



Date: July 14, 2021
To: Planning Commissioners
From: Sheri Bermejo, Planning Division Manager
Subject: Continuance of PH-1: CUP2021-0013 (Raising Cane's Item)

Raising Cane's has requested a continuance of their public hearing to the Commission's next meeting of August 11, 2021 (see attached e-mail). This will allow time for the applicant to address the concerns of business owners in the Huntington Crossings shopping center, adjacent to the project site.

Staff has received four additional e-mails from business owners in the center since the release of the meeting agenda. These e-mails are from: Robert Kenz, owner of Robeks Juice at 941 W Huntington Drive; Dr. Kim, owner of the Vision Quest Optometry at 937 W Huntington Drive; an additional letter from Paul Lusby representing the owner of the Huntington Oaks Center, and Ami Patel, owner and operator of Baja Fresh Mexican Grill at 943 W Huntington Drive (see attached e-mails).

It has also come to our attention that there was an error with the meeting date contained in the Public Hearing Notice that was mailed to the property owners. The continuance will allow staff to properly notice this item for the August 11th meeting.

When this public hearing item is called during tonight's meeting, Staff will recommend that the Chair open up the public hearing. The Chair should ask for comments from anyone who is not able to attend or may not be able to attend the August 11th meeting. This ensures that anyone who is not able to attend next month's meeting has an opportunity to speak.



From: [REDACTED]
To: [John Mayer](#)
Cc: [Bob Superneau](#); [Rick Carson](#); [Brian Albrecht](#); ["Jonathan L. Neville - Arnall Golden Gregory LLP"](#); ["Matsler, Sean"](#); [Robert Vann](#)
Subject: C0685 Monrovia - 7/14/2021 P&Z Agenda
Date: Wednesday, July 14, 2021 12:48:52 PM

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John,
Per the City of Monrovia and RC's discussions, RC's would like to respectfully request a continuance from the 7/14/2021 City of Monrovia Plan Commission meeting to the 8/11/2021 Plan Commission meeting. RC's is also agreeing to a one time 60-day extension per the California Permit Streamlining Act deadline. Current deadline is 8/1/2021. New deadline would be 9/30/2021.

Thank you,

Robert Vann (a.k.a. RV)

[REDACTED]
[REDACTED]

From: [Robert Kenz](#)
To: [John Mayer](#)
Cc: [planning](#); [Paul Strauss](#)
Subject: Conditional Use Permit CUP2021-0013 - Cane's Chicken Fingers --Opposition Letter--
Date: Friday, July 9, 2021 3:51:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Mayer,

The above referenced project was brought to my attention through a family member on Facebook today. I am shocked and disappointed that as a business owner at this center for over 19 years I was not notified about this proposal and hearing by your Department or the City in general. As someone who has been paying taxes and has employed hundreds people in our City over a great many years, I would have appreciated a simple notice.

The above notwithstanding, **I am writing now to file my objection to this project.** While I feel Cane's Chicken Fingers is a good concept and will be a good revenue generator for the City, a high volume drive-thru of this size does not belong in a complex, multi-tenant center like Huntington Crossing. This proposal virtually takes away a good third of our shared parking, completely changes customers driving behaviors in front of and around my restaurant, blocks our current street frontage, dramatically increases vehicular ingress/egress to the center and will add unbelievable amounts of congestion to 5th Ave. and Huntington Dr. streets and intersection. In short, they are forever limiting and/or eliminating valuable easements our shared customers utilize daily.

If Cane's is willing to remove the drive-thru feature of this project and operate within the current restaurant footprint, maintaining the shared parking and driving lanes, I would have no objections. Any drive-thru concept on this corner will directly hurt my ability to run a successful business here as I have for the past 19 years.

I appreciate your time and consideration and ask that this project be relocated to another site in Monrovia that will afford Cane's the space they will need to properly queue hundreds of cars a day rather than "shoe-horning" them into an already busy center with limited space and lots of valuable shared easements.

I would also like to ask that my contact information below be added to any future correspondence regarding this proposal.

Sincerely,

Robert A. Kenz
Owner
Robeks Juice
941 W. Huntington Drive.
Monrovia, CA 91016

~~robert.kenz@robeks.net~~

~~661-886-8768~~

From: [Vision Quest](#)
To: [John Mayer](#); [planning](#)
Subject: Cane's Proposal 935 W. Huntington Drive
Date: Monday, July 12, 2021 6:43:14 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Mayer,

I am the owner optometrist of Vision Quest Optometry in the Huntington Crossings Center and have been here since March of 2000. I am concerned about a proposal to build a drive thru fast food restaurant in the old Zen Buffet Location of 935 W. Huntington Drive.

This center has a good balance of services with sufficient parking, good traffic flow and access for a center of this size. However, the ingress, egress, parking and traffic flows that currently exist do not lend itself for a high volume drive-thru concept like this. If you are forming dual drive thru lanes you are anticipating high traffic volume.

My office is directly lined up to the entrance driveway of the shopping center off of Huntington Drive and we have seen a fair number of rear end collisions on Huntington Drive right at the driveway entrance as cars slow down to come into the shopping center. I anticipate that the outflow of traffic from the drive-thru exit onto Huntington will cause more traffic problems. Cars going north on Fifth and the left turn (heading south on Fifth) into the entrance will most likely cause traffic congestion. The left or right turn lanes out of the parking lots onto Fifth will be more hindered and difficult because visibility will be reduced with cars lined up to go into Raising Cane's entrance driveway.

Another traffic concern is the signal lights at the corner of Huntington and Fifth Avenue. It is not a protected turn lane and it is also a busy crosswalk and difficult to make a left or right turn onto Huntington and Fifth. I can imagine that corner would get very congested with cars leaving the restaurant on Huntington and turning in on Fifth to enter the establishment.

Theoretically, you would have evaluated the traffic impact of this establishment to the center and the reports may show that traffic would only be slightly impacted by this restaurant. However, realistically, the traffic, accessibility, and safety concerns of placing a drive thru such as this in our small center is going to be a problem for us. Huntington and Fifth Ave are already very congested and popular streets and intersections. Adding a drive thru establishment will have a negative impact on us in the center.

Thank you for your time.

Respectfully,

Shung Kim, O.D.

~~611-813-3314~~

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[Vision Quest Optometry, Inc.](#)
[937 W. Huntington Drive](#)

HORN & LUSBY APC

◆
1050 W. LAKES DRIVE, SUITE 225
WEST COVINA, CALIFORNIA 91790

Telephone [REDACTED]

Facsimile [REDACTED]

[REDACTED]

Robert J. Horn, Retired

July 14, 2021

Mr. John Mayer, AICP
Senior Planner

VIA E-mail: planning@ci.monrovia.ca.us

Re: July 17, 2021 (Per Notice Received) Planning Commission Meeting -Objections to Notice for Proposed Drive-Thru Restaurant Raising Canes's at 945 West Huntington Drive, Monrovia California

Dear Mr. Mayer:

I am writing to reiterate the objections of our client A/M Gateway Associates, LLC, the owner and operator of the Huntington Crossing Center (the "Center") to the proposed Conditional Use Permit for the above-referenced project. Our client has previously communicated objections to the proposed development to applicant and to the Planning Division in connection with the Advisory Review before the Development Review Committee.

As detailed in our prior comment letter, the two issues central to our client's concerns are: (i) the issue of traffic congestion and interference with proper traffic flow, and (ii) the apparent intended violations of the recorded Declaration of Covenants, Conditions and Restrictions and Grant of Easements ("CC&Rs") applicable to the subject property. Please note that our client reserves all of its rights and remedies under the CC&Rs and intends to enforce fully all restrictions set forth in the CC&Rs, including without limitation all architectural design criteria, all parking and common area usage restrictions, all signage criteria and compliance with all other applicable rules and regulations including those concerning trash storage and collection at the applicant's premises, the handling of trash discarded in the common areas by applicant's customers, and employee parking. If a copy of the applicable rules and regulations would be helpful to the Planning Commission in its deliberations, please notify the undersigned and a copy will be provided upon request.

We specifically note that both applicant's proposed mural graphic display and its customary can-logo signage is prohibited by the CC&Rs and will not be permitted at the Center. Nor will any pole or free-standing new pylon sign structures be approved.

Mr. John Mayer

July 14, 2021

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In the event a CUP is granted notwithstanding the stated objections of our client, and other interested parties at the Center, our client respectfully requests that such CUP specifically address the foregoing concerns and require our client's approval as operator of the Center of the final plan regarding compliance with the applicable CC&Rs and the rules and regulations of the Center, including all issues of architectural design, internal traffic queuing and control requirements, directional barriers, signage and markers, and parking.

Very truly yours,
HORN & LUSBY APC

A handwritten signature in black ink, appearing to read "Paul H. Lusby", enclosed within a large, loopy circular flourish.

BY:
Paul H. Lusby



Dear Mr. Mayer,

I am the owner and operator of Baja Fresh Mexican Grill located in Huntington Crossing Center (943 W. Huntington Drive) and I am writing on behalf of my restaurant as well as my neighbors in regards of the proposed Raising Cane's location in the current Zen Buffet site. I am excited to hear about a new business opening in Monrovia. However, I have two issues with the proposal: access drive aisles / parking, and visibility / noise concerns for my business.

I would like to mirror the concerns of Horn & Lusby APC that Raising Cane's has a high likelihood of causing overflow congestion within Huntington Crossing Center, and on Huntington Drive and Fifth Avenues. Raising Cane's is proposing nineteen (19) parking locations that are "walled off" from the rest of the Center. This is not only a reduction of parking places overall but also a reduction in ADA compliant spaces. Furthermore, the proposed drive-thru traffic pattern, as indicated in the Conditional Use Permit, show that Raising Cane's could possibly block access to their own nineteen parking places if the drive-thru line extends long enough. See L.01 Conceptual Landscape Plan. The double drive-thru lanes beginning by crossing through their parking places from the east. During exceptionally busy times some parking places will be blocked and unusable. During such times, the northbound one-way egress will also be unusable and ingress into the parking area would extend into the communal drive-aisle and possibly block communal parking. If the queue extends further it would cross into the drive-aisle, block access to other businesses in the complex, and potentially extend into the streets. Baja Fresh will be uniquely impacted by excess queueing at Raising Cane's as it is the nearest business, and the proposal directs traffic adjacent to our building. Raising Cane's customers and employees would thus be encouraged to use parking locations not within their own property but instead within the operating lines of other owners' businesses.

As the owner of an adjacent business, I take issue with the proposed building layout and impact to the other tenants of the Huntington Crossing Center. The noise level study indicates that noise levels will rise significantly throughout the Center, but more specifically to my outdoor dining space located on the southwest corner of 943 W. Huntington Drive. This dining area will raise up to the 55-60 dB(A) range, impacting my client's desires to utilize that feature of my business. There is a significant chance that Raising Cane's could have cars queueing for the drive-thru adjacent to my outdoor dining. Finally, the proposed Raising Cane's building structure and Landscape Plan block visibility of my restaurant. The trees (Coast Live Oak) will block visibility of my establishment from Fifth Avenue if and when those plants reach the dimensions listed in the proposal. More significantly, visibility from Huntington Dr is blocked by the Raising Cane's building itself. Despite Zen Buffet occupying the corner lot, Baja Fresh figures prominently in Huntington Cross Center. The proposal changes will have a significant negative impact on my establishment's foot and car traffic by blocking exposure and visibility from both streets. The proposed building is significantly more east than the existing structure, within feet of the property line, and impairs exposure in ways that the Zen Buffet did not. New proposals, however laudable, should not impact existing businesses.

Ami Patel
Owner/Operator of Baja Fresh Monrovia

[REDACTED]