
7:32:37 PM	2	11	13
7:32:57 PM	3	11	14
7:33:12 PM	3	10	13
7:33:57 PM	4	9	13
7:34:09 PM	3	9	12
7:34:41 PM	3	10	13
7:35:11 PM	4	10	14
7:35:21 PM	3	10	13
7:35:31 PM	2	10	12
7:35:50 PM	1	9	10
7:37:00 PM	2	10	12
7:37:15 PM	1	10	11
7:37:47 PM	2	9	11
7:38:05 PM	3	8	11
7:38:55 PM	3	8	11
7:39:16 PM	4	7	11
7:39:35 PM	3	7	10
7:39:57 PM	3	6	9
7:40:10 PM	2	6	8
7:40:49 PM	3	5	8
7:41:19 PM	2	5	7
7:41:41 PM	3	4	7
7:41:52 PM	2	6	8
7:42:14 PM	1	6	7
7:42:22 PM	2	5	7
7:42:31 PM	2	6	8
7:42:56 PM	4	5	9

Saturday Queue
Orange Raising Cane's

Project: 18-1161
City: Orange

Date: 8/18/2018
Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:35:19 PM	3	3	6
12:35:25 PM	2	3	5
12:35:45 PM	1	3	4
12:35:52 PM	1	3	4
12:36:11 PM	2	2	4
12:36:19 PM	2	3	5
12:36:27 PM	2	4	6
12:36:44 PM	1	4	5
12:36:55 PM	2	3	5
12:37:04 PM	2	3	5
12:37:39 PM	2	3	5
12:38:05 PM	1	4	5
12:38:28 PM	0	4	4
12:39:12 PM	0	5	5
12:39:29 PM	1	4	5
12:39:59 PM	2	3	5
12:40:29 PM	3	3	6
12:40:50 PM	2	2	4
12:41:09 PM	3	2	5
12:41:21 PM	2	2	4
12:41:35 PM	2	3	5
12:42:15 PM	2	4	6
12:43:01 PM	3	4	7
12:43:40 PM	3	3	6
12:44:07 PM	3	5	8
12:44:24 PM	3	6	9
12:44:42 PM	2	6	8
12:45:20 PM	3	6	9
12:45:39 PM	2	6	8
12:45:56 PM	3	5	8
12:46:37 PM	2	6	8
12:47:00 PM	2	5	7
12:47:30 PM	3	5	8
12:47:52 PM	2	6	8
12:48:30 PM	2	6	8
12:49:23 PM	1	8	9
12:49:35 PM	2	6	8
12:49:51 PM	2	4	6
12:50:50 PM	2	5	7
12:51:10 PM	1	5	6
12:51:26 PM	2	6	8
12:51:44 PM	3	6	9
12:52:00 PM	2	6	8
12:52:19 PM	2	5	7
12:52:37 PM	2	5	7
12:52:53 PM	2	5	7
12:53:24 PM	3	5	8
12:53:37 PM	3	3	6
12:53:59 PM	3	4	7
12:54:30 PM	3	4	7
12:54:44 PM	3	4	7

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
7:43:07 PM	3	5	8
7:43:16 PM	3	6	9
7:43:33 PM	4	5	9
7:43:49 PM	3	5	8
7:43:55 PM	3	6	9
7:44:54 PM	4	5	9
7:45:14 PM	3	4	7
7:45:25 PM	4	3	7
7:45:40 PM	3	3	6
7:45:57 PM	3	2	5
7:46:16 PM	2	2	4
7:46:32 PM	2	3	5
7:46:42 PM	2	3	5
7:47:06 PM	3	2	5
7:47:40 PM	3	3	6
7:48:00 PM	3	2	5
7:48:24 PM	4	7	11
7:49:03 PM	4	2	6
7:49:09 PM	5	1	6
7:50:23 PM	5	2	7
7:51:21 PM	5	2	7
7:51:49 PM	4	2	6
7:52:07 PM	5	1	6
7:52:34 PM	4	1	5
7:52:47 PM	3	1	4
7:53:12 PM	3	1	4
7:53:40 PM	4	0	4
7:54:20 PM	3	0	3
7:54:18 PM	2	0	2
7:54:26 PM	1	0	1
7:55:35 PM	1	1	2
7:55:47 PM	1	2	3
7:56:08 PM	0	2	2
7:56:35 PM	1	1	2
7:57:02 PM	2	0	2
7:57:11 PM	2	0	2
7:57:38 PM	1	0	1
7:57:52 PM	1	1	2
7:58:14 PM	0	1	1
7:58:33 PM	0	2	2
7:58:45 PM	0	3	3
7:58:51 PM	1	2	3
7:59:00 PM	1	3	4
7:59:12 PM	2	2	4
7:59:38 PM	2	3	5
8:00:21 PM	2	3	5
8:00:30 PM	1	3	4
8:00:58 PM	1	2	3
8:01:28 PM	1	3	4
8:02:33 PM	1	2	3
8:02:49 PM	1	3	4

Project: 18-1161
City: Orange

Date: 8/18/2018
Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:54:58 PM	2	4	6
12:55:14 PM	3	3	6
12:55:40 PM	1	4	5
12:56:06 PM	0	4	4
12:56:27 PM	0	5	5
12:56:55 PM	1	6	7
12:57:18 PM	2	5	7
12:57:41 PM	1	5	6
12:58:10 PM	2	4	6
12:58:38 PM	3	3	6
12:58:50 PM	4	2	6
12:58:59 PM	3	1	4
12:59:10 PM	2	2	4
12:59:30 PM	3	3	6
12:59:45 PM	3	5	8
1:01:00 PM	2	5	7
1:01:38 PM	3	8	11
1:02:04 PM	4	7	11
1:02:20 PM	4	4	8
1:03:06 PM	3	8	11
1:04:10 PM	3	9	12
1:04:27 PM	3	5	8
1:04:56 PM	3	6	9
1:05:20 PM	4	6	10
1:05:53 PM	4	6	10
1:06:45 PM	4	6	10
1:07:27 PM	4	8	12
1:08:30 PM	3	9	12
1:09:18 PM	4	9	13
1:09:36 PM	4	9	13
1:09:54 PM	3	5	8
1:10:09 PM	3	9	12
1:10:25 PM	2	10	12
1:10:39 PM	3	10	13
1:11:04 PM	3	8	11
1:11:25 PM	3	9	12
1:11:32 PM	4	8	12
1:11:49 PM	3	9	12
1:12:05 PM	2	9	11
1:12:35 PM	2	7	9
1:13:13 PM	1	5	6
1:13:24 PM	1	5	6
1:13:34 PM	2	6	8
1:14:16 PM	2	9	11
1:14:24 PM	1	9	10
1:14:41 PM	1	11	12
1:14:42 PM	2	9	11
1:15:06 PM	1	9	10
1:15:25 PM	2	10	12
1:15:51 PM	3	9	12
1:16:25 PM	2	9	11

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
8:03:07 PM	2	2	4
8:03:22 PM	2	3	5
8:03:35 PM	3	2	5
8:03:45 PM	2	3	5
8:04:03 PM	3	2	5
8:04:28 PM	2	2	4
8:04:42 PM	2	2	4
8:05:06 PM	3	1	4
8:05:23 PM	3	2	5
8:05:41 PM	3	1	4
8:06:00 PM	3	2	5
8:06:10 PM	2	2	4
8:06:19 PM	2	3	5
8:06:32 PM	1	4	5
8:06:49 PM	2	3	5
8:07:08 PM	2	4	6
8:07:17 PM	2	4	6
8:07:38 PM	2	3	5
8:08:05 PM	2	3	5
8:08:45 PM	1	3	4
8:08:55 PM	1	4	5
8:09:07 PM	0	4	4
8:09:41 PM	1	3	4
8:10:40 PM	1	3	4
8:11:09 PM	2	2	4
8:11:17 PM	2	3	5
8:11:36 PM	2	4	6
8:11:45 PM	2	4	6
8:11:58 PM	2	5	7
8:12:09 PM	2	4	6
8:12:23 PM	3	5	8
8:12:39 PM	3	6	9
8:13:11 PM	3	6	9
8:13:19 PM	4	6	10
8:13:34 PM	3	6	9
8:13:53 PM	4	5	9
8:14:11 PM	3	5	8
8:14:36 PM	4	4	8
8:15:13 PM	4	4	8
8:15:24 PM	4	5	9
8:15:42 PM	3	6	9
8:16:09 PM	4	6	10
8:16:34 PM	4	5	9
8:16:51 PM	4	6	10
8:16:59 PM	3	6	9
8:17:14 PM	4	7	11
8:17:52 PM	5	6	11
8:18:29 PM	5	6	11
8:18:53 PM	4	8	12
8:19:10 PM	5	7	12
8:19:22 PM	4	6	10

Project: 18-1161
City: Orange

Date: 8/18/2018
Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:16:40 PM	3	9	12
1:17:07 PM	2	8	10
1:17:33 PM	2	8	10
1:17:56 PM	2	10	12
1:18:38 PM	2	11	13
1:18:53 PM	1	11	12
1:19:47 PM	0	11	11
1:19:54 PM	1	9	10
1:20:49 PM	2	9	11
1:21:18 PM	3	8	11
1:21:44 PM	3	8	11
1:22:15 PM	4	9	13
1:22:37 PM	5	8	13
1:23:05 PM	4	8	12
1:23:25 PM	4	7	11
1:23:49 PM	3	7	10
1:24:00 PM	2	7	9
1:24:20 PM	2	7	9
1:24:36 PM	2	7	9
1:24:55 PM	2	5	7
1:25:32 PM	3	4	7
1:26:01 PM	3	4	7
1:26:20 PM	3	5	8
1:26:39 PM	4	4	8
1:27:36 PM	2	4	6
1:27:45 PM	3	3	6
1:28:01 PM	2	4	6
1:28:13 PM	2	4	6
1:28:45 PM	2	4	6
1:28:54 PM	3	4	7
1:29:04 PM	3	4	7
1:29:08 PM	2	4	6
1:29:15 PM	3	4	7
1:29:17 PM	3	6	9
1:29:31 PM	2	6	8
1:29:55 PM	3	7	10
1:30:17 PM	2	7	9
1:30:30 PM	2	6	8
1:30:56 PM	3	5	8
1:31:42 PM	4	5	9
1:32:03 PM	3	6	9
1:32:30 PM	2	7	9
1:32:42 PM	2	8	10
1:32:50 PM	3	8	11
1:33:23 PM	4	8	12
1:33:55 PM	3	8	11
1:34:08 PM	4	9	13
1:34:30 PM	3	8	11
1:34:58 PM	3	7	10
1:35:13 PM	3	7	10
1:35:33 PM	2	8	10

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
8:19:49 PM	5	7	12
8:20:20 PM	3	7	10
8:21:21 PM	3	7	10
8:21:34 PM	3	8	11
8:21:48 PM	3	8	11
8:22:41 PM	3	8	11
8:23:52 PM	1	6	7
8:23:52 PM	2	7	9
8:24:25 PM	2	5	7
8:24:54 PM	2	5	7
8:25:20 PM	2	4	6
8:25:36 PM	3	3	6
8:16:04 PM	2	4	6
8:16:18 PM	2	5	7
8:16:52 PM	2	4	6
8:27:29 PM	1	6	7
8:28:13 PM	1	6	7
8:28:51 PM	2	6	8
8:29:07 PM	3	6	9
8:29:53 PM	3	4	7
8:30:19 PM	1	7	8
8:30:34 PM	3	6	9
8:31:10 PM	3	4	7
8:31:42 PM	2	4	6
8:32:18 PM	3	2	5
8:32:36 PM	4	1	5
8:33:10 PM	3	2	5
8:33:29 PM	2	3	5
8:34:03 PM	1	6	7
8:34:16 PM	0	6	6
8:34:37 PM	1	5	6
8:35:12 PM	1	6	7
8:35:21 PM	1	6	7
8:35:40 PM	2	7	9
8:35:57 PM	1	7	8
8:36:37 PM	2	6	8
8:37:00 PM	2	6	8
8:37:30 PM	3	6	9
8:37:50 PM	3	7	10
8:38:15 PM	3	6	9
8:38:33 PM	2	6	8
8:38:47 PM	2	6	8
8:39:17 PM	2	9	11
8:39:35 PM	1	9	10
8:40:25 PM	2	8	10
8:40:46 PM	3	7	10
8:41:08 PM	2	7	9
8:41:16 PM	3	9	12
8:41:30 PM	3	9	12
8:41:43 PM	4	6	10
8:42:27 PM	5	6	11

Project: 18-1161
 City: Orange

Date: 8/18/2018
 Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:35:50 PM	3	9	12
1:36:08 PM	2	9	11
1:36:22 PM	3	7	10
1:37:02 PM	3	5	8
1:37:51 PM	2	5	7
1:38:05 PM	3	4	7
1:38:30 PM	2	4	6
1:39:01 PM	3	3	6
1:39:24 PM	3	2	5
1:39:43 PM	3	4	7
1:40:07 PM	3	6	9
1:40:20 PM	3	6	9
1:40:32 PM	4	5	9
1:41:19 PM	3	5	8
1:41:34 PM	4	5	9
1:42:04 PM	3	4	7
1:42:24 PM	4	4	8
1:42:38 PM	4	5	9
1:42:53 PM	3	5	8
1:43:16 PM	2	5	7
1:43:32 PM	2	5	7
1:43:45 PM	3	4	7
1:43:58 PM	2	4	6
1:44:21 PM	2	4	6
1:44:39 PM	3	3	6
1:44:59 PM	3	2	5
1:45:17 PM	3	3	6
1:45:31 PM	3	3	6
1:45:46 PM	3	3	6
1:46:11 PM	4	2	6
1:46:47 PM	4	2	6
1:47:00 PM	3	2	5
1:47:15 PM	3	2	5
1:47:26 PM	4	1	5
1:47:37 PM	4	2	6
1:47:54 PM	3	3	6
1:48:06 PM	4	2	6
1:48:29 PM	3	2	5
1:48:52 PM	2	2	4
1:49:10 PM	2	2	4
1:49:24 PM	3	1	4
1:49:39 PM	2	2	4
1:49:48 PM	3	1	4
1:50:18 PM	3	0	3
1:50:42 PM	2	0	2
1:50:51 PM	2	2	4
1:51:14 PM	1	2	3
1:51:31 PM	1	2	3
1:52:40 PM	2	1	3
1:51:54 PM	1	2	3
1:52:02 PM	3	0	3

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
8:42:37 PM	4	8	12
8:42:59 PM	3	8	11
8:43:27 PM	4	9	13
8:43:54 PM	2	9	11
8:44:28 PM	1	9	10
8:44:39 PM	2	9	11
8:44:53 PM	3	8	11
8:45:10 PM	2	10	12
8:45:20 PM	2	10	12
8:45:49 PM	3	12	15
8:46:10 PM	2	11	13
8:46:33 PM	2	12	14
8:47:09 PM	3	12	15
8:47:33 PM	3	13	16
8:47:45 PM	4	13	17
8:48:53 PM	5	12	17
8:49:03 PM	4	11	15
8:49:33 PM	3	12	15
8:49:49 PM	4	12	16
8:50:08 PM	3	11	14
8:50:44 PM	4	12	16
8:51:43 PM	4	10	14
8:51:55 PM	5	10	15
8:52:46 PM	5	11	16
8:53:47 PM	5	10	15
8:54:38 PM	5	12	17
8:55:06 PM	4	12	16
8:55:25 PM	4	9	13
8:55:41 PM	4	9	13
8:56:23 PM	4	9	13
8:57:59 PM	5	11	16
8:58:16 PM	5	12	17
8:58:46 PM	5	12	17
8:59:22 PM	5	11	16
8:59:48 PM	5	10	15
9:00:45 PM	4	12	16
9:01:28 PM	5	11	16
9:02:19 PM	5	12	17
9:02:49 PM	5	11	16
9:03:36 PM	5	11	16
9:04:05 PM	5	10	15
9:04:45 PM	4	11	15
9:05:02 PM	4	10	14
9:05:42 PM	3	10	13
9:05:53 PM	3	10	13
9:06:02 PM	4	10	14
9:06:13 PM	3	10	13
9:06:22 PM	3	13	16
9:06:38 PM	3	12	15
9:06:53 PM	3	12	15
9:07:20 PM	3	11	14

Project: 18-1161
 City: Orange

Date: 8/18/2018
 Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:52:28 PM	1	0	1
1:52:38 PM	2	1	3
1:53:10 PM	3	2	5
1:53:23 PM	2	2	4
1:53:49 PM	2	2	4
1:53:58 PM	3	2	5
1:54:29 PM	3	1	4
1:54:42 PM	3	0	3
1:54:59 PM	3	2	5
1:55:22 PM	2	2	4
1:55:30 PM	1	2	3
1:55:43 PM	2	1	3
1:56:19 PM	3	0	3
1:56:27 PM	2	0	2
1:57:08 PM	2	0	2
1:57:26 PM	2	1	3
1:57:35 PM	1	1	2
1:57:41 PM	1	2	3
1:57:48 PM	1	3	4
1:57:53 PM	0	3	3
1:58:02 PM	1	2	3
1:58:11 PM	1	3	4
1:58:42 PM	2	2	4
1:59:00 PM	2	2	4
1:59:11 PM	3	1	4
1:59:42 PM	2	0	2
1:59:55 PM	2	2	4
2:00:00 PM	1	2	3
2:00:59 PM	1	2	3
2:01:27 PM	2	1	3
2:01:57 PM	3	2	5
2:02:06 PM	3	3	6
2:02:24 PM	4	2	6
2:02:51 PM	3	2	5
2:03:20 PM	3	2	5
2:03:41 PM	2	1	3
2:04:00 PM	3	0	3
2:04:25 PM	3	0	3
2:05:00 PM	3	2	5
2:06:05 PM	3	2	5
2:06:43 PM	2	2	4
2:07:16 PM	2	1	3
2:07:50 PM	2	0	2
2:08:25 PM	2	2	4
2:08:50 PM	3	2	5
2:09:46 PM	4	1	5
2:10:10 PM	4	3	7
2:10:36 PM	5	3	8
2:10:48 PM	4	3	7
2:11:05 PM	4	4	8
2:12:04 PM	3	4	7

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
9:07:49 PM	3	10	13
9:08:16 PM	2	9	11
9:08:49 PM	3	8	11
9:08:59 PM	2	7	9
9:09:20 PM	2	7	9
9:10:01 PM	3	8	11
9:10:18 PM	2	8	10
9:10:40 PM	2	7	9
9:11:12 PM	2	7	9
9:11:28 PM	3	7	10
9:12:47 PM	3	6	9
9:13:26 PM	2	6	8
9:13:51 PM	3	5	8
9:14:40 PM	3	4	7
9:15:01 PM	2	5	7
9:15:24 PM	3	6	9
9:16:04 PM	2	6	8
9:16:33 PM	1	8	9
9:17:09 PM	0	8	8
9:17:45 PM	1	7	8
9:18:33 PM	1	6	7
9:19:02 PM	2	5	7
9:19:20 PM	1	5	6
9:20:01 PM	2	5	7
9:20:29 PM	3	4	7
9:21:21 PM	3	5	8
9:21:29 PM	2	5	7
9:21:38 PM	2	6	8
9:21:48 PM	1	7	8
9:22:40 PM	2	8	10
9:23:36 PM	1	8	9
9:23:50 PM	2	7	9
9:24:04 PM	2	7	9
9:24:22 PM	2	8	10
9:24:41 PM	3	9	12
9:25:08 PM	3	11	14
9:25:17 PM	3	12	15
9:25:29 PM	2	11	13
9:25:47 PM	2	10	12
9:26:06 PM	1	9	10
9:26:44 PM	0	10	10
9:26:58 PM	2	9	11
9:27:43 PM	2	8	10
9:28:28 PM	2	7	9
9:29:10 PM	2	8	10
9:30:44 PM	2	8	10

Project: 18-1161
 City: Orange

Date: 8/18/2018
 Day: Saturday

12:00 PM - 2:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
2:13:30 PM	4	4	8
2:13:55 PM	2	4	6
2:14:21 PM	2	4	6
2:14:51 PM	1	4	5
2:15:18 PM	2	4	6
2:15:50 PM	1	5	6
2:16:05 PM	2	4	6
2:16:19 PM	3	3	6
2:16:44 PM	2	3	5
2:16:56 PM	3	3	6
2:17:07 PM	2	4	6
2:17:16 PM	2	4	6
2:17:26 PM	1	4	5
2:17:37 PM	2	3	5
2:18:17 PM	3	2	5
2:18:42 PM	2	2	4
2:18:54 PM	2	3	5
2:19:04 PM	3	2	5
2:19:30 PM	4	2	6
2:19:56 PM	4	2	6
2:19:59 PM	4	3	7
2:20:50 PM	4	4	8
2:21:10 PM	3	2	5
2:21:26 PM	3	2	5
2:21:34 PM	3	1	4
2:21:41 PM	3	1	4
2:22:26 PM	4	0	4
2:22:44 PM	4	1	5
2:22:56 PM	4	2	6
2:23:43 PM	4	3	7
2:24:49 PM	5	3	8
2:25:11 PM	4	5	9
2:25:40 PM	4	4	8
2:26:03 PM	3	4	7
2:26:18 PM	3	6	9
2:26:33 PM	2	6	8
2:26:45 PM	3	5	8
2:27:44 PM	4	6	10
2:27:52 PM	3	6	9
2:28:09 PM	2	6	8
2:28:21 PM	3	6	9
2:28:49 PM	3	5	8
2:29:19 PM	3	4	7
2:29:48 PM	3	3	6

7:00PM - 9:30 PM

Arrival Time	Pick-up to Order Board	Behind Order Board	Total

Queue Study

Project: 11066 Magnolia Ave Riverside
 City: Riverside,CA

Date: 3/27/2019
 Day: Wednesday

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
11:00 AM	0	0	0
11:01 AM	0	0	0
11:02 AM	0	0	0
11:03 AM	0	0	0
11:04 AM	0	0	0
11:05 AM	0	1	1
11:06 AM	0	1	1
11:07 AM	1	2	3
11:08 AM	1	3	4
11:09 AM	2	1	3
11:10 AM	3	1	4
11:11 AM	3	0	3
11:12 AM	2	0	2
11:13 AM	1	1	2
11:14 AM	0	3	3
11:15 AM	1	4	5
11:16 AM	2	2	4
11:17 AM	3	0	3
11:18 AM	2	0	2
11:19 AM	0	0	0
11:20 AM	0	2	2
11:21 AM	1	1	2
11:22 AM	1	2	3
11:23 AM	4	1	5
11:24 AM	4	2	6
11:25 AM	4	1	5
11:26 AM	2	1	3
11:27 AM	1	2	3
11:28 AM	1	1	2
11:29 AM	1	0	1
11:30 AM	1	1	2
11:31 AM	1	0	1
11:32 AM	0	0	0
11:33 AM	1	0	1
11:34 AM	1	0	1
11:35 AM	1	1	2
11:36 AM	2	0	2
11:37 AM	0	1	1
11:38 AM	1	0	1
11:39 AM	1	1	2
11:40 AM	0	0	0
11:41 AM	0	0	0
11:42 AM	0	1	1
11:43 AM	0	1	1
11:44 AM	1	0	1
11:45 AM	1	1	2
11:46 AM	1	2	3
11:47 AM	2	1	3
11:48 AM	3	0	3
11:49 AM	2	0	2
11:50 AM	1	1	2
11:51 AM	1	1	2
11:52 AM	1	3	4
11:53 AM	3	1	4
11:54 AM	3	2	5
11:55 AM	3	0	3
11:56 AM	2	1	3
11:57 AM	1	0	1
11:58 AM	1	3	4
11:59 AM	1	3	4
12:00 PM	1	3	4
12:01 PM	2	1	3
12:02 PM	1	6	7
12:03 PM	3	5	8
12:04 PM	3	4	7
12:05 PM	4	3	7

Time: (by min)	Pick-up to Order Board	Behind Order Board	Total
4:00 PM	1	2	3
4:01 PM	1	1	2
4:02 PM	3	2	5
4:03 PM	3	3	6
4:04 PM	4	2	6
4:05 PM	3	1	4
4:06 PM	2	2	4
4:07 PM	4	1	5
4:08 PM	3	0	3
4:09 PM	1	0	1
4:10 PM	1	2	3
4:11 PM	2	2	4
4:12 PM	2	1	3
4:13 PM	2	0	2
4:14 PM	1	1	2
4:15 PM	1	0	1
4:16 PM	0	0	0
4:17 PM	0	0	0
4:18 PM	0	4	4
4:19 PM	1	3	4
4:20 PM	1	2	3
4:21 PM	2	0	2
4:22 PM	1	0	1
4:23 PM	1	1	2
4:24 PM	2	1	3
4:25 PM	2	1	3
4:26 PM	2	1	3
4:27 PM	1	1	2
4:28 PM	1	0	1
4:29 PM	0	1	1
4:30 PM	1	1	2
4:31 PM	0	3	3
4:32 PM	2	1	3
4:33 PM	2	1	3
4:34 PM	1	1	2
4:35 PM	1	0	1
4:36 PM	1	0	1
4:37 PM	0	3	3
4:38 PM	1	6	7
4:39 PM	2	5	7
4:40 PM	1	4	5
4:41 PM	2	4	6
4:42 PM	2	4	6
4:43 PM	1	3	4
4:44 PM	3	1	4
4:45 PM	3	1	4
4:46 PM	3	2	5
4:47 PM	4	2	6
4:48 PM	6	3	9
4:49 PM	6	2	8
4:50 PM	6	3	9
4:51 PM	6	4	10
4:52 PM	6	3	9
4:53 PM	5	3	8
4:54 PM	5	2	7
4:55 PM	3	2	5
4:56 PM	2	1	3
4:57 PM	3	0	3
4:58 PM	2	1	3
4:59 PM	3	1	4
5:00 PM	4	2	6
5:01 PM	4	1	5
5:02 PM	4	1	5
5:03 PM	2	0	2
5:04 PM	1	1	2
5:05 PM	1	0	1

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:06 PM	6	1	7
12:07 PM	4	3	7
12:08 PM	6	1	7
12:09 PM	4	0	4
12:10 PM	2	1	3
12:11 PM	1	4	5
12:12 PM	2	2	4
12:13 PM	2	1	3
12:14 PM	2	3	5
12:15 PM	2	3	5
12:16 PM	2	2	4
12:17 PM	2	2	4
12:18 PM	2	2	4
12:19 PM	1	3	4
12:20 PM	2	1	3
12:21 PM	2	1	3
12:22 PM	1	1	2
12:23 PM	1	2	3
12:24 PM	1	3	4
12:25 PM	1	5	6
12:26 PM	1	7	8
12:27 PM	2	6	8
12:28 PM	3	6	9
12:29 PM	2	5	7
12:30 PM	0	6	6
12:31 PM	2	6	8
12:32 PM	3	4	7
12:33 PM	3	4	7
12:34 PM	3	3	6
12:35 PM	2	3	5
12:36 PM	2	3	5
12:37 PM	1	5	6
12:38 PM	1	8	9
12:39 PM	2	5	7
12:40 PM	3	9	12
12:41 PM	5	6	11
12:42 PM	4	5	9
12:43 PM	5	4	9
12:44 PM	5	5	10
12:45 PM	3	3	6
12:46 PM	4	3	7
12:47 PM	3	3	6
12:48 PM	3	4	7
12:49 PM	3	4	7
12:50 PM	3	3	6
12:51 PM	1	4	5
12:52 PM	2	3	5
12:53 PM	2	3	5
12:54 PM	2	4	6
12:55 PM	1	4	5
12:56 PM	2	3	5
12:57 PM	4	1	5
12:58 PM	2	3	5
12:59 PM	3	1	4
1:00 PM	1	2	3
1:01 PM	1	2	3
1:02 PM	1	5	6
1:03 PM	2	4	6
1:04 PM	3	2	5
1:05 PM	2	3	5
1:06 PM	2	2	4
1:07 PM	4	0	4
1:08 PM	1	1	2
1:09 PM	1	3	4
1:10 PM	2	5	7
1:11 PM	3	5	8
1:12 PM	3	4	7
1:13 PM	3	4	7
1:14 PM	2	5	7
1:15 PM	2	4	6

Time: (by min)	Pick-up to Order Board	Behind Order Board	Total
5:06 PM	1	0	1
5:07 PM	0	0	0
5:08 PM	0	0	0
5:09 PM	0	0	0
5:10 PM	0	1	1
5:11 PM	1	0	1
5:12 PM	1	1	2
5:13 PM	1	3	4
5:14 PM	3	0	3
5:15 PM	2	0	2
5:16 PM	2	1	3
5:17 PM	2	0	2
5:18 PM	1	0	1
5:19 PM	0	1	1
5:20 PM	0	2	2
5:21 PM	2	1	3
5:22 PM	2	2	4
5:23 PM	2	1	3
5:24 PM	2	1	3
5:25 PM	2	4	6
5:26 PM	2	2	4
5:27 PM	1	5	6
5:28 PM	3	5	8
5:29 PM	1	5	6
5:30 PM	1	5	6
5:31 PM	2	6	8
5:32 PM	4	5	9
5:33 PM	5	4	9
5:34 PM	5	5	10
5:35 PM	5	3	8
5:36 PM	3	3	6
5:37 PM	2	3	5
5:38 PM	1	3	4
5:39 PM	2	3	5
5:40 PM	2	1	3
5:41 PM	2	1	3
5:42 PM	1	1	2
5:43 PM	1	0	1
5:44 PM	0	0	0
5:45 PM	0	1	1
5:46 PM	1	0	1
5:47 PM	0	1	1
5:48 PM	0	1	1
5:49 PM	1	3	4
5:50 PM	3	1	4
5:51 PM	1	2	3
5:52 PM	2	0	2
5:53 PM	1	1	2
5:54 PM	2	2	4
5:55 PM	2	1	3
5:56 PM	2	0	2
5:57 PM	2	2	4
5:58 PM	4	2	6
5:59 PM	1	2	3
6:00 PM	0	2	2
6:01 PM	2	3	5
6:02 PM	2	4	6
6:03 PM	2	3	5
6:04 PM	2	3	5
6:05 PM	2	2	4
6:06 PM	2	4	6
6:07 PM	3	5	8
6:08 PM	2	5	7
6:09 PM	2	5	7
6:10 PM	3	6	9
6:11 PM	3	6	9
6:12 PM	4	7	11
6:13 PM	3	6	9
6:14 PM	2	6	8
6:15 PM	4	5	9

Project: 11066 Magnolia Ave Riverside
 City: Riverside, CA

Date: 3/27/2019
 Day: Wednesday

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:16 PM	2	4	6
1:17 PM	3	2	5
1:18 PM	4	1	5
1:19 PM	3	0	3
1:20 PM	2	3	5
1:21 PM	1	4	5
1:22 PM	1	4	5
1:23 PM	2	5	7
1:24 PM	3	7	10
1:25 PM	4	5	9
1:26 PM	3	6	9
1:27 PM	4	6	10
1:28 PM	1	5	6
1:29 PM	3	5	8
1:30 PM	3	6	9
1:31 PM	2	5	7
1:32 PM	3	4	7
1:33 PM	4	3	7
1:34 PM	4	2	6
1:35 PM	4	3	7
1:36 PM	4	2	6
1:37 PM	4	1	5
1:38 PM	4	1	5
1:39 PM	1	1	2
1:40 PM	1	0	1
1:41 PM	0	0	0
1:42 PM	0	0	0
1:43 PM	0	3	3
1:44 PM	2	1	3
1:45 PM	1	2	3
1:46 PM	2	3	5
1:47 PM	0	3	3
1:48 PM	0	5	5
1:49 PM	1	6	7
1:50 PM	2	3	5
1:51 PM	2	3	5
1:52 PM	1	3	4
1:53 PM	1	3	4
1:54 PM	1	4	5
1:55 PM	2	4	6
1:56 PM	2	4	6
1:57 PM	4	2	6
1:58 PM	3	3	6
1:59 PM	2	3	5

Time: (by min)	Pick-up to Order Board	Behind Order Board	Total
6:16 PM	2	5	7
6:17 PM	3	5	8
6:18 PM	4	5	9
6:19 PM	3	4	7
6:20 PM	3	4	7
6:21 PM	2	5	7
6:22 PM	4	3	7
6:23 PM	4	1	5
6:24 PM	3	1	4
6:25 PM	3	1	4
6:26 PM	1	3	4
6:27 PM	2	2	4
6:28 PM	2	3	5
6:29 PM	1	6	7
6:30 PM	2	5	7
6:31 PM	3	5	8
6:32 PM	3	4	7
6:33 PM	3	3	6
6:34 PM	2	3	5
6:35 PM	1	2	3
6:36 PM	2	1	3
6:37 PM	2	0	2
6:38 PM	1	1	2
6:39 PM	1	0	1
6:40 PM	1	2	3
6:41 PM	1	4	5
6:42 PM	1	3	4
6:43 PM	3	3	6
6:44 PM	2	3	5
6:45 PM	3	1	4
6:46 PM	2	1	3
6:47 PM	2	0	2
6:48 PM	1	0	1
6:49 PM	0	1	1
6:50 PM	1	1	2
6:51 PM	1	1	2
6:52 PM	2	2	4
6:53 PM	2	3	5
6:54 PM	1	3	4
6:55 PM	1	2	3
6:56 PM	2	1	3
6:57 PM	1	3	4
6:58 PM	1	3	4
6:59 PM	2	2	4

Queue Study

Project: 11066 Magnolia Ave Riverside
City: Riverside, CA

Date: 3/30/2019
Day: Saturday

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
11:00 AM	0	0	0
11:01 AM	1	0	1
11:02 AM	1	0	1
11:03 AM	1	0	1
11:04 AM	0	0	0
11:05 AM	0	0	0
11:06 AM	1	1	2
11:07 AM	2	0	2
11:08 AM	1	0	1
11:09 AM	1	0	1
11:10 AM	1	3	4
11:11 AM	3	1	4
11:12 AM	3	3	6
11:13 AM	3	3	6
11:14 AM	4	2	6
11:15 AM	5	1	6
11:16 AM	5	1	6
11:17 AM	5	1	6
11:18 AM	4	0	4
11:19 AM	4	0	4
11:20 AM	3	0	3
11:21 AM	2	0	2
11:22 AM	0	0	0
11:23 AM	1	0	1
11:24 AM	1	0	1
11:25 AM	0	0	0
11:26 AM	0	0	0
11:27 AM	0	0	0
11:28 AM	1	0	1
11:29 AM	1	0	1
11:30 AM	1	1	2
11:31 AM	2	1	3
11:32 AM	2	2	4
11:33 AM	4	0	4
11:34 AM	3	0	3
11:35 AM	4	1	5
11:36 AM	5	1	6
11:37 AM	5	1	6
11:38 AM	6	3	9
11:39 AM	7	2	9
11:40 AM	6	0	6
11:41 AM	6	0	6
11:42 AM	5	1	6
11:43 AM	3	0	3
11:44 AM	1	0	1
11:45 AM	2	0	2
11:46 AM	0	0	0
11:47 AM	0	0	0
11:48 AM	1	1	2
11:49 AM	1	0	1
11:50 AM	1	0	1
11:51 AM	1	0	1
11:52 AM	0	0	0
11:53 AM	1	0	1
11:54 AM	3	0	3
11:55 AM	4	0	4
11:56 AM	3	0	3
11:57 AM	2	0	2
11:58 AM	3	1	4
11:59 AM	3	2	5
12:00 PM	3	2	5
12:01 PM	5	1	6
12:02 PM	5	1	6
12:03 PM	4	3	7
12:04 PM	4	2	6
12:05 PM	5	1	6
12:06 PM	7	3	10
12:07 PM	8	3	11

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
4:00 PM	1	1	2
4:01 PM	2	1	3
4:02 PM	1	0	1
4:03 PM	2	0	2
4:04 PM	3	0	3
4:05 PM	3	0	3
4:06 PM	5	1	6
4:07 PM	5	3	8
4:08 PM	5	5	10
4:09 PM	5	4	9
4:10 PM	4	3	7
4:11 PM	5	3	8
4:12 PM	6	3	9
4:13 PM	5	3	8
4:14 PM	4	4	8
4:15 PM	3	4	7
4:16 PM	5	2	7
4:17 PM	6	1	7
4:18 PM	5	2	7
4:19 PM	5	0	5
4:20 PM	4	1	5
4:21 PM	2	3	5
4:22 PM	3	4	7
4:23 PM	5	6	11
4:24 PM	6	3	9
4:25 PM	5	4	9
4:26 PM	6	2	8
4:27 PM	5	3	8
4:28 PM	4	2	6
4:29 PM	2	4	6
4:30 PM	3	1	4
4:31 PM	4	1	5
4:32 PM	4	0	4
4:33 PM	3	0	3
4:34 PM	4	0	4
4:35 PM	3	2	5
4:36 PM	4	2	6
4:37 PM	5	4	9
4:38 PM	3	2	5
4:39 PM	5	2	7
4:40 PM	3	1	4
4:41 PM	5	0	5
4:42 PM	5	1	6
4:43 PM	3	1	4
4:44 PM	2	0	2
4:45 PM	3	1	4
4:46 PM	2	0	2
4:47 PM	2	0	2
4:48 PM	2	0	2
4:49 PM	1	1	2
4:50 PM	1	2	3
4:51 PM	2	0	2
4:52 PM	1	2	3
4:53 PM	2	1	3
4:54 PM	3	3	6
4:55 PM	4	1	5
4:56 PM	3	3	6
4:57 PM	4	3	7
4:58 PM	4	1	5
4:59 PM	4	2	6
5:00 PM	6	0	6
5:01 PM	7	1	8
5:02 PM	6	1	7
5:03 PM	5	2	7
5:04 PM	6	1	7
5:05 PM	5	1	6
5:06 PM	4	1	5
5:07 PM	4	1	5

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
12:08 PM	6	3	9
12:09 PM	7	1	8
12:10 PM	7	2	9
12:11 PM	7	3	10
12:12 PM	6	4	10
12:13 PM	6	4	10
12:14 PM	4	3	7
12:15 PM	6	2	8
12:16 PM	4	2	6
12:17 PM	3	4	7
12:18 PM	3	2	5
12:19 PM	4	2	6
12:20 PM	4	3	7
12:21 PM	3	3	6
12:22 PM	4	2	6
12:23 PM	4	2	6
12:24 PM	5	0	5
12:25 PM	1	0	1
12:26 PM	1	0	1
12:27 PM	0	0	0
12:28 PM	3	2	5
12:29 PM	3	1	4
12:30 PM	2	2	4
12:31 PM	3	2	5
12:32 PM	5	1	6
12:33 PM	4	3	7
12:34 PM	4	3	7
12:35 PM	4	3	7
12:36 PM	4	3	7
12:37 PM	5	2	7
12:38 PM	6	2	8
12:39 PM	6	1	7
12:40 PM	5	1	6
12:41 PM	5	1	6
12:42 PM	4	1	5
12:43 PM	7	2	9
12:44 PM	7	2	9
12:45 PM	6	2	8
12:46 PM	5	1	6
12:47 PM	6	1	7
12:48 PM	6	2	8
12:49 PM	6	1	7
12:50 PM	4	1	5
12:51 PM	4	4	8
12:52 PM	4	3	7
12:53 PM	5	2	7
12:54 PM	6	2	8
12:55 PM	5	2	7
12:56 PM	6	3	9
12:57 PM	4	5	9
12:58 PM	6	6	12
12:59 PM	5	6	11
1:00 PM	3	7	10
1:01 PM	5	5	10
1:02 PM	3	6	9
1:03 PM	3	4	7
1:04 PM	6	5	11
1:05 PM	4	5	9
1:06 PM	5	3	8
1:07 PM	6	3	9
1:08 PM	5	3	8
1:09 PM	4	5	9
1:10 PM	5	3	8
1:11 PM	5	2	7
1:12 PM	6	2	8
1:13 PM	4	4	8
1:14 PM	6	2	8
1:15 PM	6	3	9
1:16 PM	6	3	9
1:17 PM	6	2	8
1:18 PM	6	2	8
1:19 PM	4	2	6

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
5:08 PM	3	0	3
5:09 PM	3	0	3
5:10 PM	2	0	2
5:11 PM	2	0	2
5:12 PM	1	2	3
5:13 PM	2	1	3
5:14 PM	3	1	4
5:15 PM	3	3	6
5:16 PM	4	2	6
5:17 PM	3	2	5
5:18 PM	3	1	4
5:19 PM	4	1	5
5:20 PM	3	1	4
5:21 PM	4	0	4
5:22 PM	4	0	4
5:23 PM	4	0	4
5:24 PM	2	0	2
5:25 PM	3	0	3
5:26 PM	3	1	4
5:27 PM	3	0	3
5:28 PM	2	2	4
5:29 PM	4	1	5
5:30 PM	5	1	6
5:31 PM	4	1	5
5:32 PM	4	0	4
5:33 PM	4	0	4
5:34 PM	3	0	3
5:35 PM	1	0	1
5:36 PM	0	0	0
5:37 PM	2	0	2
5:38 PM	3	1	4
5:39 PM	4	0	4
5:40 PM	3	2	5
5:41 PM	3	2	5
5:42 PM	3	0	3
5:43 PM	5	0	5
5:44 PM	4	0	4
5:45 PM	2	0	2
5:46 PM	1	0	1
5:47 PM	1	0	1
5:48 PM	2	1	3
5:49 PM	3	0	3
5:50 PM	2	2	4
5:51 PM	2	0	2
5:52 PM	2	0	2
5:53 PM	1	0	1
5:54 PM	2	1	3
5:55 PM	3	1	4
5:56 PM	3	0	3
5:57 PM	2	0	2
5:58 PM	0	0	0
5:59 PM	1	0	1
6:00 PM	1	0	1
6:01 PM	0	0	0
6:02 PM	1	0	1
6:03 PM	0	1	1
6:04 PM	0	1	1
6:05 PM	2	0	2
6:06 PM	1	0	1
6:07 PM	1	0	1
6:08 PM	2	0	2
6:09 PM	4	0	4
6:10 PM	5	0	5
6:11 PM	6	0	6
6:12 PM	7	0	7
6:13 PM	6	0	6
6:14 PM	6	0	6
6:15 PM	5	1	6
6:16 PM	5	0	5
6:17 PM	5	0	5
6:18 PM	3	0	3
6:19 PM	2	0	2

Project: 11066 Magnolia Ave Riverside
 City: Riverside,CA

Date: 3/30/2019
 Day: Saturday

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
1:20 PM	5	7	12
1:21 PM	5	6	11
1:22 PM	5	5	10
1:23 PM	5	3	8
1:24 PM	3	4	7
1:25 PM	2	4	6
1:26 PM	4	2	6
1:27 PM	6	2	8
1:28 PM	5	1	6
1:29 PM	4	4	8
1:30 PM	7	3	10
1:31 PM	6	4	10
1:32 PM	5	3	8
1:33 PM	4	5	9
1:34 PM	5	3	8
1:35 PM	4	6	10
1:36 PM	3	6	9
1:37 PM	4	8	12
1:38 PM	4	6	10
1:39 PM	6	5	11
1:40 PM	4	6	10
1:41 PM	4	5	9
1:42 PM	5	5	10
1:43 PM	5	4	9
1:44 PM	5	3	8
1:45 PM	6	2	8
1:46 PM	7	3	10
1:47 PM	5	3	8
1:48 PM	5	2	7
1:49 PM	5	3	8
1:50 PM	3	5	8
1:51 PM	4	6	10
1:52 PM	6	3	9
1:53 PM	6	1	7
1:54 PM	6	1	7
1:55 PM	5	1	6
1:56 PM	6	2	8
1:57 PM	7	2	9
1:58 PM	6	2	8
1:59 PM	5	2	7

Arrival Time	Pick-up to Order Board	Behind Order Board	Total
6:20 PM	3	0	3
6:21 PM	1	0	1
6:22 PM	2	0	2
6:23 PM	2	0	2
6:24 PM	3	0	3
6:25 PM	3	0	3
6:26 PM	2	0	2
6:27 PM	2	0	2
6:28 PM	1	0	1
6:29 PM	2	0	2
6:30 PM	3	1	4
6:31 PM	4	2	6
6:32 PM	3	5	8
6:33 PM	4	4	8
6:34 PM	4	5	9
6:35 PM	3	3	6
6:36 PM	4	2	6
6:37 PM	4	0	4
6:38 PM	2	4	6
6:39 PM	5	4	9
6:40 PM	4	3	7
6:41 PM	5	3	8
6:42 PM	5	4	9
6:43 PM	3	5	8
6:44 PM	4	6	10
6:45 PM	3	5	8
6:46 PM	4	4	8
6:47 PM	4	7	11
6:48 PM	4	3	7
6:49 PM	3	6	9
6:50 PM	5	4	9
6:51 PM	5	3	8
6:52 PM	5	5	10
6:53 PM	3	3	6
6:54 PM	3	5	8
6:55 PM	3	4	7
6:56 PM	4	2	6
6:57 PM	4	1	5
6:58 PM	3	5	8
6:59 PM	4	3	7

ATTACHMENT B
ITE QUEUING CALCULATION WORKSHEETS

DRIVE-THROUGH QUEUING ANALYSIS

Project: Raising Cane's Restaurant
Location: Monterey Park, CA

INPUT VALUES

Variable	Description	Value
A =	average number of vehicle arrivals per hour ¹	74
S =	service rate, number of vehicles per hour	87
I =	traffic intensity, utilization factor = A/S	0.85
Q =	queue capacity (vehicles)	17

FORMULAS

Average Length of Queue	$\text{Avg } Q = A^2 / S(S-A) = I^2 / 1-I$	4.74
Probability of Q Number of Vehicles in Queue	$P(Q) = (I)^Q (1-I)$	0.92%
Probability of Queue Exceeding Q Vehicles	$\sum_{Q=0}^{Q=a} P(Q) \geq 0.95$	5.16%

Source: Institute of Transportation Engineers (ITE)
 Transportation Planning Handbook, 3rd Edition

ATTACHMENT 4

Planning Commission Staff Report dated March 10, 2020



Planning Commission Staff Report

DATE: March 10, 2020

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider a Conditional Use Permit (CU-19-13) for the construction of a new retail eating establishment with a drive-through at 1970 South Atlantic Boulevard.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution approving a Conditional Use Permit (CU-19-13), subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects). The Project consists of the construction of a new retail eating establishment with a drive-through. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The property is designated Commercial in the General Plan Land Use Element. The Project will take place within City limits on a site of not more than five acres substantially surrounded by urban uses. The site has no value as habitat for endangered, rare or threatened species; and can be adequately served by all required utilities and public services.

EXECUTIVE SUMMARY:

The Applicant seeks a conditional use permit ("CUP") for operation of a new retail eating establishment with a drive-through. Pursuant to Monterey Park Municipal Code ("MPMC") § 21.10.040(I), a drive-through is a conditionally permitted use. Based upon the application, it appears that the proposed uses are consistent with the General Plan.

BACKGROUND AND DISCUSSION:

The Project

Applicant, Raising Cane's, seeks a conditional use permit to operate a new retail eating establishment with a drive-through at 1970 South Atlantic Boulevard. The property is zoned S-C (Shopping Center) and designated Commercial (C) in the General Plan.

The property is located on the east side of South Atlantic Boulevard, between Brightwood Street and Floral Drive. It is comprised of three consolidated parcels totaling 17,863 square feet (0.41 acres). The property is vacant, but was previously developed with a service station that was demolished in 2007. Properties located to the north, south, and west are S-C zoned lots and east are R-1 (Single-Family Residential) zoned lots. The proposed Project would improve the property with a new one-story 1,790 square foot retail eating establishment with a 480 square foot outdoor dining area and a drive-through. The Applicant's proposed business operating will be Sunday through Thursday from 9:00 a.m. to 1:00 a.m. and Friday through Saturday from 9:00 a.m. to 3:30 a.m. To address security and alarm requirements, the Police Department included condition numbers 40 through 45 in the Resolution.

The Project will provide 18 spaces (per MPMC § 21.22.120). The Project does not include any off-site roadway improvements and minimal site-adjacent improvements/repairs are anticipated. The proposed Project will maintain the existing driveway cut accessible from Atlantic Boulevard and the existing alleyway along the eastern and southern property lines. A Traffic Impact Analysis dated December 2019 was prepared for the proposed Project and the analysis concluded that all study intersections would continue to operate at an acceptable Level of Service (under Existing plus Project Conditions).

The opening to the drive-through lane will be at the southeast corner of the building, and the pick-up window will be on the west side of the building. The drive-through lane will wrap around the east, north, and west sides of the building in a counter-clockwise direction; the queuing length will be 201 feet from the drive-through entrance to the pick-up window on the inside lane, and the outside lane will add approximately 133 feet to the total queue. The proposed drive-through merges two drive-through lanes into a single drive-through lane before the pay and pick-up window; this allows the business to take orders from two customers at the same time. The proposed two drive-through lanes will each have a menu board, will be constructed to accommodate a minimum of eight cars, and will provide a queuing capacity for approximately 17 vehicles (see MPMC § 21.10.040(I)(5)). Lastly, the drive-throughs will be intersected by a clearly visible pedestrian walkway (see MPMC § 21.10.040(I)(3)).

Pursuant to MPMC § 21.10.040(I)(1), a drive-through is a conditionally permitted use. The CUP requires that the proposed drive-through be designed to screen all service areas, restrooms and mechanical equipment; and provide landscaping to screen the drive-through driveway aisle. All menu boards are required to face away from the street and be not more than 30 square feet and seven feet high (see MPMC § 21.10.040(I)(10)). The MPMC requires all drive-through aisles to be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; be made of concrete; and be intersected by a clearly-visible pedestrian walkway (see MPMC § 21.10.040(I)(3), (4) & (8)). MPMC § 21.10.040(I)(9) requires that the CUP include a condition that the "parking areas and the

drive-through aisle and structure shall be set back from the ultimate curb face a minimum of twenty-five (25) feet.”

The Applicant is proposing a 28-foot setback from the ultimate curb face on Atlantic Boulevard to the proposed building; and a minimum 15-foot setback from the ultimate curb face for the proposed parking areas and drive-through aisle. The MPMC currently requires a setback of 25 feet. It is unclear why a setback of this distance is required for the property or the proposed use. A review of the application suggests that it would be in the public interest to amend the MPMC to accommodate the Applicant’s proposed setback. This would allow the drive-through to be constructed as anticipated in the Applicant’s plans.

Accordingly, the draft CUP includes Condition No. 6 that requires an amendment to MPMC § 21.10.040(1)(9) regarding drive-through setback regulation, before the City can issue a certificate of occupancy for the proposed Project.¹ If the Planning Commission issues the proposed CUP, the City will recommend that the City Council amend the MPMC to allow the setback distance proposed by this applicant.

The City’s Drive-Through Regulations

For the last eight years, the City had not received any conditional use permit applications for a drive-through business; however, within the past two years, three applications for a drive-through business were submitted and a fourth application is currently under review. In fact, four drive-through businesses were approved in 2012 for the Market Place project. It is apparent that economics are changing proposed commercial land uses.

Following a survey on drive-through regulations for the cities of Alhambra, Rosemead, San Gabriel, Pasadena, Temple City and Commerce, staff found that the City’s existing regulations are generally outdated; it is in the public interest for the City Council to consider updating these regulations in order to continue the City’s philosophy of business friendliness.

According to the General Plan Economic Development Element, Monterey Park is largely built-out, with relatively little vacant land available for new large-scale development. Many opportunities exist for expanding the existing commercial base. As described in the Land Use Element, private and public redevelopment efforts within identified focus areas will allow new investment and new complementary uses to meet local and regional shopping demands, provide expanded job opportunities, and build the City’s tax base. According to Goal 2.0 Business Attraction and Retention, the City should continue providing incentives to encourage new businesses to locate in Monterey Park and for existing businesses to expand. Updating some of the City’s outdated regulations, including setback requirements, will assist with business attraction and retention.

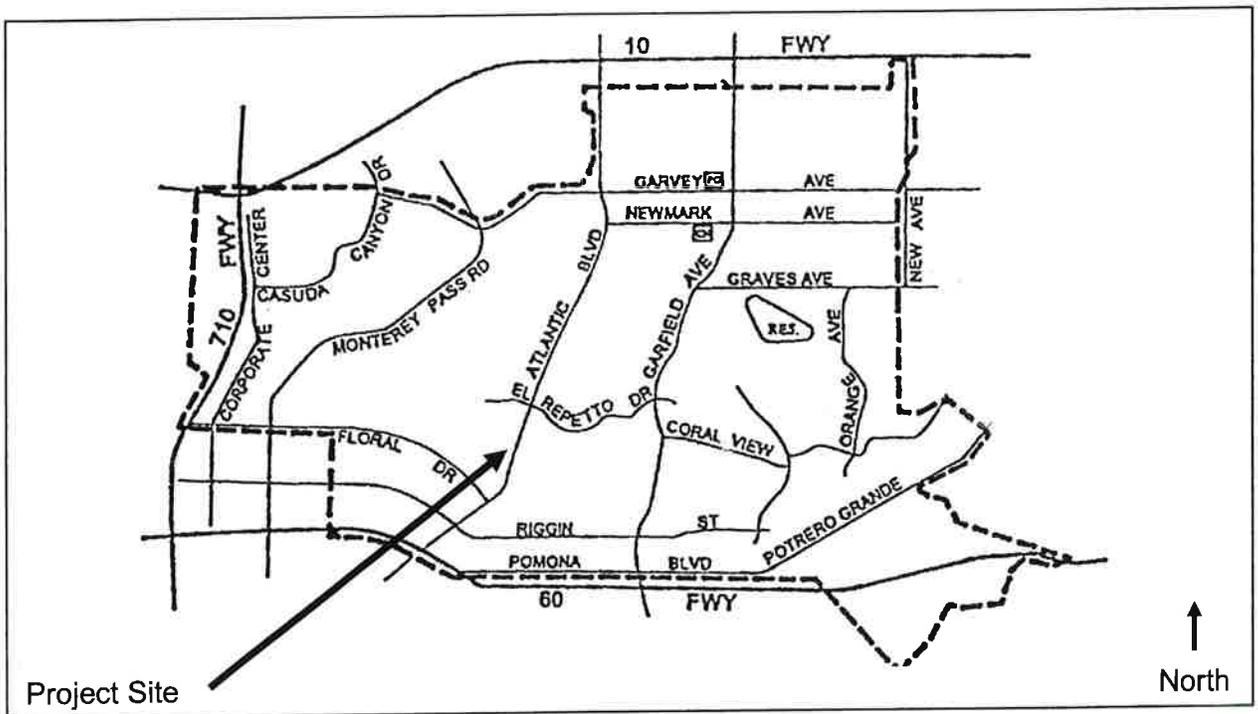
¹ Assuming the Project did not include a drive-through component, the proposed parking spaces, driveway aisle, and building would be allowed to abut the front property line. In fact, all the other commercial properties along Atlantic Boulevard have parking spaces, driveway aisles, and buildings that abut the front property line.

OTHER ITEMS:

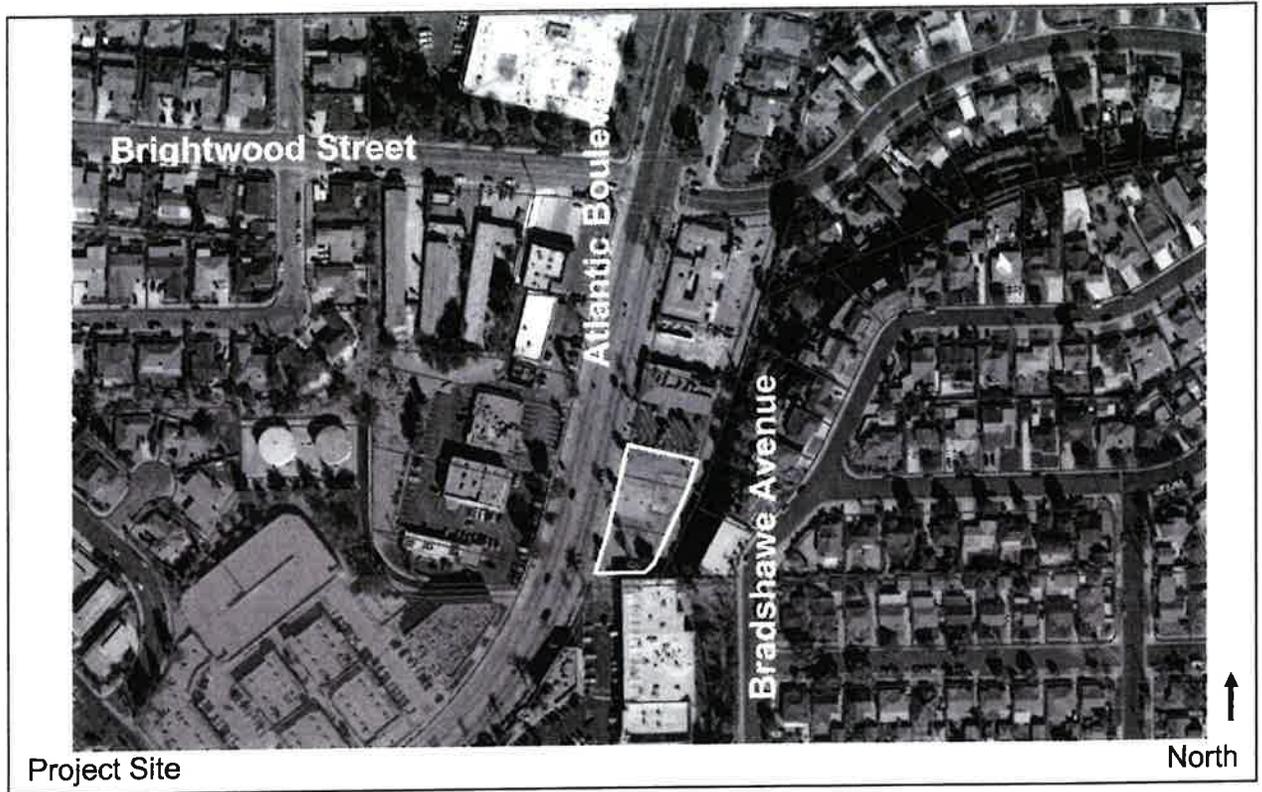
Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **January 14, 2020** and **March 4, 2020**, with affidavits of posting on file. The legal notice of this hearing was mailed to **137** property owners within a 300 foot radius and current tenants of the property concerned on **January 14, 2020** and **March 2, 2020**.

Vicinity Map



Aerial Map



ALTERNATIVE COMMISSION CONSIDERATIONS:

None

FISCAL IMPACT:

There may be an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

Respectfully submitted,

Mark A. McAvoy
Director of Public Works/
City Engineer/City Planner

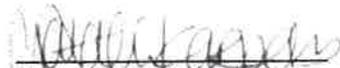
Staff Report
March 10, 2020
Page 6

Prepared by:



Samantha Tewart
Senior Planner

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Site, floor, elevation plans
- Attachment 3: Traffic Study December 2019

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP-19-13) TO ALLOW THE CONSTRUCTION OF A NEW RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH AT 1970 SOUTH ATLANTIC BOULEVARD.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On December 5, 2019, Ruben Gonzales of PM Design Group, Inc. submitted an application on behalf of Raising Cane's ("Applicant") seeking a conditional use permit (CU-19-13) to allow operation of a new retail eating establishment with a drive-through ("Project");
- B. The Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for February 11, 2020. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On March 10, 2020, the Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its March 10, 2020 public hearing including, without limitation, the staff report submitted by the City Planner.

SECTION 2: *Factual findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. 1970 South Atlantic Boulevard is located on the east side of South Atlantic Boulevard, between Brightwood Street and Floral Drive ("Project Site"). It is designated Commercial (C) in the Monterey Park General Plan. The Project Site is currently vacant. The Project proposes constructing a new retail eating establishment with a drive-through. According to MPMC §§ 21.10.040(I) and 21.32.020(B), a drive-through may be permitted via a conditional use permit and the limitations or special standards described in MPMC § 21.10.040(I).
- B. The Project Site is comprised of three consolidated parcels totaling 17,863 square feet (0.41 acres) in size. The proposed building area will be 1,790 square feet, which

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equates to 10 percent of the lot area. The Applicant's proposed business operating will be Sunday through Thursday from 9:00 a.m. to 1:00 a.m. and Friday through Saturday from 9:00 a.m. to 3:30 a.m. The MPMC require properties to be adequately maintained and condition numbers 40 and 45 are included to address security concerns. The proposed retail eating establishment will have a walk-up window; no indoor seating; a drive-through aisle; and a covered outdoor seating area. The proposed retail eating establishment will be designed to screen all service areas, restrooms and mechanical equipment; landscaping will be provided to screen the drive-through driveway aisle. The menu boards will be not more than 30 square feet and seven feet high and will face away from the street.

- C. The Project will provide 18 parking spaces. The Project will maintain the existing driveway cut accessible from South Atlantic Boulevard and the existing alleyway along the eastern and southern property lines. The drive-through aisles will be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; they will also be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements/repairs are anticipated. The drive-through aisle will be made of concrete and will be constructed to accommodate a minimum of eight cars.
- D. Properties located to the north and south of the Project Site include other one-story commercial buildings; west are South Atlantic Boulevard (a principal arterial street) and one-story commercial buildings; and east is an alleyway and single-family dwellings located at the top of hillside properties. The properties located to the north, south and west of the subject property are zoned S-C (Shopping Center) and those to the east are zoned R-1 (Single-Family Residential).
- E. A Traffic Impact Analysis dated December 2019 was prepared for the proposed Project. That Analysis showed that the proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- F. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area and is an in-fill development. Construction of the proposed retail eating establishment with a drive-through will take place entirely upon the Project Site. The Project is proposed within City limits on a

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site of no more than five acres substantially surrounded by urban uses; the Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the Project Site can be adequately served by all required utilities and public services. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Conditional Use Permit Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.040(I) and 21.32.020(B):

- A. The Project complies with all MPMC requirements for a CUP.
1. The project site is adequate in size, shape and topography for the proposed Project;
 2. The site has sufficient access to streets and highways and is adequate in width and pavement type;
 3. The proposed use is consistent with the General Plan, specifically Goal 5.0 and Policy 5.1. 4;
 4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood;
 5. The proposed Project will not have an adverse effect on the public health, safety and general welfare; and
 6. The use is properly one authorized by conditional use permit pursuant to the MPMC.
- B. As conditioned by this Resolution and after an amendment to the MPMC, the proposed drive-through complies with all requirements set forth for a conditional use permit pursuant to MPMC § 21.10.040(I):
1. The drive-through is an accessory to a proposed restaurant or commercial business;
 2. The proposed location of the drive-through is designated commercial in the City's General Plan and is not located in any area designated as MU-I in the General Plan Land Use Map;
 3. The pedestrian walkways will have clear visibility and will be emphasized by striping;

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4. The drive-through aisle will be 12-foot width on curves and a minimum 11-foot width on straight sections;
5. The drive-through aisles will provide sufficient stacking area behind the menu boards to accommodate a minimum of six cars;
6. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment will be screened from view;
7. The proposed landscaping will screen drive-through or drive-in aisles from the public right-of-way and will be used to minimize the visual impact of reader board signs and directional signs;
8. The drive-through aisles will be constructed with concrete;
9. Following an amendment to the MPMC as required by Condition No. 6 in attached Exhibit A, the structure will be set back from the ultimate curb face a minimum of 28 feet, and the parking areas and drive-through aisles will be set back from the ultimate curb face a minimum of 15 feet.
10. The menu boards will be no more than 30 square feet and seven feet high, and will face away from the street;
11. No drive-through aisles will exit directly onto a public right-of-way; and
12. The architectural style of the drive-through will be consistent with the theme established in the vicinity and provide compatibility with surrounding uses in form, materials, colors and scale, among other things.

SECTION 5: Approval. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Conditional Use Permit (CU-19-13). Pursuant to Condition No. 6, the City may not issue a certificate of occupancy for the Project until the MPMC is amended to allow the setbacks proposed by the Project.

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: Limitations. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One

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of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 11: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 12: Except as provided in Section 11, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 10th day of March 2020.

Chairperson Eric Brossy de Dios

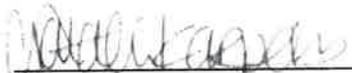
I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 10th day of March 2020, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Mark A. McAvoy, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

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By: 

Natalie C. Karpeles,
Deputy City Attorney

RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

1970 SOUTH ATLANTIC BOULEVARD

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Raising Cane's agrees that it will comply with the following conditions for the City of Monterey Park's approval of Conditional Use Permit (CU-19-13) ("Project Conditions").

PLANNING:

1. Raising Cane's ("Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of CU-19-13 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of CU-19-13, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and dated March 2, 2020. Before the City issues a building permit, the Applicant must submit building plans showing that the project substantially complies with the plans referenced in this Resolution. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
6. Before the City issues a certificate of occupancy, the Applicant must comply with all applicable setback requirements set forth in the MPMC regulating drive-throughs.

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7. The real property subject to CU-19-13 must remain well-maintained and free of graffiti.
8. Building permits are required for any interior tenant improvements.
9. Landscaping/irrigation must be maintained in good condition at all times.
10. Landscaping for the project must be designed to comply with the MPMC's regulations governing efficient landscaping.
11. The business hours of operation will be Sunday through Thursday from 9:00 a.m. to 1:00 a.m. and Friday through Saturday from 9:00 a.m. to 3:30 a.m.
12. The drive-through speaker systems must not be audible above the daytime and nighttime ambient noise levels beyond the property boundaries.
13. The drive-through component of the Project must comply with MPMC § 21.10.040(I). Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
 - b. The drive-through aisles must have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
 - c. The drive-through aisles must provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 - d. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment must be screened from view;
 - e. Landscaping will screen the drive-thru or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
 - f. The drive-through aisles must be constructed with (PCC) concrete;
 - g. The parking areas, drive-through aisles and structure must be set back from the ultimate curb face as required by the MPMC;
 - h. Menu boards can be no more than 30 square feet, with a maximum height of seven feet, and must face away from the street;
 - i. The architectural style of the drive-through must be consistent with the theme established in the vicinity and provide compatibility with surrounding uses in form, materials, colors, and scale, among other things; and
 - j. The drive-through aisles will not exit directly onto a public right-of-way.

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ENGINEERING:

14. To minimize sediment intrusion from the adjacent slope into the public alley, a curb or slough wall of sufficient height must be constructed along the eastern edge of the southerly portion of the public alley. The curb must be shown on the grading and drainage plan, and is subject to approval by the City Engineer.
15. Under the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit, issued under the National Pollutant Discharge Elimination System (NPDES) Program, the developer/owner is required to obtain a General Construction Storm Water Permit. This project will require the preparation of a Low Impact Development (LID) Plan; and a Storm Water Pollution Prevention Plan (SWPPP) if over an acre in size, including hydrology and hydraulic study/analysis required for their submittal. A preliminary/conceptual LID report and plan is requested as early as possible, to avoid impacts to the site plan should changes be required.
16. Upon approval of the LID and SWPPP, an electronic copy of the approved files, including site drawings, must be submitted to the City Engineer before the City issues a building or grading permit.
17. The property drainage must be designed so that the property drains to an approved device(s) and/or the public street unless otherwise approved by the City Engineer.
18. Sizing of water infrastructure is subject to the submittal of water system calculations that include domestic and fire system demand sizing. Installation of water services for irrigation, domestic, and fire service within the public right of way must be accomplished at permittee's cost.
19. The permittee must adjust the Project Site's lot lines, either by a lot line adjustment or lot merger, to avoid constructing structures over property lines in compliance with the California Building Code, as adopted by the MPMC.
20. The adjacent public alley is in poor, deteriorated condition, and will need to be resurfaced, to the satisfaction of the City Engineer, before a certificate of occupancy is issued for the project.
21. Grading and drainage plan(s) must be submitted with the first building permit plan check submittal and must address drainage of the adjacent public alley in a manner satisfactory to the City Engineer.

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22. All improvement plans, including grading plan(s), must be based upon City approved data; benchmark data are available from the Public Works Department's Engineering Division.
23. Permittee agrees to pay City any development impact fees ("DIFs") that may be applicable to the Project. Permittee takes notice pursuant to Government Code § 66020(d) that City is imposing the DIFs upon the Project in accordance with the Mitigation Fee Act (Government Code § 66000, *et seq.*). Applicant is informed that it may protest DIFs in accordance with Government Code § 66020.
24. A utility plan must be approved by the City Engineer before the City issues grading permits.
25. Any abandoned driveways will need to be removed and replaced with a new curb, gutter, and sidewalk. Any damaged, out of grade, deteriorated or obsolete frontage improvements will need to be repaired to the satisfaction of the City Engineer, before a certificate of occupancy is issued.
26. A traffic management plan must be submitted to the City Engineer, detailing the manner in which the project will manage and control onsite traffic during peak operating hours, primarily how potential extended drive-through queuing will be managed to avoid impacts to South Atlantic Boulevard and adjacent properties that abut the public alley. The format of the plan is subject to approval by the City Engineer, and the plan must be approved before the City issues a certificate of occupancy.

FIRE:

27. A fire permit must be obtained from the Fire Department before engaging in activities, operations, practices or functions as indicated in the California Fire Code (CFC) per §§ 105.6 and 105.7.
28. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction, per CFC § 501.4.
29. Provide an approved automatic fire sprinkler system and fire alarm as set forth by Fire Code §§ 903 and 907 for the new structure. This may be submitted to the Fire Official as a deferred submittal.
30. Provide an approved kitchen automatic extinguishing system as set forth by the CFC § 904. This may be submitted to the Fire Official as a deferred submittal.

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31. Provide an approved carbon dioxide alarm system per Fire Code § 908.7. This may be submitted to the Fire Official as a deferred submittal.
32. Provide approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the Fire Inspector, per CFC § 501.4.

Fire Flow:

33. The minimum fire flow required must comply with the current adopted edition of the CFC Appendix B.
34. Pursuant to the plans date stamped March 2, 2020, the required fire flow for the new structure is 1,500 gallons per minutes (gpm) at 20 pounds per square inch (psi) for a minimum of 2-hour duration.
35. The City must provide a will serve letter confirming that it can accommodate the required water flow.

Fire Hydrant Installation

36. Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gpm at 20 psi must be installed and in service along the access road/driveway at a location approved by the Fire Code Official, but no further than 250 feet from the construction. The owner of the combustible construction is responsible for the cost of this installation.

Fire Flow Verification

37. Per CFC Appendix C, a minimum of one fire hydrant must be provided within 250 feet of new structure. Show locations of all existing and/or new hydrants on Site Plan.
38. Portable fire extinguishers must be installed on all floors, per CFC § 906.1.
39. The review of any revised plans will be subject to an additional plan-check fee in an amount approved in the Master Schedule of Fees and Charges.

POLICE:

40. The permittee must submit plans to the Police Chief, or designee, demonstrating that the Project has adequate exterior lighting. The Police Chief, or designee, must

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approve the location and light intensity before the City issues a certificate of occupancy.

41. All major common areas of the locations, including all parking areas must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrances/exits and must be positioned to capture the faces of people entering and exiting. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional cameras installed, the management must comply with the request within seven days. Also, access to all security video cameras must be made available to the Police Department, via the internet, by providing the IP address for all cameras. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.
42. An alarm system must be installed at the main entrance and exits to the business. The alarm system will be a deterrent to criminal activity, and allow notification of the police and security in the event of any such attempt. Contact the Monterey Park Police Department Community Relations Bureau at (626) 307-1215 for additional information and alarm permits.
43. One licensed, insured, and bonded security guard in the parking lot between 10:00 p.m. to closing, subject to the review and approval of the Police Chief.
44. Access to the roof of the buildings will be locked and secured. Access of the roof will be restricted to maintenance personnel, building management, or other authorized personnel.
45. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.

By signing this document, Kristen Roberts, on behalf of Raising Cane's, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Kristen Roberts, on behalf of Raising Canes, Applicant

ATTACHMENT 2

Site, floor, elevation plans

ATTACHMENT 3

Traffic Study

ATTACHMENT 5

Planning Commission Minutes dated March 10, 2020

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
MARCH 10, 2020**

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, March 10, 2020 at 7:00 p.m.

CALL TO ORDER:

Chairperson Eric Brossy de Dios called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Senior Planner Tewasart called the roll:

Board Members Present: Eric Brossy De Dios, Antonio Salazar, and Delario Robinson

Board Members Absent: Ricky Choi and Theresa Amador

ALSO PRESENT: Natalie C. Karpeles, Deputy City Attorney, Mark A. McAvoy, Public Works Director/City Engineer/City Planner, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] **PRESENTATIONS:** None

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

2-A APPROVAL OF MINUTES

July 23, 2019

Action Taken: The Planning Commission approved the minutes from the regular meeting of July 23, 2019

Motion: Moved by Member Robinson and seconded by Member Salazar, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Salazar, and Robinson

Noes: Commissioners: None

Absent: Commissioners: Choi and Amador

Abstain: Commissioners: None

[3.] **PUBLIC HEARING:**

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3-A. CONDITIONAL USE PERMIT (CU-19-13) TO ALLOW THE CONSTRUCTION OF A NEW RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH IN THE S-C (SHOPPING CENTER) ZONE – 1970 SOUTH ATLANTIC BOULEVARD

Senior Planner Tewasart provided a brief summary of the staff report.

Commissioner Robinson inquired about the required code amendment. Attorney Karpeles replied that the amendment will be to the 25-foot setback requirement should the Planning Commission direct staff that such an amendment is necessary. Condition number 6 contemplates that an amendment would need to be processed in order for the project to be approved.

Commissioner Salazar inquired how long the service station was vacant before being demolished. Senior Planner Tewasart replied that staff did not have the information.

Chairperson Brossy de Dios inquired about the term ultimate curb face. Director McAvoy replied that it would mean whether there was a dedication involved.

Chairperson Brossy de Dios inquired if the only way to modify this item was an amendment as opposed to a variance. Attorney Karpeles replied that the findings for a variance are particular and very specific. A variance is only granted under very extremely limited circumstances where a property cannot be developed without some type of relief from the requirements in the municipal code. In this instance the applicant has not opted for a variance rather they have opted to hope for a future code amendment with regard to the setback requirement.

Director McAvoy stated that is not how a project would be conditioned however staff has been working on some updates to the zoning code, which was held off because of the update to the Land Use Element. In the event that the Land Use Element was approved by the voters, the updates would incorporate the changes contemplated by the Land Use Element. There are plans to bring forward some minor text amendments to the zoning code. Chairperson Brossy de Dios inquired if such a revision is currently being contemplated. Director McAvoy replied yes as well updates to some of the parking standards.

Chairperson Brossy de Dios inquired if staff has studied some of the potential impact. Director McAvoy replied not yet until the County certifies the election results and then the amendments will come before the Commission sometime in the summer period.

Chairperson Brossy de Dios inquired if there are any other drive-throughs on Atlantic Boulevard. Senior Planner Tewasart replied off Collegian there is a McDonald's, Taco Bell, and Carl's Jr.

Chairperson Brossy de Dios inquired about the mechanical equipment screening. Attorney Karpeles replied that condition number 15 addresses noise and that all code requirements must be adhered to. Senior Planner Tewasart replied that when there are elevation

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differences, properties on the higher elevation typically see rooftops. However, from the street view, all roof mounted mechanical equipment will be screened.

Chairperson Brossy de Dios opened the public hearing.

Applicant, Kristen Roberts, 6800 Bishop Road, Plano, Texas 75024, provided a brief presentation and was present for questions.

Commissioner Salazar inquired if the hours are similar as other stores such as the one in Pico Rivera. Applicant Roberts replied yes, those are standard California operating hours. Commissioner Salazar inquired about security. Applicant Roberts replied that discussions have already been had with the Police Chief. On the weekends security is already provided. Attorney Karpeles stated that condition number 43 addresses security.

Commissioner Salazar inquired about the restroom availability. Applicant Roberts replied that restrooms will be provided and made available.

Chairperson Brossy de Dios inquired about the use of the corral area. Applicant Roberts replied that it functions as a delivery receiving area and space where boxes are broken down. There is no activity or use after dark.

Chairperson Brossy de Dios inquired about the queuing space. Director McAvoy replied that the six spaces are split between the two drive-through lanes. Both lanes will accommodate seven vehicles.

Engineer Lucas Teani, P.E., 765 The City Drive Suite 200 Orange, CA 92868, replied that the queuing analysis was conducted from the pick-up window to the beginning of the drive-through queue. Chairperson Brossy de Dios inquired about the queuing analysis, the five percent chance of the queue exceeding the 17 spaces, and the number maximum anticipated. Engineer Teani replied that based on existing stores, the maximum number anticipated was 17 spaces during peak hours. The five percent exceedance probability is a degree of exceeding 17 spaces. The average of the analysis of existing stores was 15 spaces and more than the average will be provided.

Chairperson Brossy de Dios stated that the level of service was E at the alley and Atlantic, assuming that some of the cars were diverting to the alley, some of them were exiting through the driveway. Engineer Teani replied yes. Chairperson Brossy de Dios inquired that with the drive lane terminating directly adjacent the exit path, if the alley is anticipating a level of service of E, is a level of service E anticipated at the driveway as well. Engineer Teani replied that it is not expected. There is either a level of service E at the driveway or the alley, all the traffic flow was concentrated to one point. If they are split, it is anticipated to be less.

Chairperson Brossy de Dios stated that if one car is waiting to exit, it is potentially blocking the exit of the drive-through aisle. Engineer Teani replied that is why the analysis is focused on vehicles coming out from the alleyway. Traffic flow on-site is controlled by the operations team. The operations team works diligently on making sure that traffic flows through the

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site and is not impacted especially as they are trying to speed up service and serve more customers at a faster rate; it is important that the exit is not blocked and that is why the focus on traffic flow was through the alleyway. Director McAvoy added that condition number 26 requires a traffic management plan.

Chairperson Brossy de Dios inquired about screening the restroom. Applicant Roberts replied that it can be addressed with an architectural feature, but they are going to be cognizant of the extent of the screening from a security reason and providing areas for people to hide behind.

Speaker Raphael Casillas, 1973 Bradshaw Avenue, Monterey Park, stated that he is a 27 year resident of Monterey Park and a registered civil engineer with over 30-years of experience working for local municipalities in the San Gabriel Valley as well as the Gateway COG and SGV COG. The project does not meet the development standards. The project has many deficiencies and requires a code amendment. It creates many public nuisances as defined by the codes. The project failed to meet the findings such as noise, outdoor activities, speaker box from the menu board, the roof mounted equipment, car radios, and the hours of operations are not consistent with the residential or commercial areas. The Atlantic Square center is closed by 9:00 p.m. Traffic collisions occur between Brightwood and Floral from vehicles turning in and out. At minimum left-turn movements should be restricted in and out both entrances, and on-site circulation is bad and will block vehicles from getting out. There will be high levels of emissions from idling vehicles and orders.

Speaker Gina Casillas, 1973 Bradshaw Avenue, Monterey Park, stated that she is a city planner and has processed land use entitlements and evaluated projects for compliance with the California Environmental Quality Act. Drive-throughs should not be located adjacent to residential areas. All drive-throughs should be located within a contained shopping center. She has lived in her residence for over 30 years. Her house fronts on Bradshaw Avenue and her rear yard overlooks Atlantic Boulevard. She expressed concerns about noise from the speaker box, car radios, outdoor dining area, and construction, traffic, and air quality from vehicle emissions. She stated that a code amendment does not provide a solution for tonight's vote.

Chairperson Brossy de Dios inquired about the hours of operations. Applicant Roberts replied that those are the standard California operating hours, but that is up to the discretion of the Planning Commission. She stated that the speaker boxes are turned down at 10:00 p.m. Chairperson Brossy de Dios inquired if it would be feasible to restrict the left-turn. Applicant Roberts replied that if it is a requirement of the City. Attorney Karpeles clarified that the noise limit between 7:00 a.m. and 10:00 p.m. is 65 and 10:00 p.m. to 7:00 a.m. is 55.

Chairperson Brossy de Dios closed the public hearing.

Commissioner Robinson stated that the State of California is requiring the City to plan for 5,000 homes, so the city will be expanding and there will be growing pains. There has to be adjustability and be expansive and broad in our thinking and acceptability.

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Commissioner Salazar stated that he remembers Atlantic Square, the gas station, and Paul's Kitchen and those places were always full and things have been slowly dying. He respects the Casillas' concerns because in many respects it has become a ghost town. In order for the City to survive there needs to be revenue and businesses that cater to the surrounding areas and that would be East LA College and the youth that is there. This is a business that would do well at that location. He hopes Raising Canes will take into consideration their neighbors and make adjustments if need be to address those concerns and serve the community together.

Chairperson Brossy de Dios stated that he feels the application is premature to be put before the Commission in its current state given the state of the municipal code. He is not accustomed to granting conditional use permits in conflict with the code as it is currently set and they are not in the position to make an exception to that. Once the code is amended it may be something to consider as a re-submittal. He is also concerned with the traffic flow on-site and the potential conflict with the drive aisle. The ability of a car to exit and make a left hand turn onto Atlantic is highly constrained. The hours requested is also a concern and are rather unusual.

Action Taken: Motion to adopt **Resolution No. 01-20** approving Conditional Use Permit (CU-19-13) to allow a retail eating establishment with a drive-through in the S-C (Shopping Center) Zone failed.

Motion: Moved, by Commissioner Robinson and seconded by Commissioner Salazar, motion failed by the following vote:

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

Deputy City Attorney Natalie C. Karpeles advised that, due to the absence of Commissioners Choi and Amador, the motion cannot pass without unanimous approval from the three presiding Commissioners

[4.] **OLD BUSINESS:** None

[5.] **NEW BUSINESS:** None

[6.] **COMMISSION COMMUNICATIONS AND MATTERS:** None

[7.] **STAFF COMMUNICATIONS AND MATTERS:** None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 8:23 p.m.

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Next regular scheduled meeting on March 24, 2020 at 7:00 p.m. in the Council Chambers.

Mark A. McAvoy
Director of Public Works/City Engineer/City Planner

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ATTACHMENT 3

Planning Commission Resolution No. 01-20

RESOLUTION NO. 01-20

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP-19-13) TO ALLOW THE CONSTRUCTION OF A NEW RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH AT 1970 SOUTH ATLANTIC BOULEVARD.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On December 5, 2019, Ruben Gonzales of PM Design Group, Inc. submitted an application on behalf Raising Cane's ("Applicant") seeking a conditional use permit (CU-19-13) to allow operation of a new retail eating establishment with a drive-through ("Project");
- B. The Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for March 10, 2020 and May 12, 2020. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On March 10, 2020 and May 12, 2020, the Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its March 10, 2020 and May 12, 2020 public hearing including, without limitation, the staff report submitted by the City Planner.

SECTION 2: *Factual findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. 1970 South Atlantic Boulevard is located on the east side of South Atlantic Boulevard, between Brightwood Street and Floral Drive ("Project Site"). It is designated Commercial (C) in the Monterey Park General Plan. The Project Site is currently vacant. The Project proposes constructing a new retail eating establishment with a drive-through. According to MPMC §§ 21.10.040(I) and 21.32.020(B), a drive-through may be permitted via a conditional use permit and the limitations or special standards described in MPMC § 21.10.040(I).

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- B. The Project Site is comprised of three consolidated parcels totaling 17,863 square feet (0.41 acres) in size. The proposed building area will be 1,790 square feet, which equates to 10 percent of the lot area. The Applicant's proposed business operating hours will be 9:00 a.m. to 1:00 a.m. Monday through Sunday. The MPMC require properties to be adequately maintained and condition numbers 40 and 45 are included to address security concerns. The proposed retail eating establishment will have a walk-up window; no indoor seating; a drive-through aisle; and a covered outdoor seating area. The proposed retail eating establishment will be designed to screen all service areas, restrooms and mechanical equipment; landscaping will be provided to screen the drive-through driveway aisle. The menu boards will be not more than 30 square feet and seven feet high and will face away from the street.
- C. The Project will provide 18 parking spaces. The Project will maintain the existing driveway cut accessible from South Atlantic Boulevard and the existing alleyway along the eastern and southern property lines. The drive-through aisles will be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; they will also be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements/repairs are anticipated. The drive-through aisle will be made of concrete and will be constructed to accommodate a minimum of eight cars.
- D. Properties located to the north and south of the Project Site include other one-story commercial buildings; west are South Atlantic Boulevard (a principal arterial street) and one-story commercial buildings; and east is an alleyway and single-family dwellings located at the top of hillside properties. The properties located to the north, south and west of the subject property are zoned S-C (Shopping Center) and those to the east are zoned R-1 (Single-Family Residential).
- E. A Traffic Impact Analysis dated December 2019 was prepared for the proposed Project. That Analysis showed that the proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- F. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area and is an in-fill development. Construction of the proposed retail eating establishment with a drive-through

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will take place entirely upon the Project Site. The Project is proposed within City limits on a site of no more than five acres substantially surrounded by urban uses; the Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the Project Site can be adequately served by all required utilities and public services. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Conditional Use Permit Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.040(I) and 21.32.020(B):

- A. The Project complies with all MPMC requirements for a CUP.
 - 1. The project site is adequate in size, shape and topography for the proposed Project;
 - 2. The site has sufficient access to streets and highways and is adequate in width and pavement type;
 - 3. The proposed use is consistent with the General Plan, specifically Goal 5.0 and Policy 5.1. 4;
 - 4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood;
 - 5. The proposed Project will not have an adverse effect on the public health, safety and general welfare; and
 - 6. The use is properly one authorized by conditional use permit pursuant to the MPMC.

- B. As conditioned by this Resolution and after an amendment to the MPMC, the proposed drive-through complies with all requirements set forth for a conditional use permit pursuant to MPMC § 21.10.040(I):
 - 1. The drive-through is an accessory to a proposed restaurant or commercial business;
 - 2. The proposed location of the drive-through is designated commercial in the City's General Plan and is not located in any area designated as MU-I in the General Plan Land Use Map;

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3. The pedestrian walkways will have clear visibility and will be emphasized by striping;
4. The drive-through aisle will be 12-foot width on curves and a minimum 11-foot width on straight sections;
5. The drive-through aisles will provide sufficient stacking area behind the menu boards to accommodate a minimum of six cars;
6. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment will be screened from view;
7. The proposed landscaping will screen drive-through or drive-in aisles from the public right-of-way and will be used to minimize the visual impact of reader board signs and directional signs;
8. The drive-through aisles will be constructed with concrete;
9. Following an amendment to the MPMC as required by Condition No. 6 in attached Exhibit A, the structure will be set back from the ultimate curb face a minimum of 28 feet, and the parking areas and drive-through aisles will be set back from the ultimate curb face a minimum of 15 feet.
10. The menu boards will be no more than 30 square feet and seven feet high, and will face away from the street;
11. No drive-through aisles will exit directly onto a public right-of-way; and
12. The architectural style of the drive-through will be consistent with the theme established in the vicinity and provide compatibility with surrounding uses in form, materials, colors and scale, among other things.

SECTION 5: *Approval.* Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Conditional Use Permit (CU-19-13). Pursuant to Condition No. 6, the City may not issue a certificate of occupancy for the Project until the MPMC is amended to allow the setbacks proposed by the Project.

SECTION 6: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

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SECTION 7: Limitations. The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

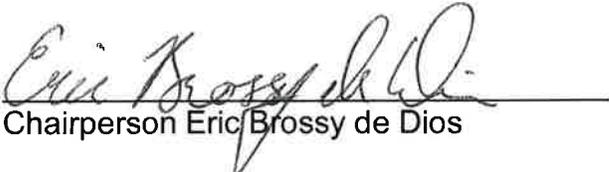
SECTION 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 11: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 12: Except as provided in Section 11, this Resolution is the Planning Commission’s final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 12th day of May 2020.


Chairperson Eric Brossy de Dios

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 12th day of May 2020, by the following vote of the Planning Commission:

AYES: Commissioners Choi, Amador, Lo, and Sam
NOES: Commissioner Brossy de Dios
ABSTAIN: None
ABSENT: None


Mark A. McAvoy, Secretary

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APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: 
Natalie C. Karpeles,
Deputy City Attorney

RESOLUTION NO. 01-20

Exhibit A

CONDITIONS OF APPROVAL

1970 SOUTH ATLANTIC BOULEVARD

In addition to all applicable provisions of the Monterey Park Municipal Code (“MPMC”), Raising Cane’s agrees that it will comply with the following conditions for the City of Monterey Park’s approval of Conditional Use Permit (CU-19-13) (“Project Conditions”).

PLANNING:

1. Raising Cane’s (“Applicant”) agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising from the City’s approval of CU-19-13 except for such loss or damage arising from the City’s sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of CU-19-13, the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of Monterey Park’s elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and dated March 2, 2020. Before the City issues a building permit, the Applicant must submit building plans showing that the project substantially complies with the plans referenced in this Resolution. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
6. Before the City issues a certificate of occupancy, the Applicant must comply with all applicable setback requirements set forth in the MPMC regulating drive-throughs.

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7. The real property subject to CU-19-13 must remain well-maintained and free of graffiti.
8. Building permits are required for any interior tenant improvements.
9. Landscaping/irrigation must be maintained in good condition at all times.
10. Landscaping for the project must be designed to comply with the MPMC's regulations governing efficient landscaping.
11. The business hours of operation will be from 9:00 a.m. to 1:00 a.m. Monday through Sunday.
12. The drive-through speaker systems must not be audible above the daytime and nighttime ambient noise levels beyond the property boundaries.
13. The drive-through component of the Project must comply with MPMC § 21.10.040(I). Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
 - b. The drive-through aisles must have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
 - c. The drive-through aisles must provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 - d. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment must be screened from view;
 - e. Landscaping will screen the drive-thru or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
 - f. The drive-through aisles must be constructed with (PCC) concrete;
 - g. The parking areas, drive-through aisles and structure must be set back from the ultimate curb face as required by the MPMC;
 - h. Menu boards can be no more than 30 square feet, with a maximum height of seven feet, and must face away from the street;
 - i. The architectural style of the drive-through must be consistent with the theme established in the vicinity and provide compatibility with surrounding uses in form, materials, colors, and scale, among other things; and
 - j. The drive-through aisles will not exit directly onto a public right-of-way.

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ENGINEERING:

14. To minimize sediment intrusion from the adjacent slope into the public alley, a curb or slough wall of sufficient height must be constructed along the eastern edge of the southerly portion of the public alley. The curb must be shown on the grading and drainage plan, and is subject to approval by the City Engineer.
15. Under the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit, issued under the National Pollutant Discharge Elimination System (NPDES) Program, the developer/owner is required to obtain a General Construction Storm Water Permit. This project will require the preparation of a Low Impact Development (LID) Plan; and a Storm Water Pollution Prevention Plan (SWPPP) if over an acre in size, including hydrology and hydraulic study/analysis required for their submittal. A preliminary/conceptual LID report and plan is requested as early as possible, to avoid impacts to the site plan should changes be required.
16. Upon approval of the LID and SWPPP, an electronic copy of the approved files, including site drawings, must be submitted to the City Engineer before the City issues a building or grading permit.
17. The property drainage must be designed so that the property drains to an approved device(s) and/or the public street unless otherwise approved by the City Engineer.
18. Sizing of water infrastructure is subject to the submittal of water system calculations that include domestic and fire system demand sizing. Installation of water services for irrigation, domestic, and fire service within the public right of way must be accomplished at permittee's cost.
19. The permittee must adjust the Project Site's lot lines, either by a lot line adjustment or lot merger, to avoid constructing structures over property lines in compliance with the California Building Code, as adopted by the MPMC.
20. The adjacent public alley is in poor, deteriorated condition, and will need to be resurfaced, to the satisfaction of the City Engineer, before a certificate of occupancy is issued for the project.
21. Grading and drainage plan(s) must be submitted with the first building permit plan check submittal and must address drainage of the adjacent public alley in a manner satisfactory to the City Engineer.

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22. All improvement plans, including grading plan(s), must be based upon City approved data; benchmark data are available from the Public Works Department's Engineering Division.
23. Permittee agrees to pay City any development impact fees ("DIFs") that may be applicable to the Project. Permittee takes notice pursuant to Government Code § 66020(d) that City is imposing the DIFs upon the Project in accordance with the Mitigation Fee Act (Government Code § 66000, *et seq.*). Applicant is informed that it may protest DIFs in accordance with Government Code § 66020.
24. A utility plan must be approved by the City Engineer before the City issues grading permits.
25. Any abandoned driveways will need to be removed and replaced with a new curb, gutter, and sidewalk. Any damaged, out of grade, deteriorated or obsolete frontage improvements will need to be repaired to the satisfaction of the City Engineer, before a certificate of occupancy is issued.
26. A traffic management plan must be submitted to the City Engineer, detailing the manner in which the project will manage and control onsite traffic during peak operating hours, primarily how potential extended drive-through queuing will be managed to avoid impacts to South Atlantic Boulevard and adjacent properties that abut the public alley. The format of the plan is subject to approval by the City Engineer, and the plan must be approved before the City issues a certificate of occupancy.

FIRE:

27. A fire permit must be obtained from the Fire Department before engaging in activities, operations, practices or functions as indicated in the California Fire Code (CFC) per §§ 105.6 and 105.7.
28. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction, per CFC § 501.4.
29. Provide an approved automatic fire sprinkler system and fire alarm as set forth by Fire Code §§ 903 and 907 for the new structure. This may be submitted to the Fire Official as a deferred submittal.
30. Provide an approved kitchen automatic extinguishing system as set forth by the CFC § 904. This may be submitted to the Fire Official as a deferred submittal.

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- 31. Provide an approved carbon dioxide alarm system per Fire Code § 908.7. This may be submitted to the Fire Official as a deferred submittal.
- 32. Provide approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the Fire Inspector, per CFC § 501.4.

Fire Flow:

- 33. The minimum fire flow required must comply with the current adopted edition of the CFC Appendix B.
- 34. Pursuant to the plans date stamped March 2, 2020, the required fire flow for the new structure is 1,500 gallons per minutes (gpm) at 20 pounds per square inch (psi) for a minimum of 2-hour duration.
- 35. The City must provide a will serve letter confirming that it can accommodate the required water flow.

Fire Hydrant Installation

- 36. Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gpm at 20 psi must be installed and in service along the access road/driveway at a location approved by the Fire Code Official, but no further than 250 feet from the construction. The owner of the combustible construction is responsible for the cost of this installation.

Fire Flow Verification

- 37. Per CFC Appendix C, a minimum of one fire hydrant must be provided within 250 feet of new structure. Show locations of all existing and/or new hydrants on Site Plan.
- 38. Portable fire extinguishers must be installed on all floors, per CFC § 906.1.
- 39. The review of any revised plans will be subject to an additional plan-check fee in an amount approved in the Master Schedule of Fees and Charges.

POLICE:

- 40. The permittee must submit plans to the Police Chief, or designee, demonstrating that the Project has adequate exterior lighting. The Police Chief, or designee, must

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approve the location and light intensity before the City issues a certificate of occupancy.

41. All major common areas of the locations, including all parking areas must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrances/exits and must be positioned to capture the faces of people entering and exiting. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional cameras installed, the management must comply with the request within seven days. Also, access to all security video cameras must be made available to the Police Department, via the internet, by providing the IP address for all cameras. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.
42. An alarm system must be installed at the main entrance and exits to the business. The alarm system will be a deterrent to criminal activity, and allow notification of the police and security in the event of any such attempt. Contact the Monterey Park Police Department Community Relations Bureau at (626) 307-1215 for additional information and alarm permits.
43. One licensed, insured, and bonded security guard in the parking lot between 10:00 p.m. to closing, subject to the review and approval of the Police Chief.
44. Access to the roof of the buildings will be locked and secured. Access of the roof will be restricted to maintenance personnel, building management, or other authorized personnel.
45. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.

MISCELLANEOUS:

46. Signage and/or striping must be installed as necessary to prohibit vehicular traffic exiting the driveway onto Atlantic Blvd from left-turn movements, to the satisfaction of the City Engineer, before a certificate of occupancy is issued for the project.
47. The volume of the speaker boxes are to be turned down after 10:00 P.M. each night.

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48.A Noise Mitigation Plan, submitted by the Applicant, must be approved by the City Planner, before a certificate of occupancy will be issued.

By signing this document, Kristen Roberts, on behalf of Raising Cane's, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Bryan Brown

6/3/2020

Bryan Brown, on behalf of Raising Canes, Applicant

ATTACHMENT 4

Planning Commission Minutes May 12, 2020

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
MAY 12, 2020**

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, May 12, 2020 at 7:00 p.m.

CALL TO ORDER:

Chairperson Eric Brossy de Dios called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Senior Planner Tewasart called the roll:

Board Members Present: Eric Brossy De Dios, Ricky Choi, Theresa Amador, Tammy Sam, and Dr. Kevin Lo

Board Members Absent: None

ALSO PRESENT: Natalie C. Karpeles, Deputy City Attorney, Mark A. McAvoy, Public Works Director/City Engineer/City Planner, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] PRESENTATIONS: Swearing in of new Commissioners

[2.] CONSENT CALENDAR: None

2-A APPROVAL OF MINUTES

October 8, 2019

Action Taken: The Planning Commission approved the minutes from the regular meeting of October 8, 2019

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

Ayes: Commissioners: Brossy de Dios, Choi, and Amador

Noes: Commissioners: None

Absent: Commissioners: None

Abstain: Commissioners: Sam and Lo

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October 22, 2019

Action Taken: The Planning Commission approved the minutes from the regular meeting of October 22, 2019

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

Ayes: Commissioners: Brossy de Dios, Choi, and Amador
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: Sam and Lo

November 12, 2019

Action Taken: The Planning Commission approved the minutes from the regular meeting of November 12, 2019

Motion: Moved by Member Robinson and seconded by Member Salazar, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, and Amador
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: Sam and Lo

March 10, 2020

Action Taken: The Planning Commission approved the minutes from the regular meeting of March 10, 2020

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

Ayes: Commissioners: Brossy de Dios, Choi, and Amador
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: Sam and Lo

[3.] PUBLIC HEARING:

3-A. RESOLUTION ESTABLISHING PROCEDURAL RULES FOR CONDUCTING PLANNING COMMISSION MEETINGS

Planner Tewart provided a brief summary of the staff report.

Chairperson Brossy de Dios closed the public hearing.

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Speaker Gina Casillas stated that she opposes the rules for conducting the Planning Commission meeting. The rules are not consistent with the Public Resources Division 13. An opposition letter was provided to the Planning Commission.

Speaker Teresa Real Sebastian stated to consider for item 5.2 give warning first, item 7.3 participants are not required to give address, item 8.5 typo sentence structure, and item 8.7 deleted a substitute motion, need to analyze the items more. She inquired if this is in-lieu or changing procedurally how to conduct a meeting.

Speaker Raphael Casillas stated that it limits free speech; item 7.3 is vague and ambiguous; and inquired about rule 6.

Chairperson Brossy de Dios closed the public hearing.

Commissioner Amador asked the Deputy City Attorney to clarify some of the points that were brought up by the community speakers for clarification.

Attorney Karpeles stated that the rules of procedure before the Planning Commission are modeled after the rules of parliamentary procedures and also Rosenberg's Rule of Order, which superseded Robert's Rule of Order. These rules of procedure are also second to the Brown Act. The Brown Act will supersede any conflicting provisions and it is meant to be in tandem with the government code and what the Brown Act requires for public meetings. The rules of procedure have been taken from what the Brown Act, which has been codified by the government code, to provide for open meetings and public meetings in terms of transparency and those requirements.

Commissioner Sam stated that the Commission received an email stating that the project is not exempt from CEQA. Attorney Karpeles replied that this item is not a project as defined under CEQA and therefore is not subject review.

Chairperson Brossy de Dios stated that in the past three years there has not been previous protocol set to a vote to the Commission and inquired if there is a previous set of protocol that have been put in place. Attorney Karpeles replied that while the City Council has similar procedural rules which were last updated in 2013. The procedural rules that govern the City Council do not cover meetings held by a planning body and the municipal code allows the Planning Commission to adopt its own set of rules. The proposed procedures can be modified based on the deliberations of the Planning Commission, but they are meant to act as a format for these meetings secondary to the Brown Act.

Commissioner Lo inquired about the protocol from before. Chairperson Brossy de Dios replied not written as such. It was conducted by tradition, reference to Rosenberg's Rule of Order, and advice from legal Council in matters of parliamentary deliberation when necessary.

Action Taken: Motion to adopt **Resolution No. 02-20** approving establishment of procedural rules for conducting Planning Commission Meetings.

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

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Lo, and Sam
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

3-B. NOMINATING AND VOTING TO SELECT A CHAIR AND VICE-CHAIR PURSUANT TO MONTEREY PARK MUNICIPAL CODE § 2.82.080

Action Taken: The Planning Commission (1) appointed Commissioner Eric Brossy de Dios as the Chair pursuant to Monterey Park Municipal Code (MPMC) § 2.78.030; and (2) took additional, related, action that may be desirable.

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

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Sam and Lo
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

Action Taken: The Planning Commission (1) appointed Commissioner Ricky Choi as the Vice-Chair pursuant to Monterey Park Municipal Code (MPMC) § 2.78.030; and (2) took additional, related, action that may be desirable.

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

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Sam and Lo
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

4-A. CONDITIONAL USE PERMIT (CU-19-13) TO ALLOW THE CONSTRUCTION OF A NEW RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH IN THE S-C (SHOPPING CENTER) ZONE – 1970 SOUTH ATLANTIC BOULEVARD

Planner Tewart provided a brief summary of the staff report.

Chairperson Brossy de Dios inquired why the item was being brought back to the Commission after consideration on March 10th. Attorney Karpeles replied that on March 10th it was a quorum of the Commission to consider the project, because three affirmative votes are required of the Commission and the motion to approve the resolution failed two to one. Pursuant to the City's codes a resolution of denial should have been brought back to the Commission for consideration and the resolution of denial would have confirmed the Commission's decision regarding this project. However, on March 11th a local emergency

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was declared in the City and nonessential activities were canceled and certain deadlines were toll. On March 12th when the applicant filed their appeal, the appeal was premature because no resolution of denial had been approved by the Commission. Following the March 12th date, there were three City Council meetings, no Planning Commission meetings were held and the three Council meetings that there held included emergency related COVID-19 issues, certifying election results, and paneling a new City Council. The Planning Commission appointments did not conclude until May 7th. Under normal circumstances and processes, the deadline that are outlined in the municipal code would have ensured that there was due process and that the applicant's due process rights were preserved, which includes the ability to challenge an unfavorable decision. However, in light of the current circumstances and the fact that all these deadlines had passed, the applicant requested a new hearing. There is no resolution of denial on file and any event such a resolution would have brought this project before the Commission again. So all things considered, in order to ensure that due process is preserved, a rehearing before the Commission is considered appropriate.

Chairperson Brossy de Dios stated that even though the public hearing was close in the previous meeting and there was a vote, because there was no resolution of denial issued, the applicant has a right to resubmit and have it reconsidered. Attorney Karpeles replied that that is a correct understanding, but it does not cover everything that was taken into consideration in order to bring this item back before the Commission. In addition to the fact that there was no resolution of denial, the COVID-19 issue coupled with the emergency declaration in the City and the fact that the Commission had not been fully appointed. All these things were taken into consideration. Under normal circumstances, if there was no COVID, under normal circumstances what would have happened would have been the motion failed, a resolution of denial would have been brought back and the Commission would have held a public hearing on the resolution of denial. At that point, the Commission could have approved, denied, or modified the resolution of denial. But we are operating under unusual circumstances, so that is what brought us here today.

Commissioner Choi inquired if this Commission should have considered a resolution of denial. Attorney Karpeles replied that the applicant would have still had the opportunity to appeal. The item that we are trying to protect is the original due process. All things considered whatever happens at the outcome of this meeting, the applicant or any aggrieved party depending on the resolution can ultimately appeal to the City Council.

Commissioner Choi inquired why a traffic management plan was not asked to be produced before the conditional use permit. Director McAvoy replied that the inclusion of the condition was to be abundantly cautious. The traffic report was reviewed by engineering staff and there was no exception to the traffic report. However, it is possible that when the business opens it would be popular and have some periods where even thought the maximum queue is accommodated on-site and does not impact Atlantic Boulevard, based on past experiences the condition would allow the applicant time to prepare something unique to the site. It was not necessary to have it before consideration because their traffic report does show that they accommodate the proposed maximum queue. It would be more of in the event that management would be required there would be something in place.

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Commissioner Choi stated that it could alleviate some of the concerns if that document was available.

Commissioner Lo inquired about the procedure to amend the code. Director McAvoy replied that the process would be a text amendment that staff would be bringing to the Commission. Staff is currently working with the City Attorney's Office on such an amendment for a few different items, such as setbacks, parking, and traffic standards. There are a few minor items that come up with most projects that we are working through, so based on that staff felt it appropriate to condition this project to be consider by the Commission and the estimated timeframe for that is this summer. Attorney Karpeles added that it would come in the form of a resolution showing the proposed language and will be deliberated on and changes can be proposed.

Commissioner Lo inquired if the changes that were to come even before the proposed project. Director McAvoy replied that the reason why it has not come is because staff was working on updating the General Plan land use element, which was approved by the City Council in December and placed on the ballot because it requires voter ratification. The ballot measure was not approved. However, had the land use element been approved it would have also required some additional changes to the zoning code, so staff held off on these minor text amendments just in case that land use element was approved. The idea was not to do it twice. Since the ballot measure was not approved, staff will be moving forward with the minor text amendments. These were considered by staff prior because as most projects in our built-out city come through staff review there are some common items that are barriers to redevelopment of existing smaller sites, including setbacks, parking standards and others, which will be moved forward shortly.

Commissioner Lo inquired why the setback is exactly 25 feet. Director McAvoy replied exactly. The standard for setbacks can be a bit arbitrary. There are requirements that go hand-in-hand. Setbacks are often related to safety, lot coverage for landscaping, floor area ratio, or to provide a buffer against adjacent uses that may be different in nature. There are a lot of considerations regarding setbacks. There isn't in the municipal code a lot of flexibility for staff to look at each setback a little differently, so a setback in this location may not make as much sense to have a setback in relations to Atlantic Boulevard or a wide sidewalk and parkway area as oppose to if this was adjacent to something else. So, those standards will be brought back for consideration.

Commissioner Choi inquired about the timeline. Director McAvoy replied July or August because staff has been working on this and there specific areas, setbacks and on-site parking standards. Otherwise, the conditions would not have been written the way it is and it will have to go to the City Council.

Chairperson Brossy de Dios inquired if there have been any substantial modifications to the application since the previous hearing. Planner Tewasart replied no.

Commissioner Choi inquired why a variance option was not entertained. Director McAvoy replied that that question did come up at the last Planning Commission meeting. Variances are taken seriously because they do run with the land and knowing that there would be text

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amendments being proposed because of how the industry is changing and the applications that were being received, a variance option was not elected. Attorney Karpeles replied that a variance application is up to the discretion of the applicant and the applicant elected to undergo this separate process whereby there is a condition of a text amendment.

Commissioner Lo inquired if it would be quicker to apply for a variance. Attorney Karpeles replied not necessarily, the requirements for the granting of a variance is very technical.

Chairperson Brossy de Dios opened the public hearing.

Applicant, Kristen Roberts, 6800 Bishop Road, Plano, Texas 75024, provided a brief presentation and was available for questions.

Commissioner Sam inquired about the stacking study and numbers on the plans. The alleyway may realistically become an extension of the stacking, which may not be a terrible thing if this portion will only be used by the business. Engineer John Pollock with Kimley-Horn replied that technically the site can be accessed via the alley and frontage driveway on Atlantic. The cars shown on the site plan are not to scale with the spacing. The capacity of the queuing is based off of the total length which is 370 feet, which is at 22-foot spacing per car would accommodate what would roughly equate to 17 cars. The site plan does not quite have the cars to the 22-foot scale. The 29 trips are generated in the peak PM based off the ITE numbers, which is the required way to arrive at those numbers per the City's traffic study requirements. That is based off a table for restaurant drive-through use. The Laguna Hills, Orange and Riverside numbers were for the queuing and hard empirical counts were taken for the queuing.

Commissioner Sam inquired about the operating hours and comparables. Engineer Pollock replied that the queuing intervals that were taken were identified as peak windows at those locations. Applicant Roberts stated that all the restaurants have similar operating hours. Engineer Pollock stated that the level of service of E that was identified was for the alleyway heading westbound out of the alleyway to get onto Atlantic just to the south of the site and the reason for that delay is because that is looking at cars trying to wait to make a left trying to get across traffic. It is not the direct effect of actual traffic trying to get onto the streets.

Commissioner Sam inquired if a left is allowed there and recommended a right-turn only to prevent accidents and backups. Commissioner Sam inquired about sound, safety, and lighting. Applicant Roberts replied that the Police Department added a condition to require on-site security, the speakers will be turned down after a certain time, and the lighting will comply with city standards.

Commissioner Sam inquired if the EV space will be electrified. Engineer Pollock replied that per the current building code the conduit will be ran for the future installation, but the charging station will not be installed at this time. Director McAvoy stated that the project as submitted complies with the building code, as the applicant stated it requires a spot to be provided and a potential to charge it. Commissioner Sam stated that Cal Greens does not require a charger, but there are a lot of electric drivers in the city and it can be a great draw

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to the business while customers are eating. Applicant Roberts stated that it will not be an issue to provide a charger and will check with their engineer. Commissioner Sam stated that there are rebates available and there may be no cost to the installer.

Commissioner Amador inquired if some considerations can be given to the hours of operation on Fridays and Saturdays, perhaps making it consistent with the other days of the week from 9:00 to 1:00. Applicant Roberts replied that that is acceptable, seven days a week. Commissioner Amador stated that she agreed with the right-turn only. Engineer Pollock replied that they are open to that suggestion for the site.

Planner Tewasart stated that 2 written correspondences were received in support and 14 written correspondences were received in opposition and those have been provided to the Commission to review and consider.

Speaker Gina Casillas spoke in opposition to the project and submitted a written opposition letter that was provided to the Commission.

Speaker Teresa Real Sebastian spoke in opposition to the project due to concerns about the location being next to single-family homes and not in a shopping center.

Speaker Raphael Casillas spoke in opposition to the project and submitted a written opposition letter that was provided to the Commission

Speaker Alexandro Acevedo spoke in opposition to the project due to concerns about the traffic.

Speaker Scott Dumke spoke in opposition to the project due to concerns about traffic, health, and food options.

Speaker Heidi Dumke, spoke in opposition to the project and for the Commission to consider the needs of the community and not a business proposal coming from out of state by a corporation and expressed concerns about the location.

Chairperson Brossy de Dios closed the public hearing.

Commissioner Sam inquired about the fire lane. Director McAvoy replied that this project was reviewed by every department in the city, including the Fire Department and conditions were provided and the Fire Department's conditions were included. Conditions number 27 through 32 and that was not listed as a concern of the Fire Department. Commissioner Sam inquired if there is an alternative fire lane. Director McAvoy replied that the Fire Department when they review a project they review it against the adopted fire code and the fire code provides requirements regarding hydrant spacing and location. As long as they have access to a hydrant they run their hose in fighting a fire along a slope. While they send out an annual requirement to clear the brush to help lower fire risk they don't necessarily park in the alley to fight a fire. They fight it from wherever they need to station which along Atlantic Boulevard you would have the fire hydrants that they would be using and running their hoses. The alley itself would not be their primary operations. They would

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fight from above from Bradshawe or from below off of Atlantic or within the alley wherever they would approach it. They did review the project and provided their comments.

Commissioner Amador inquired about condition number 32 regarding a fire lane. Director McAvoy replied that the fire department includes comments on proposals and that is a standard comment that they include where they require fire lanes to be marked. The alleyway was not designated by the fire department in their review as a fire lane for this project because of the narrowness of this site. In a typical commercial site you wouldn't generally have an alleyway in the back, so the fire fighting would occur from Atlantic Boulevard. When a site is deep enough, the fire department will call out on a site plan to have a fire lane in the rear of a building and this can be seen at the Market Place development. In this location, with the shallowness of the site it would not be required. Condition number 32 would not be applicable to the alleyway, but it is general language that they would include when you have a fire lane you would have to provide approved signs and include markings that say no parking.

Commissioner Amador inquired that several of the public speakers raised certain comments and if what the Commission approves is in compliance with all references they made to the legalese. Attorney Karpeles replied that the way the resolution is drafted and the evidence relied upon in preparation for the resolution have all been derived from the municipal code and has been reviewed the City Attorney's Office.

Commissioner Sam stated that noise and circulation should be further analyzed and a better vehicular circulation path.

Commissioner Lo stated that he is in agreement with the operating hours being a little too late and there should be a restricted right-turn only.

Commissioner Amador inquired if there are restrooms for the public or just for staff. Applicant Roberts replied for both. Commissioner Amador commended the applicant for being amenable to adjusting their hours.

Commissioner Choi stated that the property has been vacant for many years and there are a lot of vacancies in the property to the south. With the current pandemic, the way people eat will be changing. The city is built-out there are not many parcels for a drive-through. Commissioner Choi recommended adding a condition regarding the right-turn only. Commissioner Choi inquired about the existing noise environment on South Atlantic. Attorney Karpeles replied that before the Planning Commission is a quasi-judicial decision regarding approval of a conditional use permit. In order to approve a conditional use permit, findings must be made that are based on substantial evidence in the record and once that substantial evidence is applied, it is applied to particular sections of the municipal code. In this case the sections that govern conditional use permits generally and the section that covers drive-throughs. With regards to noise, there is a condition in the conditions of approval that states that any aspects that trigger noise for instance must be in compliance with the city's codes. There was some discussion regarding testing of noise and mitigation of noise. All of that and these decisions to do these additional tests are fact based.

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Planner Tewasart replied that the city has noise regulation standards within chapter 9.53 regarding the limits. All businesses, not just this application are required to comply with the limits. Commissioner Sam inquired about the consequences for a violation. Attorney Karpeles replied that generally speaking it would depend on the severity of the violation of the municipal code and who is responsible, if it is the property owner or a third party and if the violation is a public nuisance. If it does not affect the public generally then it can be dealt with as a private matter, but the timing would all depend on when the city received the violation and the severity of the violation. Commissioner Amador inquired if a condition can be included to quote the code. Attorney Karpeles replied that the noise standards are measured from the median ambient noise level. If the allowable noise levels are less than the ambient noise levels for that area then they do not apply. The greater noise will be considered the ambient noise level for that area.

Commissioner Choi inquired if there are noise insulation standards in place for residential buildings constructed near existing major thoroughfares such as Atlantic Boulevard. Planner Tewasart replied that residential dwelling units are constructed according to building and safety and fire codes. There is not a specific requirement that being adjacent to major arterial requires a building to be constructed a certain way. Commissioner Sam stated that generally if there is a noise concern a row of trees or a wall can be added. Attorney Karpeles stated that if the applicant is amenable, the Commission can add a condition requiring the applicant to submit a noise mitigation plan to the Director that meets the municipal code requirements before the city will issue a building permit. Commissioner Sam stated that that will work with the machinery that are specified for the project and will ultimately be used, including the speaker box and roof mounted equipment.

Commissioner Choi recommended adding a condition that the speaker box will be turned down at 10 p.m. Commissioner Choi stated that in terms of hours of operation, it looks like the other locations in the area, Pico Rivera, Downey, Lakewood, Azusa their hours are to 3:30 a.m. Thursday through Saturday. Commissioner Choi inquired about the existing drive-through establishments in that corridor of South Atlantic, which are also adjacent to residential properties and have been in business for decades and if any noise complaints have been received. Planner Tewasart replied not that staff is aware of.

Chairperson Brossy de Dios stated that his comments were fairly well documented in the minutes for the previous meeting. His primary concern on this project is the fact that the Commission is being asked to approve an application in conflict with the existing setback codes for this kind of project in this particular zone and the amendment are forthcoming but they do not currently exist. Conditioning an approval on something that is speculative is not an appropriate action for this Commission to take. He appreciates the effort to develop a property that has been vacant for a long time, but seems like this particular application is fraught with some difficulties there. The other concern is regarding the drive-through space which terminates within what appears to be a single car length of the exit aisle. Based on what is indicated on the dimensions indicated on the site plan and the reduced setback that is being requested for the parking and drive-through lane, it places the exit of that lane in direct conflict with a car that is waiting to exit the driveway. It appears that it would only take one or two cars in queue to completely block that lane if somebody is waiting to make a

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turn. Conditioning that to a right-turn only exit would help, but given the amount of traffic backup that is found at the northbound light at Brightwood it could take a couple of lights.

Action Taken: Motion to adopt **Resolution No. 01-20** approving Conditional Use Permit (CU-19-13) to allow a retail eating establishment with a drive-through in the S-C (Shopping Center) Zone approved, subject to added conditions including 1) requiring right-turn only out of the driveway, 2) speaker box to be turned down at 10 p.m., 3) hours of operation from 9:00 p.m. to 1:00 a.m. seven days a week, and 4) a noise mitigation plan to the Director meeting MPMC requirements before the City will issue a building permit.

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

Ayes: Commissioners: Choi, Amador, Sam, and Lo
Noes: Commissioners: Brossy de Dios
Absent: Commissioners: None
Abstain: Commissioners: None

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS: None

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 10:08 p.m.

Next regular scheduled meeting on May 26, 2020 at 7:00 p.m. in the Council Chambers.

Mark A. McAvoy
Director of Public Works/City Engineer/City Planner

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ATTACHMENT 5

Resolution No. 12142, adopted on March 18, 2020

RESOLUTION NO. 12142

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY.

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1: The City Council finds as follows:

- A. On or about March 11, 2020, the World Health Organization (“WHO”) declared the coronavirus identified as COVID-19 to be a pandemic: the worldwide spread of a new disease against which most people do not have immunity.
- B. The declaration by WHO on March 11, 2020 follows the Governor’s Proclamation of a State of Emergency on March 4, 2020. A copy of that Proclamation is attached as Exhibit “A.”
- C. COVID-19 Pandemic is causing extreme peril to the safety of persons and property.
- D. The dangers presented by the COVID-19 Pandemic caused the City Manager to proclaim the existence of a local emergency beginning on March 11, 2020 in accordance with the Monterey Park Municipal Code (“MPMC”) as specified in attached Exhibit “B” (“Declaration of Emergency”).
- E. Based upon information provided to the City Council by the City Manager including, without limitation, set forth in the staff report accompanying this Resolution, it is apparent that local resources are unable to completely cope with the effects of this emergency.

SECTION 2: The City Council has reviewed the state of the community and ratifies the City Manager’s Declaration of Emergency including, without limitation, the Emergency Policies and Procedures for Mass Gatherings.

SECTION 3: In accordance with MPMC Chapter 2.52, and applicable law, the City Council declares that due to COVID-19 Pandemic a local emergency exists within the City of Monterey Park’s territorial limits.

SECTION 4: The City Manager, as the Director of Emergency Services, is empowered to carry out all emergency powers conferred upon him/her as the Emergency Services Director by local and state laws, and by all other lawful authority, as may be necessary to protect life and property.

SECTION 5: During the existence of this local emergency, the powers, functions, and duties of the Emergency Services Director and the emergency organization of this City will be those prescribed by state law, by ordinance, and resolutions of this City approved by the City Council.

SECTION 6: Since local resources are unable to cope with the effects of this emergency, the City Council directs the Emergency Services Director to forward a copy of this resolution to the Governor of California with the request that he/she proclaim the City of Monterey Park to be in a state of emergency.

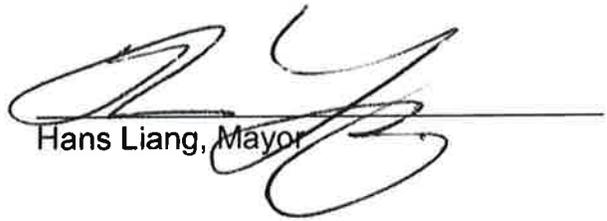
SECTION 7: Since local resources are unable to cope with the effects of this emergency, the City Council directs the Emergency Services Director to forward a copy of this resolution to the Governor of California and request that the Governor request a Presidential Declaration of Emergency from the President of the United States.

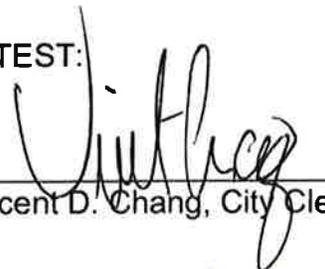
SECTION 8: The City Manager is designated as the authorized representative for public assistance and as the authorized representative for individual assistance of the City of Monterey Park for the purpose of receiving, processing, and coordinating all inquiries and requirements necessary to obtain available state and federal assistance.

SECTION 9: This local emergency will continue to exist until otherwise determined by City Council Resolution.

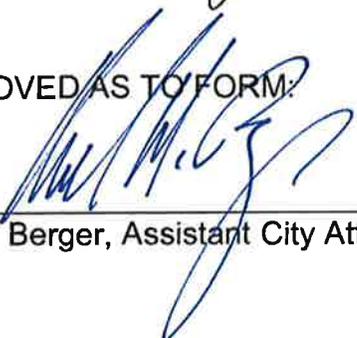
SECTION 10: This Resolution will take effect immediately upon adoption.

PASSED AND ADOPTED this 18th day of March, 2020.


Hans Liang, Mayor

ATTEST:


Vincent D. Chang, City Clerk

APPROVED AS TO FORM:


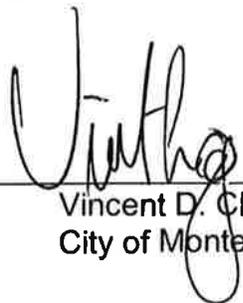
Karl H. Berger, Assistant City Attorney

State of California)
County of Los Angeles) ss.
City of Monterey Park)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 12142 was duly and regularly adopted by the City Council of the City of Monterey Park at a special council meeting held on the 18th day of March, 2020, by the following vote:

Ayes:	Council Members: Chan, Real Sebastian, Ing, Liang
Noes:	Council Members: None
Absent:	Council Members: Lam
Abstain:	Council Members: None

Dated this 18th day of March, 2020.



Vincent D. Chang, City Clerk
City of Monterey Park, California

EXHIBIT A
Governor's Proclamation of a State of Emergency

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States; and

WHEREAS the State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

WHEREAS on January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

WHEREAS on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

WHEREAS the California Department of Public Health has been in regular communication with hospitals, clinics and other health providers and has provided guidance to health facilities and providers regarding COVID-19; and

WHEREAS as of March 4, 2020, across the globe, there are more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

WHEREAS as of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; and

WHEREAS for more than a decade California has had a robust pandemic influenza plan, supported local governments in the development of local plans, and required that state and local plans be regularly updated and exercised; and

WHEREAS California has a strong federal, state and local public health and health care delivery system that has effectively responded to prior events including the H1N1 influenza virus in 2009, and most recently Ebola; and

WHEREAS experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

WHEREAS it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the people of California, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS personal protective equipment (PPE) is not necessary for use by the general population but appropriate PPE is one of the most effective ways to preserve and protect California's healthcare workforce at this critical time and to prevent the spread of COVID-19 broadly; and

WHEREAS state and local health departments must use all available preventative measures to combat the spread of COVID-19, which will require access to services, personnel, equipment, facilities, and other resources, potentially including resources beyond those currently available, to prepare for and respond to any potential cases and the spread of the virus; and

WHEREAS I find that conditions of Government Code section 8558(b), relating to the declaration of a State of Emergency, have been met; and

WHEREAS I find that the conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the threat posed by COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in California.

IT IS HEREBY ORDERED THAT:

1. In preparing for and responding to COVID-19, all agencies of the state government use and employ state personnel, equipment, and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as the California Department of Public Health and the Emergency Medical Services Authority. Also, all residents are to heed the advice of emergency officials with regard to this emergency in order to protect their safety.
2. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.
3. Any out-of-state personnel, including, but not limited to, medical personnel, entering California to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Government Code section 179.5, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Director of the Emergency Medical Services Authority for medical personnel and the Director of the Office of Emergency Services for non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.
4. The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency is hereby waived as it relates to emergency supplies and medical supplies. These price gouging protections shall be in effect through September 4, 2020.
5. Any state-owned properties that the Office of Emergency Services determines are suitable for use to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services for this purpose, notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.
6. Any fairgrounds that the Office of Emergency Services determines are suitable to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can immediately use the fairgrounds without the fairground board of directors' approval, and

notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.

7. The 30-day time period in Health and Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local health emergency.
8. The 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency.
9. The Office of Emergency Services shall provide assistance to local governments that have demonstrated extraordinary or disproportionate impacts from COVID-19, if appropriate and necessary, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
10. To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.
11. To support consistent practices across California, state departments, in coordination with the Office of Emergency Services, shall provide updated and specific guidance relating to preventing and mitigating COVID-19 to schools, employers, employees, first responders and community care facilities by no later than March 10, 2020.
12. To promptly respond for the protection of public health, state entities are, notwithstanding any other state or local law, authorized to share relevant medical information, limited to the patient's underlying health conditions, age, current condition, date of exposure, and possible contact tracing, as necessary to address the effect of the COVID-19 outbreak with state, local, federal, and nongovernmental partners, with such information to be used for the limited purposes of monitoring, investigation and control, and treatment and coordination of care. The

notification requirement of Civil Code section 1798.24, subdivision (j), is suspended.

13. Notwithstanding Health and Safety Code sections 1797.52 and 1797.218, during the course of this emergency, any EMT-P licensees shall have the authority to transport patients to medical facilities other than acute care hospitals when approved by the California EMS Authority. In order to carry out this order, to the extent that the provisions of Health and Safety Code sections 1797.52 and 1797.218 may prohibit EMT-P licensees from transporting patients to facilities other than acute care hospitals, those statutes are hereby suspended until the termination of this State of Emergency.

14. The Department of Social Services may, to the extent the Department deems necessary to respond to the threat of COVID-19, waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

EXHIBIT B
Declaration of Emergency
Emergency Policy & Procedure for Mass Gatherings
Under COVID-19 Emergency
Guidance on Preparing Workplaces for COVID-19



CITY OF MONTEREY PARK

City Manager's Office

DECLARATION OF EMERGENCY

The City Manager finds:

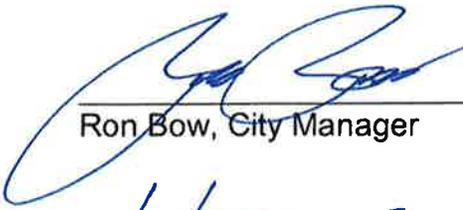
That conditions of extreme peril to the safety of persons and property have arisen within the City of Monterey Park, as a result of the coronavirus identified as COVID-19. On March 11, 2020, the World Health Organization ("WHO") declared COVID-19 to be a pandemic: the worldwide spread of a new disease against which most people do not have immunity.

The declaration by WHO on March 11, 2020 follows the Governor's Proclamation of a State of Emergency on March 4, 2020. A copy of that Proclamation is attached as Exhibit "A."

These conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency.

Accordingly, pursuant to Monterey Park Municipal Code § 2.52.060(a)(1), a local emergency is proclaimed to exist within the City of Monterey Park. This action will be taken to the City Council for conformation within seven days.

In light of upcoming "mass gatherings" planned within the City including, without limitation, City Council meetings scheduled for March 18, 2020, April 1, 2020, and April 15, 2020, I am implementing the procedures in attached Exhibit "B," which is incorporated by reference, as recommended by the California Department of Public Health on March 7, 2020. Additional emergency policies will be implemented, subject to ratification by the City Council, as they are recommended by federal, State, and local authorities including, without limitation, the Monterey Park Police and Fire Departments.



Ron Bow, City Manager

3/11/2020, 7:00 PM
Date/Time

EMERGENCY POLICY AND PROCEDURE

MASS GATHERINGS UNDER COVID-19 EMERGENCY

I. Purpose

This emergency policy and procedure (“EP&P”) is adopted pursuant to Monterey Park Municipal Code (“MPMC”) § 2.52.060(a)(6)(A) to protect public health and safety during “mass gatherings” as defined in this EP&P.

II. Definitions

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this EP&P. Words and phrases undefined in this EP&P have the same meaning as set forth in applicable law.

“Administrative Emergency Declaration” means the administrative declaration of emergency signed by the City Manager on March 11, 2020 related to the COVID-19 pandemic.

“Essential Mass Gatherings” are those that are required by applicable law including, without limitation, City Council meetings.

“High Risk Persons” are those individuals with a higher risk of severe illness. Persons with higher risk of severe illness include individuals 59 years or older and individuals with underlying medical problems (including, without limitation, cardiovascular disease; diabetes; cancer; chronic lung disease; and immunosuppression).

“Mass Gatherings” are events, including public meetings held by the City’s legislative bodies, where large numbers of people are within an arm’s length of one another. These do not include typical office environments or stores. Mass Gatherings include both public and private events occurring at Public Facilities.

“Optional Mass Gathering” are all events other than essential mass gatherings. Such events may include, without limitation, private and public events held at Public Facilities for purposes of amusement, instruction, or other recreational activities.

“Public Facilities” include all City owned property where mass gatherings occur including, without limitation, City Hall, the Bruggemeyer Library, and the Langley Center.

III. Operational Requirements

A. Identification of Mass Gatherings

Every City Department director that may administer a mass gathering must, within five days of the Administrative Emergency Declaration, provide the City Manager with a list of mass

EMERGENCY POLICY AND PROCEDURE

MASS GATHERINGS UNDER COVID-19 EMERGENCY

gatherings anticipated or scheduled for the next 120 days. Every mass gathering must be categorized as either “essential” or “optional.”

B. Essential Mass Gatherings – Regulations

To protect public health and safety, every mass gathering identified as “essential” must comply with the following:

1. Regardless of the presumed cause, persons displaying respiratory symptoms (cough or runny nose) or fever are prohibited from attending the mass gathering.
2. Any High Risk Person including, without limitation, City personnel, should be discouraged from attending a mass gathering.
3. Persons who are known to have travelled within the previous 14 days to areas identified by the Centers for Disease Control (“CDC”) as having a Level 3 Travel Health Notice due to COVID-19 are prohibited from attending a mass gathering.
4. To the extent practicable, all mass gatherings must be equipped with hand washing facilities and supplies including hand sanitizer that contains at least 60% alcohol, tissues, and trash baskets.
5. Department Directors should ensure that Public Facilities used for mass gatherings are regularly cleaned with detergent and water followed by a disinfectant that is EPA-approved for emerging viral pathogens.
6. Any attendees at mass gatherings must be encouraged to minimize close contact (e.g., no hand shaking or hugging). Additionally, persons attending mass gatherings must be encouraged to separate themselves by 6 or more feet.
7. Department Directors must provide alternative options for attending the mass gathering via phone, video, or web applications to the extent practicable.

The Police Chief and Fire Chief, or designees, are authorized to enforce these regulations in accordance with the MPMC.

C. Optional Mass Gatherings – Procedures

1. For each optional mass gathering, the Department Director will recommend to the City Manager whether the mass gathering should be modified (e.g., conducted as a video webinar), canceled, or postponed.

EMERGENCY POLICY AND PROCEDURE

MASS GATHERINGS UNDER COVID-19 EMERGENCY

2. For optional mass gatherings that are primarily intended for – or attended – by Higher Risk Persons, the Department Director must generally cancel the mass gathering.

Under all circumstances for optional mass gatherings, the City Manager must determine whether the Department Director’s recommendation should be implemented or modified.

These EP&P are subject to ratification by the City Council. They will remain effective unless superseded by applicable federal or state law; or are terminated by the City Council or City Manager.

APPROVED:
City Manager



APPROVED AS TO FORM:
City Attorney



ATTACHMENT 6

Resolution No. 12151, adopted April 15, 2020

RESOLUTION NO. 12151

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK RATIFYING CERTAIN ACTIONS COMPLETED BY THE CITY MANAGER AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY.

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1: The City Council finds as follows:

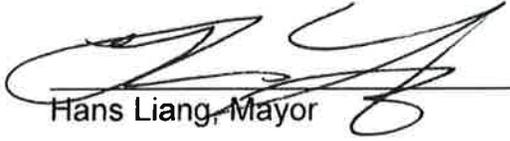
- A. On March 18, 2020, the City Council adopted Resolution No. 12142 which confirmed the existence of a local emergency related to the COVID-19 Pandemic (the "COVID-19 Pandemic").
- B. Section 4 of Resolution No. 12142 authorizes the City Manager to undertake all actions needed to preserve public health and safety in accordance with applicable law.
- C. Responses to the COVID-19 Pandemic have occurred on nearly a daily basis since March 11, 2020 which is when the City Manager declared a local emergency to exist. As a result, the City Manager has undertaken a number of actions as reflected in the attached Exhibit "A," which is incorporated by reference (the "Emergency Policies and Procedures" or "EP&P").
- D. Government Code § 8630 requires that the City Council review a local emergency at least once every 60 days. Based upon the verbal and written reports of the City Manager regarding the COVID-19 Pandemic, the City Council is satisfied that the local emergency will continue for the foreseeable future.

SECTION 2: The City Council reviewed the state of the community and continues to extend the COVID-19 Pandemic emergency. The EP&P are ratified and approved.

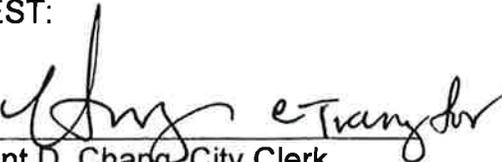
SECTION 3: This Resolution supplements Resolution No. 12142 and confirms the ongoing COVID-19 Pandemic emergency. This local emergency will continue to exist until otherwise determined by City Council Resolution.

SECTION 4: This Resolution will take effect immediately upon adoption.

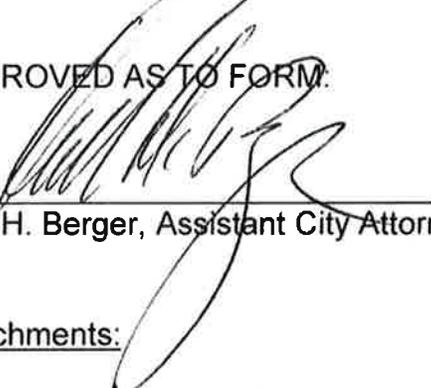
PASSED AND ADOPTED this 15th day of April, 2020.


Hans Liang, Mayor

ATTEST:


Vincent D. Chang, City Clerk

APPROVED AS TO FORM:


Karl H. Berger, Assistant City Attorney

Attachments:

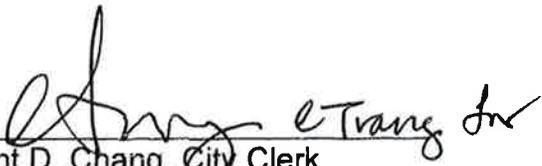
Exhibit A: Emergency Policies and Procedures

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF MONTEREY PARK)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 12151 was duly adopted by the City Council of the City of Monterey Park at a regular meeting held on the 15th of April 2020, by the following vote of the Council:

Ayes:	Council Members: Yiu, Lo, Sornoso, Chan, Liang
Noes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None

Dated this 15th day of April, 2020.


Vincent D. Chang, City Clerk
City of Monterey Park, California

EMERGENCY POLICIES AND PROCEDURES

MARCH 11 – APRIL 9, 2020

COVID-19 PANDEMIC

I. Purpose

These emergency policies and procedures (“EP&P”) were adopted pursuant to Monterey Park Municipal Code (“MPMC”) §§ 2.52.050 and 2.52.060; and Resolution No. 12142, adopted March 18, 2020 to protect public health, safety, and welfare including, without limitation, the health and safety of all City employees.

II. Definitions

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this EP&P. Words and phrases undefined in this EP&P have the same meaning as set forth in applicable law.

“City Manager” means the Director of Emergency Services identified in MPMC § 2.52.050.

“COVID-19 Pandemic” means the local emergency identified by Resolution No. 12142.

“Fire Chief” means the Coordinator of Emergency Services identified in MPMC § 2.52.050.

“Police Chief” means the Assistant Director of Emergency Services identified in MPMC § 2.52.050.

III. Appointment of Assistant Director and Coordinator of Emergency Services

Pursuant to MPMC § 2.52.050, the City Manager appointed the Police Chief as Assistant Director of Emergency Services and the Fire Chief as Coordinator of Emergency Services on March 11, 2020.

IV. City Employees and Personnel Rules

The various temporary personnel rules implemented by this EP&P were promulgated during the COVID-19 Pandemic and are only intended to be in effect during the time of emergency. To the extent practicable, the City Manager, Police Chief, and Fire Chief met with representatives of employee bargaining units to discuss implementation of these temporary personnel rules. If these EP&P further require a meet and confer with bargaining units, those meetings will be held at the earliest practicable time pursuant to Government Code § 3504.5(b).

EMERGENCY POLICIES AND PROCEDURES

MARCH 11 – APRIL 9, 2020

COVID-19 PANDEMIC

V. Miscellaneous

The EP&P attached as Exhibit “A,” and incorporated by reference, are approved by the City Manager. These EP&P are listed in chronological order and describe their substantive effect. If required, these EP&P may be implemented, refined, revised, repealed, or otherwise amended by the City Manager, Police Chief, or Fire Chief in response to the ongoing COVID-19 Pandemic. Implementation of these EP&P may be reflected in separate documents issued by the Police Chief, Fire Chief, or other Department Directors.

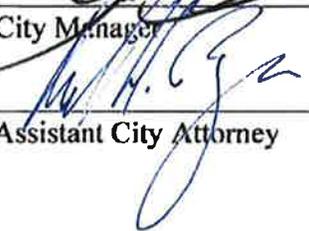
These EP&P are subject to ratification by the City Council in accordance with Resolution No. 12142 and MPMC § 2.52.060(a)(6)(A). They will remain effective unless superseded by applicable federal or state law; or are terminated by the City Council or City Manager.

APPROVED:



City Manager

APPROVED AS TO FORM:



Assistant City Attorney

Date: April 9, 2020

EXHIBIT A
Chronological EP&P

March 16:

- City Manager orders employees age 65+ to work from home.
- City Manager orders Help Desk established.
- City Manager orders City utilities to extending service without penalties and no late fees during emergency.
- City Manager cancels all April and May events.
- City Manager orders employees to use gloves when handling mail and establishes protocol for “cooling down” period on mail.

March 17:

- City Manager orders protocol for meal service to for seniors.

March 18:

- City Manager orders that all employee’s temperatures be taken as they arrive to work in the morning; if temperature, send home.

March 19:

- City Manager orders credit card policy change to allow customers to pay 100% of fees/rates by credit card.
- City Manager orders alternate work schedule for employees.
- Police Chief orders implementation of A & B shifts; schedule splitting 50% of workforce in each shift.
- City Manager orders increased janitorial services to include daily sanitizing.
- City Manager orders credit card limits increased to \$10,000 for Department Directors.

March 20:

- City Manager orders that only essential personnel gain access to City Hall. City Councilmembers and nonessential personnel are excluded.
- City Manager orders Department Directors to implement shift work emphasizing work in pairs and in field work in separate vehicles 6 and maintain feet separation.

- City Manager orders Department Directors to designate successor in the event of infection to ensure continuity of government.

March 25:

- City Manager orders all City parks closed including basketball courts.

March 26:

- City Manager orders all public projects for MPFD and MPPD to be placed on hold.
- City Manager orders Library to turn off Wi-Fi at 8:00 p.m. instead of 10:00 p.m. to avoid people loitering near the library.
- City Manager appoints Recreation and Community Services Director as Public Information Officer

March 27:

- City Manager orders street lights de-energized to help with closure of the parks.
- City Manager orders A-Frames set up at Edison Trails regarding closure.

March 30:

- Police Chief orders detectives to be placed on A & B shift.
- City Manager allows for donation of gloves/masks.

April 1:

- City Manager orders water barriers be delivered to Monterey Park hospital.

April 6:

- Police Chief orders MPPD employees to wear masks at City Hall and during calls for service/dealing with the public.
- Fire Chief orders decontamination of fire equipment.

April 7:

- City Manager orders Spirit Bus Operations be suspended on April 9, 2020.
- City Manager orders Weed Abatement proceedings held until further notice.
- City Manager orders execution of an emergency contract for sewer repair work at 518 W. Hellman Ave with GRBCON Inc. at the cost not to exceed \$7,496.00

April 8:

- City Manager orders face coverings at City Hall.

April 9:

- City Manager orders all public parking lots closed.
- City Manager orders execution of a contract amendment with Computer Service Company in the amount of \$29,950 for traffic signal maintenance work at the intersection of Garvey Ave/ Garfield Ave



City Council Staff Report

DATE: July 1, 2020

AGENDA ITEM NO: New Business
 Agenda Item 5-A

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
 Mark McAvoy, Public Works Director/City Engineer/City Planner
SUBJECT: Consideration and direction regarding placing a proposition on the November 3, 2020 ballot to adopt the Land Use Element to the Monterey Park General Plan

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting the following resolutions:
 - a. A resolution calling for a special election on November 3, 2020 for consideration of a ballot proposition;
 - b. A resolution requesting that Los Angeles County consolidate the special election with the general presidential election scheduled for the same date;
 - c. Adopting a resolution adding a proposition entitled the "Revised Monterey Park 2040 Land Use Element Proposition" to the previously called November 3, 2020 ballot;
 - d. Adopting a resolution requesting that the City Attorney prepare an impartial analysis for the Revised Monterey Park 2040 Land Use Element Proposition; and
 - e. Adopting a resolution authorizing ballot arguments regarding the Revised Monterey Park 2040 Land Use Element Proposition.
2. If desirable, direct that the City Manager draft a resolution for City Council consideration on a future meeting agenda supporting the Revised Monterey Park 2040 Land Use Element Proposition;
3. If desirable, designate one or more Councilmembers to draft an argument in favor of the Monterey Park 2040 Land Use Element Proposition; and

4. Take such additional, related, action that may be desirable.

BACKGROUND:

On June 17, 2020, the City Council amended the Land Use Element (the "LUE") to conform with a version of the LUE originally vetted by the General Plan Advisory Committee ("GPAC") and recommended by the Planning Commission in 2019. As discussed during that meeting, the LUE is subject to voter ratification.

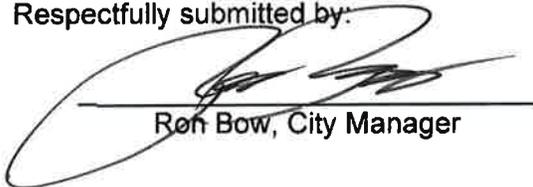
During that meeting, the City Council directed that staff return with the documents needed to place the LUE onto the November 3, 2020 presidential ballot. Those resolutions are attached.

Also included for the City Council's consideration is a resolution requesting that the City Attorney prepare an impartial analysis regarding the ballot proposition. An impartial analysis is not legally required for ballot propositions; the City Council may opt for one to be prepared.

Two last items for consideration are (a) whether staff should prepare a resolution for City Council consideration supporting the ballot proposition; and (b) if the City Council wishes to appoint Councilmembers to draft a ballot argument in favor of the proposition.

The deadline for placing propositions on the November 3, 2020 ballot is August 7, 2020.

Respectfully submitted by:



Ron Bow, City Manager

Prepared by:



Mark McAvoy
Public Works Director/City
Engineer/City Planner

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENTS:

- Draft resolutions.

ATTACHMENT 1
Draft Resolutions

RESOLUTION NO.

A RESOLUTION CALLING A SPECIAL ELECTION ON NOVEMBER 3, 2020 PURSUANT TO ELECTIONS CODE § 9222

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9222, the City Council calls for a Special Election to be held in the City of Monterey Park on Tuesday, November 3, 2020, for the purpose of considering a proposition placed on the ballot by the City Council.

SECTION 2: Pursuant to Elections Code § 320, the City Clerk is the Elections Official and is authorized to take all legal actions to administer the election.

SECTION 3: The City Council authorizes the City Clerk to administer said election and the City will pay all reasonable and actual election expenses upon presentation of a properly submitted invoice.

SECTION 4: The polls for the election will open at seven o'clock a.m. on the day of the election and continuously remain open from that time until eight o'clock p.m. of the same day when the polls will close pursuant to Election Code § 10242, except as provided in Elections Code § 14401.

SECTION 5: Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 6: In all particulars not specifically recited in this Resolution, the election will be held and conducted as provided by law for holding municipal elections.

SECTION 7: If the Los Angeles County Board of Supervisors permits the Special Election to be consolidated with the Statewide Primary Election on November 3, 2020, then, notwithstanding anything to the contrary in Sections 5, 6, or 7, above, within the City the precincts, polling places, and election officers of the two elections will be the same the Registrar-Recorder/County Clerk of the County of Los Angeles will canvass the returns of the Special Election and the election will be held in all respects as if there were only one election.

SECTION 8: The City Clerk is directed to certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 9: This Resolution will become effective immediately upon adoption.

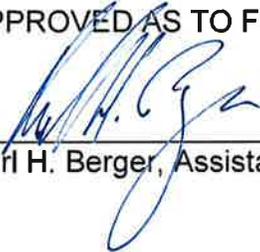
PASSED, APPROVED AND ADOPTED this 1st day of July, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONTEREY PARK)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. _____ was duly adopted by the City Council of the City of Monterey Park at a regular Meeting held on the 16th day of October, 2019, by the following vote:

Ayes	Council Members:
Noes:	Council Members:
Abstain:	Council Members:
Absent:	Council Members:

Dated this 16th day of October, 2019.

Vincent D. Chang, City Clerk
City of Monterey Park, California

CITY OF MONTEREY PARK

RESOLUTION NO.

A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED NOVEMBER 3, 2020, SPECIAL ELECTION PURSUANT TO ELECTIONS CODE § 9222

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. The City Council finds as follows:

- A. Government Code §§ 65300-65302 require the City to adopt and maintain a General Plan that contains certain elements, describes its long-term goals, and develops policies and programs to achieve those goals. By statute, a General Plan is required to be updated “periodically.” The last update to the Land Use Element of the General Plan (the “LUE”) occurred in 2001;
- B. By Resolution No. 12124, adopted December 5, 2019, the City Council certified a Final Environmental Impact Report (“FEIR”) for the LUE (filed as State Clearing House No. 2001-01-1074) and approved a new LUE (the “2019 LUE”) subject to voter approval;
- C. On March 3, 2020, voters rejected the 2019 LUE (designated as Measure II on the ballot);
- D. By Resolution No. 12172 adopted June 17, 2020, the City Council amended the 2019 LUE so that it conformed with the LUE originally vetted by the General Plan Advisory Committee (“GPAC”) and proposed by the Planning Commission (the “2020 LUE”); and
- E. The FEIR certified by Resolution No. 12124 is incorporated into this Resolution by reference. Because this Resolution was adopted after certification of the FEIR, and because the FEIR completely analyzed the 2020 LUE, the City Council complied with CEQA in accordance with all applicable law including, without limitation, *Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal.4th 165.

SECTION 2. Pursuant to Elections Code § 9222, the City Council places a proposition on the ballot for the Special Election scheduled for Tuesday, November 3, 2020, as previously established and implemented by City Council Resolution Nos. ____ and ____ adopted on July 1, 2020.

SECTION 3. A copy of the proposition to be considered by the voters is attached as Exhibit “A,” and incorporated by reference.

SECTION 4. Pursuant to Elections Code §§ 9222, 9603, and 13119, the exact form of the question to be voted on at the election as it should appear on the ballot is as follows:

Revised Monterey Park 2040 Land Use Element Proposition	YES
	NO

Shall the Revised Monterey Park 2040 Land Use Element Proposition be adopted?

SECTION 5. The City Clerk must certify to the passage and adoption of this Resolution; enter the same in the book of original Resolutions; and make a minute of the passage and adoption thereof in the records of the proceedings of the City Council in the minutes of the meeting at which the same is passed and adopted.

SECTION 6. The Mayor, or presiding officer, is hereby authorized to affix a signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or designee, is directed to attest thereto.

SECTION 7. This Resolution will become effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS 1st DAY OF JULY, 2020.

Hans Liang, Mayor

ATTEST:

Vincent Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

Attachment:

Exhibit A – Full Text of the Ballot Measure

EXHIBIT A

BALLOT PROPOSITION TO BE SUBMITTED DIRECTLY TO THE VOTERS

The People of the City of Monterey Park do ordain as follows:

SECTION 1: Title. This proposition is entitled the “Revised Monterey Park 2040 Land Use Element Proposition.”

SECTION 2: Adoption of Land Use Element of the General Plan. The Land Use Element of the Monterey Park General Plan approved by the City Council on June 17, 2020 (the “2020 LUE”) is adopted by this reference as if fully set forth. Because the 2020 LUE is voluminous (more than 100 pages), the full text of the measure may be accessed on the City’s website at the following web site address:
www.montereypark.ca.gov/MPKLUE.

SECTION 3: Implementation of this Proposition.

A. *City Council Authority.* Pursuant to Elections Code § 9217, the People authorize and direct the City Council to promptly take appropriate actions needed to implement this Proposition including, without limitation, adopting all zoning regulations needed to effectuate this Proposition by ordinance. Upon the effective date of this Proposition and notwithstanding any limitation on the City Council’s authority set forth in this Proposition or the Monterey Park Municipal Code, all land use regulations adopted by the City Council that are consistent with this Proposition are retroactively ratified and validated by the People.

B. *State Imposed Land Use Legislation.* Pursuant to Elections Code § 9217, the People authorize and direct the City Council to undertake appropriate actions needed to implement state legislation affecting land use regulations by ordinance. Upon the effective date of this Proposition and notwithstanding any limitation on the City Council’s authority set forth in this Proposition or the Monterey Park Municipal Code, all land use regulations needed to be adopted or amended in response to State legislation including, without limitation, the land use element and zoning regulations, may be adopted upon the City Council’s own authority.

C. *Reconciliation with Competing Proposition.* In the event another ballot measure (a “Competing Proposition”) appears on the same ballot as this Proposition that seeks to adopt, impose, or amend any limitations or restrictions, or other regulations or requirements, including, without limitation, those with respect to the actions authorized by this Proposition, that differ in any respect to or supplement, those contained in this Proposition, the People declare their intention that, if both the Competing

Proposition and this Proposition receive a majority of votes cast, the Competing Proposition and this Proposition be fully adopted except to the extent that specific provisions contained in each measure are deemed to be in direct conflict with each other on a “provision by provision” basis pursuant to *Yoshisato v. Superior Court* (1992) 2 Cal. 4th 978. With respect to any such directly conflicting provisions, the specific provisions of the Proposition receiving the greater number of votes will prevail.

SECTION 4: *Interpretation.* This Proposition must be interpreted to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Proposition is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Proposition. The People declare that this Proposition, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Proposition is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Proposition that can be given effect without the invalid application.

SECTION 5: *Repeal and Supersession.* The People adopt this Proposition with the specific intent of superseding any contrary regulation, including those previously adopted by the People, or administrative policy and procedure. Consequently, all regulations that conflict with this Proposition are repealed or modified to reconcile them with this Proposition.

SECTION 6: *Construction.* This Proposition must be broadly construed to achieve the purposes stated in this Proposition. It is the People’s intent that the provisions of this Proposition be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Proposition.

SECTION 7: *Enforceability.* Repeal of any provision of the previous LUE, MPMC, or other ordinance implemented by this Proposition does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Proposition’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Proposition.

SECTION 8: *Validity of Previous Code Sections.* If this entire Proposition or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the 2020 LUE, MPMC, or other ordinance implemented by this Proposition will be rendered void and cause such previous LUE, MPMC provision, or other the ordinance to remain in full force and effect for all purposes.

SECTION 9: *Severability.* If any portion of this Proposition is held by a court of competent jurisdiction to be invalid, the remainder of the Proposition and the application

of such provision to other persons or circumstances will not be affected thereby. We the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Proposition by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Proposition, and then adopting or reenacting such portion as necessary or desirable to allow its implementation.

SECTION 10: Effective Date. This Proposition will be submitted to a general election on November 3, 2020 for voter approval. If a majority of voters favor of this Proposition, it will become valid and binding 10 days after the date that the City Council certifies the election results in accordance with Elections Code § 9217. The Mayor will sign this Proposition and the City Clerk will attest and certify to the passage and adoption of this Proposition.

PASSED AND ADOPTED this 1st day of July, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR THE GENERAL ELECTION ON NOVEMBER 3, 2020.

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9281, qualified voters may submit arguments for and against the ballot measures, in addition to rebuttal arguments, for the November 3, 2020 General Municipal Election on forms provided by the City Clerk.

SECTION 2: Arguments filed in accordance with this Resolution must comply with the following requirements in accordance with Elections Code §§ 9282, 9283, 9285, and 9286:

- A. Arguments must be in writing and not exceed three hundred (300) words except for rebuttal argument which may not exceed two hundred and fifty (250) words;
- B. Arguments may be submitted by the City Council; any councilmember authorized to submit an argument by the City Council; any individual voter eligible to vote on the measures; any bona fide association of citizens; or any combination of voters and associations;
- C. Arguments must be typewritten in at least a 12 point font;
- D. Arguments may not include underlining, italics, asterisks, or other, similar, type of formatting;
- E. Arguments must be accompanied by the printed name and signature or printed names and signatures of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers.
- F. If more than five (5) signatures accompany an argument, only the first five (5) will be printed.
- G. Arguments for or against the ballot measures must be received in the City Clerk's office not later than 14 days after the City Council calls for an election. Rebuttal arguments must be received not later than 10 days after the Arguments submittal deadline.

Resolution No.
Page 2 of 2

SECTION 4: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 1st day of July, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

CITY OF MONTEREY PARK

RESOLUTION NO.

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE THE CITY OF MONTEREY PARK'S SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO ELECTIONS CODE SECTION 10403

THE CITY COUNCIL RESOLVES, DECLARES, DETERMINES, AND ORDERS AS FOLLOWS:

SECTION 1. Pursuant to the requirements of Elections Code § 10002, the Board of Supervisors of the County of Los Angeles is requested to consent and agree to conduct specified election services for the consolidation of the City of Monterey Park's Special Election with a Statwide Election that will be held on Tuesday, November 3, 2020, for the purpose of considering a ballot proposition.

SECTION 2. The City Council requests the Board of Supervisors to direct the Registrar-Recorder/County Clerk to administer, manage, and oversee all facets of the City of Monterey Park's November 3, 2020, Special Election and further direct the Registrar-Recorder/County Clerk to perform all necessary function, services, and tasks related to the complete and successful conduct of the election; the provision of all election materials and equipment; the hiring, training, and supervision of poll workers and other election personnel; the printing and distribution of ballot materials; the translation of ballot materials; the collection of submitted ballots; the tallying of votes; canvassing and certification of election results. The County election department is authorized to canvass the returns of the Special Election. The election will be held in all respects as if there were only one election and only one form of ballot will be used. The election will be held and conducted in accordance with the provisions of law regulating the Statewide Election.

SECTION 3. The City of Monterey Park recognizes that all necessary expenses incurred by the County in performing these services will be paid by the City of Monterey Park.

SECTION 4. The County's services will not include the final declaration of the results by the City Council pursuant to Elections Code §§ 10262 through 10265.

SECTION 5. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County election department of the County of Los Angeles.

SECTION 6. This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation

occurring before, this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 7. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 8. To the extent that any other resolution pertaining to the request to the Board of Supervisors of the County of Los Angeles to direct the Registrar-Recorder/County Clerk to administer, manage, and oversee the City of Monterey Park's Special Election to be held on Tuesday, November 3, 2020, and request for consolidation with any statewide election to be held on November 3, 2020, is incorporated into this Resolution, it is superseded in its entirety. In all other particulars not specifically provided in this Resolution, the Election will be held and conducted as provided by law.

SECTION 9. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

SECTION 11. This Resolution will become effective immediately upon adoption.

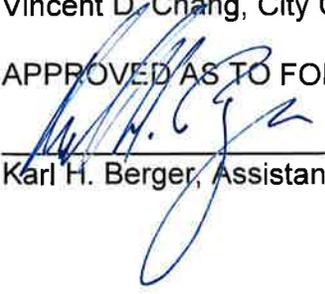
PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS 1st DAY OF JULY, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

CITY OF MONTEREY PARK

RESOLUTION NO. xx

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION CAPTIONED THE "REVISED MONTEREY PARK 2040 LAND USE ELEMENT PROPOSITION."

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to Elections Code § 9280, the City Clerk is directed to transmit a copy of the ballot proposition entitled the "Revised Monterey Park 2040 Land Use Element Proposition" to the City Attorney for an impartial analysis.

SECTION 2. Upon receiving the ballot measure, the City Attorney is directed to prepare an impartial analysis of the proposed ballot measure showing its effect, if any, on existing law and the operation of the measure. Such analysis must not be more than 500 words.

SECTION 3. The impartial analysis must include a statement indicating whether the proposed measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the City.

SECTION 4. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there must be printed immediately below the impartial analysis, in not less than 10 point bold type, the City Clerk should have the following language printed: "The above statement is an impartial analysis of the proposed ballot measure (Resolution Nos. xx). If you desire a copy of the legislation affected by this measure, please call the City Clerk's office at (xxx) xxx, and a copy will be mailed at no cost to you."

SECTION 5. The impartial analysis of the proposed ballot measure must be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 6. Pursuant to 52 U.S.C.A. § 10503, the City Clerk will:

- A. Translate the City Attorney's analysis in accordance with regulations set forth by the Los Angeles County Registrar Recorder's office; and
- B. Make copies of the translations of the City Attorney's analysis publicly available.

SECTION 7. The City Clerk will certify to the passage and adoption of this Resolution; enter the same in the book of original Resolutions; and make a minute of the passage and adoption thereof in the records of the proceedings of the City Council in the minutes of the meeting at which the same is passed and adopted.

SECTION 8. The Mayor, or presiding officer, is authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

SECTION 9. This Resolution will become effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS 1st DAY OF JULY 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney



City Council Staff Report

DATE: July 1, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-B

TO: The Honorable Mayor and City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer
SUBJECT: Consideration and possible action regarding adoption of a resolution electing to become subject to the Uniform Public Construction Cost Accounting Act and amending Chapter 3.100 "Public Works Contracts" of the Monterey Park Municipal Code

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting Resolution No. ____ declaring the City's intent to become subject to the Uniform Public Construction Cost Accounting Act.
2. Introducing and waiving first reading of an Ordinance amending Chapter 3.100 to Title 3 of the Monterey Park Municipal Code ("MPMC") to extend the City's election under the Uniform Public Construction Cost Accounting Act to all forms of "public projects" as defined in Public Contract Code section 22002(c); and/or
3. Taking such additional, related, action that may be desirable.

CEQA:

The proposed Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA" and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures in compliance with State law; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, the Ordinance does not constitute a "project" that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

EXECUTIVE SUMMARY:

If adopted, the resolution will allow the City of Monterey Park to become subject to the Uniform Public Construction Cost Accounting Act. If enacted, the Ordinance will amend Chapter 3.100 of the Monterey Park Municipal Code (MPMC) to increase the thresholds for City Manager spending authority and ability to use informal bidding procedure on "public projects" as defined in Public Contract Code section 22002(c).

DISCUSSION:

The Public Contract Code requires general law cities like Monterey Park to employ a very formal and cumbersome competitive bidding process for all public projects valued at over \$5,000. “Public projects” include the construction, reconstruction, erection, alteration, renovation, improvement, demolition, painting or repainting, and repair of any publicly owned, leased, or operated facility. Pub. Contract Code § 22002(c). The \$5,000 threshold was established decades ago and has not been adjusted for inflation. It can be very difficult to secure lower value contracts through the formal bidding process at reasonable prices because contractors are simply unwilling to expend the time, money and effort necessary to complete all the required paperwork and meet the bonding requirements for such small projects. Consequently, the City will often receive no response at all to solicitations for bids on these lower value projects.

The Uniform Public Construction Cost Accounting Act (UPCCAA), Public Contract Code § 22000 et seq., was established by the Legislature to provide uniform construction cost accounting procedures and bidding thresholds that account for escalating construction costs over time. Agencies can use the informal bidding procedures of the UPCCAA in lieu of the formal bidding procedures of the Public Contract Code provided they subscribe to uniform construction cost account policies and procedures developed by the California Uniform Construction Cost Accounting Commission. To avail itself of these alternative procedures, a local agency must (1) adopt a resolution electing to become subject to the UPCCAA and notify the State Controller of said election, and (2) adopt an ordinance enacting the informal bidding requirements set forth in the UPCCAA. More than 120 cities have elected to adopt the UPCCAA procedures.

On January 1, 2019, AB 2249 became effective. AB 2249 allows the City to authorize the City Manager to approve projects and to by-pass bidding for projects less than \$60,000 (projects may be performed by City employees; by negotiated contract; or by purchase order); allows the City Council to award contracts through informal bidding for projects between \$60,000 and \$200,000; and requires formal bidding procedures for any project over \$200,000.

Staff further recommends that the dollar threshold of the City Manager’s contracting authority on public projects be increased to \$60,000. A \$60,000 threshold is commensurate with the City ability to let public contracts under the UPCCAA without any bidding—formal or informal—and would obviate the need for Council involvement in smaller public works contracts and the attendant expense and delay associated with presenting these smaller items to Council for its consideration.

FISCAL IMPACT:

The City should experience modest savings by avoiding some costs associated with the relaxed bidding requirements for projects below the new thresholds, as well as increased efficiency in awarding such contracts.

Respectfully submitted and prepared by:



Mark A. McAvoy
Director of Public Works/City
Engineer

Approved by:



Ron Bow
City Manager

Reviewed by:



Timothy E. Campen
Deputy City Attorney

Attachment(s)

1. Resolution No. _____
2. Ordinance No. _____

ATTACHMENT 1
Draft Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY
PARK ELECTING TO BECOME SUBJECT TO THE UNIFORM PUBLIC
CONSTRUCTION COST ACCOUNTING ACT.**

The City Council of the City of Monterey Park hereby resolves as follows:

SECTION 1. The City Council finds as follows:

- A. Pursuant to Public Contract Code §20160, *et seq.*, general law cities in California must competitively bid all public projects in excess of \$5,000 in accordance with state-mandated formal bidding procedures.
- B. In 1983, the California Legislature adopted the Uniform Public Construction Cost Accounting Act (commencing with Public Contract Code § 22000) to provide for a uniform cost accounting standard for construction work performed or contracted by local agencies and further providing an alternative method for bidding and awarding contracts for public projects.
- C. Public Contract Code § 22030 provides that any city that desires to utilize the alternative procedures for bidding and contracting for public projects must elect, by resolution, to become subject to the uniform construction cost accounting procedures set forth in the Act and must notify the State Controller of its election.
- D. The City desires to become subject to the uniform construction cost accounting procedures set forth in Public Contract Code §§ 22000, *et seq.*
- E. Public Contract Code § 22034 requires each public agency that elects to become subject to the uniform construction cost accounting procedures to enact an informal bidding ordinance that complies with the requirements set forth in Public Contract Code § 22034.
- F. The City has adopted an ordinance enacting informal bidding procedures consistent with the Uniform Public Construction Cost Accounting Act.

SECTION 2. The City Council of the City of Monterey Park elects under Public Contract Code § 22030 to become subject to the uniform construction accounting procedures set forth in Public Contract Code §§ 22010, *et seq.*

SECTION 3. The City Clerk is directed to inform the California State Controller forthwith of the City's election to become subject to the Uniform Public Construction Cost Accounting Act.

SECTION 4. The City Clerk is directed to certify the passage and adoption of this Resolution, record this Resolution in the book of the City's original resolutions, and make a minute of the adoption of the Resolution in the City Council's records and the minutes of this meeting.

SECTION 5. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this _____ day of _____, 2020

Hans Liang, Mayor

ATTEST:

Vincent Chang, City Clerk

APPROVED AS TO FORM



Timothy E. Campen,
Deputy City Attorney

ATTACHMENT 2
Draft Ordinance

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 3.100 TO TITLE 3 OF THE MONTEREY PARK MUNICIPAL CODE ENTITLED “PUBLIC WORKS CONTRACTS.”

The City Council of the City of Monterey Park does ordain as follows:

SECTION 1: The City Council finds and determines as follows:

- A. By Resolution No. ____, adopted _____, 2020 the City opted to become subject to the Uniform Construction Cost Accounting Act (Public Contract Code §§ 22000, *et seq.*);
- B. The City Clerk will notify the California State Controller regarding the City’s adoption of Resolution No. ____; and
- C. In order to take advantage of the informal bidding procedures set forth in the Act, Public Contract Code (“PCC”) § 22034 requires that the City adopt an ordinance establishing bidding procedures public projects.

SECTION 2: Monterey Park Municipal Code (“MPMC”) Chapter 3.100, entitled “Public Works Contracts” and consisting of §§ 3.100.010 to 3.100.100, is amended in its entirety to read as follows:

“Chapter 3.100

PUBLIC WORKS CONTRACTS

- 3.100.010: Purpose.**
- 3.100.020: Applicability.**
- 3.100.030: Definitions.**
- 3.100.040: Soliciting Bids and Awarding Contracts.**
- 3.100.050: Qualified Contractors.**
- 3.100.060: Notice Inviting Bids.**
- 3.100.070: Bid Security.**
- 3.100.080: Bid Opening.**
- 3.100.090: Award.**
- 3.100.100: Bonds and Insurance.**

3.100.010: Purpose.

This chapter is adopted pursuant to Public Contract Code § 22034, and any succeeding or related statutes, for the purpose of implementing the informal

bid procedures set forth in the Uniform Public Construction Cost Accounting Act (Public Contract Code §§ 22000, *et seq.*).

3.100.020: Applicability.

This chapter may be used for public projects with a value equal to or less than the amounts set forth in Public Contract Code § 22032, and will be increased automatically as authorized in any successor statute or regulation, or, when applicable, as established pursuant to Public Contract Code § 22020.

3.100.030: Definitions.

Unless the contrary is stated or clearly appears from the context, the definitions in Public Contract Code § 22002 and set forth below will govern the construction of the words and phrases used in this chapter:

“City Manager” means the city manager or designee. Unless otherwise designated by the city manager in writing, the Public Works Director will constitute the city manager’s designee for purposes of this chapter.

3.100.040: Soliciting Bids and Awarding Contracts.

The city manager may solicit bids, award contracts up to \$60,000, and execute contracts for public projects. Contracts for public projects costing \$60,000 or more may be subject to informal bidding procedures and must be awarded by the city council. Contracts for public projects costing \$200,000 or more require formal bidding pursuant to the Public Contract Code.

3.100.050: Qualified Contractors.

The public works department will maintain a list of qualified contractors, identified according to categories of work. Any licensed contractor requesting to have its name placed on this list must be included. The list may be periodically revised to remove inactive names. A name may be deemed inactive if:

- A. Letters addressed to the contractor at its last known address are returned without a forwarding address;
- B. The contractor does not obtain plans for, or bid on, a public project for two years;

- C. The contractor's license is revoked or suspended by the California State Licensing Board;
- D. The contractor removes its name; or
- E. For other good cause as determined by the city manager.

Before removing a qualified contractor from the City's bid list, the city manager must make a good faith attempt to notify the contractor regarding the removal.

3.100.060: Notice Inviting Bids.

- A. The notice inviting bids must describe the project in general terms, indicate how to obtain more detailed information regarding the project, and state the time and place for submitting bids.
- B. Unless the product or service is proprietary, not less than 10 calendar days before the date set for opening bids, the city manager must notify contractors using one or both of the following methods:
 - 1. Mail notices to each contractor on the list for the category of work to be performed;
 - 2. Mail notices to each of the construction trade journals specified in Public Contract Code § 22036.

3.100.070: Bid Security.

- A. Bid Security is required for all bids on public projects when the public works director estimates that the price will exceed \$60,000. Bid security may be a bond issued by a licensed and duly qualified corporate surety, or the equivalent in cash, money order, cashier's check, certified check, unconditional letter of credit, or other form approved by the city attorney. Nothing in this section prevents the city from requiring bid security on public projects less than \$60,000 when the city manager believes such security is needed to protect the city's interests.
- B. Bid security must equal at least 10% of the bid amount.
- C. If the notice inviting bids requires a bid security, noncompliance or defective, inadequate, or incomplete security will render the bid nonresponsive.

- D. Bid security will be forfeited or paid to the city should the bidder fail to execute a contract within the time specified in the notice inviting bids.

3.100.080: Bid Opening.

The city clerk, or designee, will publicly open all bids in the presence of one or more witnesses at the time and place specified in the invitation for bids. Late, misplaced, or unsealed bids cannot be considered. If no bids are received, the city may proceed as set forth in Public Contract Code § 22038.

3.100.090: Award.

- A. The contract may be awarded to the lowest responsible bidder if the city manager or city council considers the bid to be reasonable, sufficient funds are appropriated for the public project, and the bid is within the limits specified by Public Contract Code § 22032 or, if applicable, Public Contract Code § 22020.
- B. Should all qualified bids exceed the limits in Public Contract Code § 22032, the city council may, by adopting a resolution upon four-fifths vote, award the contract, provided the award is expressly authorized by Public Contract Code § 22034(d).
- C. Nothing in this section restricts the city from taking any action set forth in Public Contract Code § 22038.

3.100.100: Bonds and Insurance.

Contractors awarded a contract under this chapter are required to provide sureties and insurance in forms approved by the city attorney and conforming with the contract documents.”

SECTION 3: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 4: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 5: This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Timothy E. Campen,
Deputy City Attorney