

Summary of public comments for Development Review Committee meeting on August 17, 2022

Name	Subject	Comment Summary or Full Comment if brief
<p>John E. Orswell, Property Owner of 316 West Foothill Boulevard</p>	<p>Public Comment regarding Agenda Item AR-1</p>	<p>I have concerns regarding access through the subject property from Magnolia Ave, prescriptive easement, traffic congestion, overflow parking on adjacent properties, law enforcement issues at neighboring businesses, change in grade and retaining walls for playground area, reduced access for utility vehicles, trash trucks, and emergency vehicles along the alley.</p>
<p>Levon and Kathy Gazarian, Property Owner of 302 West Foothill Boulevard</p>	<p>Public Comment regarding Agenda Item AR-1</p>	<p>I fully support this request. It has come to my attention that my neighbor to the west believe he has the right to traverse my property for his personal use ad restrict my tenants in that cause. We believe that this project will be good for the development of the city plan as well as the neighborhood.</p>

August 12, 2022

Development Review Committee
City of Monrovia
415 South Ivy Avenue
Monrovia, CA 91016

RECEIVED

AUG 12 2022

Dept of Community Development
City of Monrovia

Application: Advisory Review AR2022-0015
Project Address: 302 West Foothill Boulevard

Dear Development Review Committee:

I am the property owner of a commercial office building located at 316 West Foothill Boulevard, located on the adjacent property to west. I purchased the property 18 years ago in 2004. An asphalt-paved parking lot is located on the east side of my building, which is used by employees and clients of the two tenants who lease office space in my building. The parking lot has only one access and it is a driveway along Foothill Boulevard. Since 2004, employees and clients of my building have used two methods to access or exit the parking lot: Use the driveway on Foothill Boulevard or drive south and east through the parking lot at 302 West Foothill Boulevard and exit onto Magnolia Avenue.

I am in opposition to the proposed plan for a preschool for the following reasons:

- 1) Currently, most of the employees and clients access my parking lot via Magnolia Avenue, as it is the safer way to exit rather than using the driveway along Foothill Boulevard. I worked at my office building from 2004 until 2020, and I encouraged employees, tenants and clients to use the access to Magnolia because of the following safety concerns:
 - a. There is a high volume of traffic during business hours and vehicle traffic is usually traveling at speeds in excess of 35-40 miles an hour;
 - b. The driveway is approximately 125 feet west of the intersection of Foothill and Magnolia, and when the traffic light at Magnolia is red for eastbound Foothill traffic, vehicles waiting for the light to change stack up in front and west of the driveway. Having worked in my office building for over 16 years, I have observed traffic stopped during the evening commute hours on eastbound Foothill starting at Myrtle Avenue and extending beyond Alta Vista Avenue; and
 - c. Visibility of eastbound traffic from the driveway during business hours is very limited due to vehicles parked along the south curb.
- 2) I believe a *prescriptive easement* exists from the south end of my parking lot to Magnolia Avenue. A *prescriptive easement* is an easement right that is granted when one party uses or

accesses the property of another for a specific purpose, for more than five years, and without consent. From 2004 to the present, my tenants' employees and clients have accessed or exited the south end of my parking lot on a daily basis via the driveway on Magnolia. I know the property at 302 West Foothill has been sold and purchased several times since I purchased my property in 2004, and I never had any conversations, discussions or written agreements with any of the previous property owners about using their driveway on Magnolia to access or exit my parking lot. I am currently exploring my rights to the easement;

- 3) The plan to have a designated drop-off area on the east side of their building with cars entering from Magnolia Avenue and exiting onto Foothill Boulevard will create significant traffic congestion during the morning and afternoon commute. The Foothill driveway of the 302 West Foothill property is approximately 15 feet west of the intersection, making it nearly impossible for traffic to exit the preschool parking lot anytime the traffic light at Magnolia is red for Foothill traffic. Traffic flow will be significantly impacted in the area of Foothill and Magnolia during the starting and ending periods of the school day, when the exit from the drop off area is blocked by traffic, causing vehicles to be stopped on Magnolia waiting to enter. As shown on the plan, exiting from the driveway will be a right turn only, and all school traffic will be forced to proceed east on Foothill or south on Magnolia, which may be blocked by those trying to enter the property;
- 4) The parking plan submitted shows a total of 9 parking spaces east of the building and 6 parking spaces on the alley side of the property. As the diagram clearly shows, there will be no access to the 9 parking spaces, including the ADA accessible parking space, east of the building when vehicles are lined up for drop off or pick-up. Parked cars in those spaces will not be allowed to back out until all of the vehicles standing in line are cleared. Because access to the 9 parking spaces will be limited or non-existent during drop-off and pick-up times, I am concerned parents will park in my parking lot "for just a few minutes" while they walk their children to and from the preschool;
- 5) The Mayan Bar & Grill and the Aztec Cigar Lounge are located on the adjacent property on the north side of Foothill, less than 100 feet from the proposed preschool. These operating businesses are part of the Aztec Hotel, which is currently not in operation. Efforts have been ongoing for several years to reopen the hotel, which, before it closed, had numerous law enforcement issues such as drug overdoses and prostitution.
- 6) The submitted elevation drawings do not indicate that the south end of the proposed playground is about four feet lower in elevation than existing building, which creates a 6% grade or slope for the playground area. If a playground is constructed on level ground, retaining walls will need to be built along the southeast portion of my property line and along the alley, south of the playground.
- 7) The plan indicates there is a fence or wall along the south property line along the alley. Because there is an existing fence along the southern border of alley at this same point, in addition to a wooden utility pole, the proposed fence or wall on the north side of the alley will create a

narrow corridor for utility vehicles, trash trucks and emergency vehicles to navigate this area without making contact with the utility pole.

In conclusion, the plans for the proposed preschool will remove a safe and legal way to access to my property; it will have significant impacts on local traffic during busy morning and afternoon commutes; it will be located very close to a bar and cigar lounge; and it will create a hazard that does not currently exist for utility vehicles, trash trucks and emergency vehicles. I urge you to deny the request for a Conditional Use Permit to operate a preschool at 302 West Foothill Boulevard.

I will not be able to attend the meeting in person as I will be in Denver that day taking care of my grandchildren. If you should have any questions and wish to contact me during your meeting, please call me at [REDACTED]

Sincerely,

[REDACTED]

John E. Orswell
Owner
OKI Properties, LLC
316 West Foothill Blvd.
Monrovia, CA 91016

Levon and Kathleen Gazarian



RE: My Academy Preschool
302 W. Foothill Blvd
Monrovia, CA 91016

Dear Members of the Planning Commission:

A long overdue trip to the east coast to see my aging mother has prevented me from attending the meeting tonight but wanted to share my thoughts on the prospective business to this property.

My husband and I closed escrow on the property in January 2019 intending to develop it for personal use. Once those plans changed we placed it in the hands of a Realty company. Prospects for a respectable long term sustainable relationship with a tenant were slim and then Covid closed the world. A series of homeless encampments has troubled this property due to the vacancy which was vacated as quickly as possible.

My Academy Preschool with their owners Lianna Navasardyan and Arpine Patanyan presented a project to breathe new life into this property. They are organized and experienced with the energy and commitment to create a thriving business in this residential neighborhood. Their outreach to the neighborhood has been positive and encouraging. Their natural flexibility in working with children allows them to comply respectfully with city requirements and policies. They have been diligent in their evaluation of the impact upon the neighborhood so as not to create negative situations.

It has come to my attention that my neighbor to the west believes he has the right to traverse my property for his personal use and restrict my tenants in that cause. In the entire time we have owned the property as well as during the escrow period this neighbor has had a chain drawn across the south border of his parking area as well as drawing a chain across the entrance on the Foothill Blvd. border. There are many witnesses to this fact including our Realtor John Faire as well as other Real Estate professionals and my prospective tenants. So while he severely restricts parking in his own lot and expresses concern about potential drop offs for the preschool he simultaneously believes he should have full access to my property! He also has his own parking spaces at the rear of the property that has access to the alley so he has, in fact, alley access. As with many businesses along this corridor he has absolute ingress and egress from his own property onto Foothill Blvd.

Regarding his concerns about the bar and cigar bar businesses across the street and their impact on this site I can only say that he demonstrates his ignorance of a parent's ability to make decisions regarding their child's welfare and education.

My husband and I based the decision to lease this very viable project not only on the financial gain of a long term project but with the old fashioned consideration of what will be good for the development of the city plan as well as the neighborhood, We believe that this project will be a crown jewel for the city in the long run and encourage all members of the committee to strongly consider and approve this project. It is appalling to us that this person wishes to dictate how a property he does not own is used in light of the fact this project is pure and well thought out.

We also encourage the members of the committee to make their positive decision regarding this usage at this meeting so the project can continue in a timely manner. For their business a September 1st start date is crucial to their success.

Your time and consideration has been greatly appreciated.

Sincerely,

Kathleen Gazarian