



## **PLANNING COMMISSION STAFF REPORT**

**APPLICATION:** CUP2015-08/CUP2015-09

**AGENDA ITEM:** PH-1

**PREPARED BY:** Teresa Santilena  
Assistant Planner

**MEETING DATE:** August 12, 2015

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**SUBJECT:** Conditional Use Permit CUP2015-08 (Drive-thru)/Conditional Use Permit CUP2015-09 (Late Night Operation)  
860 West Foothill Boulevard

**REQUEST:** Approve conditional use permits to construct a 950 square foot drive-through coffee shop (Starbucks), operating during late-night hours (4:00 AM to 6:00 AM). The existing building will be demolished. This property is located in the NC (Neighborhood Commercial) zone.

**APPLICANT:** Blake Megdal (c/o Elliot Megdal & Associates)  
252-C South Beverly Drive  
Beverly Hills, CA 90212

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption (Class 3)

**BACKGROUND:** On July 15, 2015 the Planning Commission reviewed an application to construct a 950 square foot drive-through Starbucks coffee shop proposing to operate during late night hours (4:00 a.m. to 6:00 a.m.). Conditional Use Permits are required for a drive-through use and for a commercial business that operates between the hours of midnight and 6:00 a.m. (M.M.C. §§ 17.44.053 and 17.44.103).

Several concerns were raised by the Commission at that meeting. Specifically, the Commission was concerned with the flow of traffic in the intersection of Foothill Boulevard and Madison Avenue during the Monrovia High School morning drop-off and afternoon pick-up times. The Commission requested more information on traffic counts to determine how many vehicles move through the intersection during Starbucks' peak hours. The Commission also requested clarification of the traffic generated by the dispatch and return of school buses to the Monrovia School District bus yard, the amount of time each vehicle would spend at the pick-up window and recommended traffic mitigation measures to address potential impacts (prepared by the City Engineer). The Commission continued the item for one month in order to allow the applicant sufficient time to address these concerns.

**ANALYSIS:** Over the past few weeks, the applicant has worked to provide additional information to address the issues raised by the Commission in July. This Staff Report discusses those efforts. The Staff Report from the July 15, 2015, which describes the proposal has been attached.

### ***Traffic Counts***

The volume of traffic generated by Monrovia High School and potential conflicts with Starbucks' peak hours was discussed at length at the Planning Commission meeting. The High School parking lot and school bus storage yard are on Madison Avenue just below the Starbucks' site. Due to the timing of this project, with school not in session over the summer months, obtaining accurate traffic counts has not been possible. Staff contacted the Public Services Department to review any historic traffic information related to the Foothill Boulevard and Madison Avenue intersection to obtain an estimation of traffic in the area. The available information was compiled in 2006 and only provides daily counts along Foothill Boulevard between Fifth and Mayflower Avenues. The report shows that the total traffic carried by Foothill Boulevard is under the average daily traffic volume for a four lane roadway. It does not provide specific information that would help with the evaluation of the intersection (Foothill/Madison) at peak time usage. The report received from Public Services has been attached for reference.

### ***Bus Dispatch and Return***

At the Commission's request, the applicant contacted the Monrovia Unified School District to ascertain the time of day and the number of buses that are dispatched and return to the school bus storage yard on Madison Avenue, just south of the subject property. There are nine buses serving various schools within the Monrovia School District. The buses leave the Madison Avenue location between 6:30 a.m. and 6:40 a.m. They each serve different schools and return to the lot between 8:30 a.m. and 9:00 a.m. In the afternoon, buses leave the site between 1:15 p.m. and 1:30 p.m., and return between 3:30 p.m. and 4:00 p.m. Because the buses serve different schools and are not on a fixed route (drivers can alter their routes based on traffic conditions), both the exit and the entry into the lot is staggered.

### ***Window Service Time***

An analysis prepared for a similar Starbucks location and referenced at the July 15, 2015 Planning Commission meeting indicated a minimum service time of 32 seconds per vehicle. The Planning Commission requested further information regarding the window service time at the drive-thru pick-up window during peak hours. The applicant contacted the drive-thru Starbucks located at Azusa Avenue and Badillo Street in Covina, CA to verify the average window service times. At that location, the applicant was able to verify that during the peak hours of 8:00 a.m. to 9:30 a.m., the average window service time was between 30 and 40 seconds and vehicle stack does not spill onto the street.

### ***Potential Traffic Mitigation Measures***

As a condition of approval, the Traffic Safety Committee will review the use within three months from the date the business commences. The review will focus on traffic impacts. The City's Development Services Engineer, Dominic Milano, has consulted with the City's Public Services Engineer and generated a list of potential on and off site mitigation measures that can be implemented if the Starbucks operation has significant traffic impacts. These measures have been organized by location so that the City has the ability to implement mitigation to address specific traffic issues if they occur. The potential measures will restrict certain traffic movements at either the Foothill Boulevard driveway approach or the Madison Avenue driveway approach during peak operation hours. The complete list of potential mitigation measures has been attached for reference.

### **Community Outreach**

The applicant has also conducted outreach to the surrounding businesses, residents, and property owners to ensure that stakeholders are aware of the proposed project and able to express their concerns.

### **Conclusion**

The drive-through Starbucks will be located on the highly visible Foothill Boulevard corridor and will be an attractive addition that provides a desirable building design and a site plan layout that maximizes queuing and minimizes traffic conflicts. The use is permitted in the Neighborhood Commercial Zone and with the conditions of approval if potential traffic conflicts occur there are mitigation measures that can be considered as corrective measures.

**RECOMMENDATION:** Staff recommends approval of the project. If the Planning Commission concurs with this recommendation then, following the public hearing, the adoption of a motion approving the following is appropriate:

The Planning Commission of the City of Monrovia hereby finds, determines and resolves as follows:

1. Pursuant to the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that CUP2015-08 and CUP2015-09 are categorically exempt from CEQA under Class 3.
2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
3. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 3 for CUP2015-08 and CUP2015-09, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2015-08 and CUP2015-09 subject to the attached Planning Conditions on Data Sheet No. 1, Public Works Conditions on Data Sheet 2 and recommendations in the Staff Report, all of which are incorporated herein by this reference.

### **MOTION:**

**Adopt CUP2015-08 and CUP2015-09, as presented in the Staff Report.**



# DATA SHEET 1

# Planning Conditions

CUP 2015-08 (Drive-thru)  
CUP 2015-09 (Late Night Operation)

860 West Foothill Boulevard

## **STANDARD CONDITIONS FOR COMMERCIAL/INDUSTRIAL DEVELOPMENT**

Development of the subject property and operations on the site must remain in substantial conformance at all times with the request and application forms and plans for CUP2015-08, allowing a drive thru establishment, and CUP2015-09, allowing late night operation, for a 950 square foot new commercial building with 10 parking spaces submitted by the applicant, as approved by the Planning Commission and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the Planning Commission and by subsequent modifications determined by the Planning Division Manager to be in substantial compliance with the conditions of approval.

### **CUP2015-08 (Drive-thru)**

#### **DEVELOPMENT STANDARDS**

1. A decorative trash enclosure shall be constructed per City specifications and regulations, and shall be shown and indicated on the submitted site plan, subject to review and approval by the Planning Division Manager. Trash pickup shall be scheduled with enough frequency to ensure that the provided dumpster does not overflow. Trash pickup shall only occur between the hours of 6:00 a.m. to 6:00 p.m.
2. Electrical power lines, telephone lines, and any other transmission lines (including, without limitation, cable television lines, data transmission lines, communication lines, other utility lines, etc.) to and from the development, and within the development, shall be placed underground and provided to each tenant space.
3. No roof mounted mechanical equipment shall be permitted on the building unless completely screened by the proposed roof design.
4. All utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, or other potential obstructions shall be noted on the plans with provisions for appropriate screening.
5. If it is determined by the Community Development Director or Public Works Director that patrons are littering the surrounding streets, sidewalks, parking lots, parks, or adjoining private properties as a result of their coming or leaving the establishment, the business will provide employees to pick-up and properly dispose of all litter.
6. Any graffiti painted or marked upon the premises or on an adjacent area under the control of the licensee shall be removed or painted over within forty-eight hours, unless any law in effect at that time imposes a shorter time period for eradication.

7. Ground level mechanical equipment shall be placed a minimum of 5' from the interior property lines and shall be completely screened with landscaping or fencing. Ground level mechanical equipment shall not be located within the front and street side setbacks.
8. All exterior signs shall be submitted for review by the Development Review Committee and no exterior sign may be installed without prior approval of the Development Review Committee.
9. The existing nonconforming pole mounted sign on Foothill Boulevard shall be removed and may be replaced by a conforming monument sign, which shall be submitted for review by the Development Review Committee.
10. The outdoor furniture and patio trellis shall be reviewed and approved by the Planning Division Manager prior to installation.
11. The ordering and pick-up of food and beverages using drive-through facilities is only permitted from a motorized vehicle; any other means used to access drive-thru facilities, including without limitation, pedestrian and bicycle, are prohibited. Applicant shall be responsible for ensuring that its patrons do not loiter or panhandle on the premises outdoors.

## **BUSINESS OPERATION**

1. All supplies, products, materials, and equipment shall be stored within the building. Outdoor storage of supplies, products, materials, and equipment is prohibited.
2. The [Development Review Committee \(DRC\)](#) [Traffic Safety Committee](#) shall review the use within three months from the date the business commences. The review shall focus primarily on compliance with the conditions of approval related to any traffic impacts or other impacts upon the surrounding properties.
3. The [Development Review Committee](#) shall review the use six months from the date the business commences. The review shall focus primarily on compliance with the conditions of approval related to any noise impacts and any other impacts upon the surrounding properties.

## **LANDSCAPING**

1. A Landscape and Irrigation Plan prepared by a licensed Landscape Architect shall be submitted to the Planning Division for plan check showing the size, type, and location of all planting areas and shall incorporate the following:
  - a. Landscaping shall be a combination of 24" and 36" box trees, shrubs, and groundcover, and shall be maintained in good condition by Applicant. Applicant shall promptly replace any landscaping that dies.
  - b. All landscaping shall be maintained by a permanent automatic irrigation sprinkler system.
  - c. The use of native and drought tolerant plants are strongly encouraged.

- d. Any City right-of-way contiguous with the property shall be landscaped and maintained by the Applicant and incorporated into the required landscape plan.
2. A landscape documentation package pursuant to the requirements of AB1881 and the Model Water Efficient Landscape Ordinance shall be submitted to the Planning Division for approval prior to landscape construction. A Landscape Certificate of Completion shall be submitted to the Planning Division at the completion of the installation, prior to request for a final inspection and Certificate of Occupancy.
3. If the existing screening shrubbery along the east property line is removed, a taller decorative block wall shall be provided for on the Landscape and Irrigation Plan and reviewed by the Planning Division Manager.

## **PARKING**

1. All parking spaces that are provided as part of the project shall be clearly marked by 2" wide pavement paint or alternate method if approved by the Development Review Committee. Double striping shall be used for delineating all parking spaces so as to provide a minimum parking area of 8'-6" in width by 18' in depth (see details in MMC §17.24.120).
2. Adequate wheel stops shall be installed and maintained as a safeguard to abutting property. The barrier shall be at least three feet from any property line, but in no case shall it be less than necessary to meet the intent of MMC §17.24.060 through §17.24.120.

## **CONSTRUCTION SITE REQUIREMENTS**

1. Applicant shall provide temporary perimeter fencing with view obscuring material during construction. If graffiti is painted or marked in any way upon the premises or on an adjacent area under the control of the Applicant (including without limitation, any temporary perimeter construction fencing or permanent wall), the graffiti shall be removed or painted over by Applicant within twenty-four hours, unless any law in effect at that time imposes a shorter time period for eradication. Fencing may be removed prior to landscape installation with Planning Division approval.
2. One waterproof sign (36" x 48") in both English and Spanish noting construction hours and a phone number for contact shall be posted by the Applicant at the front of the site prior to grading or construction.

## **GENERAL REQUIREMENTS**

1. Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.

2. In addition to Planning (Data Sheet No. 1) and Public Works (Data Sheet No. 2) conditions of approval, the Applicant shall also comply with all requirements of the Monrovia Municipal Code, Building Division and Fire Department that are directly applicable to the project.
3. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.
4. This CUP may be called for review, including modification or revocation, at any time by City Staff, the City Council, or Planning Commission if a violation of the approved conditions or the Monrovia Municipal Code (MMC) is alleged, or if it is alleged that the establishment, or its patrons, are creating a public nuisance, and such violation or public nuisance is verified as valid by the Police Department, Code Enforcement, or other City department. In addition to any other remedy available to the City, security measures may be required such as adding an employee to monitor the area where problems are occurring.
5. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.
6. The Applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet Numbers 1 and 2. This CUP shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
7. The use or development associated with this CUP shall begin within one (1) year after its approval or it will expire without further action by the City.
8. All of the above conditions shall be complied with prior to commencement of the operation, unless an earlier compliance period is specified as part of a condition.

### **CUP2015-09 (Late Night Operation)**

#### **DEVELOPMENT STANDARDS**

1. No patrons shall be on the premises during closed hours.

2. No music is permitted during late night hours (midnight to 6:00 a.m.).
3. The exterior of the premises, including adjacent public sidewalks shall be illuminated, during the hours of darkness with sufficient lighting to illuminate and make easily discernible the appearance and conduct of all persons on or about the establishment.

## **BUSINESS OPERATION**

1. Hours of operation shall be limited to 4:00 a.m. to midnight. Before any change is made in these hours of operation, approval by the Planning Commission shall be obtained by Applicant.

## **GENERAL REQUIREMENTS**

1. Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
2. In addition to Planning (Data Sheet No. 1) and Public Works (Data Sheet No. 2) conditions of approval, the Applicant shall also comply with all requirements of the Monrovia Municipal Code, Building Division and Fire Department that are directly applicable to the project.
3. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.
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5. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense,



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7. The use or development associated with this CUP shall begin within one (1) year after its approval or it will expire without further action by the City.
8. All of the above conditions shall be complied with prior to commencement of the operation, unless an earlier compliance period is specified as part of a condition.



## DATA SHEET 2

## Public Works Conditions

CUP2015-08 (Drive-Thru)  
CUP2015-09 (Late Night Operation)

860 W. Foothill Blvd.

Development shall be subject to the conditions of approval listed below. The conditions shall be compiled with prior to the commencement of operations, unless an earlier or later compliance period is specified as part of a condition. The term "Applicant" shall include, without limitation, the applicant, the property developer, the property owner, and all successors in interest to this conditional use permit.

### Engineering Conditions

1. Submit existing site plan, topographic map of the project site, grading, drainage and utility plan to the Building Department for review and approval. The plans shall indicate existing and proposed structures, and all existing and proposed utilities such as gas, water and sewer line applicable within the project site. Applicant should be aware of a public sewer crossing the property near the overhead Southern California Edison overhead facilities. The plans shall be prepared on a maximum 24" x 36" sheets with City standard title block stamped and signed by a Registered Professional Civil Engineer in the State of California. The submittal of the plans shall include: required design calculations, geotechnical report, construction cost estimate, a plan check fee, and an inspection fee. The final submittal for final approval shall include the approved site, grading, drainage and utility plans on Mylar. The Mylar copy shall be approved by the Community Development and Public Works Department. Upon approval of the Mylar copy, applicable permit such as grading or construction permit will be issued. The applicant shall use the assigned drawing number G-\_\_\_ for this project. Partial or incomplete submittals will not be accepted. All site plans, grading plans, and drainage plans shall be coordinated for consistency prior to issuance of any permits.
2. Applicant shall remove and replace any public curb, gutter, sidewalk, driveway approach or pavement found by the City Engineer to be broken, uplifted, damaged or not meeting ADA standards and construct improvements as required, per City standard drawings to match existing improvements on adjacent properties. All ADA requirements shall be satisfied by the Applicant.
3. The City requires the restoration of the existing street pavement after utility installation and other street location such as pavement damaged by the construction operation of this project. Restoration is required from the outer limits of the area covering and encompassing all the utility cuts as shown on the plans, but actual limits shall be determined out in the field by City Engineer. Restoration of asphalt pavement may be up to 2-inch pavement grind and 2-inch asphalt overlay and/or Type II slurry seal, removal and replacement of existing pavement as determined by the City Engineer during field inspection.
4. All work such as, but not limited to demolition, construction and improvements within the public right-of-way shall be subject to review and approval of the Public Works Department, and will require construction and encroachment permits from the City's Public Works Department, prior to start of any construction. All work within the public right-of-way shall be in accordance with applicable standards of the City of Monrovia,

Standard Specifications for Public Works Construction (Green Book, latest edition) and the Manual on Uniform Traffic Control Devices (MUTCD, latest edition), whichever is applicable and further that construction equipment ingress and egress be controlled by a plan approved by the City Engineer. Applicant shall pay all applicable fees for Engineering Division services such as plan check fee and construction inspection fee as applicable.

5. All grading is to be done under the supervision of a licensed engineer in the State of California qualified in soils field. Upon completion of the grading, the Soils Engineer shall file a certification with the Building and Safety Department that he/she supervised the grading and that the grading was done pursuant to the City of Monrovia Municipal Code, Chapter 15.28, and the grading plan approved by the City.
6. Applicant shall provide an analysis and construct required infiltration and/or treatment of storm water from impervious surfaces prior to reaching direct connections leading to the main storm drainage system.
7. All required mitigation measures identified in the soils engineer's and geologist's reports shall be incorporated into the grading/drainage plans and made a part thereof. Drainage devices shall be designed to handle and prevent erosion from damaging the proposed structure and surrounding neighborhood.
8. Project drainage shall be collected on site and be discharged to an outlet approved by the City of Monrovia Department of Public Works. Site drainage discharge shall be subject to the requirements of the City of Monrovia Storm Water Management and Discharge Control Ordinance. Site drainage discharge shall not adversely affect off-site drainage structures. Design and construction of off-site drainage structures from this project shall be performed to the satisfaction of the City Engineer.
9. Prior to submittal of a grading plan for plan check, Applicant shall provide geotechnical report that addresses earthwork and foundation recommendations, including but not limited to, earthwork, retaining walls and foundation construction. The geotechnical report shall include data regarding the nature, distribution and strengths of existing soils, conclusions and recommendations for grading procedures, design criteria for and identified corrective measures, and opinions and recommendations regarding existing conditions and proposed grading. The report shall also include subsurface geology of the site, degree of seismic hazard if any, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, opinions and recommended design criteria to mitigate any identified geologic hazards including locations of surface and subsurface fault lines in the area as applicable.
10. Applicant shall submit a utility plan showing all proposed utility cuts for services such as Water, Sewer, Gas, Edison, Telephone, Cable TV, etc. The Utility plan/Grading plan shall be submitted and approved prior to issuance of grading permits. Private or public utility plans including sewer, water, gas, including all abandoned, or to be removed facilities, etc. for the proposed development shall be submitted for review and approval by the City Engineer. Applicant shall pay all applicable fees for Engineering Division services for issuance of Public Works permits. All utility easements crossing the property including but, not limited to Southern California Edison and the City of Monrovia must be accurately shown on the plans. Submit a Title Report for verification of all basements.
11. This project shall obtain water service from the City of Monrovia. Apply to the City's Utilities Division for new water services and for removal of all unused meters by the

City. Construction costs will be based on actual time and material incurred by the City. Advance fee or deposit will apply upon request of any water service.

12. The Applicant shall install sanitary sewers to connect to Monrovia's sewer system to serve the development to the specifications of the City Engineer. The applicant shall connect all buildings to the public sewer and cap off all abandoned laterals at the main sewer line to the satisfaction of the City Engineer. Indicate on the Site/Grading/Utility plan the work to be done by Applicant. A CCTV inspection of the existing and newly installed sewer line connection to the main line is required prior to approval of the project.
13. The Applicant shall comply with the requirements of MMC Section 13.12.015 Non-Storm Water Discharges, Section 13.12.02 Deposit or Discharge of Specified Substances Prohibited, Section 13.12.030 Grease Traps Required and Section 13.12.040 Maintenance of Sewer Laterals. All sewer laterals shall be maintained by the owner of the property served by such lateral in a safe and sanitary operating condition so that there is no seepage of water at any point up to and including the junction of the sewer lateral and sewer main so that passage of waste through the lateral to the sewer main is free from stoppage and obstruction; all devices and safeguards required for the operation of sewer laterals shall be maintained in good working order. The Applicant shall provide the Department of Public Works a copy of a closed circuit television inspection report of the condition of the existing sewer lateral. Prior to CCTV, the owner/applicant shall notify the Department of Public Works 24-hours in advance, requesting to have the Public Works Inspector on site to witness the CCTV inspection. If the sewer lateral needs repair, it shall be completed to the satisfaction of the City Engineer prior to commencement of the applicant's operation or prior to issuance of certificate of occupancy.
14. Applicant shall provide a Transportation Plan formalizing the approved truck route, staging areas, radio control points and manpower, street sweeping activities along with loading/unloading of supplies/materials and parking for contractors and employees in/on and around the site prior to issuance of any demolition, grading, construction or encroachment permits for the project.
15. Applicant shall include on the site plan the following striping and signage: Stop bar, Stop legend, Stop sign, "Right Turn Only," and "Do Not Enter" legend at the exit of the Drive-Thru, a double yellow centerline from Foothill Blvd entrance to the ADA path of travel channelizing the exiting and entering movements to and from Foothill Blvd, Ballars protecting the Northerly outdoor seating from vehicles entering from Foothill Blvd and "Keep Clear" legend for the exiting lane to Madison Avenue.

### **Environmental Conditions**

16. Applicant shall comply with the requirements of the City's Stormwater Management Ordinance, MMC 12.36 and the Los Angeles County Municipal Storm Water National Pollutant Discharge Elimination System (MS4 NPDES) Permit issued by California Regional Water Quality Control Board, Los Angeles Region.
17. The Applicant shall integrate Best Management Practices to ensure compliance with NPDES guidelines and the City's Stormwater Management Ordinance, MMC 12.36 to the satisfaction of the City Engineer, prior to the issuance of the grading permit. The design, implementation, construction activities and maintenance of the management devices shall mitigate and reduce pollutants in storm water discharges to the maximum extent practicable and shall be identified on a "site specific mitigation plan". Site

Specific Mitigation Plan must specifically address and provide best management practices (BMPs) either structural or non-structural to mitigate pollutants.

18. The Applicant shall maintain the drainage devices such as paved swales, inlets, catch basins, pipes, and water quality devices as applicable in a good and functional condition to safeguard the adjoining properties from damage and pollution.
19. For projects which disturb soil during wet season (October 1- April 15), Applicant must submit a signed certification statement declaring that contractor will comply with Minimum Best Management Practices (BMPs) required by the National Pollutant Discharge Elimination System (NPDES), and also submit a Local Storm Water Pollution Prevention Plan/Wet Weather Erosion Control Plan.
20. The project demolition activities shall comply with the City's Construction and Demolition Recycling Program (C&D Recycling Program) by filing an application and submitting a deposit to Public Works Environmental Services prior to issuance of permits. The C&D Recycling Program requirements are enclosed as an attachment and made part of the Conditions of Approval.
21. Building, demolition, and grading permits will not be issued until the Applicant provides the City with the required forms and the waste management plan has been reviewed and approved by the Environmental Services. If the applicant chooses not to participate in the C& D Recycling Program, then the hauler must be identified on the demolition, building and grading plans. The C&D Recycling Program requirements are enclosed as an attachment and made part of the conditions of approval.
22. Trash containers shall be enclosed to prevent discharge of trash, and be equipped with lids, or screened, roofed or walled, and runoff should be diverted around trash areas to avoid flow through. Trash enclosure drainage if any should be directed to vegetative areas whenever feasible.



## **CONDITIONAL USE PERMIT 2015-08 (Drive Thru)**

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting Conditional Use Permit No. CUP2015-08 for a 950 square foot drive thru coffee shop with 10 parking spaces located at 860 West Foothill Boulevard is based on the following findings:

- A. The project site is adequate in size, shape and topography for the development of a 950 square foot drive thru coffee shop with 10 parking spaces. The site has sufficient width, depth and lot area to accommodate this type of development.
- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by this 950 square foot drive thru coffee shop with 10 parking spaces with one ingress and egress access onto Foothill Boulevard and one ingress and egress access onto Madison Avenue.
- C. The 950 square foot drive thru coffee shop with 10 parking spaces will be compatible with the General Plan and will not adversely impact the objectives of the General Plan specifically the NC designation.
- D. The 950 square foot drive thru coffee shop with 10 parking spaces will comply with the applicable provisions of the zoning ordinance.
- E. The proposed location of the 950 square foot drive thru coffee shop with 10 parking spaces and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity, with the conditions of approval imposed. The area is mainly commercial uses, with school use to the south.

## **CONDITIONAL USE PERMIT 2015-09 (Late-Night Operation)**

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting the conditional use permit for the drive-thru operation at 860 West Foothill Boulevard is based on the following findings:

- A. The project site is adequate in size, shape and topography for late night operation. The proposed layout of the restaurant will be able to accommodate the late night operation on the site in a manner that works well with the site and the surrounding land uses.

- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the late night operation. The access to and from the site will be designed in a manner that interacts well with the existing traffic on the surrounding streets. West Foothill Boulevard and Madison Avenue are adequate to carry the quantity and quality of traffic generated by the late night operation.
- C. The late night operation is compatible with the General Plan and will not adversely impact the objectives of the General Plan. The coffee shop with late night operation is a permitted use in the NC zone.
- D. The late night operation of the coffee shop will comply with the applicable provisions of the zoning ordinance, with approval of a conditional use permit and the conditions on the Data Sheets.
- E. The proposed location of the coffee shop and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity, as the site is in a commercial zone and is adjacent to non-residential uses and has operated in a similar fashion for many years. The conditions of approval will ensure that the use will be compatible with the surrounding area.



# DATA SHEET 4

# Surrounding Land Uses

CUP2015-08/CUP2015-09

860 West Foothill Boulevard

## Property Description:

Located on the south east corner of West Foothill Boulevard and Madison Avenue. The lot measures approximately 112' wide on West Foothill Boulevard and 150' deep on Madison Avenue for a lot area of 16,885 square feet and is developed with a drive thru restaurant.

## Zoning

Subject site:

NC (Neighborhood Commercial)

Surrounding pattern:

north: NC (Neighborhood Commercial)

south: ~~Monrovia High School~~ Monrovia School District Bus Dispatch Yard

east: RH (Residential High) Density

west: NC (Neighborhood Commercial)

## Land Use

Subject site:

Drive thru coffee shop (Starbucks)

Surrounding pattern:

north: Commercial Condominium

south: Monrovia High School

east: Commercial Condominium

west: Gas Station

Environmental Determination:

Categorical Exemption Class 3

Applicable Ordinance Regulations:

MMC 17.52.020 Planning Commission Authority for CUP





## **PLANNING COMMISSION STAFF REPORT**

**APPLICATION:** CUP2015-08/CUP2015-09      **AGENDA ITEM:** PH-2  
**PREPARED BY:** Teresa Santilena      **MEETING DATE:** July 15, 2015  
Assistant Planner

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**SUBJECT:** Conditional Use Permit CUP2015-08 (Drive-thru)/Conditional Use Permit CUP2015-09 (Late Night Operation)  
860 West Foothill Boulevard

**REQUEST:** Approve conditional use permits to construct a 950 square foot drive-thru coffee shop (Starbucks), operating during late-night hours (4:00 AM to 6:00 AM). The existing building will be demolished. This property is located in the NC (Neighborhood Commercial) zone.

**APPLICANT:** Blake Megdal (c/o Elliot Megdal & Associates)  
252-C South Beverly Drive  
Beverly Hills, CA 90212

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption (Class 3)

**BACKGROUND:** Starbucks Corporation is proposing the development of a 950 square foot restaurant with a drive-thru, operating during late night hours (4:00 a.m. to 6:00 a.m.). CUPs are required for the drive-thru and for any commercial use that operates between the hours of midnight and 6:00 a.m. (M.M.C. §§ 17.44.053 and 17.44.103).

**SUBJECT PROPERTY:** The property is located on the southeast corner of West Foothill Boulevard and Madison Avenue. The parcel measures approximately 16,885 square feet with approximately 112 feet of frontage on Foothill Boulevard and 150 feet of frontage on Madison Avenue. The parcel is zoned NC (Neighborhood Commercial).

Surrounding property zoning is NC to the north and west. The property to the north (across Foothill Boulevard) is improved with a commercial center and the property to the west (across Madison Avenue) is improved with a gas station. The property to the east is zoned RH (Residential High) Density and is currently improved with an office building for professional services. Monrovia High School is located on the property to the south.

**DISCUSSION/ANALYSIS:** The parcel is currently improved with The Burger Shack restaurant, which has a drive-thru, and 21 parking spaces. The existing structure was built in 1952 and is situated toward the west property line. The existing building will be demolished and the new 950 square foot drive-thru Starbucks will be situated toward the east property line.

The proposed hours of operation will be from 4:00 a.m. until midnight. Both the drive-thru and late night operation require approval of conditional use permits. "Late night" operation is

defined in the Zoning Ordinance as businesses that operate between 12 midnight and 6:00 a.m. Although the site is located within 100' of a residential zone, which triggers the need for the conditional use permits, there are no residential developments adjacent to the site.

### ***Site Plan***

The proposed Starbucks building will be situated towards the east property line to maximize the number of vehicles to queue in the drive-thru. The drive-thru will wrap around the building on the south and will continue north along the east side of the building, where orders will be picked up. It will be accessed via Foothill Boulevard and Madison Avenue from the existing driveway approaches.

A walk-up order window will be situated on the west side of the building. No seating will be provided inside the building, however, tables and chairs will be located on the north, west and south sides of the exterior of the building.

A 10' wide landscaped area will be located along both street frontage property lines and a 5' landscaped area will separate the property from high school parking lot to the south. A 6' landscaped area will also be located on the east property line separating the site from the east property. A landscape and irrigation plan will be required as a condition of approval as indicated on the attached Data Sheet 1. Pursuant to AB1881, the landscape plan will have to meet the standards outlined in the Water Efficiency Landscape Ordinance.

### ***Floor Plan/Elevations***

Customers will not be served in the interior of the building, all customer transactions will take place at either the walk-up or drive-thru window. Two restrooms will be accessible to the public from the west side of the building. The remaining interior of the building consists of a backbar, workroom and storage area.

The building ranges in heights from 18' to 11' with the tallest elevation facing Foothill Boulevard on the north side and steps down to the lowest walls on the south end of the building. The exterior materials consist of a mixture of stucco and wood with awnings over the walk-up and drive-thru windows. A reclaimed wood detail will wrap around the exterior from midway through the east elevation, around the north elevation, to midway through the west elevation. Landscaping pockets to accommodate plant growth are proposed for the east and west elevations.

### ***Queueing/Parking***

Staff gave careful consideration to the location of the drive-thru driveway in an effort to minimize conflicts with the traffic generated by the high school. A queue length analysis based on a similar Starbucks operation was prepared to estimate the average number of cars in the drive-thru queue during peak hours. The analysis concludes that based upon a service rate of 32 seconds per vehicle and 90 vehicles served per hour, the 85<sup>th</sup> percentile queue length is approximately 8 vehicles. Locating the building on the east side of the parcel will allow more vehicles to queue for the drive-thru. The drive-thru driveway is expected to accommodate 10 vehicles, exceeding the Starbucks Corporation standard of 8 vehicles. To further reduce traffic conflicts, directional signage will be placed on the site, and exiting from the Foothill Boulevard driveway will require a right-turn only. Additionally, as a condition of approval, the Development Review Committee will review the use within three months from the date the business commences. The review will focus on traffic impacts.

The parking will be located on the west side of the property and will be accessed via the driveways from Foothill Boulevard and Madison Avenue. The 10 spaces proposed meet the minimum number of spaces required for fast food restaurants. There is one accessible space located at the northeast of the parking lot.

**Conclusion**

The drive-thru Starbucks will be located on the highly visible Foothill Corridor. The use is permitted in the Neighborhood Commercial zone. The proposed plan utilizes attractive materials and has been designed to maximize queueing and minimize traffic conflicts with the high school.

**RECOMMENDATION:** Staff recommends approval of the project. If the Planning Commission concurs with this recommendation then, following the public hearing, the adoption of the following resolution is appropriate:

The Planning Commission of the City of Monrovia hereby finds, determines and resolves as follows:

1. Pursuant to the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that CUP2015-08 and CUP2015-09 are categorically exempt from CEQA under Class 3.
2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
3. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 3 for CUP2015-08 and CUP2015-09, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2015-08 and CUP2015-09 subject to the attached Planning Conditions on Data Sheet No. 1, Public Works Conditions on Data Sheet 2 and recommendations in the Staff Report, all of which are incorporated herein by this reference.

**MOTION:**

**Adopt the Resolution CUP2015-08 and CUP2015-09, as presented in the Staff Report.**

# ENGINEERING AND TRAFFIC SURVEY

CITY OF MONROVIA

**HCI**

**FOOTHILL BOULEVARD**

**5TH STREET TO MAYFLOWER AVENUE**

DATE: 12/1/2006

SURVEY BY: C. BUENDIA

TIME: 11:45 AM - 12:30 PM

CHECKED BY: JERRY STOCK

<b>PREVAILING SPEED DATA</b>	
LOCATION OF SURVEY	EAST OF MADISON
DATE OF SURVEY	12/1/2006
85th PERCENTILE	40.7 MPH
10 MPH PACE	32 - 41 MPH
PERCENT IN PACE	77.3 %
POSTED SPEED LIMIT	35 MPH

<b>ACCIDENT HISTORY</b>	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	4
TOTAL ACCIDENTS	17
ANNUAL ACCIDENT RATE	1.33 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.23 ACCIDENTS PER MVM (SPEED RELATED ONLY)

<b>TRAFFIC FACTORS</b>	
AVERAGE DAILY TRAFFIC	26,000
LANE CONFIGURATION	2 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - 5TH / MADISON / VIOLET / MAYFLOWER
CROSSWALKS	AT 5TH / SUNSET / VIOLET / MAYFLOWER / MADISON
PEDESTRIAN/BICYCLES	YES / YES
TRUCK TRAFFIC	YES - TRUCK ROUTE
ON-STREET PARKING	YES
OTHER	AREAS OF RED CURB

<b>ROADWAY FACTORS</b>	
LENGTH OF SEGMENT (MILES)	0.62
VERTICAL CURVE	VERY SLIGHT UPHILL / DOWNHILL GRADES
HORIZONTAL CURVE	NONE
LATERAL VISIBILITY	GOOD
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / YES
STREET LIGHTING	YES
OTHER	SHORT DISTANCE BETWEEN INTERSECTION (north-side)

<b>ADJACENT LAND USE</b>	RESIDENTIAL / COMMERCIAL
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<b>RECOMMENDED SPEED LIMIT</b>	35 MPH
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<b>SPEED LIMIT CHANGE</b>	NO CHANGE
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**JUSTIFICATION:**  
 This portion of Foothill Boulevard is a four lane roadway. It has a 35 mph speed limit. The adjacent land uses are residential and heavy commercial. Field observations include many intersecting street on north-side of roadway, heavy truck traffic, and heavy driveway access. The speed survey resulted with an 85th percentile speed of 40.7 mph and a 10 mph pace range 32 to 41 mph. Keeping consistency with speeds of adjacent segments, 10 mph pace, four speed related accidents, and engineering judgment, it is recommended that the existing 35 mph remain.

# RADAR SPEED DISTRIBUTION SHEET



CITY OF MONROVIA  
FOOTHILL BOULEVARD

5TH STREET TO MAYFLOWER AVENUE

DATE: 12/1/2006

SURVEY BY: C. BUENDIA

TIME: 11:45 AM - 12:30 PM

CHECKED BY: JERRY STOCK

SPEED	NUMBER OF VEHICLES					VEH.	PCT.	CUM. PCT.
	5	10	15	20	25			
60								100.0%
								100.0%
								100.0%
								100.0%
								100.0%
55								100.0%
								100.0%
								100.0%
50								100.0%
	X X					2	1.0%	100.0%
	X X					2	1.0%	99.0%
	X					1	0.5%	98.0%
	X					1	0.5%	97.5%
45	X X X					3	1.5%	97.0%
	X X X X X					5	2.5%	95.5%
	X X X X X					5	2.5%	92.9%
	X X X X X X X X					8	4.0%	90.4%
	X X X X X X X X					8	4.0%	86.4%
40	X X X X X X X X X X X X					12	6.1%	82.3%
	X X X X X X X X X X X X X X					15	7.6%	76.3%
	X X X X X X X X X X X X X X X X X					18	9.1%	68.7%
	X X X X X X X X X X X X X X X X X X X					20	10.1%	59.6%
	X X X X X X X X X X X X X X X X X					17	8.6%	49.9%
35	X X X X X X X X X X X X X X X X					17	8.6%	40.9%
	X X X X X X X X X X X X X X X X					16	8.1%	32.3%
	X X X X X X X X X X X X X X X X X X					20	10.1%	24.2%
	X X X X X X X X X X					10	5.1%	14.1%
	X X X X X X X X					8	4.0%	9.1%
30	X X					2	1.0%	5.1%
	X X X X X					5	2.5%	4.0%
	X					1	0.5%	1.5%
	X X					2	1.0%	1.0%
25								0.0%
								0.0%
								0.0%
								0.0%
20								0.0%
								0.0%
								0.0%
15								0.0%
TOTAL VEHICLES						198		

UPPER LIMIT 10 MPH PACE:	41	MPH	85th PERCENTILE SPEED:	40.7	MPH
LOWER LIMIT 10 MPH PACE:	32	MPH	MEDIAN SPEED:	36.1	MPH
PERCENT OVER PACE:	17.7	%	15th PERCENTILE SPEED:	32.1	MPH
PERCENT IN PACE:	77.3	%			
PERCENT UNDER PACE:	9.1	%			



TO: TERESA SANTILENA, ASSISTANT PLANNER

FROM: DOMINIC MILANO

DATE: AUGUST 4, 2015

RE: SUGGESTED MITIGATION TO SPECIFIC TRAFFIC MOVEMENTS FOR PROPOSED STARBUCKS PROJECT

The following are the Suggested Mitigations to Specific Traffic Movements:

- Left turns out of project on to Madison blocking south bound traffic on Madison.
  - Restrict Driveway to Right (North Bound) movements only during peak hours (AM and/or PM) for the Project or for the High School by temporarily stalling during peak times Right Turn Only signs.
  - Enforcement will be difficult.
  
- Left turns into the Project from Madison blocking south bound traffic on Madison.
  - Temporary block the entry side of the Madison Driveway to traffic during peak hours (AM and/or PM) for the Project or for the High School with cones or barricades. Restrict left turn outs also if necessary.
  - If the problem persists beyond the school's peak hours, then permanently close the entry side of the driveway and restrict exiting to right turn only.
  
- Foothill entering and exiting becomes an issue.
  - The exiting on Foothill is proposed to be restricted to right turns in and out. If the right turn out is not being adhered to, then the west bound turn pocket on Foothill to south bound Madison should be improved with the installation of large 8" raised yellow pavement markers on the centerline. These large pavement markers generally stop vehicles from crossing.

- The Developer has agreed to widen the drive approach on Foothill from approximately 20 feet to 30 feet in order to improve turning movements into the Project from the West.
- Foothill turn pocket length is not adequate.
  - The existing West bound Foothill to South bound Madison is approximately 50 feet which can accommodate 2-3 vehicles. If this distance is not adequate, it may be possible to double the length of the turn pocket and still maintain turning movements into the Dentist Office. Parking in front of the Dentist Office would have to be eliminated. An Engineering Study with traffic volumes would need to be presented with formal City Council action to implement.

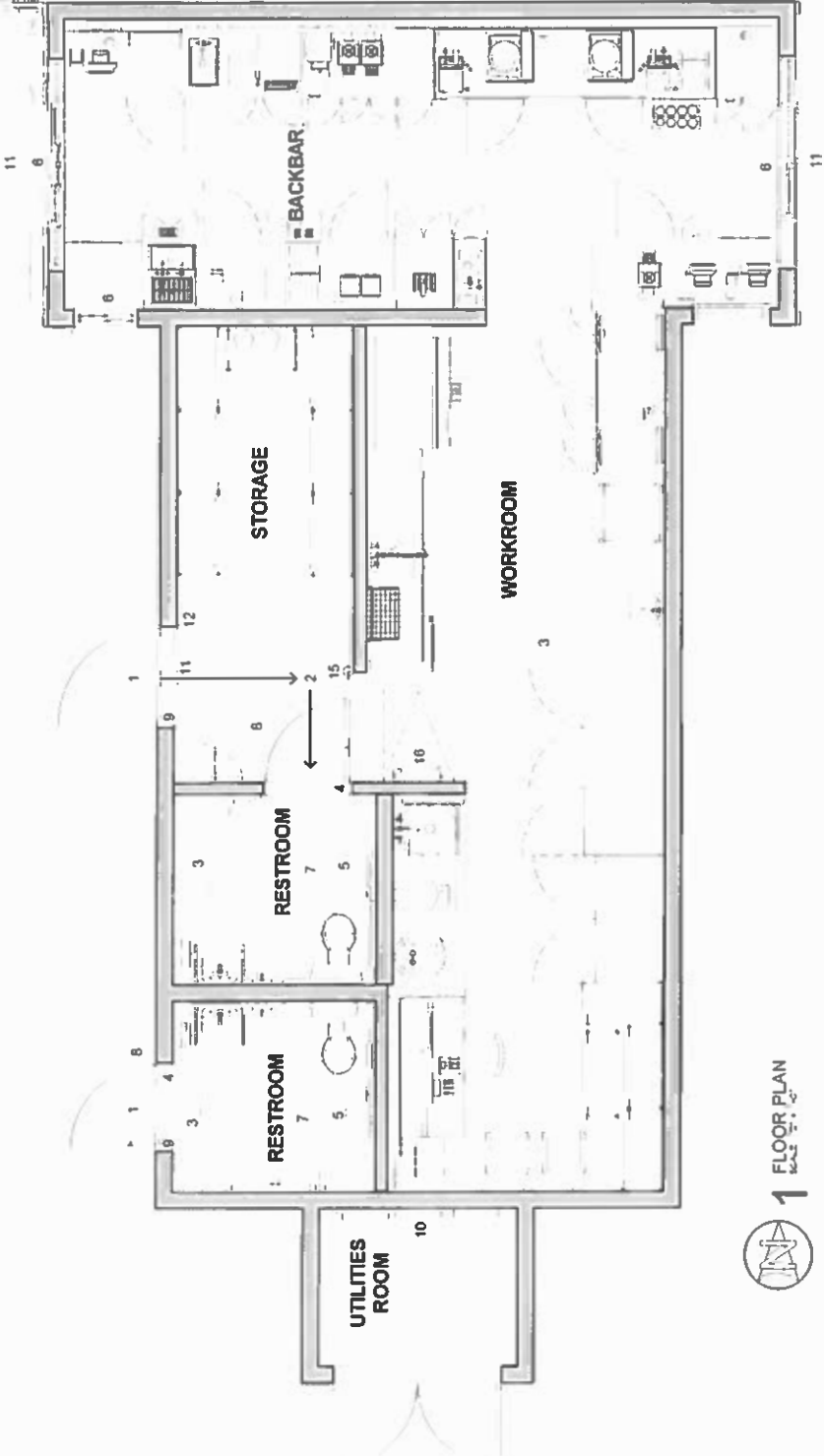






# KEYNOTES

- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.
- 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.
- 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.
- 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.
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- 12. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.
- 13. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.
- 14. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.
- 15. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 IBC AND ALL APPLICABLE CODES.



NO.	DATE	DESCRIPTION	BY	CHK'D
1	08/14/2018	ISSUED FOR PERMITS	ML	ML
2	08/14/2018	ISSUED FOR PERMITS	ML	ML
3	08/14/2018	ISSUED FOR PERMITS	ML	ML
4	08/14/2018	ISSUED FOR PERMITS	ML	ML
5	08/14/2018	ISSUED FOR PERMITS	ML	ML

**ELLIOTT MEDICAL & ASSOCIATES**  
 100 W. Foothill Blvd.  
 Suite 100  
 Pasadena, CA 91105  
 TEL: (626) 799-7700

**NEW CONSTRUCTION**  
 for  
**DRIVE-THRU STARBUCKS**

PROJECT NO.  
**1801 W. Foothill Blvd.  
 Pasadena, CA 91105**

**FLOOR PLAN**

DESIGNED BY: ML  
 CHECKED BY: ML  
 DATE: 08/14/18

**COURTNEY+LE ARCHITECTS**

100 W. Foothill Blvd.  
 Suite 100  
 Pasadena, CA 91105  
 TEL: (626) 799-7700

**FP**  
 FLOOR PLAN



✓ 2014  
 ✓ 2015  
 ✓ 2016  
 ✓ 2017  
 ✓ 2018  
 ✓ 2019

**ELLIOT MCGOAL & ASSOCIATES**  
 1822 SOUTH BAYVIEW AVENUE  
 SUITE 100  
 PALM BEACH, FL 33480  
 TEL: (561) 840-1000  
 FAX: (561) 840-1000

**NEW CONSTRUCTION DRIVE-THRU STARBUCKS**  
 1822 SOUTH BAYVIEW Blvd  
 Suite 100  
 Palm Beach, FL 33480

**ELEVATIONS**  
 PROJECT ARCHITECT: COURTNEY & LE ARCHITECTS  
 DRAWN BY: COURTNEY & LE ARCHITECTS  
 CHECKED BY: COURTNEY & LE ARCHITECTS  
 DATE: 08/14/2019

**COURTNEY & LE ARCHITECTS**  
 1000 N. MILITARY AVENUE, SUITE 100  
 WEST PALM BEACH, FL 33411  
 TEL: (561) 840-1000  
 FAX: (561) 840-1000

**EL ELEVATIONS**  
 1000 N. MILITARY AVENUE, SUITE 100  
 WEST PALM BEACH, FL 33411  
 TEL: (561) 840-1000  
 FAX: (561) 840-1000



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

**KEY PLAN**

**LEGEND**

- 1. Dark Charcoal
- 2. Dark Charcoal
- 3. Dark Charcoal
- 4. Dark Charcoal
- 5. Light Tan
- 6. Light Tan