

Jeff Ortiz, Chair
Leo Barrera, Vice Chair
Gracie Retamoza, Commissioner
Jackie Rubio, Commissioner
Kenneth Tang, Commissioner



Gerardo Marquez, Interim Director of
Community Development
Renee Reyes, Secretary
Adrian De Leon, Interim Assistant City
Attorney

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE PLANNING COMMISSION

AGENDA

May 27, 2025, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

Those wishing to participate during Public Comment may do so in person at the South El Monte City Hall Council Chambers, or may submit written public comments by emailing rreyes@soelmonte.org. Emailed public comments are due by 5:00 p.m., and should be limited to no more than 250 words. Written public comments will be provided to the Planning Commission and will be part of the record but will not be read aloud.

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/86581711880>

Webinar ID: 865 8171 1880

Or Call In: 1 669 900 6933, when prompted, enter 86581711880#

LIVE STREAMING OF MEETINGS

The City of South El Monte live streams the Planning Commission Meetings over the Internet at <https://www.cityofsouthelmonte.org/129/Meeting-Agendas-Minutes>. After the meetings, recordings are immediately posted. NOTE: Your attendance at this public meeting may result in the streaming and recording of your image and/or voice.

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Secretary at (626) 652-3175 at least 72 hours prior to the meeting.

MEETINGS

The Planning Commission holds regular meetings on the fourth Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California. Special and Adjourned Regular meetings start time are to be determined.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

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

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

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at <https://www.cityofsouthelmonte.org/129/Meeting-Agendas-Minutes> or in the Community Development's Office at City Hall during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

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

Renee Reyes, Commission Secretary
Ph (626) 652-3175

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Commissioners: Retamoza, Rubio, Tang, Vice Chair Barrera, and Chair Ortiz

2. PLEDGE OF ALLEGIANCE

Vice Chair Barrera

3. PRESENTATIONS - None

4. APPROVAL OF AGENDA

By motion of the Planning Commission, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

5. PUBLIC COMMENT

Speakers may provide public comments on any matter within the subject matter jurisdiction of the Planning Commission, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Commission objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Commission as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the Planning Commission shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

6. CONSENT CALENDAR

6.a. CONSIDERATION AND APPROVAL OF THE REGULAR PLANNING COMMISSION MEETING MINUTES OF APRIL 29, 2025

7. PUBLIC HEARINGS

7.a. CONSIDERATION OF TIME EXTENSION REQUEST (TX 25-01) FOR CONDITIONAL USE PERMIT NO. 21-11 TO UPGRADE FROM A TYPE 41 (ON-SALE BEER AND WINE – EATING PLACE) TO A TYPE 47 (ON-SALE GENERAL – EATING PLACE (E.G. BEER, WINE AND SPIRITS) IN CONJUNCTION WITH A BONA FIDE EATING ESTABLISHMENT, A PROPOSED ADDITION TO THE EXISTING RESTAURANT, AND TO ALLOW LIVE ENTERTAINMENT AT 2327 ROSEMEAD BLVD (MARISCOS SAN ISIDRO).

RECOMMENDED ACTION: Staff recommends that the Planning Commission adopt Resolution No. 25-05, approving Time Extension 25-01 (TX 25-01) for Conditional Use Permit (No. 21-11) to upgrade from a Type 41 (On-Sale Beer and Wine with a bona fide eating place) to a Type 47 (On-Sale General (e.g. beer, wine and spirits) with a bona fide eating place), expand the license to the proposed addition to the existing restaurant (Marico's San Isidro) and allow live entertainment at 2327 Rosemead Blvd.

7.b. ADOPTION OF RESOLUTION NO. 25-05 APPROVING CONDITIONAL USE PERMIT (CUP 25-07) TO ALLOW FOR THE CONSTRUCTION OF A NEW 3,886 SQUARE FOOT DRIVE-THROUGH RESTAURANT LOCATED AT 1223 SANTA ANITA AVENUE

RECOMMENDED ACTION: Staff recommends that the Planning Commission adopt Resolution No. 25-05, approving Conditional Use Permit (No. 25-07), subject to the conditions of approval contained therein.

8. GENERAL BUSINESS

8.a. FUTURE PLANNING COMMISSIONER TRAINING

9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS

AB 1234, section 53232.3(d) requires Members of a legislative body to provide brief reports on meetings attended at the expense of the local agency (i.e., Conferences, seminars, training etc.) at the next regular meeting of the legislative body.

10. CORRESPONDENCE - None

11. COMMISSIONERS AGENDA

11.a. CHAIR ORTIZ

1. Update on massage parlor, Sunny Spa, and is it still operating?
2. Update on Rustic & Chic's appeal to City Council.

12. STAFF MEMBER COMMENTS

12.a. RECAP OF 2025 ICSC CONFERENCE.

13. ADJOURNMENT

NEXT REGULAR PLANNING COMMISSION MEETING:

Tuesday, June 24, 2025, at 6:00 p.m.

CERTIFICATION

I, Renee Reyes, Secretary, hereby certify under penalty of perjury that a true, accurate copy of the foregoing agenda was posted on this May 22, 2025, seventy-two (72) hours prior to the meeting per Government Code 54954.2 at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org.

Renee Reyes
Secretary

CITY OF SOUTH EL MONTE
SPECIAL PLANNING COMMISSION MEETING MINUTES
Tuesday, April 29, 2025, 6:00 P.M.

1. **ROLL CALL** – Chair Ortiz called the meeting to order at 6:03 p.m.

PRESENT: Commissioner(s): Tang, Rubio, Vice Chair Barrera and Chair Ortiz.

ABSENT: Commissioner(s): Retamoza

STAFF PRESENT: Adrian De Leon, Interim Assistant City Attorney; Gerardo Marquez, Interim Director of Community Development; Charlize Hernandez; Planning Assistant, and Renee Reyes, Secretary.

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

2. **PLEDGE OF ALLEGIANCE** – Chair Ortiz led the Pledge of Allegiance.

3. **PRESENTATIONS** – NONE

4. **APPROVAL OF AGENDA**

A motion was made by Commissioner Rubio, seconded by Vice Chair Barrera, to approve the agenda. Motion passed 4-0-1 by the following vote:

AYES: Commissioner(s): Tang, Rubio, Vice Chair Barrera and Chair Ortiz

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): Retamoza

5. **PUBLIC COMMENT**

Vice Chair Ortiz opened and closed Public Comment seeing no one wishing to speak.

6. **CONSENT CALENDAR**

A motion was made by Vice Chair Barrera, seconded by Commissioner Tang, to approve the agenda. Motion passed 4-0-1, by the following vote:

6.a. Approval of the Regular Planning Commission Meeting Minutes for April 29, 2025.

RECOMMENDED ACTION: Staff recommends the Planning Commission approve the Minutes for the April 29, 2025, Regular Planning Commission meeting.

AYES: Commissioner(s): Tang, Rubio, Vice Chair Barrera and Chair Ortiz

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): Retamoza

7. PUBLIC HEARING

Chair Ortiz opens Public Hearing

7.a. Adoption of Resolution No. 25-02 approving Conditional Use Permit (CUP 25-02) to allow for the development of a new commercial (market) building located at 9523-9529 Garvey Avenue.

Charlize Hernandez, Planning Assistant provided a brief overview of the proposed project. The site in total is approximately 25,252 square feet. A lot merger application to consolidate the two (2) lots will be submitted concurrently with building plan check once entitlements are approved. The existing market and restaurant will be demolished. Public improvements will include the installation of underground utilities, new sidewalks, and curb and gutters. The building will also feature a completely new design.

Commissioners posed questions and comments for Staff.

Vice Chair opened Public Comment.

1. Luis Guzman- Applicant answered Commissioners questions about timeline and operation for the project.

Chair closed Public Hearing and Public Comment seeing no one wishing to speak.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 25-02, approving Conditional Use Permit (No. 25-02), as conditioned.

A motion was made by Vice Chair Barrera, seconded by Commissioner Tang, to adopt Resolution No. 25-02, approving Conditional Use Permit (No. 25-02), as conditioned. Motion passed 4-0-1, by the following vote:

AYES: Commissioner(s): Barrera, Tang, Rubio, and Vice Chair Ortiz

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): Retamoza

8. GENERAL BUSINESS

8.a. Review of Conditions of Approval for Conditional Use Permit No. 21-11 Mariscos San Isidro – 2327 Rosemead Boulevard.

Gerardo Marquez, Interim Director of Community Development gives a brief overview of subject site. Due to cost restrictions, the owner has been working on scaling back the expansion he had planned for the restaurant.

The Planning Commissioners posed questions and concerns to Staff.

RECOMMENDATION: Staff recommends the Planning Commission receive and file the staff report on whether the business is operating in compliance with CUP.

8.b. FUTURE PLANNING COMMISSIONERS WORKSHOPS/TRAININGS

Gerardo Marquez, Interim Director of Community Development stated there will be a training next year that Commissioners can attend. And Staff will find some webinars and trainings through the City Attorneys office.

9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS – NONE

10. CORRESPONDENCE – NONE

11. COMMISSIONERS' AGENDA - NONE

12. STAFF MEMBER COMMENTS

Renee Reyes, Secretary states to Planning Commissioners that their City polo and jackets are ready them to pick up.

13. ADJOURNMENT

At 6:30 p.m., there being no more business before the Commission, Chair Ortiz adjourned the meeting to a regular Planning Commission Meeting on Tuesday, May 27, 2025, at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 22nd day of May 2025.

Secretary



Planning Commission Agenda Report

Agenda Item No. 7.a.

DATE: May 27, 2025

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Gerardo Marquez, Interim Director of Community Development

SUBMITTED BY: Charlize Hernandez, Planning Assistant

SUBJECT: **CONSIDERATION OF TIME EXTENSION REQUEST (TX 25-01) FOR CONDITIONAL USE PERMIT NO. 21-11 TO UPGRADE FROM A TYPE 41 (ON-SALE BEER AND WINE – EATING PLACE) TO A TYPE 47 (ON-SALE GENERAL – EATING PLACE (E.G. BEER, WINE AND SPIRITS) IN CONJUNCTION WITH A BONA FIDE EATING ESTABLISHMENT, A PROPOSED ADDITION TO THE EXISTING RESTAURANT, AND TO ALLOW LIVE ENTERTAINMENT AT 2327 ROSEMEAD BLVD (MARISCOS SAN ISIDRO).**

PUBLIC NOTICE: Notice of Public Hearing was posted on May 15, 2025.

ENVIRONMENTAL DETERMINATION: This proposed Project is categorically exempt from environmental review pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) Guidelines. The proposed Project satisfies the criteria for the Class 1 categorical exemption for existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

PROJECT LOCATION:

Address:	2327 Rosemead Boulevard
Project Applicant:	Luis P. Roman
Property Owner:	Luis P. Roman
Zone:	"C-M" (Commercial-Manufacturing)
Lot Size:	30,615 square feet (0.7 acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale
South	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale
East	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale
West	“M” (Manufacturing)	Industrial	Wholesale

BACKGROUND: On April 15, 1993, the Planning Commission approved a Conditional Use Permit to allow for a Type 41 on-sale beer and wine license in conjunction with a restaurant. The restaurant under current ownership has been operating at this location since 1998, with the original 784 square feet building constructed in 1938, and then expanded to the current size of 1,914 sq. ft.

On March 15, 2022 the Planning Commission approved CUP 21-11 which allowed the applicant, Eduardo Guzman (“Applicant”), to expand an existing restaurant (1,914 sq. ft), upgrade Type 41 on-sale beer and wine license to a Type 47 on-sale general alcohol use, and to allow for live entertainment, so long as the applicant continued to comply with the conditions stated in Resolution No. 21-11.

On May 16, 2023, Staff prepared a status update for Planning Commission review. Staff contacted the Sheriff’s Department, the Department of Alcoholic Beverage Control (ABC), and the City of South El Monte’s Code Enforcement Division. There was only one call for service with the Sheriff’s Department, but no complaints submitted to the Code Enforcement Division or any disciplinary actions on behalf of ABC. At that time, construction plans were in the plan check process with a March 15, 2024 expiration date to begin construction. Staff recommended that the Planning Commission receive and file the staff report as the business was operating in compliance with the CUP.

At the time of the first status update on May 16, 2023, construction plans were in the plan check process. Construction plans were approved shortly thereafter on June 19, 2023, with approval expiration on June 19, 2023, however, approval of the CUP expired on March 15, 2024, two years after initial CUP approval. An extension (TX 24-02) was filed and approved by the Planning Commission for a 12-month extension on April 16, 2024, under Resolution No. 24-03. A second extension was deemed necessary and on May 7, 2025, the applicant submitted another request for an additional extension.

In addition, staff contacted ABC and discovered that the applicant also never applied for a Type 47 License, (On-Sale General – Eating Place). They have continued operating with a Type 41 License, On-Sale Beer & Wine – Eating Place. Staff confirmed this with the restaurant owner and again mentioned that he had been financially unable to proceed with the project. The applicant also indicated that he was not hosting any live entertainment.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 25-05, approving Time Extension 25-01 (TX 25-01) for Conditional Use Permit (No. 21-11) to upgrade from a Type 41 (On-Sale Beer and Wine with a bona fide eating place) to a Type 47 (On-Sale General (e.g. beer, wine and spirits) with a bona fide

eating place), expand the license to the proposed addition to the existing restaurant (Marico's San Isidro) and allow live entertainment at 2327 Rosemead Blvd.

ANALYSIS: On May 7, 2025, Luis Roman ("Applicant") requested a second Time Extension for a CUP that was approved by the Planning Commission on March 15, 2022. Per South El Monte Municipal Code ("SEMMC") Section 17.68.100, a CUP shall automatically become null and void if not utilized within 24 months from the date of approval. If the conditional use permit is not utilized within the twenty-four-month timeframe, the applicant may apply for an extension before the expiration of the permit. While the CUP has expired, the applicant submitted, along with the application for an extension, a letter addressed to the commission citing the Covid-19 pandemic as an unprecedented challenge which has hindered his project from moving forward. Disapproval of the current request would create an undue hardship onto the property owner. Approval of this request will not be detrimental to the health, safety, and general welfare of the public, in that the approval will allow an already existing restaurant to expand its operation to what has already been approved by the Commission.

CONCLUSION: As long as the business continues to act in good faith and adheres to the conditions set forth in Resolution No. 21-11, then it should not negatively impact the surrounding uses in the area nor the City in general. Staff recommends that the Planning Commission adopt Resolution No. 25-04, approving Time Extension 25-01 (TX 25-01). If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modification or revocation.

ATTACHMENT(S):

- A. Resolution No. 25-04
- B. Request From Applicant
- C. Approved Resolution No. 21-11

PLANNING COMMISSION

RESOLUTION NO. 25-04

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING A TIME EXTENSION (TX 25-01) FOR CONDITIONAL USE PERMIT (CUP 21-11) TO UPGRADE FROM A TYPE 41 (ON-SALE BEER AND WINE WITH A BONA FIDE EATING PLACE) TO A TYPE 47 (ON-SALE GENERAL (E.G. BEER, WINE AND SPIRITS WITH A BONA FIDE EATING PLACE), EXPAND THE LICENSE TO THE PROPOSED ADDITION TO THE EXISTING RESTAURANT (MARISCOS SAN ISIDRO) AND ALLOW LIVE ENTERTAINMENT AT 2327 ROSEMEAD BLVD.

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

SECTION 1. On March 15, 2022 Eduardo Guzman (“Applicant”) was approved for a Conditional Use Permit (CUP 21-11), to upgrade from a Type 41 (On-Sale Beer and Wine with a bona fide eating place) to a Type 47 (On-Sale General (e.g. beer, wine and spirits with a bona fide eating place), expand the license to the proposed addition to the existing restaurant (Mariscos San Isidro) and allow live entertainment at 2327 Rosemead Blvd (“Property”). The Applicant submitted a request for extension on March 18, 2024, which was approved by the Planning Commission on April 16, 2024. A second extension was necessary and on May 7, 2025, the applicant submitted another request for an additional extension.

SECTION 2. Pursuant to the South El Monte Municipal Code Section 17.03.060, a proposed project’s Conditional Use Permit (CUP) approval shall automatically become null and void if not utilized within 24 months from date of approval. If the CUP is not utilized within the 24-month timeframe, the Applicant may apply for an extension before the expiration of the permit if staff determines that the termination of approval will cause an undue hardship on the Applicant. Since the Applicant is financially unable to proceed with the proposed expansion and remodel of the restaurant, as well as the application for the Type 47 ABC License, the Applicant will experience undue hardship.

SECTION 3. The Planning Commission hereby finds that the adoption of Resolution 25-04 is categorically exempt from environmental review pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) Guidelines. The proposed project satisfies the criteria for the Class 1 categorical exemption for existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Planning Commission finds that the project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 4. The Planning Commission hereby approves Time Extension (TX 25-01) for Conditional Use Permit (CUP 21-11) for the upgrade from a Type 41 (On-Sale Beer and Wine with a bona fide eating place) to a Type 47 (On-Sale General (e.g. beer, wine and spirits with a bona fide eating place), a proposed addition to the existing restaurant, and to allow live entertainment at 2327 Rosemead Blvd (Mariscos San Isidro) for 12 months from the date of this approval. Resolution No. 25-04, provided that Applicant will continue to uphold the conditions stated in Conditional Use Permit No. 21-11.

ADOPTED this 27th day of May, 2025.

Chairman

ATTEST:

Secretary

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

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 25-04 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 27th day of May 2025.

AYES:

NOES:

ABSENT:

ABSTAIN:

Secretary

Hello,

This is Carlos Roman working on behalf of Roman INC at 2327 Rosemead Blvd. We would like to inform you that currently we must extend our permit due to budget constraints. After the Covid-19 pandemic putting all projects on hold with the City for many months, the construction climate has changed significantly. The budget originally set for this project has now become 3-4 times as expensive. We are attempting to secure funding for this project and also possibly exploring a less expensive and ambitious option for remodel. We hope that the City of South El Monte can understand this situation and work with us while we attempt to find a solution. Please do not hesitate to contact me any time at the number.

Thank you,

Carlos Roman

PLANNING COMMISSION

RESOLUTION NO. 21-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE APPROVING CONDITIONAL USE PERMIT NO. 21-11, ALLOWING LIVE ENTERTAINMENT ALONG WITH THE ON-SALE GENERAL WITH A BONA FIDE EATING ESTABLISHMENT (TYPE 47 ABC LICENSE) IN A NEWLY EXPANDED SERVICE AREA IN CONJUNCTION WITH A SIT-DOWN RESTAURANT LOCATED AT 2327 ROSEMEAD BOULEVARD OPERATING AS MARISCOS SAN ISIDRO

WHEREAS, Edwardo Guzman ("Applicant"), filed an application for a Conditional Use Permit ("CUP") to sell beer, wine, and distilled spirits as a secondary use to a restaurant and operate live entertainment in a proposed restaurant expansion ("Project" or "proposed Project") located at 2327 Rosemead Boulevard, South El Monte, CA 91733 ("Property" or "project site"); and

WHEREAS, pursuant to South El Monte Municipal Code ("SEMMC") Sections 17.16.040(A) and 17.53.020, the Project requires Planning Commission review and approval because the Project consists of request for on-sale beer, wine and spirits in conjunction with a restaurant and request for conducting live entertainment; and

WHEREAS, Applicant currently has CUP 93-432, per Planning Commission Resolution 93-856, dated April 19, 1993 allowing for the off-sale of beer and wine in conjunction with a restaurant; and

WHEREAS, said Resolution 93-856 is hereby rescinded and superseded in its entirety by this Resolution 21-11; and

WHEREAS, a public hearing was held before the Planning Commission on March 15, 2022, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination.

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

SECTION 1: Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act (CEQA), the proposed Project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed Project qualifies for a Class 1 Categorical Exemption for the Project is proposed to be operated within existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

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

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

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

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

D. The operation of the restaurant with the service of beer, wine, and distilled spirits with live entertainment should not become a nuisance to surrounding properties with no expansion of operating hours. Sheriff's Department has stated that the increase in operating hours could have a negative impact on the area by generating an increase in calls for service.

SECTION 3: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated March 15, 2022, which is hereby incorporated into this Resolution 21-11 by reference, the Planning Commission hereby finds:

A. As conditioned, the Project meets the requirements of SEMMC Chapters 17.16 and 17.53 and will not be detrimental to the public health, safety or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. This is because the Project compatible with the surrounding uses and the Project is subject to conditions of approval which will help ensure that surrounding uses are not adversely impacted by any potential secondary impact that would affect property values or present and future developments.

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

C. As conditioned, the Project represents a quality establishment that will be compatible with surrounding commercial and industrial uses, the surrounding area, and the goals of the City. The proposed Project will contribute to the general well-being of the City in that the Project benefits neighboring uses and will be an asset to the surrounding area, as well as to the rest of the City, by offering a use that is not common to the area additionally, generating more traffic to the area as well as increase in sales tax. As a result, approving this application will not adversely affect the General Plan or the Zoning Ordinance.

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

Land Use Element

Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte by allowing for the expansion of a family restaurant with general alcohol sales and live entertainment as secondary uses;*

Policy 1.4: *Maintain a balanced mix and distribution of land uses throughout South El Monte" and "create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base. This will serve the area by providing a unique sit-down restaurant with live entertainment that will cater to residents as well as bring in the surrounding population; and*

Economic Development Element

Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte by allowing the proposed use that is not common to the City.*

SECTION 4: Based on the aforementioned findings, the Planning Commission hereby approves CUP (No 21-11) to operate a restaurant with on-sale beer, wine, and distilled spirits, with live entertainment as secondary uses, subject to the following conditions:

General Conditions

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

Planning Conditions

5. Sales, service and consumption of beer, wine, and distilled spirits shall be permitted only between the hours of 9:00 a.m. to 9:30 p.m. Monday-Thursday, and Friday through Sunday from 9:00 a.m. until 1:00 a.m. The hours of operation shall be from 9:00 a.m. to 10:00 p.m. Monday through Thursday and 9:00 a.m. to 1:30 a.m. Friday through Sunday.
6. The sale of beer, wine, and distilled spirits for consumption off the Property is strictly prohibited.
7. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The Applicant shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to any peace officer, Business License staff member, or Planning Division staff member on demand.
8. No pool or billiard tables may be maintained on the Property.
9. This Conditional Use Permit authorizes only live entertainment consisting of mariachi or karaoke inside of the enclosed restaurant. No dancing or similar activity in the restaurant is permitted unless a Modification to this Conditional Use Permit is approved.
10. Live entertainment and karaoke shall only be allowed three days a week on Friday through Sunday 6:00 p.m. to 1:00 a.m. with all entertainment be conducted within the fully enclosed restaurant.
11. The noise level for the karaoke shall not exceed at any time the level of noise permitted under SEMMC Section 8.20.020 to ensure that the entertainment does not become a nuisance to the City or adjacent properties.
12. A bonded security company must be employed and a total of four security guards be present during the hours that live music is being performed. On other nights when live entertainment will not take place, two security guards shall be utilized starting at 6:00 p.m.
13. Any graffiti painted or marked upon the Property or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of discovery or notice from the City.
14. The Property shall be maintained in a safe and clean condition and the Applicant shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way. At the end of each business day, the Applicant shall pick up any and all litter including but not limited to large discarded items that may have collected in the Property's parking area and public right-of-way.
15. No beer, wine, or distilled spirits shall be consumed on any property adjacent to the licensed premises under control of the licensee.

16. The sale of beer, wine, and distilled spirits shall be an ancillary service to the primary restaurant use.
17. The Applicant shall not permit any loitering on any property adjacent to the Property under control of the licensee(s).
18. At no time shall there be a fee for entrance/admittance into the Property.
19. At all times when the Property is open for business the sale and service of beer, wine, and distilled spirits shall be made only in conjunction with the sale and service of food. No alcohol shall be sold to any guest/patron who does not also purchase food.
20. There shall be no coin operated games maintained on the Property at any time.
21. Food service, with an available menu, shall be available until closing time on each day of operation.
22. The windows of the Property shall not be tinted or covered in any way, which obstructs a clear view of the interior of the Property from the exterior.
23. The employees who sell or serve alcoholic beverages shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques, and handling of violence. For new employees of licensees such training known as Responsible Beverage Service (RBS) training offered by the State Department of Alcoholic Beverage Control must be completed within 30 days of the date of hire. Those already employed shall complete training within 30 days from the date the ABC license is issued.
24. The Applicant and all operators and agents including staff and security guards shall each take all necessary steps to assure the orderly conduct of employees, patrons, and visitors when they are present on the Property.
25. The Applicant shall maintain all required permits and licenses in good standing.
26. At no time shall there be a minimum drink requirement.
27. The sale of alcoholic beverages for consumption off the Property is prohibited. Signs shall be posted at all exits of the Property, which prohibit alcohol beverages from leaving the confines of the Property.
28. Patrons shall not be allowed to bring into the location any alcoholic beverage to be consumed within the establishment.
29. There shall be no pay telephones installed within the enclosed portion of the Property equipped to receive incoming calls. There shall be no new pay phones of any kind installed on the exterior of the Property.
30. The maximum occupancy of the Property shall be prominently posted and monitored at all times.

31. The front of the exterior of the Property, as well as all adjacent parking areas under control of the Applicant, shall be illuminated at all times while the Property is open for business. This shall be done in such a fashion that persons standing outdoors at night are identifiable by law enforcement personnel while balancing the lighting so as not to unreasonably illuminate the window area of nearby businesses.
32. All crimes occurring inside or outside of the location shall be reported to the Sheriff Department at the time of the occurrence.
33. At any time when the Applicant is absent from the Property, a responsible party shall be designated who can facilitate any Sheriff inquiries.
34. In January of each year, the Applicant shall provide a list of no less than three employees who are available 24 hours a day to the Sheriff's Department Records Bureau. The list of names will be used to facilitate a Sheriff's response to the location in the event of an emergency or other problem that requires entry into the location during non-business hours.
35. A copy of the approved resolution shall be kept on the premises at all times and presented to any Sheriff, or Business License, or Planning Staff person.
36. The Applicant understands that any violation of these conditions shall be grounds for the suspension, modification or revocation of the Conditional Use Permit.
37. There shall be no exterior restaurant speakers and no live entertainment outside the restaurant (including the parking lot) unless a Temporary Use Permit (TUP) is first obtained from the City.
38. The business shall return for review before the Planning Commission on or about September 2022 ~~March 2023~~. The review shall include, but not be limited to, an evaluation of all operating characteristics following the implementation of these conditions. If additional impacts are identified during said review, the Operator shall be responsible for addressing such issues to the satisfaction of the Planning Commission, including the imposition of additional conditions. After said review, at the request of City Staff or the Planning Commission, the business shall return before the Planning Commission for review not more than one time per year.

Building Conditions

39. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
40. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
41. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.

42. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a) Observation of cleared areas and benches prepared to receive fill;
 - b) Observation of the removal of all unsuitable soils and other materials;
 - c) The approval of soils to be used as fill material;
 - d) Inspection of compaction and placement of fill;
 - e) The testing of compacted fills; and
 - f) The inspection of review of drainage devices.
43. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.
44. A grading and drainage plan shall be approved by Engineering Division prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
45. Prior submitting grading plans to Engineering Department, LID review shall be completed and approved.
46. Approval is required from the Los Angeles County Health Department for restaurants.
47. The building permit will not be issued until the property has been surveyed and the boundaries marked by a land surveyor licensed by the State of California.
48. Foundation inspection will not be made until setback on all sides of the addition has been surveyed and the location of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
49. Separate Electrical, Plumbing and Mechanical plan check is required.
50. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
51. Project shall comply with the CalGreen Non-Residential mandatory requirements.
52. All State of California disability access regulations for accessibility shall be complied with.
53. When parking serves more than one accessible entrance, parking spaces complying with Section 11B-502 shall be dispersed and located on the shortest accessible route to the accessible entrances per Section 11B-208.3.1.

54. Angled parking spaces shall be arranged to comply with Section 11B-502.2 and 11B-502.3 where the access aisle shall extend full length of parking spaces they serve. Access aisle shall not overlap with the vehicular way.
55. Fire barrier per Section 707.3 constructed to separate A-2 occupancy from R-3 occupancy shall extend from the foundation to the underside of the highest point of existing roof sheathing of R-3 occupancy and be continuous through concealed space.
56. Fire barrier per Section 707.3 constructed to separate A-2 occupancy from R-3 occupancy shall not create inadvertent violations of building code requirements related to residential occupancy such as the natural lighting, ventilation, and emergency escape and rescue requirements.
57. An automatic sprinkler system shall be provided containing A-2 occupancies where the fire area has an occupant load of 100 or more per Section 903.2.1.2.
58. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
59. Separate permit is required for Fire Sprinklers.

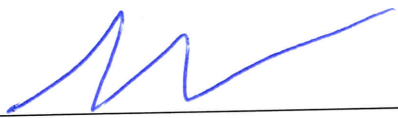
Engineering Conditions

60. The second sheet of building plans, grading plans and/or offsite improvement plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
61. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
62. A striping plans shall be approved prior to issuance of the building permit.
63. LID review shall be completed prior submitting grading plans for plan review. Grading plans shall be submitted including the proof of approval of LID or exemption of LID.
64. Replace existing curb ramp at the corner of Rosemead Blvd & Klingerman Ave with new curb ramp in accordance with SPPWC Standard Plan 111-5 and as directed by the City Engineer or his/her designee.
65. No portion of the driveway and/or parkway drain shall encroach to the frontage of the adjacent property.
66. Reconstruct the driveway approach in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee on Rosemead Blvd.

67. Close existing driveway apron, and install necessary improvements (parkway, landscape, sidewalk, curb and gutter, any others as applicable) to match required adjacent sections, and as directed by the City Engineer or his/her designee for both Klingerman Ave & Rosemead Blvd.
68. Remove and replace broken and off grade sidewalk in accordance with SPPWC standard plan 113-2, and as directed by the City Engineer or his/her designee for both Klingerman Ave & Rosemead Blvd.
69. Protect and maintain existing street tree through the duration of the project. Existing street tree must be maintained in healthy condition through the duration of any planning and construction. Trees should be deemed healthy and in good condition upon the conclusion of any construction in order for the project to be accepted as completed by the Public Works Department.
70. Remove and replace broken and off grade curb and gutter in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee for both Klingerman Ave & Rosemead Blvd.
71. Rehabilitate existing AC street pavement along the length of the property frontage to the centerline of the street as directed by the City Engineer or his/her designee: on Rosemead there are 2 lanes of concrete.
72. Underground all utility services to the property.
73. Project striping plans shall be reviewed and approved by the City Traffic Engineer, prior to the issuance of permits

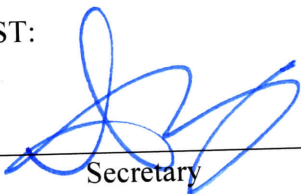
SECTION 7: Any interested party may appeal this decision to the City Council pursuant to Section 17.74.050 of the South El Monte Municipal Code.

PASSED, APPROVED AND ADOPTED this 15th day of March 2022.



Chairman

ATTEST:

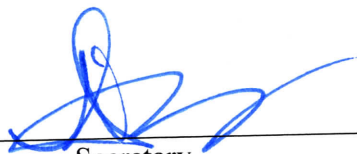


Secretary

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

I, Angie Hernandez, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 21-11 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 15th day of March 2022.

AYES: Commissioner(s): Barrera, Tang and Vice Chair Ortiz
NOES: None
ABSENT: Diaz
ABSTAIN: Chair Rodriguez



Secretary



Planning Commission Agenda Report

Agenda Item No. 7.b.

DATE: May 27, 2025

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Gerardo Marquez, Interim Director of Community Development

SUBMITTED BY: Gerardo Marquez, Interim Director of Community Development

SUBJECT: **ADOPTION OF RESOLUTION NO. 25-05 APPROVING CONDITIONAL USE PERMIT (CUP 25-07) TO ALLOW FOR THE CONSTRUCTION OF A NEW 3,886 SQUARE FOOT DRIVE-THROUGH RESTAURANT LOCATED AT 1223 SANTA ANITA AVENUE**

PUBLIC NOTICE: Notice of public hearing was posted on May 15, 2025 and mailed to all property owners within 300 feet of the project site.

ENVIRONMENTAL DETERMINATION: Upon submittal of the project, staff reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines and determined that the project is categorically exempt from the provisions of CEQA under Section 15303, Class 3, because the proposed project is a new construction of a small structure under 10,000 sq. ft in an urbanized area.

PROJECT LOCATION:

Address: 1223 Santa Anita Avenue
Project Applicant: In-N-Out Burger, Peter Kulmatticki
Property Owner: Santa Anita Commercial Group LLC.
Zone: "C-R" Commercial Residential ("Mixed Use")
Lot Size: 61,732 square feet

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan
North	"P-F" (Public Facilities)	Public Facilities and Parks
South	"C" (Commercial)	Commercial
East	"C-R" (Commercial-Residential)	Mixed Use
West	"R-1" (Single Family Residential)	Low Density Residential

BACKGROUND: The subject site is located on the northwest intersection of Santa Anita Avenue and Merced Avenue. This project site is currently unimproved and is adjacent to a recently approved development and will go through a lot line adjustment to provide a 1.41 acre site which will be developed with the new 3,886 square foot drive through restaurant operated by In-N-Out Burger. Other improvements include an outdoor dining area with covered patio, covered trash enclosure, parking lot, landscaping and associated site improvements. This lot line adjustment will not affect or create any deficiencies to previously approved Planning Commission decisions and will go through an administrative approval process. Additionally, the applicant is proposing a 38 vehicle queuing lane which will accommodate anticipated demand for the In-N-Out Burger restaurant.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 25-05, approving Conditional Use Permit (No. 25-07), subject to the conditions of approval contained therein.

ANALYSIS:

General Plan & Zoning Consistency

The General Plan designation for the subject site is “Mixed Use” and the proposed CUP is consistent with the goals and objectives of the Land Use designation. The proposed uses will promote balanced and dynamic economic growth of the area and provide for the commercial needs of the City and surrounding region. The proposed uses are compatible with existing uses in the surrounding area such as the restaurants, convenience stores, and retail stores located along Santa Anita Avenue and Fawcett Avenue/Merced Avenue. Staff has reviewed the development standards for the proposed development and has determined that the proposed commercial development meets all of the development standards such as setbacks, parking, landscaping, building height, lot coverage and traffic circulation.

Circulation and Parking

The subject site is situated at the northwest corner of Santa Anita and Fawcett/Merced Avenues. The primary entrance to the new development will be along Santa Anita Avenue and will provide 2 access points. This site will provide reciprocal ingress and egress access to the adjacent site to the west to ensure that any future development provides adequate circulation entirely on-site. Chapter 17.16, Off-Street Parking and Loading, of the Zoning Code requires one parking space for every four permanent seats or occupancy load in the restaurant. Below is a breakdown of the parking requirements for this project:

	Seats	Parking Stalls
Restaurant (Indoor)	74	19
Restaurant (Outdoor)	40	10
Employees (10% total)		3
Total Required		32
Provided Parking		59

Additionally, the applicant is proposing a 38 vehicle queuing lane which will accommodate demand for the In-N-Out Burger restaurant. The applicant also provided a

queuing and parking analysis for the site and determined that when looking at 18 other existing In-N-Out Burger restaurants throughout California, 85% of the stores had a 95 percentile queue that did not exceed 32 vehicles. This means that the provided 38 vehicle queuing is anticipated to satisfy future queuing demands. Additionally, during peak times, In-N-Out Burger associates will monitor the parking lot and will dispatch a team member with a wireless handheld ordering and payment system if needed to ensure that orders and vehicles are processed in a timely manner.

Architectural Design and Landscaping

The project shall provide a modern style architecture for the new development. Modern style of architecture has elements that include clean straight lines and simple shapes. This development will provide stucco exterior walls with tile veneer along the base of the building. The building will incorporate a white color palette paired with the red accent lines that are traditional to In-N-Out Burger's color scheme. Various materials and treatments such as decorative cornices, awnings, and decorative light fixtures will be incorporated throughout the project to add character to the site. The development standards for commercial uses require that 5% of the parking lot area be designated for landscaping. Based on this 5% requirement, a total of 1,235 sq. ft. of landscape area must be provided. The developer is proposing to exceed the minimum requirement for landscaping by providing approximately 3,503 sq. ft. of landscaping.

CONDITIONAL USE PERMIT

In order to grant a CUP, the Commission must make the following finding pursuant to South El Monte Municipal Code ("SEMMC") Section 17.03.060:

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

The proposed project provides a 1.41 acre site which will be developed with the new 3,886 square foot drive through restaurant operated by In-N-Out Burger. Other improvements include an outdoor dining area with covered patio, covered trash enclosure, parking lot, landscaping and associated site improvements. Additionally, the applicant is proposing a 38 vehicle queuing lane which will accommodate demand for the In-N-Out Burger restaurant. The proposed project shall operate in a manner that is consistent with all applicable South El Monte Municipal Code noise limit standards as well as other conditions of approval which will address lighting, littering and loitering. Approval of the CUP will not be detrimental to persons or properties in the immediate vicinity, nor to the City in general, due to the conditions of approval in the resolution and the fact that many of the surrounding parcels are being utilized as commercial.

Additionally, the proposed project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

Goal 1.0: Maintain a balanced mix and distribution of land uses throughout South El Monte. The proposed project will provide commercial retail, restaurant, and office service tenant spaces to a lot that is currently vacant and unimproved. The project will serve adjacent residential zones and will complement adjacent commercial uses.

Policy 1.4: *Maintain a balanced mix and distribution of land uses throughout South El Monte*” and “*create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base.* The proposed project will introduce a new nationally recognized franchise tenant on a presently vacant lot. This use will not only serve the adjacent single family residential zone and townhome condominium development across from Santa Anita Avenue but will also look to capture revenue generated from the broader population that travels the adjacent SR 60 freeway.

CONCLUSION: The proposed project is compatible with existing uses along Santa Anita Avenue and will not create a negative impact on surrounding uses. Staff has reviewed the Applicant’s request and has determined that the proposed project meets all of the development standards as set forth in SEMMC Chapter 17.07, which sets development standards for the Commercial Residential (Mixed-Use) “C-R” zone. Approval of the Conditional Use Permit, as conditioned, will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. Staff recommends the Planning Commission adopt Resolution No. 25-05 to approve Conditional Use Permit No. 25-07 at 1223 Santa Anita Avenue.

ATTACHMENT(S):

- A. Resolution 25-05
- B. Vicinity Maps
- C. Project Plans

PLANNING COMMISSION

RESOLUTION NO. 25-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE APPROVING CONDITIONAL USE PERMIT NO. 25-07 TO ALLOW FOR THE CONSTRUCTION OF A NEW 3,886 SQUARE FOOT DRIVE-THROUGH RESTAURANT LOCATED AT 1223 SANTA ANITA AVE

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

WHEREAS, In-N-Out Burger, Peter Kulmatticki (“Applicant”) filed an application for a Conditional Use Permit (“CUP”) to allow for the construction of a new 3,886 square foot drive-through restaurant located at 1223 Santa Anita Avenue (“Project”); and

WHEREAS, pursuant to South El Monte Municipal Code (“SEMMC”) Section 17.03.060, the Project requires Planning Commission review and approval because the Project consists of a CUP application; and

WHEREAS, a public hearing was held before the Planning Commission on May 27, 2025, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination.

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

SECTION 1: Pursuant to Section 15303 Class 3 of the California Environmental Quality Act, the proposed project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed project is characterized as a new construction of a small structure under 10,000 square feet in an urbanized area.

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

- A. With regard to the application for a CUP, SEMMC Section 17.03.060 requires that the Planning Commission find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the City in general. State law requires that the Project be compatible with surrounding uses.
- B. All of the development standards for the commercial development have been satisfied.
- C. The General Plan Land Use designation for the subject site is “Mixed Use.” The Zoning Code designation is “C-R” (Commercial-Residential).
- D. The proposed Project promotes the City’s goals and objectives stated in the General Plan. No goal or policy will be impaired.
- E. The operation of the new commercial building should not become a nuisance to surrounding properties.

SECTION 3: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated May 27, 2025, which is hereby incorporated into this Resolution 25-05 by reference, the Planning Commission hereby makes the following findings concerning CUP 25-07:

- A. Pursuant to South El Monte Municipal Code (“SEMMC”) Section 17.03.060, the proposed use is not detrimental to persons or properties in the immediate vicinity nor to the city in general.
- B. As conditioned, the proposed Project shall operate in a manner that is consistent with all applicable South El Monte Municipal Code noise limit standards as well as other conditions of approval which will address lighting, littering, and loitering. The approval of the CUP will not be detrimental to persons or properties in the immediate vicinity, nor to the City in general. This is because of the conditions of approval in the resolution and because many of the surrounding parcels are currently utilized as commercial.
- C. As conditioned, the proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte.* The proposed Project will provide commercial retail, restaurant, and office service tenant spaces to a lot that is currently vacant and unimproved. The Project will serve adjacent residential zones and will complement adjacent commercial uses.

Policy 1.4: *Maintain a balanced mix and distribution of land uses throughout South El Monte” and “create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base.* The proposed Project will introduce a new nationally recognized franchise tenant on a presently vacant lot. This use will not only serve the adjacent single family residential zone and townhome condominium development across from Santa Anita Avenue but will also look to capture revenue generated from the broader population that travels the adjacent SR 60 freeway.

SECTION 4: Based on the foregoing, the Planning Commission hereby approves CUP No. 25-07, pursuant to the conditions listed below.

General Conditions:

- 1. The Applicant and the business entity allowed for hereunder shall indemnify, defend and hold harmless the City, its officers, agents, employees, and volunteers from any and all

claims, lawsuits or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and hold harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorney's fees in any such lawsuit or action.

2. The Applicant and the business entity allowed for hereunder shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.
3. The approval shall lapse and become void if the privilege authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced within two (2) years from the date of this approval.
4. Applicant and its employees, agents and contractors shall comply with all Municipal Code provisions.

Planning Conditions:

5. The property owner shall ensure that future tenants are provided with the conditions of approval and that tenants sign a lease addendum confirming that they have read and understand all conditions relative to operation of the facility.
6. In the event of a violation of any of the conditions of approval, the property owner and tenant will be issued a notice of correction. If said violation is not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety (90) days of any notice of correction, the property owner shall be held responsible for reimbursing the City for all staff time directly attributable to enforcement of the conditions of approval and/or City law including, but not limited to, revocation of the herein conditional use permit.
7. The proposed project shall be developed in accordance with the plans submitted.
8. The applicant shall be responsible for maintaining the subject site litter free at all times.
9. The store windows shall conform to the city's signage code 17.15 (Advertising Signs) and not cover windows with more than 25% of signage.
10. All signage shall be approved separately by the Planning Division under the approved sign program under a separate sign and building permit.
11. Graffiti shall be removed from the premises within twenty-four (24) hours of discovery. The exterior painting shall include an anti-graffiti application.

12. All buildings and walls must be finished with graffiti resistant materials.
13. There shall be no outside vending machines.
14. The construction time shall be limited from 7:00 a.m. to 7:00 p.m. Monday through Friday. No construction shall be permitted on weekends and City designated holidays.
15. No person shall operate or cause or authorize the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between the hours of 10:00 p.m. and 7:00 a.m., or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across the real property line of an adjacent or nearby property developed entirely or partially for residential use.
16. No person shall sound or permit the sounding of any electronically amplified signal from any stationary bell, chime, siren, whistle, or similar device, for more than ten (10) seconds in any hourly period. Houses of religious worship shall be exempt from this provision.
17. No person shall load, unload, open, close or handle boxes, crates, containers, building materials, metal, equipment or other objects or personal property between the hours of 10:00 p.m. and 7:00 a.m. in such manner as to cause a noise disturbance across the real property line of an adjacent or nearby property developed entirely or partially for residential use.
18. The site shall be watered down periodically to reduce fugitive dust created during construction.
19. The applicant shall surround the subject site with a security fence during construction subject to approval by the Community Development Director (i.e., chain link with a lockable gate).
20. The applicant shall provide adequate security lighting in the parking lot. All lighting shall be directed and shielded so that all lighting is directed onto the subject site only. Applicant shall also provide a photometric plan showing light levels in the area so that light is directed onto the subject site only and not adjacent property.
21. Applicant shall provide security cameras and building lights with motion sensors. They shall be placed around the proposed development where feasible to reduce opportunities of criminal activities. Cameras and lighting shall be placed in such a way where law enforcement can adequately identify vehicle license plates upon entry/exit to the site.
22. All exterior doors shall be lit with a minimum of one (1) foot candle power of intensity and constructed of tamper-resistant fixtures.
23. There shall be no display or merchandise in the parking area or on walkways, except as permitted as a temporary use.
24. No vehicles shall be displayed "For sale" in the public parking lot.
25. No repair of vehicles shall occur at any time.

26. During construction of the project emergency access shall be maintained at all times.
27. Provide numerical addresses in a font size on the corner of the building that can be easily viewed and read from the street.
28. The applicant shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten (10) calendar days of the date of the Commission's approval.
29. Before issuance of a building permit, all applicable Lot Line Adjustments shall be finalized and recorded with the Los Angeles County Recorder's Office.
30. At the time of development, the applicant shall submit a site plan and grading plan with hydrology calculations to the Building Divisions showing the handling of on-site drainage. Before building permit issuance, the plans shall be approved by the Public Works Department and respective departments.
31. The applicant shall incorporate roof and surface drain to be collected on-site and terminate at the face of curb.
32. Applicant shall adhere to all provisions of South El Monte Chapter 8.44 entitled Storm Water and Urban Runoff Pollution Control and best management practices shall be utilized throughout the duration of the project.
33. All loading and unloading shall occur on-site at all times.
34. The applicant shall comply with the City of South El Monte Noise Ordinance. In addition, noise levels may not exceed 70 db (a) during business hours, Monday through Friday. Should the City receive two or more complaints regarding noise levels at the site, the applicant shall, at the request of the Director of Community Development, conduct a noise analysis of the subject site.
35. All landscaping shall be continuously maintained free of weeds, debris, litter or temporary signage.
36. The applicant shall submit detailed landscaping and irrigation plans, prepared by a registered Landscape Architect, for the review and approval of the Planning Division before the issuance of building permits in conformance with the latest Model Water Efficiency Landscape Ordinance (MWELo).
37. Before the issuance of permits, detailed site development plans, including plot plans, floor plans and building elevations shall be submitted to the Building Division for review and approval.
38. Conformance with all included conditions of this Resolution shall be achieved before the issuance of a Certificate of Occupancy and/or the issuance of a business license.
39. No signs, advertisements, or graphics shall be painted on any building wall or placed on the roof, nor shall any pennants, flags, streamers or other type of temporary signage be

allowed unless the Planning Division grants approval.

40. All utilities shall be located underground.
41. All rooftop equipment shall be screened from public view.
42. Any bollards on the site visible from the public right of way shall be decorative in nature and shall be approved by the Director of Community Development or designee.
43. A trash enclosure with minimum 5' X 7' interior dimensions shall be required for the proposed site. The trash enclosure shall be constructed of masonry material and painted to match the existing building. Landscaping shall be provided around the trash enclosure to screen it from public view. Applicant shall also schedule additional pick-ups or provide additional enclosures if it is determined by the Director of Community Development that such additional enclosures and/or additional pick-ups are necessary.
44. The location of the FDC, Fire Water Service Backflow Device, shall be subject to the approval of the Director of Community Development. The required Backflow device shall be screened from public view at all times by landscaping or a decorative block wall.

Building Conditions:

45. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
46. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior permit issuance.
47. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
48. The building shall be addressed as 1223 Santa Anita Ave., and an application to assign unit numbers shall be filed with the City prior to plan check submittal.
49. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
50. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
51. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a) Observation of cleared areas and benches prepared to receive fill;
 - b) Observation of the removal of all unsuitable soils and other materials;
 - c) The approval of soils to be used as fill material;
 - d) Inspection of compaction and placement of fill;
 - e) The testing of compacted fills; and

- f) The inspection of review of drainage devices.
52. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by other soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the City, a new Preliminary Soils and/or Geotechnical Investigation.
53. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
54. Stormwater Planning Program LID Plan Checklist (MS4-1 FORM) completed by Engineer of Record shall be copied on the first sheet of Building Plans and on the first sheet of Grading Plans. The form can be found at the following link <https://www.dropbox.com/scl/fi/xliqonam5j4jro5oklnw4/MS4-Permit-LID-Determination-Form.pdf?rlkey=zr7tu632u2staheexj6vqvxyvg&dl=0>
55. Prior submitting grading plans to Engineering Department, LID review shall be completed and approved.
56. All State of California disability access regulations for accessibility shall be complied with.
57. Approval is required from the Los Angeles County Health Department for restaurants.
58. The property shall be surveyed, and the boundaries marked by a land surveyor licensed by the State of California.
59. Foundation inspection will not be made until the excavation has been surveyed and the setbacks determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
60. Separate application and plan review is required for Electrical plans.
61. Separate application and plan review is required for Mechanical plans.
62. Separate application and plan review is required for Plumbing plans.
63. Project shall comply with the CalGreen Non-Residential mandatory requirements.
64. No form work or other construction materials will be permitted to encroach into adjacent property without written approval of the affected property owner.

65. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
66. Separate permit is required for Fire Sprinklers.
67. Building permits shall not be issued until the final map has been prepared to the satisfaction of the Building Official.

Engineering Conditions:

68. The second sheet of building plans, grading plans and/or offsite improvement plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
69. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a) Observation of cleared areas and benches prepared to receive fill;
 - b) Observation of the removal of all unsuitable soils and other materials;
 - c) The approval of soils to be used as fill material;
 - d) Inspection of compaction and placement of fill;
 - e) The testing of compacted fills; and
 - f) The inspection of review of drainage devices.
70. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.
71. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
72. LID review shall be completed prior submitting grading plans for plan review through the Building Department. Grading plans shall be submitted including the proof of approval of LID or exemption of LID.
73. Install new driveway approach in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.

74. No portion of the driveway and/or parkway drain shall encroach to the frontage of the adjacent property.
75. Close existing driveway apron, and install necessary improvements (parkway, landscape, sidewalk, curb and gutter, any others as applicable) to match required adjacent sections, and as directed by the City Engineer or his/her designee.
76. Remove and replace sidewalk along the entire length of the property frontage in accordance with SPPWC standard plan 113-2, and as directed by the City Engineer or his/her designee.
77. Remove and replace curb and gutter along the entire length of the property frontage in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.
78. The approved building address(es) shall be painted on the curb to the City's standards as required by the Public Works Inspector prior to final inspection.
79. Relocate the water meter from the sidewalk as directed by the City Engineer or his/her designee.
80. Rehabilitate existing AC street pavement along the length of the property frontage and side to the centerline of the street on Santa Anita Ave and as directed by the City Engineer or his/her designee. Grind existing pavement and overlay new AC (from depth of 2" or 4" to be determined at the time of improvements). ADA, sidewalk, curb ramps, curb and gutter, and driveway approaches shall be constructed to facilitate drainage and comply with ADA regulations. However, if the street comes into moratorium during the time of these conditions to the time of the public work improvements, then the grind existing pavement to a depth of 2" and overlay new AC will be required (to centerline or full width depending on furthest excavation).
81. Underground all utility services adjacent to and to the property.
82. Protect existing tree(s).
83. The project shall be reviewed and approved by the City Traffic Engineer prior to the issuance of permits. Any mitigation measures shown on the traffic study, if any, shall be made at the sole cost to the property owner/developer. The designer should consider the largest design vehicle that is likely to use that facility with some frequency in determining the radii needed at intersections, turning roadways, and driveways. Scaled turning templates shall be used for any type of vehicle, including passenger cars, through the drive-thru to show the swept width and or tracking width of design vehicles as an overlay.
84. The following documents shall be submitted for the review of the City Engineer for purposes of the Lot Line Adjustment:
 - Current Title Report and legal descriptions.

- Copy of the current owner's recorded deed.
- Copy of Assessor's Parcel Map.
- Documentation of recorded access to the subject property (unless abutting a public street), if not recorded with the current's deed.
- Certificate of Compliance for Lot Line Adjustment Form
- Certificate of Compliance
- Exhibit "A" Legal Description Prior to Lot Line Adjustment
- Exhibit "B" Legal Description After Lot Line Adjustment
- Exhibit "C" Owner's Certification (Signed and notarized)
- Exhibit "D" Plat of Property Showing the Lot Line Adjustment
- Traverse calculations and closures of parcel(s).
- Copy of underlying record map, parcel map or record of survey.
- Proposed grant deed and new legal descriptions, if necessary for conforming parcels. (Conforming Deeds)
- Submit sufficient evidence that affected parcels are legal, separate parcels.
- Legal descriptions and exhibits shall be prepared by a Registered Civil Engineer of Licensed Land Surveyor.
- The plat must show and include the following information:
 - North point and scale.
 - Abbreviated legal description (for entire project site only).
 - All parcels alphabetically labeled "Parcel A", "Parcel B", etc.
 - Current Assessor's Parcel Number (APN) of each existing parcel.
 - Owner's Name of parcel.
 - Existing boundary line to be adjusted shown as a short dashed line and labeled "Existing Boundary." Show other existing boundaries as solid lines.
 - Proposed boundary line shown as a solid line and labeled: "Proposed Boundary."
 - Boundary dimensions of each parcel.
 - Name, width and location of all existing and/or proposed street and road easements on or adjacent to the site. Also, identify legal access to the site.
 - Net area of each parcel.
 - Name address, telephone number and signature of the person who prepared the plat.
- Any other items required by the Planning Department for a Lot Line Adjustment Application.

SECTION 5: Any interested party may appeal this decision to the City Council pursuant to Section 17.03 of the South El Monte Municipal Code.

[SIGNATURES ON FOLLOWING PAGE]

PASSED, APPROVED AND ADOPTED this 27th day of May 2025.

Chairman

ATTEST:

Secretary

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

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 25-05 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 27th day of May 2025.

AYES:

NOES:

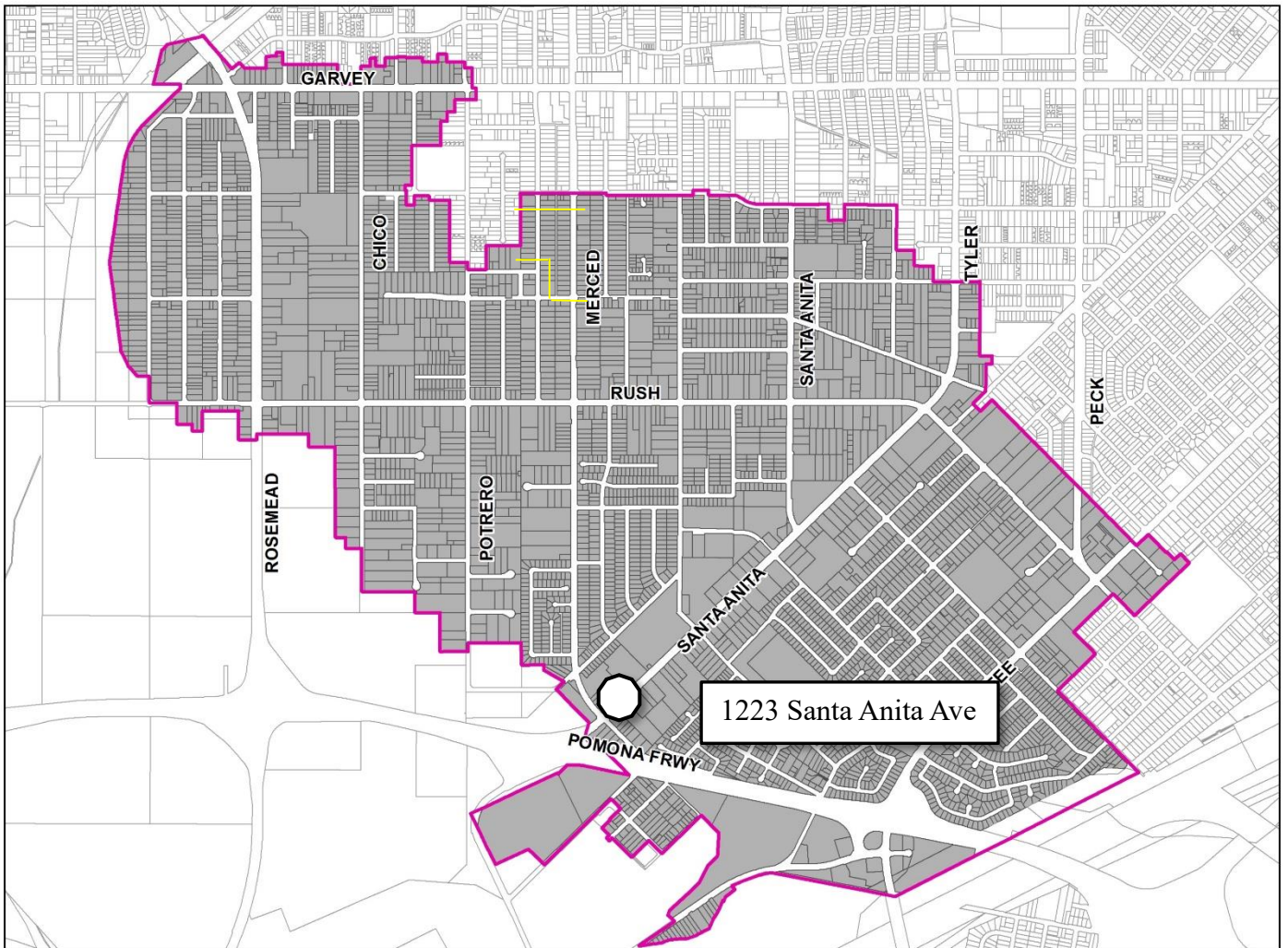
ABSENT:

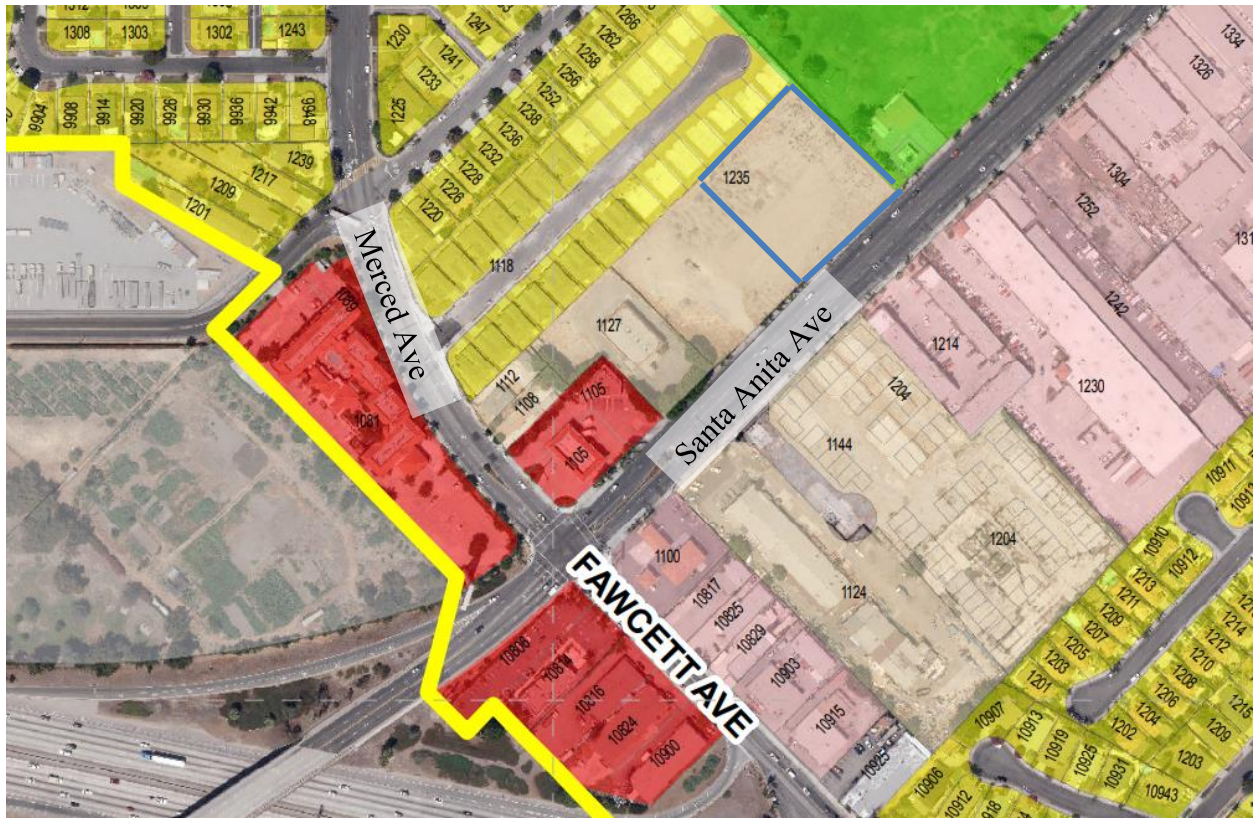
ABSTAIN:

Secretary

Attachment B

[Vicinity Map/Aerials]





SURVEYORS RECOMMENDED LEGAL DESCRIPTION OF LAND TO BE PURCHASED BY IN-N-OUT BURGER

A PORTION OF LOT 31 OF TRACT NO. 72012 IN THE CITY OF SOUTH EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED MARCH 17, 2016 AS INSTRUMENT NO. 20160295618 IN BOOK 1389 OF MAPS AT PAGES 60 THROUGH 63 INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 31, SAID CORNER ALSO BEING A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF SANTA ANITA AVENUE 100.00 FEET WIDE AS SHOWN ON SAID TRACT);
THENCE NORTH 44°32'48" WEST ALONG THE NORTHEASTERLY LINE OF SAID LOT 31 A DISTANCE OF 244.00 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 31;
THENCE SOUTH 45°36'45" WEST ALONG THE NORTHWESTERLY LINE OF SAID LOT 31 A DISTANCE OF 253.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 253.00 FEET SOUTHWEST OF SAID NORTHEASTERLY LINE OF LOT 31;
THENCE SOUTH 44°32'48" EAST ALONG SAID PARALLEL LINE 244.00 FEET TO A POINT ON SAID NORTHWESTERLY RIGHT OF WAY LINE AND A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 31;
THENCE NORTH 45°36'45" EAST ALONG SAID SOUTHEASTERLY LINE OF SAID LOT 31 AND SAID RIGHT OF WAY LINE 253.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

THE AREA OF THE ABOVE DESCRIBED LEGAL DESCRIPTION CONSISTS OF APPROXIMATELY 61,732 SQUARE FEET OR 1.417 ACRES.

PORTION OF APN 8116-027-047

SIMPLIFIED PLOTTABLE EASEMENTS, FROM TITLE REPORT SCHEDULE B, PART II

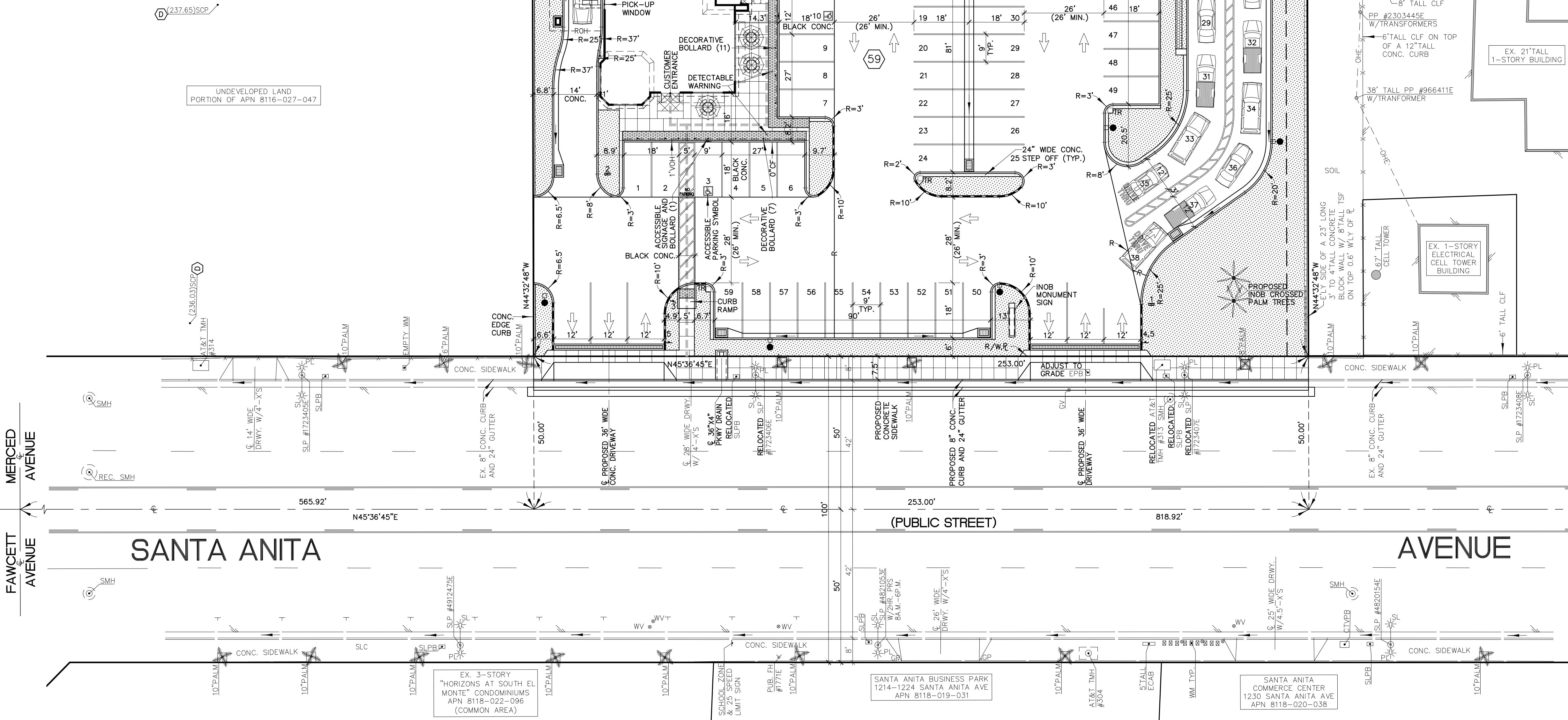
WITH MSL ENGINEERING, INC. RECOMMENDATIONS AND OPINIONS SHOWN IN [BRACKETS]

REFERENCE: FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES PRELIMINARY TITLE REPORT WITH A COMMITMENT NO. OF NCS-1235317-SAI DATED SEPTEMBER 24, 2024 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-685-2481 (jpaschal@firstam.com).

SCEPUE (12) ITEM NO. 12
A 7.00 FOOT WIDE EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS ("GRANTEE"), FOR POLE LINES, CONDUITS AND INCIDENTAL PURPOSES, INCLUDING THE RIGHT TO CONSTRUCT, USE, MAINTAIN, ALTER, ADD TO, REPAIR, REPLACE, AND/OR REMOVE AN ELECTRIC LINE, CONSISTING OF POLES, NECESSARY GUYS AND ANCHORS, CROSS-ARMS, WIRES AND OTHER FIXTURES AND APPLIANCES, FOR CONVEYING ELECTRIC ENERGY TO BE USED FOR LIGHT, HEAT, POWER, TELEPHONE, AND/OR OTHER PURPOSES (SCEPUE: SOUTHERN CALIFORNIA EDISON COMPANY PUBLIC UTILITY EASEMENT), IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT (INDIVIDUAL)" DATED AUGUST 14, 1953, RECORDED AUGUST 19, 1953 AS INSTRUMENT NO. 2693 OF OFFICIAL RECORDS OF LOS ANGELES COUNTY.

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

[WE RECOMMEND THAT THIS ITEM BE DELETED AS THE NEAREST ELECTRIC POLES AND OVERHEAD LINES ARE LOCATED OFFSITE AT LEAST 10' NORTHEASTERLY OF THE SURVEYED PROPERTY, AND TRACT NO. 72012 FILED MARCH 17, 2016 DID NOT SHOW THIS EASEMENT AS EXISTING.]



LEGEND

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOAGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- PROPOSED INOB INSTALLED AND MAINTAINED 22'-6" TALL FIXTURE HEIGHT LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL MAXIMUM.
- PROPOSED INOB INSTALLED AND MAINTAINED LANDSCAPED PLANTER AND IRRIGATION SYSTEM ONSITE, INCLUDING AREA UNDER BUILDING ROOF OVERHANG (ROH), CONSISTING OF APPROXIMATELY 14,452 SQUARE FEET (23.4%).
- BLACK TRUNCATED DOMES DETECTABLE WARNING STRIP.
- VEHICLE DETECTOR LOOP.
- PROPERTY LINE.
- OUTDOOR SEATING PATIO TABLE WITH NO UMBRELLA (4 SEATS).
- OUTDOOR SEATING PATIO TABLE WITH AN UMBRELLA (4 SEATS).
- NEW 3' TALL 18"x24" LIT "DRIVE THRU" DIRECTIONAL SIGN.
- NEW 3' TALL 18"x24" LIT "THANK YOU, DO NOT ENTER" DIRECTIONAL SIGN.
- NEW PEDESTRIAN CROSSWALK SIGN.
- NEW ACCESSIBILITY ENTRY SIGN.
- FIRE LANE ENTRANCE SIGN AND POST.
- INOB IN-N-OUT BURGER.
- CF CURB FACE.
- R/W RIGHT OF WAY.
- CL CENTERLINE.
- PL PEDESTRIAN LIGHT.
- PPL PROPOSED PROPERTY LINE.
- VOH VEHICLE OVERHANG WITH NO OBSTRUCTIONS INCLUDING LIGHT POLES, TREES AND SIGNAGE.
- ADA ACCESSIBLE PATH OF TRAVEL. ACCESSIBLE PATH OF TRAVEL IS NOT LESS THAN 4 FEET WIDE, AND DOES NOT EXCEED A RUNNING SLOPE OF 1:20 (5%) OR A CROSS SLOPE IN EXCESS OF 1:50 (2%). REFER TO SHEET C33 FOR SPECIFIC SLOPES AND GRADES.
- PROPOSED SOUTHERN CALIFORNIA EDISON ELECTRIC LOOPED PAD MOUNT TRANSFORMER WITH BOLLARDS.
- PORTABLE TRASH RECEPTACLE ON A MINIMUM 24"x24"x4" CONCRETE PAD.
- NEW CONCRETE SIDEWALK.
- BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTION SHOWN ON SHEET C38.
- SIMPLIFIED PLOTTABLE EASEMENT DESCRIPTION SHOWN ON SHEET C30.
- DRIVE-THRU CATWALK CONCRETE PAD WITH UMBRELLA STAND.
- 24" WIDE MATTED INOB ASSOCIATE WALKWAY CONSISTING OF APPROXIMATELY 390 SQUARE FEET.
- PROPOSED 18" TO 27" TALL 22" WIDE STUCCO COVERED SEAT/SCREEN WALL PAINTED TO MATCH THE BUILDING WITH A CONCRETE CAP.
- PROPOSED EV 5'± TALL ELECTRIC UTILITY TRANSFORMER AND CLEAR FLOOR SPACE.
- PROPOSED EV 7'± TALL ELECTRICAL SWITCH GEAR AND CLEAR FLOOR SPACE.
- PROPOSED CHARGEPOINT 7' TALL SINGLE EV (ELECTRIC VEHICLE) DC CHARGER/HIGH POWER CHARGER 62.5/125kW (DCFC) STATION AND CLEAR FLOOR SPACE.
- SCEPUE SOUTHERN CALIFORNIA EDISON COMPANY PUBLIC UTILITY EASEMENT.
- 6" DIAMETER GRATED AREA DRAIN.
- PROPOSED FIRE LANE IDENTIFICATION RED CURB.

GENERAL NOTES

- IN-N-OUT BURGER PREMISES AREA = 61,732 SQUARE FEET OR 1.417 ACRES.
 - EXISTING CITY ZONE: C-R (COMMERCIAL RESIDENTIAL).
 - GENERAL PLAN LAND USE DESIGNATION: MIXED USE.
 - EXISTING LAND USE: VACANT LAND.
PROPOSED LAND USE: NEW IN-N-OUT BURGER SIT DOWN RESTAURANT WITH A DRIVE-THRU LANE PERMITTED IN CITY ZONE. PER (1): APPROVAL OF A SITE PLAN REVIEW BY THE CITY PLANNING COMMISSION IS REQUIRED.
 - PROPOSED SCOPE OF WORK:
(A) CONSTRUCT A 3,886 SQUARE FOOT SIT-DOWN (74 SEATS INSIDE) RESTAURANT BUILDING, AN 59 VEHICLE PAVED PARKING LOT, AND A 38 VEHICLE LONG DRIVE-THRU QUEUE.
(B) IN-N-OUT BURGER CLASSIC BUILDING AREA = 3,886 S.F. DETACHED COVERED PATIO STRUCTURE = 698 S.F. COVERED TRASH ENCLOSURE ROOF OVERHANG = 584 S.F. INDOOR SEATING = 74 SEATS INDOOR SEATING AREA = 1,464 S.F. (INCLUDING VESTIBULE) OUTDOOR SEATING = 40 SEATS (10 TABLES) OUTDOOR SEATING AREA = 698 S.F. STRUCTURE PLUS 50 S.F. EACH FOR 3-4 SEAT TABLES (150 S.F.) PLUS 20 S.F. EACH FOR 0-2 SEAT TABLES (0 S.F.) = 848 S.F.
 - REQUIRED PARKING: 1 SPACE FOR EACH 4 FIXED SEATS OR FOR EACH 40 PERSONS OF OCCUPANT LOAD IN THE INDOOR AND OUTDOOR DINING AREAS = 29 SPACES + 10% EMPLOYEE SPACES = 32 SPACES
 - REQUIRED EV CHARGING STATIONS (EVCS): 3 (PER 2022 CALIFORNIA GREEN CODE TABLE 5.106.5.3.1).
 - PROVIDED EV CHARGING STATIONS (EVCS): 6 CHARGEPOINT CPE 250 FAST CHARGERS (DCFC).
 - A. REQUIRED EV CAPABLE PARKING SPACES: 13 (PER 2022 CALIFORNIA GREEN CODE TABLE 5.106.5.3.1) 3 EVCS = 10.
B. EXCESS DCFC CHARGERS PROVIDED = 3 (6 PROVIDED MINUS 3 REQUIRED).
C. EQUIVALENT EV CHARGING STATIONS FOR 3 EXCESS DCFC CHARGERS PROVIDED = 15 (PER 2022 CALIFORNIA GREEN CODE 5.106.5.3.1) THE INSTALLATION OF EACH DCFC EVSE SHALL BE PERMITTED TO REDUCE THE REQUIRED CAPABLE SPACES WITHOUT EVSE BY 5).
D. 15 PROVIDED IN 10C IS GREATER THAN/EQUAL TO 10 REQUIRED FROM 10A; THEREFORE EV CAPABLE PARKING IS PROVIDED.
 - MAXIMUM FLOOR AREA RATIO (FAR) = NONE FOUND. FAR PROVIDED = 0.05.
 - REQUIRED SITE LANDSCAPE AREA (10%) = 6,173 S.F. REQUIRED PARKING LOT LANDSCAPE AREA (5%) = 1,235 S.F. (PARKING LOT AREA = 24,707 S.F.)
 - LANDSCAPE AREA PROVIDED WITHIN PROPERTY = 14,452 S.F. (23.4%) LANDSCAPE AREA PROVIDED WITHIN PARKING LOT AREA = 3,503 S.F. (14.2% OF THE PARKING LOT AREA)
 - IN-N-OUT BURGER PARKING SPACE DETAILED SUMMARY TABLE
- | DESCRIPTION | REQUIRED | PROPOSED |
|--|----------|----------|
| 1. STANDARD SPACE (9'x18') | 25 | 50 |
| 2. ACCESSIBLE VAN SPACE (17'x18' PLUS A 1' VOH) | 1 | 1 |
| 3. ACCESSIBLE SPACE (14'x18' PLUS A 1' VOH) | 1 | 2 |
| 4. PROPOSED EVCS (DCFC) VAN ACCESSIBLE SPACE (17'x18' PLUS A 1' VOH) | 1 | 1 |
| 5. PROPOSED EVCS (DCFC) ACCESSIBLE SPACE (14'x18' PLUS A 1' VOH) | 1 | 1 |
| 6. PROPOSED EVCS (DCFC) SPACE (9'x18') | 3 | 4 |
| 7. TOTAL | 32 | 59 |
| 8. IN-N-OUT BURGER DRIVE THRU VEHICLE QUEUE (20' LONG INOB VEHICLE) | 0 | 38 |
| 9. SHORT-TERM BICYCLE PARKING WITHIN DESIGNATED BIKE RACK | 4 | 4 |
| 10. LONG-TERM BICYCLE PARKING WITHIN A LOCKABLE PERMANENTLY ANCHORED LOCKER ON A CONCRETE SLAB-AMERICAN BICYCLE SECURITY COMPANY BIKE-SHELL MODEL 302, FINISH: MEDIUM GRAY | 0 | 0 |
- ALL NEW SIGNS SHALL BE APPROVED BY A SEPARATE CITY PERMIT.
 - ASSESSOR PARCEL NUMBERS: PORTION OF 8116-027-047.
 - EXISTING TREES ONSITE = 0.
ONSITE TREES TO BE PROTECTED IN PLACE = 0.
OFFSITE STREET TREES TO BE REMOVED = 2.
TOTAL TREES TO BE REMOVED = 2.
 - SITE PLAN SHALL MEET ALL ENGINEERING AND NPDES REQUIREMENTS.

SHEET INDEX OF CITY ENTITLEMENT DRAWINGS

NO.	SHEET TITLE
C30	CITY ENTITLEMENT NEW SITE PLAN
C31	CITY ENTITLEMENT EXISTING SITE PLAN
C32	CITY ENTITLEMENT DEMOLITION PLAN
C33	CITY ENTITLEMENT GRADING AND DRAINAGE PLAN
C34	CITY ENTITLEMENT STORM DRAIN AND UTILITY PLAN
C35	CITY ENTITLEMENT LOW IMPACT DEVELOPMENT (LID) SITE PLAN
C36.0	CITY ENTITLEMENT HYDROLOGY STUDY MAP - EXISTING CONDITION
C36.1	CITY ENTITLEMENT HYDROLOGY STUDY MAP - PROPOSED CONDITION
C37	CITY ENTITLEMENT TOPOGRAPHY SURVEY MAP
C38	CITY ENTITLEMENT BOUNDARY AND EASEMENT MAP
C39	CITY ENTITLEMENT LOS ANGELES COUNTY FIRE DEPARTMENT SITE PLAN
LPP.1	CITY ENTITLEMENT LANDSCAPE PLANTING PLAN
LCP.1	CITY ENTITLEMENT LANDSCAPE COLOR PLAN

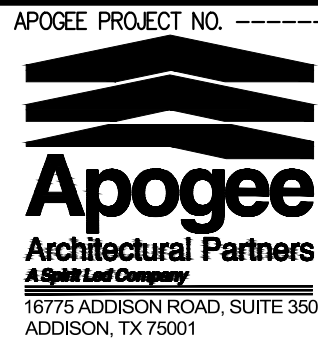


DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: PETER KULMATICKI
PHONE: 626 813-5378



REVISIONS

- △
- △
- △
- △
- △



CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
Mark S. Lamoureux
MARK S. LAMOUREUX
R.C.E. 38382
05-09-2025
DATE



IN-N-OUT BURGER
1223 SANTA ANITA AVENUE
SOUTH EL MONTE, CA 91733

**CITY ENTITLEMENT
NEW SITE PLAN**

C30



SOUTH ELEVATION



EAST ELEVATION



GOD BLESS AMERICA
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

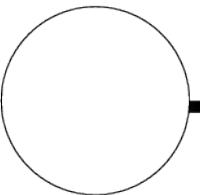
ELEVATIONS 1

SHEET OF 1

THE INFORMATION, DRAWINGS AND SPECIFICATIONS SHOWN ARE AND SHALL REMAIN THE PROPERTY OF IN-N-OUT.
THESE DOCUMENTS MAY NOT BE USED WITHOUT THE EXPRESSED WRITTEN CONSENT OF IN-N-OUT.

SOUTH EL MONTE, CA
NEQ MERCED AVE & SANTA ANITA AVE

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





NORTH ELEVATION



WEST ELEVATION

SOUTH EL MONTE, CA
NEQ MERCED AVE & SANTA ANITA AVE



GOD BLESS AMERICA
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

ELEVATIONS 2

SHEET OF 1

THE INFORMATION, DRAWINGS AND SPECIFICATIONS SHOWN ARE AND SHALL REMAIN THE PROPERTY OF IN-N-OUT.
THESE DOCUMENTS MAY NOT BE USED WITHOUT THE EXPRESSED WRITTEN CONSENT OF IN-N-OUT.

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



"GOD BLESS AMERICA"

13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

SOUTH EL MONTE, CA

NEQ MERCED AVE. & SANTA ANITA AVE.

MILK GLASS STUCCO, WIRECUT BRICK "ICEBERG" WAINSCOT WITH MATCHING FIELD CUT ROWLOCK SILL, FLAT ROOF,
AND COOLEY BRITE AWNINGS

ISSUED: 04/04/25



"GOD BLESS AMERICA"

13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

SOUTH EL MONTE, CA

NEQ MERCED AVE. & SANTA ANITA AVE.

MILK GLASS STUCCO, WIRECUT BRICK "ICEBERG" WAINSCOT WITH MATCHING FIELD CUT ROWLOCK SILL, FLAT ROOF,
AND COOLEY BRITE AWNINGS

ISSUED: 04/04/25



"GOD BLESS AMERICA"

13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

SOUTH EL MONTE, CA

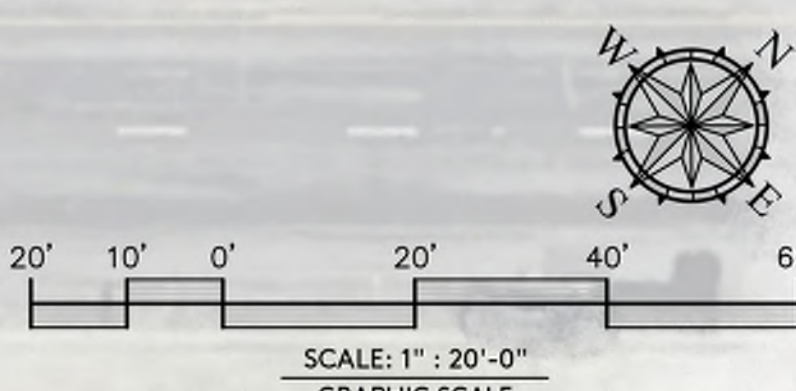
NEQ MERCED AVE. & SANTA ANITA AVE.

MILK GLASS STUCCO, WIRECUT BRICK "ICEBERG" WAINSCOT WITH MATCHING FIELD CUT ROWLOCK SILL, FLAT ROOF,
AND COOLEY BRITE AWNINGS

ISSUED: 04/04/25



PLANTING LEGEND		
SYMBOL	BOTANICAL NAME	COMMON NAME
TREES		
	EXISTING PALM TREE TO REMAIN	
	ARBUTUS 'MARINA'	MARINA STRAWBERRY TREE
	COTINUS COGGYGRIA 'ROYAL PURPLE'	ROYAL PURPLE SMOKE TREE
	LOPHOSTEMON CONFERTUS	BRISBANE BOX
	OLEA EUROPAEA 'WILSONI'	FRUITLESS OLIVE
	PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER FLOWERING PEAR
	PISTACIA X 'RED PUSH'	RED PUSH PISTACHE
PALMS		
	TRACHYCARPUS FORTUNEI	WINDMILL PALM
	DYPISIS DECARYI	TRIANGLE PALM
	PHOENIX DACTYLIFERA 'MEDJOOL'S'	DATE PALM
	WASHINGTONIA ROBUSTA IN N OUT CROSS PLAMS	MEXICAN FAN PALM
SHRUBS		
	AZALEA INDICA 'HAPPY DAYS'	HAPPY DAYS AZALEA
	AZALEA INDICA 'ALASKA'	ALASKA AZALEA
	BOUGAINVILLEA 'TORCH GLOW'	TORCH GLOW BOUGAINVILLEA
	BOUTELOUA GRACILIS 'BLONDE AMBITION'	BLONDE AMBITION BLUE GRAMA GRASS
	COPROSMA HYBRID 'TEQUILA SUNRISE'	TEQUILA SUNRISE MIRROR PLANT
	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS
	DIANELLA REVOLUTA 'LITTLE REV'	LITTLE REV FLAX LILY
	DIANELLA TASMANICA 'VARIEGATA'	VARIEGATED FLAX LILY
	HESPERALOE PARVIFLORA 'BRAKELIGHTS'	BRAKELIGHTS RED YUCCA
	HEMEROCALLIS 'RED VELVET'	RED VELVET DAYLILY
	LOMANDRA CONFERTIFOLIA SSP. PALLIDA 'POMPOM'	SHORTY MAT RUSH
	LIGUSTRUM SINENSE 'SUNSHINE'	SUNSHINE LIGUSTRUM
	NANDINA DOMESTICA 'SEIKA'	OBSESSION NANDINA
	OLEA EUROPAEA 'MONTRA'	LITTLE OLLIE DWARF OLIVE
	PITTOSPORUM TOBIRA 'SHIMA'	CREAM DE MINT DWARF PITTOSPORUM
	RHAPHIOLEPIS INDICA 'BALLARINA'	BALLERINA INDIAN HAWTHORN
	TULBAGHIA VIOLACEA 'PURPLEICIOUS'	PURPLEICIOUS SOCIETY GARLIC
	TECOMA HYBRID 'BELLS OF FIRE'	BELLS OF FIRE ESPERANZA
PROTECTIVE BARRIER HEDGE		
	BUXUS MICROPHYLLA VAR. JAPONICA 'WINTER GEM'	WINTER GEM BOXWOOD
GROUNDCOVER		
	BOUGAINVILLEA 'RASPBERRY ICE'	RASPBERRY ICE BOUGAINVILLEA
	BOUGAINVILLEA 'MONIKA'	OO-LA-LA BOUGAINVILLEA
	LANTANA X 'NEW GOLD'	NEW GOLD LANTANA
	LANTANA CAMARA 'MONIKA'	TEENIE GENIE
	DWARF TALL FESCUE BLEND	LOCALLY AVAILABLE; SUBMIT CUT SHEET TO OWNER PRIOR TO ORDERING



LANDSCAPE ARCHITECT:

BPA

LANDSCAPE ARCHITECTS

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LANDSCAPING @ MATURITY

ISSUED: 05/19/25



