



PLANNING COMMISSION STAFF REPORT

APPLICATION: TPM 82128/CUP2018-0010/Avalon Monrovia
SP/PCR2018-0004/PCR2018-0005/ZA2018-0002/PCR2018-0006

AGENDA ITEM: PH-2

PREPARED BY: Barbara Lynch
Senior Planner

MEETING DATE: August 15, 2018

SUBJECT: Tentative Parcel Map No. 82128; Conditional Use Permit CUP2018-0010; Avalon Monrovia Specific Plan; Planning Commission Resolution 2018-0004; Zoning Ordinance Text and Map Amendment; Planning Commission Resolution 2018-0005; Mitigated Negative Declaration; Planning Commission Resolution 2018-0006

815 and 825 South Myrtle Avenue and 126 West Walnut Avenue (APNs 8508-006-037, 038, 039, 040, 054, and 055)

REQUEST: Develop a 2.06 acre site with a mixed use development composed of a 5-story, 6 level (rooftop terrace) building containing 154 apartment units with 2 private courtyards, a clubhouse and fitness area and 3,440 square feet of ground-floor commercial space (facing Myrtle Avenue), and a 5-story, 6 level, 286 space parking structure. A density bonus with development standard concessions has been applied pursuant to the State Density Bonus Law and 13 of the units will be reserved for lower income residents. The concessions requested pursuant to the State Density Bonus Law include building height and building size by exceeding the floor area ratio (FAR).

The proposed project includes the adoption of the Avalon Monrovia Specific Plan, a Zoning Map amendment changing the ORDLM (Office/Research and Development/Light Manufacturing) and M (Manufacturing) designations to SP (Specific Plan), an amendment to the Zoning Ordinance to modify the text to include the Monrovia Avalon Specific Plan, a Conditional Use Permit to construct the development and a Tentative Parcel Map to merge 6 parcels and a portion of an alley into a single development site.

APPLICANT: Avalon Bay Communities
2050 Main Street, Suite 1200
Irvine, CA 92614

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

BACKGROUND: In 2008 the “South Myrtle Avenue Corridor” was identified as a specific planning area in the update of the Land Use Element of the General Plan. The three districts within the South Myrtle Avenue Corridor are: Old Town Extension District; Crossroads District and South Myrtle Avenue District. The development site is within the Old Town Extension District and Specific Plan Overlay. The Old Town Extension District is bound by Olive Avenue to the north, Maple Avenue to the south, Ivy Avenue to the east and Primrose Avenue to the west. This District being just south of Old Town encourages new development to be inviting to pedestrians by providing wide sidewalks, street furniture, public art and landscaping that will be different, yet complimentary, to Old Town. The Specific Plan Overlay allows mixed use development on sites 2 acres or greater. The subject property is an irregular “L” shaped 2.1 acre site that has frontage on Myrtle, Walnut and Chestnut Avenues.

As this application requires the approval of the City Council, the Planning Commission is serving as the advisory body and the actions of the Commission are in the form of recommendations. The requested entitlements are as follows:

1. **Avalon Monrovia Specific Plan** adoption that establishes development standards, design guidelines and land use. (PCR2018-0004).
2. **Zoning Ordinance Text Amendment and Zone Change** to add “Avalon Monrovia Specific Plan” to Section 17.04.035 of the Monrovia Municipal Code and amend the Zoning Map to change the zone designations from ORDLM (Office/Research and Development/Light Manufacturing) and M (Manufacturing) to SP (Specific Plan). (PCR2018-0005/Ordinance No. 2018-08).
3. **Tentative Parcel Map** to consolidate six parcels and vacate a portion of an alley into one 2.06 acre parcel. (TPM 82128).
4. **Conditional Use Permit** to allow construction of a 5-story, 6 level, mixed use development with 154 apartment units, 3,440 square feet of commercial space and a 286 space parking structure. (CUP2018-0010)

Prior to making its recommendation on the above, the Commission must first consider and provide its recommendation on a **Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program** for the proposed project pursuant to the California Environmental Quality Act (CEQA). (PCR2018-0006)

SUBJECT PROPERTY: The irregular “L” shaped 2.06 acre (89,747 square feet) site has approximately 220.77’ of frontage on Myrtle Avenue (east side), 149.97’ on Walnut Avenue (north side) and 306.98’ on Chestnut Avenue (south side). A 16’ wide east/west alley between Primrose Avenue and Myrtle Avenue extends across the development site physically dividing it in half. Current improvements include an industrial/office building (Tanner Research) approximately 20,865 square feet near the southeast corner of Myrtle and Chestnut Avenues and two industrial buildings (K-Short, Inc.) approximately 3,204 square feet on Myrtle Avenue and 2,990 square feet on Walnut Avenue. The applicant proposes to clear the property and remove the portion of alley that crosses the site.

The adjacent properties are located within the Old Town Extension District in the “South Myrtle Avenue Corridor” and are primarily improved with light-industrial and office buildings and consist of the following land uses:

- Southwest corner Myrtle and Chestnut-- General Plan and Zoning designation ORDLM (Office/Research and Development/Light Manufacturing) -- 1-story architects office building. The proposed development will wrap around this site.
- East of the development site (across the street on Myrtle) – General Plan and Zoning designation ORDLM (Office/Research and Development/Light Manufacturing) – multi-tenant, industrial complex.
- West of the development site – General Plan and Zoning designation M (Manufacturing) – 1 and 2-story industrial/office buildings.
- North of the development site (across the street on Walnut) – General Plan and Zoning designation ORDLM (Office/Research and Development/Light Manufacturing) – 2-story industrial/office building.
- South of the development site (across the street on Chestnut) – General Plan and Zoning designation ORDLM (Office/Research and Development/Light Manufacturing) – 1-story industrial/office building.

DISCUSSION/ANALYSIS: The proposed mixed-use project is the type of development that is encouraged in the Old Town Extension District in the “South Myrtle Avenue Corridor”, on sites that are 2 acres or greater. A Specific Plan is required as part of the entitlement process to ensure that the project is consistent with the goals and objectives that are established for this area. In this District the maximum building height is four stories with a required fourth story setback (from the first three stories) and little to no building setback on Myrtle Avenue. Also, ground floors facing Myrtle must have office and/or commercial storefronts. If parking is provided underground or in a parking structure the floor area ratio (FAR) may be increased to 2.0 (in lieu of .75) and the maximum residential density allowed is 54 units per acre. Based on a 2.0 FAR the subject property would be permitted 114 units.

Project Overview/Density Bonus

The proposed development is comprised of 154 apartment units, 3,440 square feet of ground floor commercial storefront, leasing office, clubhouse and fitness facility. There are two interior courtyards and a roof top terrace. The mixed use building is five stories with a sixth level to accommodate the roof top terrace. The building is 65' in height with the exception of the corner tower design element that incorporates the rooftop lanai into the design and increases the corner height to 75'. A five story, six level, parking structure with 286 spaces is attached to the mixed use building and is accessed from Chestnut Avenue.

This project will provide 13 very-low income affordable units (11% of 114 units) that will be deed restricted for a minimum of 55 years. In accordance with the State Density Bonus Law providing 13 very-low income units allows a 35% density bonus resulting in this project being allowed 40 additional units. Also, the City is required to provide one or more “concessions or incentives” when a project is eligible for a density bonus. These include:

- A reduction in site development standards or a modification of zoning code or architectural design requirements, such as a reduction in setback or minimum square footage requirements.
- Approval of a mixed use zoning.

- Other regulatory incentives or concessions which actually result in identifiable and actual cost reductions.

Two additional forms of assistance are available when a project qualifies under the State Density Bonus Law. This includes a waiver or reduction of development standards and parking requirements.

Site Plan

The project site will be improved with a mixed use building and an attached parking structure. The mixed use building is setback 10' (first 3 stories) from the Myrtle Avenue property line to allow for a 14' wide sidewalk that incorporates 4' of the City parkway. The remaining 3'-6" of parkway area adjacent to the curb will be landscaped. The upper stories are setback 16' from the Myrtle Avenue property line. The wider sidewalk creates the pedestrian linkage that is desirable for new development within the "South Myrtle Avenue Corridor." The long range goal is to connect Old Town to Station Square with desirable development and an inviting pedestrian friendly sidewalk/parkway design.

The north side of the mixed use building is setback 5' to 8' from the Maple Avenue property line. The setback will be landscaped and a 5'-6" wide sidewalk and 4'-6" planter adjacent to the curb will be provided in the City parkway. Additionally, the interior setbacks from the corner lot (801 S. Myrtle/architects office building) are 11' from the east property line and 10'-4" to 14' from the north property line. The south side of the mixed use building is setback 5' to 10' from the Chestnut Avenue property line. This setback will also be landscaped and a 5'-4" sidewalk and 4'-6" planter adjacent to the curb will be provided in the City parkway. The rear setback of the northerly half of the mixed use building is 16' at its closest point from the west property line.

The parking structure is located behind the southerly half of the mixed use building (west side) and is setback 12' from the Chestnut Avenue property line. The west side of the parking structure has no openings and does not have a setback from the west property line. The parking structure has one 26'-10" wide driveway providing access from Chestnut Avenue.

Driveway Access/Alley Vacation: To accommodate commercial deliveries and trash pick-up for the commercial businesses on Myrtle Avenue a 14' wide by 19' long driveway is provided on the north side of building. This driveway is designed into this project because trash receptacles are prohibited on Myrtle Avenue. The access into this driveway has been studied to insure that trash trucks traveling south on Myrtle will not cross the street centerline into opposing traffic while making the turn into the driveway.

The portion of the alley that will be vacated will be replaced and redirected with a public access easement driveway. This driveway will connect the 16' wide alley not vacated to Walnut Avenue. The paved easement width will range from 16' to 27' and is designed for a 40' long truck. The widest part of the easement is to accommodate the trucks turning radius where the east/west alley intersects the north/south driveway. The alley will remain two-way and the driveway will be one-way going north towards Walnut Avenue. It is important to provide a "public" access easement because the remaining alley will continue to serve several industrial properties remaining on the block and the proposed project is designed to

have both the residential trash pick-up and residential move in/out loading zone near the alley/driveway intersection behind the mixed use building.

Floor Plans

The residential unit mix within the complex consists of:

- 64 one-bedrooms ranging between 689 to 834 square feet
- 75 two-bedrooms ranging between 974 to 1,237 square feet
- 24 three-bedrooms ranging between 1,334 to 1,742 square feet. Four of the larger units are two-stories extending from the fourth floor to the fifth floor.

At minimum the affordable unit mix will include one two-bedroom 974 square foot unit and twelve one-bedroom 732 square foot units.

Residents enter their units from interior hallways that can be accessed from the lobby at the corner of Myrtle and Chestnut and the parking structure. The 5 levels of the building are accessible from each corresponding parking structure level.

Every unit has a patio (ground level) or balcony (2nd through 5th floors) with sizes varying from 49 to 176 square feet. There are two interior courtyards. The larger courtyard is 7,790 square feet and will be improved with a swimming pool, spa, and outdoor furniture and landscaping. The smaller courtyard is 2,310 square feet and provides a more passive outdoor area with a water feature, seating and landscaping. A rooftop terrace with a covered lanai provides approximately 3,000 square feet of useable common open space.

On the ground level is the commercial floor space, leasing office, clubhouse, fitness facility and mailroom.

Building Elevations

The applicant used the Monrovia Library Modern style architecture and color as the basis for the design of the proposed development. The Specific Plan describes using design elements and materials that include bright exterior color on smooth/fine stucco finish, shaded pedestrian pathways and entries, modern touches through cool metal accents, clean orthogonal lines, multi-panel glass doors and recessed windows with divided lights, perforated metal awnings of varying lengths and recessed building planes to provide interest.

The corner tower element is a predominant feature on the building and is framed with a painted brick veneer. The change in exterior material combined with the large expanse of window glass area and the lanai (used as an architectural design feature) extending the height an additional 10' adds visual interest to the primary focal point of this development.

Alternative Design: The revised design provides added visual interest to the building elevations that includes; applying the painted brick veneer that is used on the tower element across portions of the ground floor elevations, adding additional metal awnings at varying lengths and adding roof caps to the parapet. This alternative design adds more vertical and horizontal interest to the building and at ground level creates an inviting (less stark) design for pedestrians.

The architect has submitted this design to provide the Commission with a design alternative but would like to continue refining the building elevations. If the Commission is in agreement

the finalized design could be submitted to the Development Review Committee for review and approval (DS 1, #3).

Parking Structure: The design elements and materials used on the exterior elevations of the parking structure include; concrete score lines, metal awnings and rails, decorative metal grids adhered to the Chestnut Avenue elevation and painted brick veneer on the west elevation. Because the west elevation does not have openings the applicant used a combination of horizontal and vertical design applications to achieve an aesthetically pleasing design for a 5-story building wall. To ensure that the parking structure is complimentary to the proposed development and surrounding properties a condition of approval (DS 1, #3) requires the final design details to be submitted to the Community Development Director. The Director will determine if it is to be reviewed and approved by the Development Review Committee or by the Art in Public Places Committee.

Parking

On-Street Parking: Currently on-street parking is permitted on Chestnut and Walnut Avenues and prohibited on Myrtle Avenue. The proposed project will provide 6 new parking spaces and one additional space restricted for postal deliveries on Myrtle Avenue. One designated ADA on-street parking space will be located on Chestnut Avenue near the corner intersection of Myrtle and Chestnut. The corner “Choker” design creating a bulb-out is used as a traffic calming device and also helps define the on-street parking area. The “Choker” design is an extension of the Old Town streetscape that has been implemented to slow vehicular traffic on Myrtle Avenue.

Parking Structure: A total of 286 parking spaces will be provided in the structure. Twenty-one spaces will be public parking and located on the ground level of the structure. The remaining 265 spaces will be behind a gate and exclusive to the residential units. The public parking spaces in the structure will provide parking for the new commercial storefronts within the project as well as provide 4 additional spaces. The 3,440 square feet of proposed commercial space requires approximately 17 spaces based on the City’s retail parking standard (MMC 17.24.060) of 1 parking space for every 200 square feet of floor area. Excluded from this ratio are restrooms, mechanical rooms and corridors.

Based on the City’s multiple residential parking standard (MMC 17.24.030) of 2.5 spaces for each unit a total of 385 spaces would be required or for a Specific Plan the number of spaces could be determined based on a parking analysis study. However the State Density Bonus Law caps the number of parking spaces that can be required for residential units to one space for each one-bedroom and 2 spaces for each two- to three-bedroom unit’s. The maximum required for the residential component of the proposed project is 253 spaces and 265 spaces are provided.

Bicycle storage facilities are provided in the parking structure on levels 1 through 4. On the first level there is short term parking for 15 bicycles that will be available to the public. On levels 2 through 4 there are long term storage facilities. At each level 27 bicycles can be stored. The City’s Bicycle Master Plan requires 77 bicycle spaces for a development of this size and a total of 96 are proposed.

Density Bonus Incentives and Concessions

Pursuant to the State Density Bonus Law (Government Code Section 65915) two “concessions and incentives” must be allowed for projects that include at least 10% of the units for very-low income households. The Avalon Monrovia project provides 11% of the units for very low income households and the two “concessions and incentives” that are part of the Avalon Monrovia project are as follows:

- Building Size – The “Specific Plan Overlay” guidelines allows a 2.0 FAR (Floor Area Ratio) when a parking structure is provided as part of a project. This would allow a 179,494 square foot building. The proposed mixed-use building is 232,324 square feet in size equating to a 2.49 FAR.
- Building Height - The “Old Town Extension” development guidelines limit building height to 4-stories. The mixed-use building and parking structure are 5-story, 6 level structures.

In order to accommodate 40 additional units allowed by the density bonus an increase in FAR and a fifth story on the building is needed to facilitate the increase.

Monrovia Art in Public Places

This residential project is subject to the City’s Public Art Ordinance (MMC §15.44.050). One percent of the project cost is required to be applied to public art on the site or it can be placed in the City’s Art in Public Places fund. Use of public art funds and proposed art work are approved by the Monrovia Art in Public Places Committee.

Alternatively, the Applicant also has the option of taking all actions necessary to assist the City with forming a Community Facilities District and approving a special tax in an amount necessary to fund the public art. If the Community Facilities District is formed and such special tax is approved, then the requirement of compliance with MMC Chapter 15.44 or payment of the in lieu fee would be satisfied.

Tentative Parcel Map 82128/Conditional Use Permit CUP2018-10

A Tentative Parcel Map (TPM 82128) is proposed to consolidate six existing parcels and a portion of an alley into one 2.06 acre parcel to accommodate the proposed development. A General Plan Conformity for the alley vacation was approved by the Planning Commission on May 10, 2017. The City Council approved the alley vacation on August 1, 2017.

A Conditional Use Permit (CUP) is required for the multiple-family development described in this report. The TPM and CUP have conditions of approval that address both the construction of the site and its continued maintenance. Data Sheet No. 1 contains the Planning and Fire Department conditions; Data Sheet No. 2 contains the Public Works conditions. Data Sheet No. 3 has the required findings to approve and recommend approval of the TPM and CUP.

Zoning Ordinance Text Amendment and Zone Change

The Monrovia Municipal Code (MMC) must be amended to add “The Avalon Monrovia Specific Plan” to the list of specific plans that have already been adopted. This code section specifies that the provisions adopted in a specific plan shall be considered to be the development standards for the plan. A Zoning Map must be amended changing the designations on the project site from ORDLM (Office/Research and Development/Light

Manufacturing) and M (Manufacturing) to SP (Specific Plan). (PCR2018-0005/Ordinance No. 2018-08)

Specific Plan

A Specific Plan is different from the City's General Plan and Zoning Ordinance in that it establishes the framework for a specific development. The Avalon Monrovia Specific Plan is very detailed and site specific and sets forth guidelines and development standards that include a land use plan with a specific architectural design, a mobility plan for vehicular, pedestrian and bicycle access, an infrastructure and utilities improvement plan, development standards, conceptual landscape guidelines, an affordable housing component and an implementation plan.

Also, in keeping with the Monrovia Environmental Accords (MEA), the Specific Plan incorporates sustainable design and construction practices. These practices integrate comprehensive sustainable principles and will include long term goals and objectives. This project will meet the standards of the United States Green Building Council Leadership in Energy and Environmental Design (LEED) Silver Level. The mixed-use building will meet Title 24 energy requirements and anticipate the 2020 CBC's Zero Net Energy requirements.

Since the project includes non-residential components (commercial storefronts), the proposed Specific Plan also includes comprehensive land use regulations, operational standards, and planning processes. Briefly, the Specific Plan permits a mixture of commercial activities in the live/work units including:

- Instructional Services
- Retail
- Eating establishments
- Office
- Business Support Services

Uses that have a higher potential to impact surrounding uses are also allowed through the Conditional Use Permit process—either minor or major, including alcoholic beverage sales and late night business operations.

The approval of this Specific Plan allows for the development of the site pursuant to the development proposal as described in the "Discussion/Analysis" section of the Staff Report. Staff feels this development proposal is in keeping with the "South Myrtle Avenue Corridor" vision for development near Old Town and it provides 13 very low income affordable units. (PCR2018-0004)

Mitigated Negative Declaration

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was completed which analyzed the potential impacts that the proposed project could have on the environment. The resulting environmental document is a Mitigated Negative Declaration (MND). The Initial Study identified several potential environmental impacts that would be "less than significant with mitigation incorporation." Therefore, a MND was prepared for the project.

In summary, the proposed MND identifies mitigation measures to reduce and/or avoid impacts to the following environmental factor areas: Air Quality, Biological Resources, Cultural Resources, Noise, Public Services, and Tribal Resources.

- AIR AQ-1/AQ-2: Addresses the temporary adverse effects during construction related to noise and criteria pollutant emissions.
- BIO 1: Requires pre-construction nesting surveys and construction monitoring and buffer zones to avoid impacts to nesting birds.
- CULT 1 through 9: Implements construction-phase procedures to be implemented in the event any important archaeological, paleontological, or Native American Tribal resources are discovered during grading operations.
- NOI-1-2: Requires measures to reduce the impact relative to exposure of persons to noise in excess of local standards, both permanent and during construction.

CEQA requires a minimum review period of 20 days for an MND, which began on July 16, 2018. The documents were posted on the City's website on July 16, 2018. Additionally a Notice of Intent (NOI) to adopt a MND was filed with the County Clerk on July 13, 2018, a public notice was published in the Monrovia Weekly on July 16, 2018, and notices were mailed to all property owners within 300 feet of the subject property on July 16, 2018. The comment period ends at the Planning Commission meeting on August 15, 2018. (PCR2018-0006)

Public Outreach

In order to solicit early input on the development, a public scoping meeting was held at the Monrovia Public Library on February 1, 2018 from 6:00 PM to 7:30 PM. The meeting was well attended and positive input was received that influenced the overall design of the project. There was discussion regarding the buildings color and the architect of the neighboring building to the north (801 South Myrtle Avenue) requested that a light and shadow study be conducted. The light and shadow study can be found in the MND/Initial Study, Appendix A.

Over the past year, the City has provided ongoing status updates to the community, Commission and City Council on the various development applications to solicit additional input on proposed projects. This includes the City website, the City Manager's weekly update, City Council and Planning Commission meetings, community presentations including the MAP Neighborhood Conference.

Development Review Committee Review

At the DRC meeting held on July 18, 2018, the Committee was given a presentation on the proposed project. Courtesy notices were mailed to property owners to solicit additional feedback. There was no public in attendance at the meeting. The Committee discussed various aspects of the project and overall, was pleased with the project. The Police Chief articulated the need for a security plan and adequate lighting in the parking structure and public areas. The DRC recommended approval to the Planning Commission.

Conclusion

The State Density Bonus Law has allowed an increase of 40 units to be added to this development site and based on this increase, incentives and concessions have been applied. All though the project is not consistent with the "South Myrtle Avenue Corridor" development standards because of these concessions, the end result is a high quality project that is complementary to Old Town. It meets the goals and policies of the Old Town Extension

District and Specific Plan Overlay designation with its commercial storefronts and pedestrian oriented streetscape creating the connectivity to Old Town and the consolidation of land area creating a site large enough to accommodate a mixed use development.

RECOMMENDATION: The Development Review Committee and Staff recommend approval of the application as presented in the Staff Report. If the Planning Commission concurs with Staff's recommendation then, following the public hearing, the appropriate actions would be to adopt Planning Commission Resolution Nos. PCR2018-0004, PCR2018-0005, PCR2018-0006 and approval of Tentative Parcel Map No. 82128 and Conditional Use Permit CUP2018-0010:

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

1. The Planning Commission has independently considered and reviewed the information in the MND and Mitigation Monitoring and Reporting Program, and all comments received regarding the MND and Mitigation Monitoring and Reporting Program , and based upon the whole record of the proceedings before it, finds that the MND and Mitigation Monitoring and Reporting Program were prepared in compliance with and the City's local CEQA Guidelines, and that the findings contained therein represent the independent judgment and analysis of the Planning Commission, therefore, the Planning Commission recommends that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as the environmental clearance for the project (Tentative Parcel Map No. 82128, Conditional Use Permit CUP2018-0010, Specific Plan SP2018-0002, Zoning Ordinance and Map Amendment ZA2018-0002) as set forth in Planning Commission Resolution No. 2018-0005.
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 TPM 82128 and CUP2018-0010, which are incorporated herein by this reference.
4. The Planning Commission hereby recommends approval to the City Council of Tentative Parcel Map No. 82128, Conditional Use Permit CUP2018-0010, Specific Plan SP2018-0002, Zoning Ordinance and Map Amendment ZA2018-0002, subject to the attached Planning and Conditions on Data Sheet No. 1, Public Works Conditions on Data Sheet No. 2, and recommendations in the Staff Report, all of which are incorporated herein by this reference.

MOTIONS:

- A. Close the public hearing and adopt Planning Commission Resolution No. PCR2018-0006 recommending approval to the City Council of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

- B. Adopt Planning Commission Resolution No. PCR2018-004 recommending approval to the City Council of “Monrovia Avalon Specific Plan.
- C. Adopt Planning Commission Resolution No. PCR2018-0005 recommending approval to the City Council of Zoning Ordinance Map and Text Amendment Ordinance No. 2018-08.
- D. Recommend to the City Council the approval of TPM 82128 and CUP2018-0010 as presented in the Staff Report.



DATA SHEET 1

Planning Conditions

TPM No. 82128/CUP2018-0010

815 and 825 South Myrtle Avenue
126 West Walnut Avenue

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 TPM 82128 and CUP2018-0010 for a 5-story (with a roof top terrace), 154 unit residential apartment development with a 6-level parking structure submitted by the Applicant, as approved by the City Council and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the City Council and by subsequent modifications determined by the Director of Community Development to be in substantial compliance with the conditions of approval. The term "Applicant" as used herein shall include the applicant, the property developer, the property owner, and all successors in interest to this Subdivision Map and Conditional Use Permit.

DEVELOPMENT STANDARDS

1. The development shall comply at all times with all standards, regulations, requirements, guidelines and conditions set forth in "Avalon Monrovia Specific Plan."
2. All final building/architectural materials shall be submitted to the Planning Division Manager for review and approval prior to building permit issuance. The review of final materials for the mixed use building and parking garage shall include, but not be limited to, stucco, windows, exterior doors, metal railings, metal awnings, standing seam metal roof, brick veneer, color schemes, and exterior light fixtures.
3. The final exterior building elevations of the mixed-use building shall be submitted to the Development Review Committee for review and approval.
4. The final design details of the exterior parking structure walls (west and south elevations) designed as a public art piece shall be submitted to the Community Development Director. The Community Development Director shall determine the appropriate body (Art in Public Places Committee or Development Review Committee) to review and approve the design.
5. Placement and design of mailboxes shall be reviewed and approved by both the U.S. Postal Service and the Planning Division prior to installation and shall not be placed in the public right-of-way.
6. All roof mounted mechanical equipment shall be completely screened from street view adjacent to the site by perimeter parapet walls, subject to review and approval by the Community Development Director.
7. All roof and balcony drainage shall be directed to an internal collection system.
8. Ground level mechanical equipment shall not be located within street facing setbacks.

9. 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 relocated (if necessary), placed underground and provided to each unit.
10. 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 in locations that will not impair public access and in compliance with the Americans With Disabilities Act with provisions for appropriate screening to the satisfaction of the Community Development Director. These structures shall be incorporated into the building design whenever possible so as not to be visible from the public right-of-way. Any equipment in the landscaped areas shall be noted on the landscape/hardscape plan with provisions for appropriate screening. Electrical transformers shall not be located in front (Myrtle Avenue) of the mixed use building unless they are vaulted and placed underground.
11. Plans showing all exterior lighting shall be submitted to the Planning Division for review and approval prior to building permit issuance, and no exterior lighting shall be installed without the approval of the Planning Division Manager. All exterior lighting shall be designed, arranged, and installed so as to confine direct rays onto the premises and to direct light away from adjacent structures.
12. Photo documentation of all buildings on the development site must be submitted to the Community Development Director prior to their demolition. All existing exterior elevations of each building shall be photographed.
13. Prior to issuance of building permits, Deed Restrictions and an Affordable Housing Agreement in a form approved by the City Attorney must be recorded against the thirteen (13) affordable apartment units that meet all of the requirements for affordability for very-low income families and meet all other criteria outlined in Government Code Section 65915.

LANDSCAPING

14. 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 conditions of approval:
 - a. Landscaping shall be a combination of 24" and 36" box trees, shrubs, groundcover, and turf except on the rooftop deck where 15 gallon trees can be planted.
 - b. Any unimproved City right-of-way contiguous with the property shall be landscaped and maintained by the Applicant and shall be incorporated into the required landscape plan.
 - c. Hardscape improvements shall be provided in all common areas. The common areas shall incorporate amenities for residents of the development to

the satisfaction of the Community Development Director. The improvements shall be indicated on the final landscape/hardscape plan.

- d. A landscape documentation package that complies with the requirements of the Model Water Efficient Landscape Ordinance and shall be submitted to the Planning Division for review and 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.

PARKING/PUBLIC ACCESS EASEMENT

15. The parking structure driveway entrance shall be surfaced with Portland cement concrete (3 1/2" minimum), interlocking pavers, or other suitable materials, which shall be submitted to the Planning Division Manager and Public Works Department prior to installation for review and approval.
16. A minimum of 21 public parking spaces shall be provided in front of the gate that separates residential parking in the parking garage. The public parking spaces shall be open and accessible to the public from 6:00 AM to 12:00 AM. Before any change is made in these hours approval shall be obtained from the Development Review Committee. No resident parking shall be permitted in the designated public parking spaces in front of the gate. Signage shall be provided to advise residents of this restriction.
17. Driveway ramp shall be a maximum 15% grade.
18. Storage for a minimum of 15 short-term bicycle parking spaces and 77 long-term bicycle parking spaces shall be provided in the parking garage.
19. The public access easement driveway shall be a one-way access (north bound) and be a minimum paved width of 16' to 27' (as depicted on TPM 82128).
20. The use of the 14' wide service driveway on the north side of the building (that accesses Myrtle Avenue) shall be restricted to commercial business trash pickup and commercial deliveries.

DEVELOPMENT IMPACT FEES

21. Public Art. In compliance with MMC Chapter 15.44 (Art in Public Places), the Applicant shall either pay the in-lieu fee for arts or provide public art on the site. Alternatively, the Applicant also has the option of taking all actions necessary to assist the City with forming a Community Facilities District and approving a special tax in an amount necessary to fund the public art. If the Community Facilities District is formed and such special tax is approved, then the requirement of compliance with MMC Chapter 15.44 or payment of the in lieu fee would be satisfied.

CONSTRUCTION SITE REQUIREMENTS

22. A Construction Impact Mitigation Plan shall be submitted to the Planning Division for review and approval and must be approved prior to the start of any demolition or construction.
23. The 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 the permanent wall), the graffiti shall be removed or painted over by Applicant within twenty-four hours, unless any law in effect imposes a shorter time period. Fencing may be removed prior to landscape installation with Planning Division approval.
24. One waterproof sign (36" x 48") in both English and Spanish noting construction hours and a phone number for contact shall be posted on each street frontage prior to grading or construction.

GENERAL REQUIREMENTS

25. 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 the Fire Department that are directly applicable to the project.
26. The mitigation measures identified in the Mitigated Negative Declaration and set forth in the Mitigation Monitoring and Reporting Program, and the construction mitigation plan, shall be incorporated herein as conditions of approval of the project.
27. 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.
28. The Applicant shall submit the required filing fee for submittal of the Notice of Determination to the Los Angeles County Clerk and for submittal of the Mitigated Negative Declaration to the State Department of Fish and Wildlife one day after final approval of the project. The applicant may request that the City file a fee exemption request with the State Department of Fish and Wildlife, provided, however, the Applicant deposits with the City the required filing fee one day after final approval of the project. In the event the State Department of Fish and Wildlife grants the exemption, the unused portion of the filing fee shall be refunded to the Applicant.
29. The Applicant shall, within 30 days after approval by the City Council, 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. Tentative Parcel Map No. 82128 and Conditional Use Permit CUP2018-0010 shall be void and of no force or effect unless such written consents are submitted to the City within the 30 day period.

30. The Final Parcel Map for the proposed lot consolidation shown on this Tentative Parcel Map No. 82128 must satisfy the requirements of Section 16.20.010 et seq. of the Monrovia Municipal Code and be filed with and deemed a complete filing by the City Engineer. The development to which the Conditional Use Permit applies must begin, within twenty-four months after the Tentative Parcel Map was conditionally approved, or TPM 82128 and CUP2018-0010 will expire without further action by the City. The map expiration date may be extended as allowed by the Monrovia Municipal Code.
31. All of the above conditions shall be complied with prior to issuance of the Certificate of Occupancy, unless an earlier compliance period is specified as part of a condition.
32. Indemnification. As a condition of approval, the 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 in accordance with the Subdivision Map Act and from choosing counsel to defend the City.

PUBLIC SAFETY CONDITIONS

33. The final parking garage design shall be reviewed and approved by the Chief of Police prior to the issuance of building permits. The final design shall incorporate safety measures and design details to deter loitering within the parking garage stairwells.
34. Security Management Plan. Prior to the issuance of a certificate of occupancy, the Applicant shall submit a Site Security Management Plan for approval by the Chief of Police, which shall incorporate features such as lighting, gating and recorded video surveillance within all public areas (public access easement driveway and internal perimeter walkways, including the parking garage).



DATA SHEET 2

Public Works Conditions

TPM No. 82128/CUP2018-0010

815 and 825 South Myrtle Avenue
126 West Walnut Avenue

Development shall be subject to the conditions of approval listed below, and if so indicated, the condition(s) shall be satisfied before the Final Map is filed in the Department of Public Services (Public Works Division) for review and approval. The term "Applicant" shall include, without limitation, the applicant, the property developer, the property owner, and all subsequent owners of each parcel.

Engineering Conditions

1) Prior to any development, the Applicant shall provide the following:

a) Final Parcel Map for the merger of existing parcels

- i) The Applicant shall submit a Final Parcel Map as required by the City's Municipal Code, Chapter 16 – Subdivisions
- ii) Prior to filing the Final Map with the Department of Public Services (Division of Public Works), the Applicant shall provide a current title report (Parcel Map Guarantee) for the project site located in the City of Monrovia. The title report and guarantee is required and such documents shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders and supporting documents accompanying the title report.
- iii) All easements and dedications shown on the approved tentative parcel map and those not shown but to be recorded, such as: Covenants, Conditions & Restrictions (CC&Rs) must be recorded and accounted for at the time of the Final Map approval.
- iv) Applicant shall dedicate additional rights of way if determined in the review of the improvement plans they are needed.
- v) The City is in agreement with the vacation of a portion of the east/west alley north of Chestnut Avenue. A public access easement shall be shown on the final parcel map connecting the alley not vacated with Walnut Avenue. The public access easement shall be a minimum of 16 feet in width except where the proposed north/south public access easement joins the dedicated east/west alley. At this intersection the proposed public access easement shall be a minimum of 27 feet in width to accommodate W40 truck turning movements.
- vi) A Final Map prepared by or under the direction of a Licensed Land Surveyor or Licensed Civil Engineer legally authorized to practice land surveying in the State of California must be filed in the Department of Public Services (Public Works Division) for review and approval and processed through the City Engineer prior to being filed with the Los Angeles County Recorder.
- vii) Prior to filing the Final Map with the Department of Public Services (Public Works Division) for review and approval, the Applicant's surveyor or engineer shall set

durable monuments to the satisfaction of the City Engineer in conformance with Section 66495 of Subdivision Map Act.

- viii) Improvement plans and an engineer's estimate of the improvements, using the departments approved unit rates, along with the necessary letters of credit, cash and/or bonds to secure the construction of all public improvements shall be submitted and approved by the City Engineer prior to the recordation of the Final Map. No security or bond will be released in partial amounts. When the project has been completed in full, the final punch list is complete, and the notice of completion filed with the appeal time frames expired, then and only then, will the bonds will be release with a formal request to the City Engineer, and processed though the City Clerk Office.
 - ix) Prior to filing the Final Map for recordation the developer shall execute a subdivision agreement with the City of Monrovia and shall adhere to the requirements of this subdivision agreement including a 10% warranty bond for a period of 3 years from the date of completion and acceptance.
 - x) Prior to filing the Final Map with the Department of Public Services (Public Works Division) for review and approval, the Applicant shall execute and record a covenant and agreement that shall bind the applicant and/or any subsequent property owner to provide street improvements adjacent to the proposed land division to the satisfaction of the City Engineer. The street improvements are to be constructed prior to Certificate of Occupancy (or any Temporary Certificate of Occupancy) and shall include, but are not limited to, driveway modifications, new driveways, removal of abandoned driveways, sidewalk improvements, ADA improvements, "bulb out" at the intersection of Myrtle and Chestnut Avenues, replacement of damaged curb and gutter, and street resurfacing and/or slurry seal of street pavement within the boundary of the existing Right-of-Way along the frontage of this project property, or any damage due to construction of this project property as directed by the Engineer.
- b) Site Plan showing: survey monuments, boundaries, easements and right-of-ways
- i) Submit existing site plan, topographic map of the project site, grading, drainage and utility plan to Public Works Division for review and approval. The plans shall indicate existing and proposed structures, miscellaneous facilities if applicable and all utilities applicable within the project site. The plans shall be prepared on a 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: a hydrology report, a geotechnical report, required design calculations, a cost estimate, a plan check fee, and an inspection fee. The final submittal for final approval shall include a mylar of the approved grading, drainage and utility plans. The applicant shall use the assigned drawing number obtained from Public Works for this project. Partial or incomplete submittals will not be accepted.
 - ii) All site plans, grading plans, drainage plans and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.
- c) Water Improvements
- i) The Applicant shall install multiple water services to Monrovia's water system to serve the entire development for domestic and fire usage within the City of Monrovia to the specifications of the City Engineer. Applicant shall provide the

needed water demand information for the proposed development for the City Water Consultant to complete a feasibility study for this development and then prepare plans for the mitigation measures as recommended by the feasibility study; or pay fair share "fee-in-lieu-of" the needed improvements. Applicant shall reimburse the City for all consultant fees for the feasibility study and all City of Monrovia incurred installation costs.

Water demand information to include:

- (1) Fire flow demand (GPM) and duration for this project as dictated by the California Fire and Building Code and City of Monrovia Fire Department.
- (2) Location of all proposed fire hydrants to meet the fire flow demand.
- (3) Location of fire sprinkler connections with the demand flows.
- (4) Domestic Demand (GPM) and connection locations.
- (5) Indication of all private lines and backflow connections.

Contact Consulting City Engineer, Brad Merrell for coordination of this feasibility study. bmerrell@ci.monrovia.ca.us Phone 760-900-7526

- ii) The applicant will be responsible for all costs to connect to the City water system and installation of all new fire hydrants off the City system. The developer shall prepare engineered plans, approved by the City Engineer, and pay for all construction, equipment, testing and inspection for the connections, hydrants and services.
- iii) The project water usage and standby charges will be per the newly adopted rate schedule: Monrovia ordinance 2018-01 (See attached).

d) Waste Water Improvements

- i) The Applicant shall install sanitary sewers to Monrovia's sewer system to serve the entire development within the City of Monrovia to the specifications of the City Engineer. Applicant shall provide the needed waste water flow information for the proposed development for the City Waste Water Consultant to complete a feasibility study for this development and then prepare plans for the mitigation measures as recommended by the feasibility study. Applicant shall reimburse the City for all consultant fees for the feasibility study and all City of Monrovia incurred installation costs.

Waste Water Flow information to include:

- (1) Location, design flow and size of all waste water lateral connections to main lines that are needed.
- (2) Location of any lift stations and force lateral connections (if needed).
- (3) Indication of all private lines on-site that will be designed using public works standards (Green book) and not designed using the California Plumbing Code. Any waste water lines using manholes and slopes less than 2.0 percent.

Contact Consulting City Engineer, Brad Merrell for coordination of this feasibility study. bmerrell@ci.monrovia.ca.us Phone 760-900-7526

- ii) The applicant shall provide evidence of payment and approval for connection of units to LA County Waste Water System.
- iii) All sewer/waste water laterals extending to the mainline in the public right of way to be the maintenance responsibility of the project. The prevention of root intrusion at

connection shall be the projects responsibility.

- iv) The applicant will be responsible for all costs to connect to the City waste water system. The developer shall prepare engineered plans, approved by the City Engineer, and pay for all construction, equipment, testing and inspection for the connections.

e) Geotechnical Investigation and Report

- i) Prior to issuance of a grading permit or encroachment permit, Applicant shall provide geotechnical report that addresses earthwork and foundation recommendations, including but not limited to, earthwork, retaining walls and foundation construction adjacent to the existing structures located on the property, pavement structural sections and recommendations. 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. Provide off-site and on-site pavement structural section to be address with recommendation based on Traffic indexes and R values, per Caltrans methods. Provide percolation testing for Low Impact Design (LID) standards

f) Hydrology Report and Hydraulic Calculations

Applicant shall provide hydrology study and hydraulic calculations per L.A. County standards, for mitigation of off-site and on-site flows tributary to these structures and conveyances. Applicant shall obtain permits from the county for all connections or modifications to their system as needed. The outfall of this project after meeting LID standards shall either have direct connection to the County System or discharge to City streets or alleys satisfactory to the City Engineer. All connections to the County System shall be permitted by the county and evidence of this work permit shall be provided to the City of Monrovia.

g) Grading Plan

- i) Grading plan shall conform to MMC Chapter 15.28 and be prepared on a 24" x 36" sheets with City title block. Required improvements may be shown on the grading plan along with site drainage.
- ii) 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.
- iii) All required mitigation measures identified in the soils engineer's and geologist's reports shall be incorporated into the grading/drainage plans and are made a part thereof.
- iv) The lot shall mitigate its own drainage and thereby not impacting off-site drainage structures.

- v) Grading plan to provide a scaled detail section at each property line where the project is in cut or fill greater than 0.5 feet. Provide in relation to the adjacent property existing conditions: set back dimensions, retaining wall dimensions and encroachments, ground and finish surface elevations, cut and fill slopes including code setbacks, and direction of flow indicators.
- h) Utility Coordination Plan
- i) Applicant shall submit a utility plan showing all proposed utility cuts for services such as Water, Sewer, Fire Department Stand Pipe, Gas, Edison, Telephone, Cable TV, etc. The Utility plan shall be submitted and approved prior to issuance of grading permits. Private 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. Pay all applicable fees for Engineering Division services for issuance of Public Works permits.
- i) Off-site Street Improvement Plans
- i) The project development shall remove and replace any curb, gutter, sidewalk, driveway approach, or street pavement found by the City Engineer to be broken, uplifted, damaged or not meeting current ADA standards. Construct improvements as required, per City standard drawings to match existing improvements on adjacent properties. All ADA requirements shall be satisfied by the Applicant including the construction of ADA on street parking stalls as shown on the tentative map. All planters installed within the frontage shall maintain a clear distance of 48 inches behind the proposed planters and within the current city right of way. These conditions apply on public right-of-way along property frontage.
 - ii) 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 Division, and will require construction and encroachment permit from the City's Public Works Division, 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), and further that construction equipment ingress and egress be controlled by a plan approved by the City Engineer.
 - iii) Applicant shall obtain applicable permits for all work to be done within the public right-of-way from the Public Works Division and shall pay all applicable fees for Engineering Division services such as plan check fee and construction inspection fee as applicable.
 - iv) The City requires the restoration of the existing pavement after utility installation. 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 slurry seal type II.
 - v) Applicant shall submit restriping plans for the movement of the removal and replacement of the center lane striping on Myrtle to make room for proposed street improvements (Choker).

j) Off-site landscaping improvements to be maintained by the Applicant.

- i) All off-site landscaping improvements along the frontage of this project are to be the responsibility of the project for maintenance and upkeep. The watering of this landscaping in the right of way is to be supplied by the projects water service for irrigation.

k) Off-site Utility Extension/Connection Plans

- i) Applicant shall connect all buildings to the public sewer. The sewer is to be constructed in the common driveways through new lateral(s) (sized per the feasibility study and engineered calculations, minimum 6 inches) with clean-out(s) at property line per City standard drawing S-215 and S-225. Cap off all abandoned laterals at the connection point from the main line to the satisfaction of the City Engineer. Indicate on the Site/Utility Plan the work to be done by the Applicant
- ii) 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 waste 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 Services (Public Works Division) a copy of a closed circuit television inspection report of the condition of the existing sewer lateral. 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.

A CCTV video of the existing/proposed sewer lateral connecting to the City mainline is required for the project; a copy of the video shall be submitted to Public Works. Prior to CCTV please notify the Department of Public Services (Public Works Division) requesting to have the Public Works Inspector on-site to witness the inspection.

l) Traffic Engineering Conditions

- i) Prepare a Traffic Impact Analysis for the proposed development.
- ii) Traffic Signal Improvement plans for the modification of the Traffic Signal at the intersection of Myrtle and Chestnut Avenues. Coordinate and pay for all timing changes and upgrades through City of Monrovia work orders with LA County Traffic Division.
- iii) Design and complete all traffic signal improvements as recommended by impact analysis and City Consulting Traffic Engineer. Coordinate and pay for all timing changes and upgrades through City of Monrovia work orders with LA County Traffic Division.
- iv) Prepare and submit for approval: traffic control plans and staging plans for all off-

site improvements and utility connections. Applicant to maintain all traffic control devices for the entire time while working within the City right of way.

m) Environmental Conditions

- i) Based upon the requirements of the City's Storm Water 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, the following shall be incorporated into the project application:

The applicant shall be responsible for the following when applicable in the code:

- ii) Minimize impacts from storm water runoff on the biological integrity of natural drainage systems and water bodies in accordance with requirements under the California Environmental Quality Act (California Public Resources Code Section 21100), Section 13369 of the California Water Code, Sections 319, 402(p), and 404 of the Clean Water Act, Section 6217(g) of the Coastal Zone Act Reauthorization Amendments, Section 7 of the Environmental Protection Act, and local governmental ordinances.

n) Demolition of Existing Structures

- i) 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. 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.
- ii) Building, demolition, and grading permits will not be issued until the applicant provides copy of Air Quality Management District (AQMD) permit.

o) As-built Plans

- i) Applicant shall provide to the City of Monrovia revised plans of the original size, on mylar, showing all as-built conditions for the off-site and on-site improvements prior to the release of bonds held for the completion of the map.

ORDINANCE NO. 2018-01

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MONROVIA, CALIFORNIA, ADOPTING A SCHEDULE OF
WATER SERVICE CHARGES**

WHEREAS, the City Council is authorized pursuant to the California Health and Safety Code Section 5471 to prescribe, revise and collect rates and charges for services and facilities furnished by the City in connection with the City's water service system.

WHEREAS, the City of Monrovia has conducted an analysis of its services, the costs reasonably borne of provided those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and

WHEREAS, the City has previously developed and instituted Water Service Charges to finance the water utilities furnished by the City, including the costs of water acquisition, water system operations, capital projects, and maintenance; and

WHEREAS, the City has identified additional costs associated with operating the City's water system, as detailed in Resolution No. 2017-36 adopted on November 7, 2017, incorporated herein by reference; and

WHEREAS, Chapter 3.46 (Fee and Service Charge Revenue/Cost Comparison System) of the Monrovia Municipal Code establishes a policy of recovering the full costs reasonably borne of providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and

WHEREAS, the City Council adopted Ordinance No. 2000-09 on the 25th day of April, 2000, establishing its policy as to the recovery of costs and more particularly the percentage of costs reasonably borne to be recovered from users of City services and directing staff as to the methodology for implementing said Ordinance; and

WHEREAS, a properly noticed public hearing to receive public comments and protests and to consider the proposed Schedule of Water Service Charges was held on January 16, 2018.

**THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA DOES ORDAIN AS
FOLLOWS:**

SECTION 1. The City Council hereby adopts the water service charges set forth in the schedules below.

Schedule of Water Service Charges

FIXED RATES [STANDBY CHARGE]						
Single-Family Residential/Multi-Family Residential						
Meter Size	Current Rate	Effective 3/8/2018	Effective 01/01/2019	Effective 01/01/2020	Effective 01/01/2021	Effective 01/01/2022
5/8 inch	\$15.34	\$30.56	\$34.53	\$37.12	\$39.91	\$41.10
3/4 inch	\$15.34	\$30.56	\$34.53	\$37.12	\$39.91	\$41.10
1 inch	\$19.43	\$38.72	\$43.75	\$47.04	\$50.56	\$52.08
1.5 inch	\$30.65	\$61.06	\$69.00	\$74.17	\$79.74	\$82.13
2 inch	\$38.78	\$77.28	\$87.33	\$93.88	\$100.92	\$103.94
3 inch	\$59.26	\$118.04	\$133.39	\$143.39	\$154.14	\$158.77
4 inch	\$77.58	\$154.54	\$174.63	\$187.73	\$201.81	\$207.86
6 inch	\$129.54	\$258.04	\$291.59	\$313.45	\$336.96	\$347.07
8 inch	\$220.56	\$439.36	\$496.48	\$533.71	\$573.74	\$590.95
Fire Meter						
5/8 inch	\$15.34	\$30.56	\$34.53	\$37.12	\$39.91	\$41.10
3/4 inch	\$15.34	\$30.56	\$34.53	\$37.12	\$39.91	\$41.10
1 inch	\$19.43	\$38.72	\$43.75	\$47.04	\$50.56	\$52.08
1.5 inch	\$30.65	\$61.06	\$69.00	\$74.17	\$79.74	\$82.13
2 inch	\$29.80	\$77.28	\$87.33	\$93.88	\$100.92	\$103.94
3 inch	\$44.70	\$118.04	\$133.39	\$143.39	\$154.14	\$158.77
4 inch	\$59.60	\$154.54	\$174.63	\$187.73	\$201.81	\$207.86
6 inch	\$89.40	\$258.04	\$291.59	\$313.45	\$336.96	\$347.07
8 inch	\$119.19	\$439.36	\$496.48	\$533.71	\$573.74	\$590.95
12 inch	\$178.79	\$745.49	\$842.41	\$905.59	\$973.51	\$1,002.71
New Construction Developments of Five (5) or More Units						
5/8 inch	\$15.34	\$41.06	\$46.40	\$49.88	\$53.62	\$55.23
3/4 inch	\$15.34	\$41.06	\$46.40	\$49.88	\$53.62	\$55.23
1 inch	\$19.43	\$52.03	\$58.79	\$63.20	\$67.94	\$69.98
1.5 inch	\$30.65	\$82.04	\$92.71	\$99.66	\$107.13	\$110.35
2 inch	\$38.78	\$103.84	\$117.34	\$126.14	\$135.60	\$139.67
3 inch	\$59.26	\$158.60	\$179.22	\$192.66	\$207.11	\$213.32
4 inch	\$77.58	\$207.65	\$234.64	\$252.24	\$271.16	\$279.30
6 inch	\$129.54	\$346.71	\$391.78	\$421.17	\$452.75	\$466.34
8 inch	\$220.56	\$590.34	\$667.08	\$717.12	\$770.90	\$794.03
Commercial / Industrial / Landscape						
5/8 inch	\$15.34	\$30.56	\$34.53	\$37.12	\$39.91	\$41.10
3/4 inch	\$15.34	\$30.56	\$34.53	\$37.12	\$39.91	\$41.10
1 inch	\$19.43	\$38.72	\$43.75	\$47.04	\$50.56	\$52.08
1.5 inch	\$30.65	\$61.06	\$69.00	\$74.17	\$79.74	\$82.13
2 inch	\$38.78	\$77.28	\$87.33	\$93.88	\$100.92	\$103.94
3 inch	\$59.26	\$303.50	\$342.96	\$368.68	\$396.33	\$408.22
4 inch	\$77.58	\$459.27	\$518.98	\$557.90	\$599.74	\$617.73
6 inch	\$129.54	\$893.02	\$1,009.11	\$1,084.80	\$1,166.16	\$1,201.14
8 inch	\$220.56	\$2,358.88	\$2,665.53	\$2,865.45	\$3,080.36	\$3,172.77
Hotel						
5/8 inch	\$15.34	\$30.56	\$34.53	\$37.12	\$39.91	\$41.10
3/4 inch	\$15.34	\$38.20	\$43.17	\$46.40	\$49.88	\$51.38
1 inch	\$19.43	\$57.56	\$65.04	\$69.92	\$75.17	\$77.42
1.5 inch	\$30.65	\$106.93	\$120.83	\$129.89	\$139.64	\$143.82
2 inch	\$38.78	\$160.88	\$181.79	\$195.43	\$210.09	\$216.39
3 inch	\$59.26	\$303.50	\$342.96	\$368.68	\$396.33	\$408.22
4 inch	\$77.58	\$459.27	\$518.98	\$557.90	\$599.74	\$617.73
6 inch	\$129.54	\$893.02	\$1,009.11	\$1,084.80	\$1,166.16	\$1,201.14
8 inch	\$220.56	\$2,358.88	\$2,665.53	\$2,865.45	\$3,080.36	\$3,172.77

CONSUMPTION RATES [PER UNIT CHARGE]						
Consumption charges for all classes						
Applicable to	Current Rate	Effective 3/8/2018	Effective 01/01/2019	Effective 01/01/2020	Effective 01/01/2021	Effective 01/01/2022
All Classes & Meter Sizes	\$1.70	\$1.81	\$2.05	\$2.20	\$2.37	\$2.44
New Const. Dev. of 5+ Units	\$1.70	\$2.43	\$2.75	\$2.95	\$3.17	\$3.27
ADDITIONAL UNIT CHARGE [HOTEL & MULTI-FAMILY ONLY]						
<small>Each Multi-Family Residential & Hotel is Currently Charged a Fixed + an Additional Unit Charge for Each Additional MFR or Hotel Dwelling Unit</small>						
Applicable to	Current Rate	Effective 3/8/2018	Effective 01/01/2019	Effective 01/01/2020	Effective 01/01/2021	Effective 01/01/2022
Hotel & all MFR	\$8.60	\$17.14	\$19.37	\$20.82	\$22.38	\$23.05

As of the effective date of this Ordinance, the above Water Service Charges shall be charged as set forth in the above schedules and shall remain in effect until amended or replaced by the City Council. The above Water Service Charges shall become effective on March 8, 2018, and shall continue to increase at the beginning of each year through January 1, 2022, as set forth in the above schedules.

SECTION 2. Discounts for the water service charges may be provided for senior, low income, and veteran account holders that meet the eligibility requirements established by the City and administered by the Public Services Department or the Finance Department Utility Billing. The discount rates shall be set by resolution.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify to the adoption of this ordinance and cause the same to be published in the manner required by law within fifteen (15) days after its passage, and this ordinance shall become effective thirty (30) days after its passage.

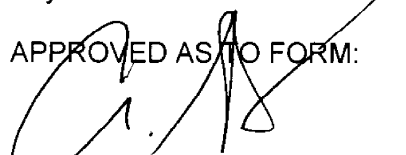
INTRODUCED this 16th day of January, 2018

PASSED, APPROVED, AND ADOPTED this 6th day of February, 2018.



Tom Adams, Mayor
City of Monrovia

APPROVED AS TO FORM:



Craig A. Steele, City Attorney
City of Monrovia

ATTEST:



Alice D. Atkins, CMC, City Clerk
City of Monrovia

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONROVIA)

I, ALICE D. ATKINS, CMC, City Clerk of the City of Monrovia, California, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 2018-01; It has been published pursuant to law; was duly adopted and passed at a regular meeting of the Monrovia City Council on the 6th day of February, 2018, by the following vote:

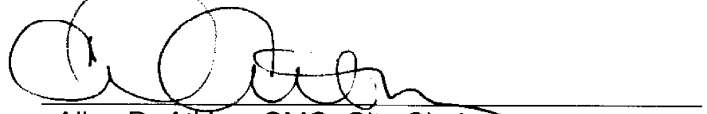
AYES: Councilmembers Shevlin, Spicer, Mayor Pro Tem Crudgington, Mayor Adams

NOES:

ABSTAIN:

ABSENT: Councilmember Blackburn

ATTEST:

A handwritten signature in black ink, appearing to read 'Alice D. Atkins', written over a horizontal line.

Alice D. Atkins, CMC, City Clerk
City of Monrovia



DATA SHEET 3

Findings

TPM 82128/CUP2018-10 for the
Avalon Monrovia Specific Plan
Development

815 and 825 South Myrtle Avenue
126 West Walnut Avenue

TENTATIVE PARCEL MAP

As required by Sections 66473.5 & 66474 of the California Government Code, the decision for recommending approval of the Tentative Parcel Map No. 82128 for a mixed-use development consisting of 154 units, 13 of which are reserved for lower income residents, 3,440 square feet of commercial space and a 286-space parking structure on a 2.06-acre (gross) site is based on the following findings:

- A. That the tentative parcel map consolidating six parcels and a portion of an alley to be vacated into one 2.06-acre (gross) parcel for the development of a mixed-use development consisting of 154 units, 3,440 square feet of ground floor commercial space and a 286-space parking structure, together with the provisions for the subdivision's design and improvement, are consistent with the Monrovia General Plan, and satisfies the requirements of the Map Act and of the Municipal Code. This project will be consistent with the General Plan in that it meets the requirements of the General Plan land use designation of "SP Overlay/South Myrtle Avenue Corridor" in that mixed use high density multiple residential development is encouraged in the "South Myrtle Avenue Corridor" on lots 2 acres or greater in size. It is also consistent with other elements of the General Plan and will meet the goals of the Land Use and Housing Elements in providing additional housing opportunities and providing affordable housing units in Monrovia. Thus, it is compatible with the objectives, policies, general land uses, and programs specified in the General Plan. This project will conform to the "South Myrtle Avenue Corridor" providing a mixed-use project on a 2.06 acre site that provides a 14' wide sidewalk and landscaping adjacent to the curb creating a streetscape that is inviting to pedestrians.
- B. That the site is physically suitable for this type of development, in that it is relatively flat in topography and has adequate access to public streets and is developed at a density permitted by the State Density Bonus Law on a 2.06-acre (gross) property. The height and floor area exceed what is permissible in the "South Myrtle Avenue Corridor" development standards and are concessions requested pursuant to the State Density Bonus Law. No variances are requested for the proposed improvements.
- C. That the site is physically suitable for the proposed density of development, specifically the 2.06-acre site. A minimum of two acres is required for a specific plan and the proposed "Avalon Monrovia Specific Plan" is based on the density parameters pursuant to the State Density Bonus Law and the goals and policies in the "South Myrtle Avenue Corridor." The mixed-use development is a consolidation of six parcels and a portion of an alley (to be vacated) that bisects the development site. The site accommodates a 286-space parking structure and a mixed-use

building with 154 residential units and 3,440 square feet of commercial space. The proposed development will meet all of the development standards as outlined in the “Avalon Monrovia Specific Plan” and no variances are requested for the proposed improvements.

- D. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was completed which analyzed the potential impacts that the proposed project could have on the environment. The resulting environmental document is a Mitigated Negative Declaration (MND). The initial study documents that the project site is located within an urbanized area with no natural habitat. With mitigation, the project would not significantly impact any sensitive plants, plant communities, fish or wildlife habitat or any sensitive species.

- E. The design of the subdivision and the type of improvements are not likely to cause serious public health problems, as it will comply with all City design and safety standards, including fire suppression.

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was completed which analyzed the potential impacts that the proposed project could have on the environment. The resulting environmental document is a Mitigated Negative Declaration (MND). The Initial Study identified several potential environmental impacts that would be “less than significant with mitigation incorporation.”

The Monrovia Police Department, located at 140 East Lime Avenue, provides law enforcement and police protection services within the City. The Monrovia Police Department provides a full range of programs, including Community Activist Policing, Neighborhood Partnerships, Drug Abuse Resistance Education (DARE), Parenting Workshops, and Safe City, Safe Campus. Data Sheet 1 (No. 34) requires the submittal of a security plan for the entire development for the review and approval of the Chief of Police prior to the issuance of a Certificate of Occupancy. Data Sheet 1 (No. 33) requires the final parking structure design be submitted for the review and approval of the Chief of Police.

The City of Monrovia’s Fire and Rescue provides full-service fire protection and emergency medical services to all properties in the City. The Fire Department is responsible for 13.7 square miles of residential, commercial, and industrial uses, as well as open space brush area. Two fire stations (Fire Stations 101 and 102) each house an engine company and paramedics services, with one station housing the ladder truck and division chief (shift chief). These facilities are equipped to serve a resident population of over 40,000. For the Specific Plan project site, emergency first response is expected to come from Fire Station 101 (141 East Lemon Avenue).

- F. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property

within the proposed subdivision, as the design will not interfere with public sidewalks, which will continue to provide access to the public along those rights-of-way, and the City is unaware of any other such easements that exist on the property.

The project includes the vacation of a portion of an east/west alley that is between Chestnut and Walnut Avenues and extends from Primrose Avenue to Myrtle Avenue. The portion of alley to be vacated will be replaced with a north/south driveway (public access easement) to allow through access. The Specific Plan supports Policies 1.9 to 1.11 of the City's Circulation Element of the General Plan since a traffic study was prepared consistent with the City's guidelines to determine the projects impact to surrounding streets. No impacts were identified.

- G. The City has considered the effect of the subdivision on the housing needs of the region in which the City is situated, and balanced those needs against the public service needs of its residents and available fiscal and environmental resources. The proposed development will not significantly increase the demands on available fiscal and environmental resources. The housing needs will be improved in the region by the addition of the 154 apartment units, including 13 affordable units.
- H. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements of the Regional Water Quality Control Board. The City provides local sewage collection service via in-street lines that connect to regional trunk lines. A 12" diameter sewer main flows southerly in Myrtle Avenue and turns west at Chestnut Avenue. A 10" sewer main in the alley will be removed. Sufficient capacity exists within the conveyance system to accommodate the proposed 154 residential units.

The Project will connect to the City's existing stormwater system and will comply with the City's Stormwater Management Regulations (Chapter 12.36 of the Municipal Code) and implement Low Impact Development (LID) standards.

CONDITIONAL USE PERMIT

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision recommending approval of Conditional Use Permit No. CUP2018-0010 for a mixed-use development consisting of 154 residential units, including 13 affordable units, 3,440 square feet of commercial space and a 286-space parking structure on a 2.06 acre site is based on the following findings:

- A. The project site is adequate in size, shape and topography for a mixed-use development consisting of 154 apartment units, including 13 affordable units, 3,440 square feet of commercial space and a 286-space parking structure on a 2.06-acre (gross) site and meets the size and dimension requirements in the Zoning Ordinance and the Specific Plan. A minimum of two acres is required for a specific plan, which this site exceeds. The proposed "Avalon Monrovia Specific Plan" is based on the development parameters established by the State Density Bonus Law and the Monrovia Land Use Element, and complies with the established maximum caps and minimum requirements for various types of development within the parameters of the "Avalon Monrovia Specific Plan". The property is also relatively flat in topography

and will accommodate the proposed development without variances from the Monrovia Municipal Code.

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 proposed mixed-use development consisting of 154 apartment units, including 13 affordable units, 3,440 square feet of commercial space and a 286-space parking structure on a 2.06 acre site. The project includes the vacation of a portion of an east/west alley that is between Chestnut and Walnut Avenues and extends from Primrose Avenue to Myrtle Avenue. The portion of alley to be vacated will be replaced with a north/south driveway (public access easement) to allow through access. The Specific Plan supports Policies 1.9 to 1.11 of the City's Circulation Element of the General Plan since a traffic study was prepared consistent with the City's guidelines to determine the projects impact to surrounding streets. No impacts were identified.

- B. The project will comply with the applicable provisions of the zoning ordinance, specifically MMC §17.04.035. The development will comply with the development standards set forth in the "Avalon Monrovia Specific Plan." No variances are requested for the proposed improvements.
- C. The proposed location of the mixed-use development consisting of 154 residential units, including 13 affordable units, 3,440 square feet of commercial space and a 286-space parking structure 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 conditions of approval and the mitigation measures in the Mitigation Monitoring and Reporting Program address potential impacts during the construction process as well as requirements for the ongoing maintenance and operation of the property.

PLANNING COMMISSION RESOLUTION NO. 2018-0006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONROVIA RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM, AND MAKING CERTAIN FINDINGS AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA"), IN CONNECTION WITH THE APPROVAL OF THE AVALON MONROVIA SPECIFIC PLAN, TENTATIVE PARCEL MAP NO. 82128, CONDITIONAL USE PERMIT CUP2018-0010, AND ZONING ORDINANCE AND MAP AMENDMENT NO. ZA2018-0002 FOR DEVELOPMENT A 2.06-ACRE (GROSS) SITE WITH A 5-STORY, 6-LEVEL MIXED-USE DEVELOPMENT OF 154 DWELLING UNITS, 13 OF WHICH ARE RESERVED FOR VERY LOW INCOME AFFORDABLE HOUSEHOLDS, 3,440 SQUARE FEET OF COMMERCIAL SPACE AND A 286 SPACE PARKING STRUCTURE AT 815 AND 825 SOUTH MYRTLE AVENUE AND 126 WEST WALNUT AVENUE (APNs: 8508-006-037, 8508-006-054, 8508-006-055, 8508-006-038, 8508-006-039 AND 8508-006-040).

RECITALS

(i) The Avalon Bay Communities, Inc. has initiated an application to develop a 2.06-acre (gross) site with a mixed-use, 5-story, 6 level development of 154 dwelling units, 3,440 square feet of commercial space and a 286 space parking structure located at 815 and 825 South Myrtle Avenue and 126 West Walnut Avenue (APNs: 8508-006-037, 8508-006-054, 8508-006-055, 8508-006-038, 8508-006-039 and 8508-006-040) and vacation of a portion of an alley that crosses the development site. The project includes two private courtyards and a roof top terrace. The development application includes an amendment to the City's Official Zoning Map changing the ORDLM (Office/Research and Development/Light Manufacturing) and M (Manufacturing) Zone designations to the SP (Specific Plan) Zone and a request to amend the text of the Zoning Ordinance to add Monrovia Avalon Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for the subject property (Ordinance No. 2018-08), adopt Monrovia Avalon Specific Plan (SP2018-0002), approve a parcel map for consolidation of six lots and a portion of an alley into one (TPM 82128), and approve a conditional use permit to construct the development (CUP2018-0010).

(ii) On August 15, 2018, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with this project.

(iii) Environmental Review

(a) Based on the information in the application and accompanying technical reports, an Initial Study was completed. The Initial Study identified potentially significant effects; however, those impacts could be mitigated to a level of less than significant. Therefore, a Mitigated Negative Declaration was prepared, pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines.

(b) Pursuant to CEQA Guidelines Section 15072, the City of Monrovia as lead agency, provided a Notice of Intent to adopt a Mitigated Negative Declaration (MND). The public review period began on July 16, 2018 and ending on the date of the Planning Commission meeting on August 15, 2018.

(c) The proposed MND for the proposed project is comprised of the Initial Study and the draft MND, which is attached hereto and incorporated herein by reference as Exhibit "A".

(d) As required by CEQA, the Mitigation Monitoring and Reporting Program for the project has been prepared and is attached hereto and incorporated herein by reference as Exhibit "B". The mitigation measures described therein are proposed as conditions of approval on the Project.

(iv) The custodian of records for all 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.

(v) All legal prerequisites to the adoption of this Resolution have occurred.

RESOLUTION

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

1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct.
2. The Planning Commission finds that the public has been afforded ample notice and opportunity to comment on the MND.
3. The Planning Commission finds that the additional information provided in the staff report accompanying the Project description, the MND, and the evidence presented in written and oral testimony received at the above-referenced public hearing do not represent significant new information so as to require re-circulation of any portion of the MND pursuant to CEQA Guidelines 15073.5.
4. The Planning Commission has independently considered and reviewed the information in the MND and Mitigating Monitoring and Reporting Program, and all comments received regarding the MND and Mitigation Monitoring and

Reporting Program, and based upon the whole record of the proceedings before it finds that the MND and Mitigation Monitoring and Reporting Program were prepared in compliance with CEQA and the City's local CEQA Guidelines, and that the findings contained therein represent the independent judgment and analysis of the Planning Commission.

- 5. The Planning Commission finds that the Project's effects on the environment, with the imposition of the proposed mitigation measures, can be mitigated to the extent that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment.
- 6. Based on the findings and conclusions set forth above, the Planning Commission as the advisory body for the lead agency recommends to the City Council of the City of Monrovia that it takes all necessary actions to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.
- 7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 15th day of August, 2018.

Cheryl Rose, Chair
Monrovia Planning Commission

ATTEST:

APPROVED AS TO FORM:

Craig Jimenez, AICP, Secretary
Monrovia Planning Commission

Carol W. Lynch, Assistant City Attorney
City of Monrovia

Exhibit "A"
Mitigated Negative Declaration

A copy of the Mitigated Negative Declaration is on file in the City Clerk's Office. Also, an electronic copy of the Mitigated Negative Declaration is located on the City of Monrovia's website at the following link: <http://www.cityofmonrovia.org/your-government/community-development/planning/development-spotlight>

Exhibit "B"
Mitigation Monitoring and Reporting Program

A copy of the Mitigation Monitoring and Reporting Program is on file in the City Clerk's Office. Also, an electronic copy of the Mitigation Monitoring and Reporting Program is located on the City of Monrovia's website at the following link:

<http://www.cityofmonrovia.org/your-government/community-development/planning/development-spotlight>

PLANNING COMMISSION RESOLUTION NO. 2018-0004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONROVIA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF MONROVIA AVALON SPECIFIC PLAN

RECITALS

(i) The Avalon Bay Communities, Inc. has initiated an application to develop a 2.06-acre (gross) site with a mixed-use, 5-story, 6 level development of 154 dwelling units, 3,440 square feet of commercial space and a 286 space parking structure located at 815 and 825 South Myrtle Avenue and 126 West Walnut Avenue (APNs: 8508-006-037, 8508-006-054, 8508-006-055, 8508-006-038, 8508-006-039 and 8508-006-040) and vacation of a portion of an alley that crosses the development site. The project includes two private courtyards and a roof top terrace. The development application includes an amendment to the City's Official Zoning Map changing the ORDLM (Office/Research and Development/Light Manufacturing) and M (Manufacturing) Zone designations to the SP (Specific Plan) Zone and a request to amend the text of the Zoning Ordinance to add Monrovia Avalon Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for the subject property (Ordinance No. 2018-08/ZA2018-0002), adopt Monrovia Avalon Specific Plan (SP2018-0002), approve a parcel map for consolidation of six lots and a portion of an alley into one (TPM 82128), and approve a conditional use permit to construct the development (CUP2018-0010).

(ii) On August 15, 2018, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project for Avalon Monrovia Specific Plan. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with this project.

(iii) Environmental Review

(a) Based on the information in the application and accompanying technical reports, an Initial Study was completed. The Initial Study identified potentially significant environmental effects; however, those impacts could be mitigated to a level of less than significant. Therefore, a Mitigated Negative Declaration was prepared, pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines.

(b) The Planning Commission has independently considered and reviewed the information in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in making its recommendation on the Avalon Monrovia Specific Plan.

(iv) The custodian of records for all materials that constitute the record of the proceedings 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.

- (v) All legal prerequisites to the adoption of this Resolution have occurred.

RESOLUTION

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

1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct.
2. Adoption of the Avalon Monrovia Specific Plan, with the mitigation measures imposed on the proposed development, will not have a significant effect on the environment.
3. The proposed Specific Plan is consistent with the objectives, policies, general land uses, and programs of the City of Monrovia General Plan, and adopted goals and policies of the City.
 - a. The Avalon Monrovia Specific Plan plans for the orderly development of a mixed-use development composed of 154 dwelling units and 3,440 square feet of ground floor commercial space on the southern gateway to Old Town Monrovia. The Plan provides vehicle and bicycle parking for residents and commercial tenants consistent with City requirements. On-site amenities that are included with this project are: private and common open spaces, recreational areas, and public open space; these amenities contribute to a well-designed living environment. The design of the buildings, placement of structures, and the architecture have been carefully thought through to relate visually to adjacent neighborhoods and structures. Therefore, the Specific Plan is consistent with the City of Monrovia General Plan Land Use Element goals and policies that are listed in Section 5.1 of the proposed Avalon Monrovia Specific Plan, which are incorporated herein by this reference.
 - b. The Specific Plan allows the development of a mixed-use residential and commercial development that implements the City's pedestrian, bicycle, and vehicle parking urban design and transportation and provides storage facilities for 15 short term bicycle spaces and 81 long term bicycle spaces within the parking structure. The parking structure provides 286 vehicle parking spaces. Circulation improvements include wide sidewalks and a choker (bulb out) curb at the corner of Myrtle and Chestnut. Therefore, the Specific Plan is consistent with the City of Monrovia General Plan Land Use Element goals and policies that are listed in Section 5.2 of the Avalon Monrovia Specific Plan which are incorporated herein by this reference.

- c. The Specific Plan is located within the Old Town Extension District, designated in the Housing Element as “Residential Growth Area,” with a realistic capacity to accommodate 761 residential units available from low to very low income households. The Avalon Monrovia Specific Plan’s addition of 154 units implements the Housing Element requirements and objectives. Thirteen of the dwelling units are set aside as very low income housing that will be will deed restricted for 55 or more years consistent with the State Density Bonus Law. Therefore, the Specific Plan is consistent with the City of Monrovia General Plan Housing Element goals and policies that are listed in Section 5.3 of the proposed Avalon Monrovia Specific Plan, which are incorporated herein by this reference..
 - d. The Specific Plan increases the availability of usable open spaces, with new private open spaces adjacent to Old Town Monrovia. Through improved streetscapes and active pedestrian spaces, new settings for recreational space are provided by the Avalon Monrovia development. Therefore, the Specific Plan is consistent with the following objectives of the Open Space Element, as outlined in Section 5.4 of the proposed Avalon Monrovia Specific Plan, which are incorporated herein by this reference.
 - e. The Specific Plan permits a mixed-use development composed of residential and commercial uses adjacent to an urbanized area. The development will incorporate building code requirements to attenuate interior noise and compliance with the City’s noise ordinance. Therefore, the Specific Plan is consistent with the programs in the Noise Element, as outlined in Section 5.5 of the proposed Avalon Monrovia Specific Plan, which are incorporated herein by this reference.
4. The proposed Specific Plan would not be detrimental to the public interest, health, safety, convenience or welfare of the City.
 5. The subject property is physically suitable for the requested land use designation and the anticipated land use development.
 6. The proposed Specific Plan shall ensure development of desirable character, which will be compatible with existing and proposed development in the surrounding neighborhood.
 7. Based upon the findings and conclusions set forth above, the Planning Commission hereby recommends approval of the Avalon Monrovia Specific Plan to the City Council as set forth in “Exhibit A” attached hereto and incorporated herein by this reference.
 8. The Secretary of the Planning Commission shall certify to the adoption of this

Resolution.

PASSED, APPROVED, AND ADOPTED this 15th day of August, 2018.

Cheryl Rose
Monrovia Planning Commission

ATTEST:

APPROVED AS TO FORM:

Craig Jimenez, AICP, Secretary
Monrovia Planning Commission

Carol W. Lynch, Assistant City Attorney
City of Monrovia

EXHIBIT A
AVALON MONROVIA SPECIFIC PLAN

A copy of the Specific Plan is on file in the City Clerk's Office. Also, an electronic copy of the Station Square South Specific Plan is located on the City of Monrovia's website at the following link: <http://www.cityofmonrovia.org/your-government/community-development/planning/development-spotlight>

PLANNING COMMISSION RESOLUTION NO. 2018-0005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONROVIA, CALIFORNIA, RECOMMENDING TO CITY COUNCIL APPROVAL OF ORDINANCE 2018-08, WHICH INCLUDES A ZONING ORDINANCE AND MAP AMENDMENT ZA2018-0002 AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ORDLM (OFFICE/RESEARCH AND DEVELOPMENT/LIGHT MANUFACTURING) AND M (MANUFACTURING) ZONE DESIGNATIONS TO THE SP (SPECIFIC PLAN) ZONE DESIGNATION AND AMENDING THE ZONING ORDINANCE TO ADD THE AVALON MONROVIA SPECIFIC PLAN TO SECTION 17.04.035 OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE FOR PROPERTY LOCATED AT 815 AND 825 SOUTH MYRTLE AVENUE AND 126 WEST WALNUT AVENUE (APN: 8508-006-037, 8508-006-038, 8508-006-039, 8508-006-040, 8508-006-054, 8508-006-055).

RECITALS

(i) The Avalon Bay Communities, Inc. has initiated an application to develop a 2.06-acre (gross) site with a mixed-use, 5-story, 6 level development of 154 dwelling units, 3,440 square feet of commercial space and a 286 space parking structure located at 815 and 825 South Myrtle Avenue and 126 West Walnut Avenue (APNs: 8508-006-037, 8508-006-054, 8508-006-055, 8508-006-038, 8508-006-039 and 8508-006-040) and vacation of a portion of an alley that crosses the development site. The project includes two private courtyards and a roof top terrace. The development application includes an amendment to the City's Official Zoning Map changing the ORDLM (Office/Research and Development/Light Manufacturing) and M (Manufacturing) Zone designations to the SP (Specific Plan) Zone and a request to amend the text of the Zoning Ordinance to add Monrovia Avalon Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for the subject property (Ordinance No. 2018-08), adopt Monrovia Avalon Specific Plan (SP2018-0002), approve a parcel map for consolidation of six lots and a portion of an alley into one (TPM 82128), and approve a conditional use permit to construct the development (CUP2018-0010).

(ii) On August 15, 2018, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project, including Ordinance No. 2018-08, which incorporates the amendment to the Official Zoning Map and Zoning Ordinance described above. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with this project.

(iii) Environmental Review

(a) Based on the information in the application and accompanying technical reports, an Initial Study was completed. The Initial Study identified potentially

significant effects; however, those impacts could be mitigated to a level of less than significant. Therefore, a Mitigated Negative Declaration was prepared, pursuant to the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines.

(b) The Planning Commission has independently considered and reviewed the information in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in making its recommendation on Ordinance No. 2018-08.

(iv) The custodian of records for all 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.

(v) All legal prerequisites to the adoption of this Resolution have occurred.

RESOLUTION

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

1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct.
2. Adoption of Ordinance No. 2018-08, with mitigation measures imposed on the proposed development, will not have a significant effect on the environment.
3. The project is in conformance with the environmental goals and policies adopted by the City.
4. Ordinance No. 2018-08 is consistent and compatible with existing land uses in the environs, in that the surrounding land uses include a mix of commercial and industrial uses and a high density mixed-use project (Paragon Apartments). This mixed-use project, consisting of 154 residential units and 3,440 square feet of commercial space, and a parking structure, provides amenities inviting to pedestrians. The mixed-use project will be compatible with the surrounding mix of uses.
5. Ordinance No. 2018-08 is consistent with and necessary to carry out General Plan goals and policies set forth in the Land Use and Housing Elements, and other Elements of the General Plan, and to guide and direct orderly development of the City and the respective neighborhoods.
 - a. The Avalon Monrovia project, including the revisions to the Zoning Ordinance, plans for the orderly development of a mixed-use development composed of 154 dwelling units and 3,440 square feet of ground floor commercial space on the southern gateway to Old Town Monrovia. The Plan provides vehicle and bicycle parking for residents and commercial

tenants consistent with City requirements. On-site amenities that are included with this project are: private and common open spaces, recreational areas, and public open space; these amenities contribute to a well-designed living environment. The design of the buildings, placement of structures, and the architecture have been carefully thought through to relate visually to adjacent neighborhoods and structures. Therefore, the Specific Plan is consistent with the City of Monrovia General Plan Land Use Element goals and policies that are listed in Section 5.1 of the proposed Avalon Monrovia Specific Plan, which are incorporated herein by this reference.

- b. The Avalon Monrovia project, including the revisions to the Zoning Ordinance, allows the development of a mixed-use residential and commercial development that implements the City's pedestrian, bicycle, and vehicle parking urban design and transportation and provides 15 short term bicycle storage spaces and 81 long term bicycle storage spaces in the parking structure. The parking structured provides 286 vehicle parking spaces. Circulation improvements include sidewalks, and bicycle parking. Therefore, the Specific Plan is consistent with the City of Monrovia General Plan Land Use Element goals and policies that are listed in Section 5.2 of the Avalon Monrovia Specific Plan, which are incorporated herein by this reference.
 - c. The Avalon Monrovia project, including the revisions to the Zoning Ordinance, is located within the Old Town Extension District, designated in the Housing Element as "Residential Growth Area," with a realistic capacity to accommodate 761 residential units available from low to very low income households. The Avalon project's addition of 154 units implements the Housing Element requirements and objectives. Thirteen of the dwelling units are set aside as very low income housing that will be will deed restricted for 55 or more years consistent with the State Density Bonus Law. Therefore, the project and the proposed ordinance is consistent with the City of Monrovia General Plan Housing Element goals and policies that are listed in Section 5.3 of the proposed Avalon Monrovia Specific Plan, which are incorporated herein by this reference..
6. Ordinance No. 2018-08 will not adversely affect the public health, safety, or welfare in that it will provide for orderly and consistent development in the City.
 7. Based upon the findings and conclusions set forth above, the Planning Commission hereby recommends approval to the City Council of Ordinance No. 2018-08, as set forth in "Exhibit A", which is attached hereto and incorporated herein by this reference.
 8. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 15th day of August, 2018.

BY:

Cheryl Rose, Chair
Monrovia Planning Commission

ATTEST:

APPROVED AS TO FORM:

Craig Jimenez, AICP, Secretary
Monrovia Planning Commission

Carol W. Lynch, Assistant City Attorney
City of Monrovia

Exhibit "A"

PROPOSED ORDINANCE No. 2018-08

ORDINANCE NO. 2018-08

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, ADOPTING ZA2018-0002, A ZONING ORDINANCE AND MAP AMENDMENT AMENDING THE OFFICIAL ZONING MAP SET FORTH IN SECTION 17.04.040 TO CHANGE ORDLM (OFFICE/RESEARCH AND DEVELOPMENT/LIGHT MANUFACTURING) AND M (MANUFACTURING) TO THE SP (SPECIFIC PLAN) ZONE DESIGNATION AND AMENDING THE ZONING ORDINANCE TO ADD AVALON MONROVIA SPECIFIC PLAN TO SECTION 17.04.035 OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE FOR PROPERTY LOCATED AT 815 AND 825 SOUTH MYRTLE AVENUE AND 126 WEST WALNUT AVENUE (APN: 8508-006-037, 8508-006-054, 8508-006-055, 8508-006-038, 8508-006-039 AND 8508-006-040.

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA does ordain as follows:

SECTION 1. The Avalon Bay Communities, Inc. has initiated an application to develop a 2.06-acre (gross) site with a mixed-use, 5-story (6 level) development of 154 dwelling units, 3,440 square feet of commercial space, a 286 space parking structure located at 815 and 825 South Myrtle Avenue and 126 West Walnut Avenue (APNs 8508-006-037, 8508-006-054, 8508-006-055, 8508-006-038, 8508-006-039 and 8508-006-040) and vacation of a portion of an alley that crosses the development site. The project includes two private courtyards and a roof top terrace. The development application includes an amendment to the City's Official Zoning Map changing the ORDLM (Office/Research and Development/Light Manufacturing) and M (Manufacturing) Zone designations to the SP (Specific Plan) Zone and a request to amend the text of the Zoning Ordinance to add Monrovia Avalon Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for the subject property (Ordinance No. 2018-08), adopt Monrovia Avalon Specific Plan (SP2018-0002), approve a parcel map for consolidation of six lots and a portion of an alley into one (TPM 82128), and approve a conditional use permit to construct the development (CUP2018-0010).

SECTION 2. On August 15, 2018, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project, including this Ordinance No. 2018-08, which incorporates the amendment to the Zoning Ordinance described above. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with this project. Following the close of the public hearing, the Planning Commission adopted Resolution No. PCR2018-0005 recommending approval of this Ordinance No. 2018-08.

SECTION 3. On September 4, 2018 the City Council of the City of Monrovia conducted a duly noticed public hearing on the project, including this Ordinance No. 2018-08. At the hearing, all interested persons were given an opportunity to be heard. The City Council received and considered the staff report and all the information, evidence, and testimony presented in connection with this project.

SECTION 4. Environmental Review

(a) Based on the information in the application and accompanying technical reports, an Initial Study was completed. The Initial Study indentified potentially significant effects, however, those impacts could be mitigated to a level of less than significant, therefore, a Mitigated Negative Declaration was prepared, pursuant to the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines.

(b) The City Council has adopted Resolution No. 2018-__ adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

(c) The City Council has independently considered and reviewed the information in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in its decision to adopt this Ordinance No. 2018-08.

SECTION 5. The custodian of records for all materials that constitute the record of proceeding upon which this decision is based is the City Clerk. Those documents are available for public review in the Office of the City Clerk located at 415 South Ivy Avenue, Monrovia, California 91016.

SECTION 6. All legal prerequisites to the adoption of the Ordinance have occurred.

SECTION 7. The Official Zoning Map for the City of Monrovia set forth in Title 17 (Zoning), Chapter 17.04 (General Provisions), Section 17.04.040 (Official Zoning Map) of the Monrovia Municipal Code, is hereby amended by changing the zoning designation of the property that is identified in Exhibit "A", attached hereto and incorporated herein by this reference, to SP (Specific Plan).

SECTION 8. Title 17 (Zoning), Chapter 17.04 (General Provisions), Section 17.04.035 (Relationship to Specific Plans), is hereby amended by adding the following at the end of the list of Specific Plans:

“Avalon Monrovia Specific Plan.”

SECTION 9. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 10. The City Clerk shall certify to the passage of this ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and this ordinance shall become effective thirty (30) days after its passage.

INTRODUCED this _____ day of _____, 2018.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2018.

Tom Adams, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, CMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia

EXHIBIT A

Zoning Map Amendment

