

PLANNING COMMISSION STAFF REPORT

APPLICATION:	CUP2016-14	AGENDA ITEM:	PH-1
PREPARED BY:	Jose Barriga Assistant Planner	MEETING DATE:	August 10, 2016
SUBJECT:	Conditional Use Permit CUP2016-14 415 South Myrtle Avenue, Units B & C		
REQUEST:	Allow the operation of a café and indoor children's play area, "Oh Mulberry Bush," within a two-story 1,600 square foot commercial tenant space in the Historic Commercial Downtown (HCD) Zone.		
APPLICANT:	Judy Wong & Cindy Lee 1901 South Mountain Avenue Monrovia, CA 91016		

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 1)

BACKGROUND: The Applicants are requesting approval of a Conditional Use Permit (CUP) to establish a café and indoor children's play area, "Oh Mulberry Bush," in the Historic Commercial Downtown (HCD) Zone. The proposed business will offer a casual dining experience, while at the same time allowing children an opportunity to play with educational toys in the dedicated play areas. Additionally, the proposed business will also offer either a dedicated room or the entire facility for a child's birthday party or special event that will be booked in advance. Given the various components of the proposed operation, this business is not easily defined as a specific use, and has been defined as an "Other" use. Section 17.14.020 of the Monrovia Municipal Code allows for "Other" uses to be established in the HCD Zone with the approval of a Conditional Use Permit.

SUBJECT PROPERTY: The subject property is located on the west side of South Myrtle Avenue between West Lime Avenue and West Lemon Avenue. The subject property measures 25' wide by approximately 128.50' deep and is developed with a 3,225 gross square foot commercial building, which was originally built in 1919, according to the Los Angeles County Assessor's records. Paradis (ice cream shop) currently occupies approximately 1,500 square feet in the front portion of the building, with its storefront facing Myrtle Avenue. Oh Mulberry Bush would occupy the remaining 1,600 square feet behind Paradis. The 1,600 square foot building space is currently divided into two separate tenant spaces, with Unit B on the ground level and Unit C on the second floor. The proposed use will occupy both units. The proposed use does not have frontage on Myrtle Avenue, its primary access located in the pedestrian breezeway along the south property line. The properties to the north, east and south are also in the HCD Zone and the property to the west is in PD-5 (Planned Development Area 5).

DISCUSSION/ANALYSIS: The proposed café and indoor children's play area will be geared toward children within the age group of infants to 7 years old. Oh Mulberry Bush will operate Tuesday through Thursday from 9:00 AM to 5:00 PM and Friday through Sunday from 9:00 AM to 6:00 PM (or until 8:00 PM for private parties). The Applicants have indicated that private parties will generally be scheduled on Friday afternoons, Saturday and Sunday mornings and afternoons.

During normal business hours, patrons will have the ability to visit Oh Mulberry Bush with their child to eat and play. As part of their business operations, patrons will be able to order coffee, tea and food items to enjoy. The purchase of a meal would automatically allow a child the opportunity to play in the play area. If no items are purchased on-site, a flat fee will be charged (per child) to be able to play in the designated areas. Additionally, Oh Mulberry Bush provides private parties slotted for 2-hour time frames. The Applicants architect determined the total occupancy load at any given time to be 25 people, which places a limit on total capacity during normal operations and private parties. Oh Mulberry Bush will not operate a childcare facility, as parents and caregivers will accompany the children while they are in the facility.

Site Plan/Floor Plan

Oh Mulberry Bush will be located at the rear portion of the building where an ice cream shop, Paradis, occupies the Myrtle Avenue store front. The main entrance to the proposed café and indoor children's play area is accessed from the pedestrian alleyway between Paradis and Merengue Bakery and Café. The location of the proposed café and indoor children's play area was previously occupied by a salon on the ground floor and an office use on the second floor. According to the floor plan provided by the Applicants the ground floor will have a cake room for private parties, mom's lounge (nursing area), and dining and play areas for the patrons. The second floor will accommodate a kitchen, food prep area, storage room and office. Restrooms are provided on both levels. No portion of the second floor will be accessible to patrons. Patrons will be able to order food at a counter located near the dining area and their items will be delivered to their tables.

Parking

Parking in the Old Town area can be found on the street and in the public parking lots. There are two public parking lots west of the subject property that provide 119 parking spaces which are accessible from West Lime and Lemon Avenues (2 handicap stalls, 106 eight-hour spaces, and 11 three-hour parking spaces). In addition to the public parking lot behind the subject parcel, approximately 200 parking spaces are provided within the Colorado Commons and Paragon parking structures, which are located within a ¹/₄ mile of the proposed café and indoor children's play area. As a condition of approval, the Applicants are required to distribute maps of the public parking opportunities in Old Town to their patrons.

During the Advisory Review by the Development Review Committee (DRC), there were concerns regarding patrons accessing the business from the pedestrian alleyway to the west of the subject location. A representative of the Police Department expressed concerns of young children walking though the alleyway when vehicles maneuvering through. The main entrance to the business is located near the alleyway where in the past vehicles have had visibility issues turning through the alleyway. A condition of approval was included requiring signage to be installed near the entrance and exit doors warning patrons of vehicles in the alleyway and directing them towards Myrtle Avenue. Additionally, a proposed condition of approval would require the Development Review Committee to review this use six months

after the date business commences to assess any traffic and parking impacts to the surrounding properties caused by the Oh Mulberry Bush's operations.

Conclusion

Given the unique components of the proposed operation, the café and indoor children's play area has been defined as an "Other" use, and therefore, requires approval of a CUP in the Historic Commercial Downtown Zone. Oh Mulberry Bush will support the retail nature of Old Town by offering families and caregivers with children who frequent Old Town an alternative dining experience. Additionally, the subject location does not have street frontage on Myrtle Avenue, and therefore does not interrupt the retail storefront corridor. Conditions of approval will mitigate traffic, parking impacts, and patron's safety associated with this use.

RECOMMENDATION: Staff and the Development Review Committee recommend approval of CUP2016-14. If the Planning Commission concurs with this recommendation then, following the public hearing, the following actions would be:

- 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 CUP2016-14 is categorically exempt from CEQA under Class 1.
- 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 CUP2016-14, which are incorporated herein by this reference.
- 4. The Planning Commission approves CUP2016-14, subject to the attached Planning Conditions on Data Sheet No. 1, and recommendations in the Staff Report, all of which are incorporated herein by this reference.

MOTION:

Approve CUP2016-14 pursuant to the recommendations in the Staff Report.



DATA SHEET 1

CUP2016-14

415 South Myrtle Avenue, Units B & C

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 CUP2016-14, for the operation of a café and indoor children's play area within a twostory 1,600 square foot commercial tenant space 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.

DEVELOPMENT STANDARDS

1. 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.

BUSINESS OPERATION

- 2. All activities shall be conducted entirely within an enclosed building.
- 3. All supplies, products, materials, and equipment shall be stored within the building. Outdoor storage of supplies, products, materials, and equipment is prohibited.
- 4. The Applicant shall distribute a map of available parking locations within the Historic Commercial Downtown zone to patrons.
- 5. Signage shall be installed near the entrance and exit doors warning patrons of vehicle traffic in the adjacent alleyways. The signs shall direct patrons to use the adjacent public streets (Myrtle Avenue, Lemon Avenue and Lime Avenue) for accessing and leaving the business. Signage shall be reviewed and approved by the Planning Division Manager.
- 6. The Development Review Committee shall review the use six months and twelve months from the date the operation or business commences. The review shall focus on compliance with the conditions of approval and whether there are any impacts upon surrounding properties, including but not limited to, traffic, parking impacts and pedestrian access.
- 7. Hours of operation shall be limited to Tuesday through Thursday from 9:00 AM to 5:00 PM and Friday through Sunday from 9:00 AM to 6:00 PM (these hours may be extended by the applicants until 8:00 PM for a private event). Before any

change is made in these hours of operation, approval by the Development Review Committee (DRC) shall be obtained by Applicant. Alternatively, the DRC may refer the matter to the Planning Commission for its review, in which case no change in the hours of operation shall be made without Planning Commission approval.

8. If it is determined by the Community Development Director or Public Services Director that patrons are littering the surrounding streets, sidewalks, parking lots, parks, or adjoining private properties as a result of their coming to or leaving from the establishment, the business will provide employees to pick-up and properly dispose of all litter.

GENERAL REQUIREMENTS

- 9. 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.
- 10. In addition to Planning (Data Sheet No. 1) conditions of approval, the Applicant shall also comply with all requirements of the Monrovia Municipal Code, Building Division and Fire Department that are applicable to the project.
- 11. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.
- 12. 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.
- 13. 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.

- 14. 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 Number 1 .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.
- 15. 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.
- 16. 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 3

CUP2016-14

Findings

CONDITIONAL USE PERMIT

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting Conditional Use Permit No. CUP2016-14 for the operation of a café and indoor children's play area, "Oh Mulberry Bush," within a two-story 1,600 square foot commercial tenant space in the Historic Commercial Downtown (HCD) zone located at 415 South Myrtle Avenue, Units B & C, is based on the following findings:

- A. The project site is adequate in size, shape and topography for the proposed café and indoor children's play area. The parcel is rectangular shaped and the topography of this commercial area is relatively flat. The use will be located in an existing 3,225 square foot building, where the proposed use is only occupying a portion of the building and is oriented to face the pedestrian alley at the south property line. The use will not have frontage on Myrtle Avenue.
- B. The project site where the café and indoor children's play area will be located has sufficient access to streets and highways, is adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. The proposed use is located in a commercial area, which is suited to support the proposed use and traffic loads it will generate. The existing site provides a clearly marked pedestrian and accessible walkway from the public sidewalk. The site is located within the Historic Commercial Downtown parking district and no additional on-site parking is required for the proposed use. Conditions of approval require the business owner to distribute maps of public parking facilities within the HCD zone and to install signage warning patrons of vehicles in the alleyway.
- C. The café and indoor children's play area is compatible with the General Plan and will not adversely impact the objectives of the General Plan. The General Plan encourages well-designed, pedestrian-oriented commercial uses in the HCD zone. The conditions of approval will further ensure compatibility with the surrounding uses by limiting the hours of operation, requiring all activities to be conducted within the building, and implementing a review of the use after six months of operations to address any impacts to the surrounding properties, in particular, those impacts related to traffic, parking and pedestrian access.
- D. The café and indoor children's play area will comply with the applicable provisions of the zoning ordinance. *The zoning ordinance provides regulations to promote the historic role of the Historic Commercial Downtown zone as the downtown retail business district of the city. The proposed use will preserve the historic value of the building, as no exterior alterations are proposed.*

- E. The granting of the conditional use permit for a café and indoor children's play area 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. *The applicant will be required to adhere to the conditions of approval on Data Sheet No. 1 to ensure the café and indoor children's play area are not detrimental or injurious to the public and surrounding uses. Children will be accompanied by an adult at all times they are in the indoor play center. Conditions of approval additionally require signage be installed near the entrance and exit doors warning patrons of vehicles in the alleyway and directing them towards Myrtle Avenue.*
- F. The proposed project will not result in the demolition of a residential structure built prior to January 1, 1940, with architectural or known historic value. *The existing structure was built in 1919 and is a commercial structure.* No exterior alterations of the existing structure are proposed.



DATA SHEET 4

CUP2016-14

415 South Myrtle Avenue, Units B & C

Property Description: Zoning	Located on the west side of South Myrtle Avenue, between West Lime Avenue and West Lemon Avenue. The lot measures 25 feet wide and approximately 128.50 feet deep, for a total lot area of 3,321.5 square feet. The parcel is developed with a 3,225 gross square foot commercial building, consisting of three tenant spaces. The proposed use will occupy two tenant spaces in the rear that totals 1,600 square feet.	
Subject site:	HCD (Historic Commercial Downtown)	
Surrounding pattern:		
north:	HCD (Historic Commercial Downtown)	
south:	HCD (Historic Commercial Downtown)	
east:	HCD (Historic Commercial Downtown)	
west:	PD-5 (Planned Development Area 5))	
Land Use		
Subject site:	Commercial Building	
Surrounding pattern:		
north:	Retail (L&D Appliance)	
south:	Restaurant (Merengue Bakery and Cafe)	
east:	Restaurant, Retail and Theatre	
west:	Commercial Building and Parking Lot	
Environmental Determination:	Categorical Exemption Class 1	
Applicable Ordinance Regula	tions: MMC 17.52.020 Planning Commission Authority for CUP	

Operations Statement

Of

OH MULBERRY BUSH

Oh Mulberry Bush, is owned and operated by 2 partners – Cindy Lee and Judy Wong. It is a **KID**-**FRIENDLY** cafe which will serve those looking for fresh café foods, including slow-cooked meals, toasts, **healthy pressed juices**, loose-leaf teas, **cereals**, and **salads**.

We want to create a café culture in the city of Monrovia, not only for those looking for a good cup of tea or coffee, food and a place to connect and socialize, but also for families with children to be at ease in a kid-friendly environment. We want parents to also know that they can enjoy good food while their children can be engaged in educational toys, art, and books.

This kid-friendly space will operate in a 1,600 square foot environment that focuses on the café at the back end of the establishment with communal seating. Bench seating will allow parents to enjoy their meals and their children will be in a designated kid-friendly space.

We are aiming to modernize the Chuck E Cheeses eat & play concept, and replace the pizzas with fresh and healthy food alternatives and offer educational toys instead of electronic games. There are so many toys today to stimulate the children's brain, motor skills and keep them engaged without putting them on a jumper or slide. Oh Mulberry Bush is unique because as my partner and I are mothers of two, we both understand the challenges of finding a space where baby can play in a designated area while the parents can enjoy good food and drinks, without feeling the need to dash out of the door because their child is touching and playing with EVERYTHING!

Mission Statement

Oh Mulberry Bush will offer fresh food, teas, and coffees in the city of Monrovia. Our vision is to create a café where parents and children can co-exist – comfortably. Parents can engage in adult conversations where children can connect and be stimulated by books and toys. We are offering a lot more than just an average cafe. We are providing an environment for the families in Monrovia to connect and experience.

Oh Mulberry bush will be located at 415 S. Myrtle Avenue, Unit B/C. The company has secured a 3-year lease of the vacant 1600 square feet premise previously occupied by a cabinetry workshop. The lease

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contract has an option of renewal for three years. The property is located in a street retail area within walking distance from several parking lots. The commercially zoned premise has the necessary water and electricity hookups and will require remodeling on the upstairs to accommodate the kitchen area.

This business will be located in the city of Monrovia. We see families and businesses growing every day and we want to be a part of this community. We know that currently our idea is **unique** in Monrovia and the neighboring towns. We feel that our target market of young, affluent professionals is always looking for an opportunity to enrich themselves and their children. We know Monrovia is becoming a city that offers a lot of kid activities and fostering education growth through the school systems and local businesses. There are several existing shops in Old Town Monrovia that are very kid-friendly – such as the Dollmakers, Paint N Play, Candy Connection, Farmer's Market of Monrovia on Friday evenings, Paradis, the unit A of our building, and we want to be another family-fun place that people visit in the City of Monrovia for.

Working with Neighboring Businesses

We see that our cafe and concept complements the dynamic of the existing neighborhood and has a positive impact. Our concept has **NO DIRECT COMPETITION** with any surrounding stores. We see that our presence can only BOOST the businesses in downtown Monrovia and please the crowds. We know that the city is lacking this concept and we are certain our business idea will fill this gap. It will also help the city by keeping AND bringing in disposable income to the City of Monrovia and not to the neighboring areas.

Interior

Our concept will be open and clean interior design with modern wooden décor. The downstairs of the café will be divided into a dining area, play area, area for crawlers, mom's lounge (nursery), and a cake room for birthday parties. The total occupancy load is 25. The second floor will be the kitchen, which will include our storage, prep area, cooking area, and sinks. We will also include a kid's play kitchen for the little future chefs.

Products & Service

Food/Beverages: We will have a fast casual window where coffee, tea, and food can be ordered and picked up. Self-seating is offered throughout the café.

o Menu:

 Breakfast – 4 choices of cereal and milk

- Avocado Toast
- Egg Salad Toast
- Nutella with Banana Toast

Toasts

- Peanut Butter and Jelly on Toast
 Ham and Cheese on Toast
 A: Bowl + drink (tea/coffee) + Milk/mini bowl/mini toast
 B: Bowl + drink (tea/coffee) +
 - Milk/mini bowl/mini toast
 - C: Bowl + drink (tea/coffee) + Milk/mini bowl/mini toast
 - D: Salad + drink (tea/coffee) + Milk/mini bowl/mini toast

Beverages:

- Tea by Bird Pick: 6 Iced/Hot Teas.
 - Coffee Stumptown ready to serve coffee (cold brews in bottles)
- Kids beverages: juice, water, milk

Lunch:

- Corn and Veggie Soup
- Chickpea and Sweet Potato Chilli
- Chicken Stew
- Mac n Cheese with Broccoli
- Salads offering will be based on seasonal produce
- Baked goods: pastries/desserts
- Mommy+Me sets

Management

The Operations manager of the location will be managing partner and owner, Cindy Lee. Today, as a mother of two little girls, ages 4 and 2, Cindy has been seeking a child friendly space for her children to be in and is ready to fill in that gap as nothing is similar to their concept in Monrovia. Cindy has 15 years of management experience under her belt working for big well-known companies as a branch manager, District Manager and Area Manager. Her skills and background will take her staff to provide exceptional customer service.

Cindy's day to day responsibility as the Operations manager will include opening and closing the business. Hiring and training the staff (coffee bar, café attendant, kitchen prep, and keep strict sanitary standards with each team member). All HR functions and other managerial duties will be a part of Cindy's Realm. As private party opportunities come about, Cindy will be hosting, organizing and preplanning the events.

Judy Wong is the financial planner and marketing director of Oh Mulberry Bush. She is a mother of 2, ages 3 and 1. She is a licensed attorney and an independent real estate broker. Judy is currently running a distribution of window covering textiles called SB2 Concepts, Inc. that is based in Monrovia. With this company, Judy has gained vast experiences in sales and marketing to national and

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international fabricators of window covering products. She has successfully grown this company from a small operation to now a multi-million-dollar company.

Making Oh Mulberry Bush a reality is a dream and passion project for Judy. She will be responsible for the purchasing, marketing and supporting the operation.

Business Operation

Oh Mulberry Bush will be occupying a 1,600 square foot space. The floor plan is attached.

As shown on the floor plan:

First floor: Kitchen Prep, Food pick up counter, seatings (no more than

The restaurant operation will be operating by 3 employees. Patrons will order set lunches (mommy-me sets) or individual items. The set lunches will include admission to the kid's area for play. If sets are not purchased, they can buy the admission separately. The activity/play area will be a wooden-toy theme. The wall will include a magnetic wall puzzle, shelves with books and wooden toys.

Operating Hours

Mondays will be closed, Tues to Friday: 9:00am to 5pm

Party Schedule (advanced notice will be needed to book these time blocks. If no parties are scheduled, regular café operations will resume) Friday 4pm to 6pm; Sat & Sun 9am -11pm, 12pm-2pm, 3pm-5pm.

We anticipate the first 3-6 months having 3-4 staff members at the most. The concept is a fast casual environment and we will only need one food preparer and two food server at all times.

Parking: There are several public parking lots in Old Town Monrovia that patrons can park their vehicles. We will strongly encourage our patrons to park at parking lots across Myrtle to make sure they enter from Myrtle and not from the back alley way due to heavy traffic and other safety reasons the back alley may present. We will help to encourage the use of these above mentioned parking lots by adverting this message in our media and other notifications we may distribute to the public. Attached is a copy of the public parking structures near Oh Mulberry Bush.

Birthday Parties

Oh Mulberry Bush will offer party planning, a party attendant to help set-up and breakdown during each event. Each party will be slotted as a 2-hour event. There will be 30 minutes prior to set-up and 30 minutes after to break down. Additional hours are available depending on availability.

No outside food is allowed unless it is a cake. We will provide the party menu and they can select the type of food offered at the party. We will offer party packages options where they can choose the items that they want to include in the party.

Sample party kid's menu:

- PBJ sandwiches
- Tuna fish sandwiches

- Pasta
- Milk/juice box
- Any item from our regular menu

Market Segmentation

We believe Oh Mulberry Bush would be best situated in the city of Monrovia because this city is family and community focused and it is positioned in nearby cities like Pasadena, Sierra Madre, and Arcadia that DO NOT currently offers the similar services to the residents. Oh Mulberry Bush is designed and catered to the parents and children from infant to 7 years old. We want to offer a place for parents and their children to see and learn outside of their homes and schools and meet others who share the same curiosity.

There are very few to no businesses that offer what Oh Mulberry Bush is setup to offer in the surrounding area. It is a place for the family to enjoy healthy foods, have some fun and know that the café is safe and friendly for the little ones. An added bonus is if you like our space, the parents can host birthday parties and private events there. It is an excellent way for parents and their children to make new friends and help them grow and develop through fun and learning activities.

Summary

Oh Mulberry Bush is a café that will be one of a kind with no direct competition. The market survey and strategy promise strong and continued success of this business venture. The café's menu is unlike anything else offered currently in Downtown Monrovia. Food prepared from this cafe is limited and only made with fresh food products. The café's location is perfect for the clienteles as it is more of a destination spot. The form of ownership for this cafe is a LLC operated by two managing partners – Cindy Lee and Judy Wong. Initially, this café will have three employees. The partners plan to finance this cafe through savings and a current running capital through Judy's existing business. Further financing is intended if necessary. The partners are confident that this cafe will be a successful venture with prospects to bring more visitors to the community of Monrovia and will support neighboring businesses.



