



# PLANNING COMMISSION STAFF REPORT

**APPLICATION:** TPM 72777/CUP2014-08/The Parks at Station Square SP/PCR2014-06/PCR2014-07/Ord. No. 2014-04

**AGENDA ITEM:** PH-2

**PREPARED BY:** Barbara Lynch  
Senior Planner

**MEETING DATE:** June 11, 2014

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**SUBJECT:** Tentative Parcel Map No. 72777; Conditional Use Permit CUP2014-08; The Parks at Station Square Specific Plan; Planning Commission Resolution 2014-06; Zoning Ordinance Text Amendment; Planning Commission Resolution 2014-07/Ordinance No. 2014-04; Mitigated Negative Declaration; Planning Commission Resolution 2014-08

Southeast corner of Pomona and Magnolia Avenues (vacant property previously addressed 1622 South Magnolia Avenue and 204 West Pomona Avenue)

**REQUEST:** Develop a 2.819 acre site with a 5 story, 261-unit apartment complex and a 7 level parking structure with 418 parking spaces pursuant to a specific plan. "The Parks at Station Square Specific Plan" will provide a land use plan, development regulations, and design guidelines to facilitate the development. The project site consists of several vacant parcels that will be consolidated into one parcel to accommodate the development.

The proposed development requires approval of the following: a tentative parcel map consolidating several parcels into one parcel; "The Parks at Station Square Specific Plan;" an amendment to the Zoning Ordinance to add "The Parks at Station Square Specific Plan" to Section 17.04.035 of the Monrovia Municipal Code; and a conditional use permit to construct the development.

**APPLICANT:** The Parks at Monrovia Station Square 1, LLC  
Samuelson and Fetter  
602 East Huntington Drive, Suite D  
Monrovia, CA 91016

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**BACKGROUND:** In 2008 the "Station Square Transit Village" was identified as a specific planning area in the update of the Land Use Element of the General Plan. Land use regulations were established at that time to promote a broader mix of uses, specifically on underutilized properties, and to encourage lot consolidation of smaller lots. The subject property is located within the boundaries of the Station Square Transit Village. The General

Plan modifications that are currently being considered (Agenda Item PH-1, GPA2014-02) for Station Square Transit Village will reduce the minimum site size from 3 acres to 2 acres for a Specific Plan. The subject property is 2.819 acres in size and will be consistent with the amended General Plan.

The subject property is an irregular shaped vacant site that consists of several parcels. It is bound by Magnolia Avenue to the west, Pomona Avenue to the north, Primrose Avenue to the east, the railroad right-of-way to the south, and the future Gold Line parking structure to the east and south. The Applicant proposes to consolidate the parcels and construct a 261-unit apartment complex with a parking structure that provides 418 spaces.

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. **The Parks at Station Square Specific Plan** adoption that establishes development standards, design guidelines and land use. (PCR2014-06)
2. **Zoning Ordinance Text Amendment** to add “The Parks at Station Square Specific Plan” to Section 17.04.035 of the Monrovia Municipal Code. (PCR2014-07/Ordinance No. 2014-04)
3. **Tentative Parcel Map** to consolidate several parcels into one 2.819 acre parcel. (TPM 72777). The previous Tentative Tract Map TTM 70357 will be repealed in order to accommodate this proposed Tentative Parcel Map.
4. **Conditional Use Permit** to allow construction of a 5 story, 261-unit apartment complex and a 7 level, 418 space parking structure. (CUP2014-08)

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). (PCR2014-08)

**SUBJECT PROPERTY:** The 2.819 acre vacant site is irregularly shaped and has approximately 150’ of frontage on Magnolia Avenue (west side), 638’ on Pomona Avenue (north side) and 191’ on Primrose Avenue (east side). The Metro Gold Line right-of-way is on the south side of the site.

The adjacent properties are primarily improved with light-industrial buildings. In the near future the Metro Gold Line parking structure and Station Square Transit Village public open space will be developed.

**DISCUSSION/ANALYSIS:** This residential project is the type of development that is encouraged in the pending amendments to the “Station Square Transit Village Vision Statement and Objectives” and the “Station Square Transit Village Development Guidelines for Area PD-12” of the Land Use Element of the General Plan for larger sites that are 2 acres or greater. This site is located within the “Station Square North” neighborhood and the project meets the general and specific guidelines in the Land Use Element providing a high density residential project (93 units/acre) with a parking structure, which is near the future Metro Gold Line Station and public open space.

## **Site Plan**

The units are divided where approximately one-third are located on the west side of the site and two-thirds are located on the east side of the site and the parking structure is in the middle. The proposed development is comprised of 261 apartment units, a leasing office, a club/fitness room, a 4,785 square foot roof top patio deck (on top of the parking structure) and two ground level common areas. The smaller common area on the west side of the site is 6,065 square feet in size and provides a sunken plaza with 4 conversation nodes and a BBQ cooking station. The larger common area on the east side is 12,500 square feet and provides several amenities which include a pool/spa, a floating island with a central fire pit, a sunken reflective pond and two BBQ cooking stations.

The 5-story building wraps around a 418 space, 7-level (lowest level is below grade) parking structure. The access into the parking structure is from a 24' wide driveway entry off of Pomona Avenue. The outside building entrance to the leasing office is just east of the driveway and entrances for the residents and guests are available from all three streets - Magnolia, Pomona and Primrose. Bicycle storage for up to 80 bicycles is provided in the parking structure.

The project includes a fire lane located on the south side of the project that will be 8' on the site and 20' on City property that will be jointly used for emergency fire access and a public walking trail. The 28' wide fire lane will end at the project's parking structure and the public walking trail will continue further east to connect to the Station Square Transit Village public open space which will be developed within the year. This provides over a 500' long green belt available to the residents of the project and to the general public. The fire lane/walking trail will be designed, constructed and maintained by the City and the Applicant will be responsible for the costs.

The building is setback 5'-4" from the west property line (Magnolia), 5' from the north property line (Pomona) and 5'-11" from the east property line (Primrose). At the southeast corner of Magnolia and Pomona is a larger corner setback for landscaping that is approximately 20' deep.

## **Floor Plans**

The residential unit mix within the apartment complex consists of:

- 2 studios at 536 square feet
- 160 one-bedroom units ranging between 615 to 809 square feet
- 99 two-bedroom units ranging between 1,056 to 1,266 square feet

Every unit, except for the 2 studio apartments, has a balcony that typically increases with the unit size. The one-bedroom apartments have balconies that are between 41 and 52 square feet and the two-bedroom apartments have balconies that are between 46 and 90 square feet.

Residents can access their unit from interior hallways that can be accessed from the parking structure. The 5 levels of the building can be accessed from each corresponding parking structure level.

## **Building Elevations**

The overall height of the apartment complex is 60' with a central tower element that is 75' high. The Specific Plan describes the building design as "modern, urban-style architecture

and active pedestrian street fronts.” It incorporates a design approach that creates varied and interesting streetscapes on street-facing facades. All building elevations are articulated to provide architectural interest and reduce large massing elements. Exterior materials include horizontal siding, stucco with score lines and reveals, metal awnings and horizontal metal railings on the balconies. The parking structure is incorporated into the exterior design with similar design elements and materials.

### ***Parking Demand Analysis (On-site)***

A parking demand analysis was prepared to help determine if the required parking for this residential project should be calculated differently (with the majority of units being small one-bedroom apartments) than what is required by the current code.

Based on the parking ratios set forth in the Zoning Ordinance the following is the required off-street parking:

- Multiple residential - 2 spaces per unit
- Multiple residential guest parking - .5 spaces per unit
  - Total 653 required spaces

Parking is provided at a ratio of 1.6 spaces per unit (totaling 418 parking spaces) for “The Parks at Station Square” development.

Raju, Associates Inc. prepared the parking analysis (see Appendix A in “The Parks at Station Square Specific Plan”) so that it could be used as a basis to help determine the anticipated peak parking demand for the project. The parking study involved:

- The review of parking regulations from various cities nationwide and within California. It was found that many cities have reduced their parking requirements recognizing that the trend is towards smaller units resulting in fewer people living in these units. Based on a comparison of 24 cities current parking regulations the proposed parking for “The Parks at Station Square” would exceed the parking requirements in 21 of the cities.
- A survey of similar residential projects ranging in size from 142 to 532 units. Twelve developments were surveyed which included 9 in Southern California and 3 out of state (Houston, Charlotte and Tampa). The survey showed that the parking supply ratio is less than or equal to 1.6 spaces per unit at all but three locations. It was concluded that all the locations were operating adequately relative to parking. The 3 locations (which included the Paragon in Monrovia) are projects that are not adjacent to any major transportation line and station like “the Parks at Station Square” project. The peak parking demands of all 12 surveyed projects varied from .66 spaces per unit to 1.48 per unit.
- Referring to the ITE Parking Generation 2010 publication and the ULI (Urban Land Institute) Shared Parking 2005 report to determine parking ratios for multiple-family residential projects - both are resources often used in parking analysis studies. Application of the ITE published parking demand ratio for mid-rise apartments was 1.20 spaces per dwelling unit in urban locations and the ULI published parking demand ratio based on mixed-use development was 1.65 spaces per unit. Neither studies take into account proximity to major transportation lines.

The parking analysis concludes that it can be expected that parking demand would be lower for the project than what is currently required by the City’s Code. The development is adjacent to a major public transportation line and station and there will be adequate on-site

parking. The proposed 418 residential parking spaces (1.6 spaces per unit) are sufficient and will meet the projected peak parking demand.

### ***Traffic Study (Off-site)***

Raju Associates, Inc. also conducted a traffic study that assessed current traffic impacts and future traffic impacts based on the completion of “The Parks at Station Square” development. Ten intersections within the area bounded by Huntington Drive, Duarte Road, Magnolia Avenue and Myrtle Avenue were analyzed. The study concluded that the proposed project would not cause any significant impacts at any of the analyzed intersections and no project-specific mitigation measures would be required.

### ***Tentative Parcel Map 72777/Conditional Use Permit CUP2014-08***

A Tentative Parcel Map (TPM 72777) is proposed to consolidate several existing parcels into one 2.819 parcel to accommodate the proposed development. A Tentative Tract Map (TTM 70357) approved in 2008 for a 22.92 acre subdivision that included the subject property must be repealed, as it is inconsistent with the proposed Tentative Parcel Map.

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***

The Monrovia Municipal Code (MMC) must be amended to add “The Parks at Station Square 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. (PCR2014-07/Ordinance No. 2014-04)

### ***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. As stated in the proposed Specific Plan document “The Parks at Station Square Specific Plan has been prepared to allow for the development of 261 multi-family units with an attached parking garage and the Specific Plan establishes use regulations, development standards, and design guidelines tailored to the unique needs of the development at this location.” Specific plans can be very general providing broad policy concepts or very detailed outlining every facet of the development. The Parks at Station Square Specific Plan document 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 circulation plan for vehicular, pedestrian and bicycle access, an infrastructure plan, development standards, landscape guidelines and an implementation plan.

Also, in keeping with the Monrovia Environmental Accords (MEA), the Specific Plan incorporates sustainable design and construction practices. These practices will include a building design that will exceed Title 23 energy code requirements and such construction practices as using energy efficient equipment and light fixtures, drought tolerant landscaping and irrigation, sustainable building and finishing materials, recycled construction materials, rapidly renewable materials, and storm water filtering.

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 appropriate for the site and is in keeping with the Station Square Transit Village vision for development near the future Metro Gold Line Station. (PCR2014-06)

### ***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.

CEQA requires a minimum review period of 20 days for an MND, which began on May 22, 2014. The documents were posted on the City’s website on May 22, 2014. Additionally a Notice of Intent (NOI) to adopt a MND was filed with the County Clerk on May 15, 2014, a public notice was published in the Monrovia Weekly on May 22, 2014, and notices were mailed to all property owners within 300 feet of the subject property on May 22, 2014. The comment period ends at the Planning Commission meeting on June 11th. (PCR2014-08)

### ***Open Space***

In the Land Use Element for PD-Area 12 Station Square Transit Village open space is required for new residential development. It specifies that for every 1,000 new residents 3 acres of open space must be provided. In order to comply with this requirement the Applicant will enter into an agreement with the City to either dedicate land for open space, or pay an in-lieu fee to cover either the maintenance of the public open space adjacent to the development and/or for open space acquisitions within Station Square Transit Village, or a combination of both a land dedication and payment of an in-lieu fee. The land dedication or open space in-lieu fee requirement shall be determined based upon 3.0 acres of land per 1,000 residents potentially generated by the development.

### ***Monrovia Endowment for the Arts***

This mixed-use 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 Endowment of the Arts Committee.

### ***Community Meeting***

In order to solicit early input on the development, the Specific Plan and the proposed Zone Change and General Plan Amendment (Agenda Item PH-1), the City held a community meeting on May 8, 2014 from 7:00 PM-8:30 PM at the Knights of Columbus hall in Hamby Park. The meeting was well attended and positive input was received.

### ***Conclusion***

The proposed development is consistent with the vision for this area as described in the pending amendments to the General Plan. This is a high density multiple-residential transit oriented development in close proximity to the future Metro Gold Line Station and Station Square Transit Village open space. This development is consistent with the pending amendments to the goals and objectives in the General Plan for Station Square Transit Village.

**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. PCR2014-08, PCR2014-06, PCR2014-07 and adopt the following resolution recommending the repeal of Tentative Tract Map No. 70357 and approval of Tentative Parcel Map No. 72777 and Conditional Use Permit CUP2014-08:

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

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission has independently reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in making its recommendation on the approval of TPM 72777 and CUP2014-08, and the repeal of TTM 70357.
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 72777 and CUP2014-08, which are incorporated herein by this reference.
4. The Planning Commission hereby recommends approval to the City Council of TPM 72777 and CUP2014-08, and the repeal of TTM 70357, subject to the attached Planning 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 PCR2014-08 recommending approval to the City Council of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
- B. Adopt Planning Commission Resolution No. PCR2014-06 recommending approval to City Council of "The Parks at Station Square Specific Plan."
- C. Adopt Planning Commission Resolution No. PCR2014-07 recommending approval to the City Council of Zoning Ordinance Text Amendment Ordinance No. 2014-04.
- D. Adopt the Resolution recommending to City Council the repeal of TTM 70357 and approval of TPM 72777 and CUP2014-08 as presented in the Staff Report.



# DATA SHEET 1

# Planning Conditions

**TPM 72777/CUP2014-08 for The Parks  
at Station Square**

**Southeast corner of Pomona and  
Magnolia Avenues**

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 Tentative Parcel Map TPM 72777 and Conditional Use Permit CUP2014-08, a 261-unit residential apartment development with a 7 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 Conditional Use Permit and Subdivision Map.

## DEVELOPMENT STANDARDS

1. The development shall comply at all times with all standards, regulations, requirements, guidelines and conditions set forth in "The Parks at Station Square 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 shall include, but not be limited to, siding, stucco, windows, exterior doors, metal railings, color schemes and exterior light fixtures. Stucco finish shall be smooth or light sand finish.
3. 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.
4. All roof mounted mechanical equipment shall be completely screened from street view adjacent to the site by perimeter parapet walls.
5. Ground level mechanical equipment shall not be located within street facing setbacks.
6. Electrical power lines, telephone lines, and any other transmission lines (including, without limitation, cable television lines, data transmission lines, communication lines, other utility lines, etc.) to and from the development, and within the development, shall be placed underground and provided to each unit.
7. All utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, or other potential obstructions shall be noted on the plans with provisions for appropriate screening. 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.



8. Plans showing all exterior lighting shall be submitted to the Planning Division for review 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.

## **LANDSCAPING**

9. 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.
  - b. All landscaping shall be maintained by a permanent automatic irrigation sprinkler system.
  - c. Hardscape improvements shall be provided in common areas. The common areas shall incorporate amenities for residents of the development. The improvements shall be indicated on the final landscape/hardscape plan.

A landscape documentation package pursuant to the requirements of AB1881 and the Model Water Efficient Landscape Ordinance shall be submitted to the Planning Division for approval prior to landscape construction. A Landscape Certificate of Completion shall be submitted to the Planning Division at the completion of the installation, prior to request for a final inspection and Certificate of Occupancy.

## **PARKING**

10. The parking structure driveway entrance shall be surfaced with decorative 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.
11. A minimum of 52 guest parking spaces shall be clearly marked and available to guests of the residents visiting the apartment complex at all times. No resident parking shall be permitted in the designated guest parking spaces and signage shall be provided to advise residents of this restriction.
12. Driveway ramp shall be a maximum 15% grade.
13. Storage for a minimum of 80 bicycles shall be provided in the parking structure. If the bicycle storage demand is greater, the Applicant shall provide additional on-site bicycle storage locations to meet the demand.

## **OPEN SPACE**

14. The Applicant shall enter into an agreement with the City, which must meet with the approval of the City Manager or his/her designee, and be acceptable in form and substance to the City Attorney, to provide Open Space pursuant to the requirements of the Land Use Element of the General Plan. The agreement shall

require the Applicant to provide land dedicated for Open Space, an in-lieu fee to cover either the purchase of land for Open space or the maintenance of the Open Space adjacent to the Development and/or Gold Line Station and Santa Fe Depot, or a combination of both a land dedication and payment of an in-lieu fee. The Open Space land dedication and/or in-lieu fee shall be determined based upon 3.0 acres of land per 1,000 residents potentially generated by the development.

## **CONSTRUCTION SITE REQUIREMENTS**

15. Construction Impact Mitigation Plan shall be submitted to the Planning Division and shall be approved prior to the start of any demolition or construction.
16. 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.
17. 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**

18. In addition to Planning (Data Sheet No. 1) and Public Works (Data Sheet No. 2) conditions of approval the Applicant shall also comply with all requirements of the Monrovia Municipal Code, Building Division and Fire Department that are directly applicable to the project.
19. 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 complied with as conditions of approval.
20. This project is subject to the provisions of the City's Public Art Ordinance (MMC §15.44.050).
21. 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.
22. 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 Game one day after final approval of the project.
23. 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, and shall consent in writing to the termination of Conditional Use Permits CUP2008-27,

CUP2008-28, CUP2008-29, CUP2008-30 and CUP2008-31. Tentative Parcel Map No. 72777 and Conditional Use Permit CUP2014-08 shall be void and of no force or effect unless such written consents are submitted to the City within the 30 day period.

24. The Final Parcel Map for the proposed lot consolidation shown on this Tentative Parcel Map No. 72777 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, and 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 72777 and CUP2014-08 will expire without further action by the City.
25. 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.
26. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses (including, but not limited to, interest, attorneys' fees and expert witness fees), or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding in accordance with the Subdivision Map Act.

## **FIRE CONDITIONS**

### Fire Protection

1. The Applicant shall be responsible for costs of development, design, construction and maintenance of the off-site fire lane/walking trail, and shall enter into a written agreement with the City setting forth those costs, which written agreement must be entered into, and the costs provided for in the agreement must be paid, prior to issuance of the grading permits. This agreement must meet with the approval of the City Manager or his/her designee, and be acceptable in form and substance to the City Attorney, and once approved by the City and executed by the parties, must be recorded with the Los Angeles County Recorder's office against the property, and shall not be modified or revoked without the prior written approval of the City of Monrovia.
2. NFPA 13 fire sprinkler system shall be provided throughout all buildings. FDC locations shall be a maximum of 100 feet from hydrants.

3. Class 1 Standpipes shall be located in all stairwells up to roof level, and also on interior side of the west handicap entry from the Parking Garage into Building 1.
4. Fire alarm notification appliances activated by the fire sprinkler system shall be provided in all public and common areas. All dwelling units shall have audible devices. Any unit deemed accessible by the Building Division shall be provided with audible and visual appliances.
5. All dwelling units shall have single station smoke alarms inside sleeping areas and areas immediately outside of sleeping areas. Carbon monoxide alarms shall also be required if gas fired appliances are located in the units.
6. Minimum 2A:10BC fire extinguishers shall be provided for all areas up to the roof level. Submit locations to the fire department for approval before installation.
7. Hydrant locations and fire flow shall be evaluated upon plan check.

#### Access

8. Knox boxes shall be provided on the exterior of all stairwells and to the exterior of the entrance of the main lobby.
9. The south Fire Lane shall be marked in an approved manner and approved by the Fire Chief.
10. All elevators shall be capable of transporting a standard size gurney.
11. An emergency responder radio coverage system is required.
12. The Applicant shall provide a roof access plan that demonstrates fire department access and egress transitions concerning roof elevation changes for review and approval.

#### Code Analysis

13. An allowable area analysis shall be provided upon building permit submittal. Per CBC 504.2 and 506.3, R occupancies are not allowed to use the sprinkler increase in number of stories in addition to the area increase.



## DATA SHEET 2

## Public Works Conditions

TPM 72777/CUP2014-08 for  
The Parks at Station Square

Southeast corner of Pomona and  
Magnolia Avenues

The Applicant shall submit a final Parcel Map (PM) as required by the City's Municipal Code, Chapter 16 – Subdivisions.

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 Works for review and approval. The term "Applicant" shall include, without limitation, the applicant, the property developer, the property owner, and all successors in interest to CUP2014-08 and TPM72777.

The following shall be prepared, submitted for review, and approved by the Public Works Department prior to issuance of demolition, building and/or grading permits, whichever occurs first.

- a. Geotechnical Report
  - b. Hydrology Report
  - c. SUSMP Plan
  - d. Local SWPPP Plan
  - e. Site Plan
  - f. Grading/Drainage Plan
  - g. Utility Plan
1. Submit existing site plan, topographic map of the project site, grading, drainage and utility plan to Public Works Department 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 maximum 24" x 36" sheets with City standard title block stamped and signed by a Registered Professional Civil Engineer in the State of California. The submittal of the plans shall include: 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 G-868 for this project. Partial or incomplete submittals will not be accepted.
  2. All submitted plans by the Applicant such as but not limited to site plans, grading plans, drainage plans, and utility plans shall be coordinated for consistency and shall be approved by the City Engineer prior to the issuance of any construction permit. Applicant shall pay all fees for Engineering Divisions services such as plan check fee and construction inspection fee as applicable.
  3. Prior to filing the Final Map with the Department of Public Works, the Applicant shall provide a current title report for the project site. 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.

4. All easements and dedications shall be accounted for and depicted on the Final Map prior to approval of the Final Map. This includes the location, owner, purpose and recording reference for all existing easements. All dedications, vacations and easements shall be shown on the map and recorded throughout the map.
5. 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 Works for review and approval and processed through the City Engineer prior to being filed with the Los Angeles County Recorder.
6. Prior to filing the Final Parcel Map (PM 72777) with the Department of Public Works 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.
7. Applicant shall remove and replace any curb, gutter, sidewalk, driveway approach or street pavement found by the City Engineer to have been broken or damaged by Applicant. All ADA requirements shall be satisfied by the Applicant. These conditions apply on public right-of-way along property frontage. 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 City Engineer, and will require construction and encroachment permit from the City's Public Works Department, prior to start of any construction. All work within the public right-of-way shall be in accordance with applicable standards of the City of Monrovia, Standard Specifications for Public Works Construction ("Green Book", latest edition) and the Manual on Uniform Traffic Control Devices (MUTCD, latest edition), and further that construction equipment ingress and egress be controlled by a plan approved by the City Engineer.
8. The City requires the restoration of the existing street 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, 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, removal and replacement of broken AC or PCC pavement, cape seal, slurry seal Type II, or combination of any of the method of pavement restoration as directed by the City Engineer. The scope of work shall be mutually agreed by the City Engineer and the Applicant prior to the City's approval of any construction plans and/or issuance of any PW permits.
9. Prior to start of any construction activity, Applicant shall provide a Transportation Plan to Public Works Department formalizing the approved truck route, staging areas, radio control points and manpower, street sweeping activities along with loading/unloading of supplies/materials and parking for contractors and employees in/on and around the site. No construction activity will be allowed without first getting approval of all required submittals to Department of Public Works.
10. Applicant shall provide the Engineering Division with a soils and geotechnical report to be submitted together with the grading/drainage plans. The soils investigation shall evaluate the soils percolation characteristics for storm drainage considerations. All required mitigation measures identified in the soils engineer's and geologist's reports shall be incorporated into the grading/drainage plans and a made part thereof. Drainage devices shall be designed to handle and prevent erosion from damaging the proposed structure and surrounding neighborhood. Grading and erosion control plans shall conform to MMC Chapter 15.28.

11. All grading is to be done under the supervision of a licensed engineer qualified in soils field. Upon completion of the grading, the Soils Engineer shall file a certification with the Public Works Department that he/she supervised the grading and that the grading was done pursuant to the City of Monrovia Municipal Code, Chapter 15.28, and the grading plan approved by the City.
12. 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. The analysis shall be submitted together with the grading/drainage plans.
13. The lot shall handle its own drainage and be handled on site. An alternative shall infiltrate or percolate drainage on site, thereby not impacting off site drainage structures.
14. A connection permit from the LACFCD prior to construction is required if there are any proposed new connections to existing LACFCD drains/facilities. Plans must be submitted to the Los Angeles County Department of Public Works for review and approval prior to any construction. Contact the Permits Section of the Los Angeles County Department of Public Works Land Development Division at (626) 458-3129 for submittal requirements and permit fees.
15. Prior to issuance of a grading 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. 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.
16. 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 permit. 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.
17. Project must obtain water service from the City of Monrovia. Apply to the City's Utilities Division, located at 600 S. Mountain Avenue, Monrovia for new water services and for removal of all unused meters by the City. Deposit fee will be required prior to start of the requested services, total and final construction costs will be based on actual labor, time and material incurred by the City and will be billed to the Applicant. Allow minimum three (3) weeks notice to Utilities Division to schedule the requested water services.
18. The Applicant shall connect all buildings to the City's sewer system. Connection permit, fee and additional conditions or requirements may be required. 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.

19. 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 Works a copy of a closed circuit television inspection (CCTV) report of the condition of the existing sewer lateral prior to any new lateral connection. 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 newly installed sewer lateral connecting to the City mainline is also required prior to acceptance by the City. Prior to CCTV please notify the Department of Public Works requesting to have the PW Inspector on-site to witness the inspection. A Public Works Inspector must be present on-site to witness all CCTV video inspections. A copy of the CCTV video shall be submitted to Public Works.

### **Environmental Conditions**

For projects one (1) acre or greater, project must be covered under the General Construction Activity Stormwater Permit (GCASP). Developer must submit a Notice of Intent and Waste Discharge's Identification (WDID) number as evidence of having applied for a GCASP before the City will issue a grading permit.

Based upon the requirements of the City's Stormwater Management Ordinance, MMC 12.36 and the Los Angeles County Municipal Storm Water National Pollutant Discharge Elimination System (MS4 NPDES) Permit issued by California Regional Water Quality Control Board, Los Angeles Region, the following shall be incorporated into the project application:

The Applicant shall be responsible for the following:

- 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.
- Maximize the percentage of permeable surfaces to allow more percolation of storm water into the ground.
- Minimize the amount of storm water directed to impermeable surfaces.
- Minimize pollution emanating from parking lots through the use of appropriate treatment control using best management and good housekeeping practices.



## **General Conditions/Package Information**

Based on the Development Planning Program and Storm Water Program Planning Priority Checklist (Form PC), this project is **NON-exempt**, and the Applicant **SHALL prepare a Standard Urban Stormwater Mitigation Plan (SUSMP)** and demonstrate mitigation of the following options:

- The project shall require that post-construction Treatment Control BMP's incorporate, a volumetric treatment control design standard, or both, to infiltrate, filter or treat storm water runoff from the project to capture the first ¾ inch of storm runoff.
- SUSMP must determine and provide pervious and impervious for pre-development and post development created by the project.
- Control of Impervious Runoff
- Roof down spouts must not be directed to trash enclosures or material storage areas. Down spouts should be discharged to gravel or heavily vegetated areas whenever possible.
- Trash containers shall be enclosed to prevent discharge of trash, and be equipped with lids, or screened, roofed or walled, and runoff should be diverted around trash areas to avoid flow through.
- Trash enclosure drainage should be directed to vegetative areas whenever feasible. Run-off must be infiltrated or adequately treated.
- Storm drains should be stenciled. All yard drains and catch basins to the street or storm drain system must be stenciled or labeled with the "No Dumping – Drains to Ocean" logo or equivalent.
- Outdoor storage must be equipped with adequate secondary containment or other equivalent measures to reduce contamination of runoff. This applies to storage of both hazardous and non-hazardous materials (solids or liquids).
- The project shall provide verification of maintenance provisions for structural and treatment control BMP's, including but not limited to legal agreements, covenants, CEQA mitigation requirements, and or conditional use permits.

### **The following forms have been provided to the applicant:**

- A. Brochure: City of Monrovia Planning Developer's Guidelines and Review (Applicant Retains)
- B. Stormwater Best Management Practices (BMPs) – General Construction & Site Supervision
- C. Development/Planning – Minimum Project Requirements (Applicant Retains)
- D. Form PC – Storm Water Program Planning Checklist (Applicant Returns)
- E. Form P1 – General Project Certification (Applicant Returns)
- F. Form OC1 – Minimum BMPs for all Construction Sites
- G. Form LS-1 – Local Storm Water Pollution Prevention Plan (Applicant Returns)
- H. Form LS-2 – Local Storm Water Pollution Prevention Plan, BMP Table (Applicant Returns)
- I. Form LS-F – Sample Project Site Diagram, Local Storm Water Pollution Prevention Plan (Applicant Retains)
- J. Self Inspection Forms (Applicant Retains)
- K. Form LS-3 – Wet Weather Erosion Control Plan (Applicant Returns, if

applicable)

1. This project is subject to the MS4 NPDES' Standard Urban Stormwater Mitigation Plan (SUSMP) regulations. The Applicant must submit a site-specific drainage concept and stormwater quality plan to mitigate post-development stormwater.
2. This project is subject to the State General Construction Activities NPDES Permit. Prior to issuance of grading permits, the applicant must provide the City Engineer with proof that the project has received coverage under the General Construction Activities NPDES Permit (including the WDID Number).
3. The Applicant shall integrate Best Management Practices to ensure compliance with NPDES guidelines and the City's Stormwater Management Ordinance, MMC 12.36 to the satisfaction of the City Engineer, prior to the issuance of the grading permit. The design, implementation, construction activities and maintenance of the management devices shall mitigate and reduce pollutants in storm water discharges to the maximum extent practicable and shall be identified on a "site specific mitigation plan". Site Specific Mitigation Plan must specifically address and provide best management practices (BMPs) either structural or non structural to mitigate pollutants.
4. The Applicant shall obtain the approval of a Drainage BMP plan. The BMP must address run-off and pollutants of concern including, but not limited to trash/litter, fossil fuels, metals, bacteria, toxics, nutrients, and sediment. The Drainage BMP plan shall be reviewed and approved to the satisfaction of the City Engineer prior to the issuance of grading permit. The plans shall be prepared on a maximum 24" x 36" sheets with City title block. The submittal of the plans shall include: a cost estimate for the installation of structural BMP's, a plan check fee, and an inspection fee. The final submittal shall include a mylar of the approved Drainage BMP plan. Drainage BMP plan can be included on grading/drainage plan. Partial or incomplete submittals will not be accepted.
5. The Applicant shall comply with NPDES guidelines and the City's Stormwater Management Ordinance, MMC 12.36 to the satisfaction of the City Engineer, prior to commencement of the applicant's operation. The design, implementation, construction activities and maintenance of the management devices shall mitigate and reduce pollutants in storm water discharges to the maximum extent practicable and shall be identified on a "site specific mitigation plan". Site Specific Mitigation Plan must specifically address and provide best management practices (BMPs) to mitigate pollutants from the following activities:
  - a. Parking Lot Run-off: A biofiltration, infiltration area, filter (or approved equivalent) should be installed to filter parking lot and site run-off.
6. The site will be required to contract for recycling services.

7. Roof down spouts should be discharged to an area for infiltration or re-use (ex. gravel, or heavily vegetated areas).
8. Storm drains must be stenciled. All yard drains and catch basins to the street or storm drain system must be stenciled or labeled with the “No Dumping – Drains to Ocean” logo or equivalent.
9. Outside washing activities are prohibited. Outside wash activities are considered an illegal discharge in violation of the Stormwater Management Ordinance and subject to immediate clean up and cost recovery.
10. The Applicant shall maintain the drainage devices such as paved swales, inlets, catch basins, pipes, and water quality devices as applicable that have been constructed within said areas according to BMP plans permitted by the City of Monrovia, in a good and functional condition to safeguard all lots within the development and the adjoining properties from damage and pollution.
11. The Applicant shall conduct annual maintenance inspections by the manufacturer or by a City approved inspector of all structural and/or treatment control storm water devices by following best management practices which shall also verify the legibility of all required stencils and signs which shall be repainted and labeled as necessary. Proof of such inspection shall be retained by the Applicant and a copy submitted to the City of Monrovia on a yearly basis.
12. The Applicant shall record a maintenance covenant with the L.A. County Registrar/Recorder and submitted to the City for the Standard Urban Stormwater Mitigations Plan and other Municipal NPDES Requirements to the satisfaction of the City Engineer prior to the issuance of Certificate of Occupancy.
13. For projects which disturb soil during wet season (October 1- April 15), Applicant must submit a signed certification statement declaring that contractor will comply with Minimum Best Management Practices (BMPs) required by the National Pollutant Discharge Elimination System (NPDES), and also submit a Local Storm Water Pollution Prevention Plan/Wet Weather Erosion Control Plan.
14. Applicant shall provide a trash generation study in compliance with the requirements of AB939 and AB 2176 for proposed site uses. Trash enclosures shall be adequately sized based on the results of the trash generation study and as approved by Environmental Services. Show locations of trash/recycling bins on the grading plan. Include public trash/recycling receptacle locations on the grading plan. The trash generation study shall be coordinated with the City’s permitted trash hauler and Public Works Environmental Services.
15. The project demolition activities shall comply with the City’s Construction and Demolition Recycling Program (C&D Recycling Program) by filing an application

and submitting a deposit to Public Works Environmental Services prior to issuance of permits. The C&D Recycling Program requirements are enclosed as an attachment and made part of the Conditions of Approval.

16. Building, demolition, and grading permits will not be issued until the applicant provides the City with the required forms and the waste management plan has been reviewed and approved by the Environmental Services. If the Applicant chooses not to participate in the C&D Recycling Program, then the hauler must be identified on the demolition, building and grading plans. The C&D Recycling Program requirements are enclosed as an attachment and made part of the conditions of approval.



## DATA SHEET 3

## Findings

TPM72777/CUP2014-08 for the Parks  
at Station Square

Southeast corner of Pomona and  
Magnolia Avenues

### 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. 72777 for a 261-unit apartment complex with a parking structure located at the southeast corner of Magnolia and Pomona Avenues is based on the following findings:

- A. That the tentative parcel map consolidating several parcels into one 2.819 acre lot for the development of 261-apartment units with a parking structure, together with the provisions for the subdivision's design and improvement, are consistent with the General Plan, as amended by GPA2014-02, and "The Parks at Station Square Specific 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 PD-Area 12 Station Square Transit Village in that high density multiple residential is encouraged in the "Station Square North" neighborhood. 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 in Monrovia. Thus, it is compatible with the objectives, policies, general land uses, and programs specified in the General Plan. This plan will conform to "The Parks at Station Square Specific Plan" providing a transit oriented development with an attached parking structure as encouraged for projects in Station Square Transit Village and a fire lane/walking trail that connects to the public open space.
- 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 on a 2.819 acre property. The setbacks and height of the development are consistent with the requirements set forth in the PD-Area 12 Station Square Transit Village development guidelines. No variances are requested for the proposed improvements.
- C. That the site is physically suitable for the proposed density of development, specifically the 2.819 acre site is zoned SP and is being developed at a high density encouraged for transit oriented development. In accordance to MMC §17.04.035 the proposed development will meet all of the development standards as outlined in "The Parks at Station Square 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 in that the site has previously already been developed, and is surrounded by developed lots.

- 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.
- 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.
- 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 261-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.

### **CONDITIONAL USE PERMIT**

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for recommending approval of Conditional Use Permit No. CUP2014-08 for a 261-unit apartment complex with a parking structure located at the southeast corner of Magnolia and Pomona Avenues is based on the following findings:

- A. The project site is adequate in size, shape and topography for a 261-unit apartment complex with a parking structure in that the irregular shaped 2.819 acre site meets the size and dimension requirements in the Zoning Ordinance and the Specific Plan. The property is also relatively flat in topography and will accommodate the proposed development without variances from the Monrovia Municipal Code.
- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed 261-unit apartment complex with a parking structure. There will be one point of access from a parking structure on Pomona Avenue. Pomona Avenue is accessible via Magnolia Avenue, Myrtle Avenue and Primrose Avenue. The Circulation Element of the General Plan defines Pomona and Magnolia Avenues as Collector Streets and Myrtle Avenue as a Primary Arterial. A traffic study was prepared for the proposed project and it concluded that it would not cause any significant impacts at any of the surrounding intersections.
- C. The proposed 261-unit apartment complex with a parking structure is compatible with the General Plan, as amended by GPA2014-02, and "The Parks at Station

Square Specific Plan,” in that the “The Parks at Station Square Specific Plan” allows for high density multiple residential development and will not adversely impact the objectives of the General Plan. The proposed development meets all the provisions of those Plans.

- D. The 261-unit apartment complex with a parking structure 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 Parks at Station Square Specific Plan.”
- E. The proposed location of the 261-unit apartment complex with a 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 of the property.



## DATA SHEET 5

# Mitigated Negative Declaration

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<b>APPLICATION</b>	Tentative Parcel Map No. 72777; Conditional Use Permit CUP2014-08; The Parks at Station Square Specific Plan/PCR2014-06; Zoning Ordinance Text Amendment/PCR2014-07/Ordinance No. 2014-04
<b>APPLICANT/ADDRESS</b>	Samuelson and Fetter 602 East Huntington Dr., Suite D Monrovia, CA 91016
<b>PROJECT LOCATION</b>	Southeast corner of Magnolia and Pomona Avenues (vacant property previously addressed 1622 South Magnolia Avenue and 204 West Pomona Avenue
<b>PROJECT DESCRIPTION</b>	<p>The proposed project is a 261-unit apartment complex and associated parking garage on 2.819 acres. Amenities include two interior courtyards, a swimming pool, entertainment patio, and a rooftop deck with lounge. Resident and guest parking will be provided in a seven-level, 418-space parking structure located between the two residential buildings. Vehicles will access the parking garage from a single entry on W. Pomona Avenue. The residential units will have multiple pedestrian access points from the surface streets, as well as from each parking level to each residential floor.</p> <p>The proposed apartment buildings will be five stories tall. Building height ranges from 43'-6" (minimum height) to 75'-6" (maximum height) at the top of an iconic tower. Building design reflects a contemporary style of architecture, with façade articulation to provide visual interest and reduce large massing elements. Articulation of horizontal and vertical surfaces—together with fenestration and openings, color, texture and the use of varied materials—are proposed to be used to reduce the appearance of undifferentiated massing. Exterior materials include metal, ceramic tile and textured stucco.</p> <p>Eleven floor plans are proposed, ranging from an approximate 536 square foot studio apartment to an approximate 1,266 square foot, two-bedroom, two-bathroom apartment with a balcony.</p> <p>The project will be served by utilities located in the surrounding streets, with the developer providing appropriately sized lateral connections. Because street and sidewalk improvements will be accomplished in conjunction with City plans for the Gold Line station vicinity, no off-site improvements to Pomona Avenue, Primrose Avenue, Magnolia Avenue, or other intersections will be performed in association with the proposed</p>



project.

To provide for stormwater control, the project will include five on-site Maxwell Plus System underground infiltration chambers located beneath the courtyards and the parking garage; these filter the first one-inch of stormwater flows before flows infiltrate the water table, pursuant to State and Federal clean water requirements. Storm drain lines for runoff beyond the “first flush”, in addition to draining to the street, may convey runoff to a Los Angeles County flood control facility located beneath Primrose Avenue.

Construction will begin in the winter of 2015 and will be completed in the winter of 2016, and will take approximately 269 days.

Solid waste and recycling services will be provided by Athens Services under contract with the City of Monrovia.

The proposed project includes adoption of The Parks at Station Square Specific Plan, approval of a Conditional use Permit, and Tentative Parcel map and adoption of a Zoning Ordinance text amendment to add the Parks at Station Square Specific Plan to Section 17.04.035 of the Monrovia Municipal Code. Previously approved entitlements affecting the project site will be rescinded, in particular the Station Square Transit Village Specific Plan (Phase I). Tentative Tract Map No. 70357 will be rescinded at the time the new Tentative Parcel Map is approved.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the City of Monrovia, the Lead Agency has analyzed the project and determined that the project, with applicable mitigation measures imposed, will **not have a significant impact on the environment**. Based on this finding, the Lead Agency prepared this MITIGATED NEGATIVE DECLARATION.

The City of Monrovia has reviewed the initial study of environmental effects for the above described project and finds:

- A. The project is in conformance with the environmental goals and policies adopted by the community.
- B. The project will not have a significant effect on the environment.

A copy of the Initial Study documenting reasons to support the finding is on file in the Planning Division. Mitigation measures, if any, included in the project to avoid potentially significant effects are contained in the Initial Study (Section 5 – Summary of Mitigation Measures) and on the Data Sheets on file in the Planning Division, Community Development Department, 415 South Ivy Avenue, Monrovia, CA 91016, (626) 932-5565.

A period of at least 20 days from the date of publication of the notice of the MITIGATED NEGATIVE DECLARATION will be provided to enable public review of the project specifications, the Initial Study and this document prior to the final adoption of the MITIGATED NEGATIVE DECLARATION by the Lead Agency. A copy of the project specifications is on file

in the Office of Planning Division, Community Development Department, 415 South Ivy Avenue,  
Monrovia, California.

Date \_\_\_\_\_  
May 15, 2014

By: \_\_\_\_\_  
Steve Sizemore  
Community Development Director

## PLANNING COMMISSION RESOLUTION NO. 2014-08

**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 PARKS AT STATION SQUARE SPECIFIC PLAN, TENTATIVE PARCEL MAP NO. 72777, CONDITIONAL USE PERMIT CUP2014-08, ZONING ORDINANCE AMENDMENT ORDINANCE NO. 2014-04 FOR DEVELOPMENT OF A 261-UNIT APARTMENT COMPLEX WITH A PARKING STRUCTURE AT THE SOUTHEAST CORNER OF POMONA AND MAGNOLIA AVENUES, VACANT PROPERTY PREVIOUSLY ADDRESSED AS 1622 SOUTH MAGNOLIA AVENUE AND 204 WEST POMONA AVENUE (APNS 8507-003-917 and 8507-003-919) AND REPEAL OF TENTATIVE TRACT MAP NO. 70357**

### RECITALS

(i) The Parks at Station Square 1, LLC has initiated an application to develop a 2.819 acre site with a 261-unit apartment complex with a parking structure located at the southeast corner of Pomona and Magnolia Avenues, on vacant property previously assigned the following addresses: 1622 South Magnolia and 204 West Pomona Avenue (Assessor's Parcel Numbers 8507-003-917 and 8507-003-919) ("project"). The development application includes a request to amend the text of the Zoning Ordinance to add The Parks at Station Square Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for the subject property (Ordinance No. 2014-04), adopt The Parks at Station Square Specific Plan (City Council Resolution No. 2014-35), approve a parcel map for consolidation of several lots into one (TPM 72777), approve a conditional use permit for development of a 261-unit apartment complex with a parking structure (CUP2014-08), and repeal of a prior tentative tract map (TTM 70357).

(ii) On June 11, 2014, 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 May 22, 2014 continuing through June 11, 2014, which is the date of the public hearing held by the Planning Commission for the project. State Clearinghouse review was not required.

(c) The proposed MND for the proposed project is comprised of the Initial Study and the draft MND and is attached hereto and incorporated herein 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 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 11<sup>th</sup> day of June 2014.

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Carlos Parrague, Chair  
Monrovia Planning Commission

ATTEST:

APPROVED AS TO FORM:

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Steve Sizemore, Secretary  
Monrovia Planning Commission

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Gena M. Stinnett, Assistant City Attorney  
City of Monrovia

**Exhibit "A"**  
**Mitigated Negative Declaration**  
**Planning Commission Resolution No. 2014-08**

**Exhibit "B"**  
**Mitigation Monitoring and Reporting Program**  
**Planning Commission Resolution No. 2014-08**

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

I, STEVE SIZEMORE, Secretary of the Planning Commission of the City of Monrovia, California, do hereby certify that the foregoing is a full, true and correct copy of Planning Commission Resolution No. 2014-08, and that it was duly adopted and passed at a regular meeting of the Monrovia Planning Commission on the 11th day of June 2014, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**EXCUSED:**

ATTEST:

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Steve Sizemore, Secretary  
Monrovia Planning Commission



## PLANNING COMMISSION RESOLUTION NO. 2014-06

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONROVIA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE PARKS AT STATION SQUARE SPECIFIC PLAN

#### RECITALS

(i) The Parks at Station Square 1, LLC has initiated an application to develop a 2.819 acre site with a 261-unit apartment complex with a parking structure located at the southeast corner of Pomona and Magnolia Avenues, on vacant property previously assigned the following addresses: 1622 South Magnolia Avenue and 204 West Pomona Avenue (Assessor's Parcel Numbers 8507-003-917 and 8507-003-919) ("project"). The development application includes a request to adopt The Parks at Station Square Specific Plan, which will provide land use and development regulations for the subject property.

(ii) On June 11, 2014, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project for The Parks at Station Square 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 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 Parks at Station Square Specific Plan.

(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 The Parks at Station Square Specific Plan, with 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, as amended by GPA2014-02, and is consistent with other adopted goals and policies of the City.
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 Parks at Station Square 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 11<sup>th</sup> day of June 2014.**

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Carlos Parrague, Chair  
Monrovia Planning Commission

ATTEST:

APPROVED AS TO FORM:

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Steve Sizemore, Secretary  
Monrovia Planning Commission

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Gena M. Stinnett, Assistant City Attorney  
City of Monrovia

**EXHIBIT A**  
**THE PARKS AT STATION SQUARE SPECIFIC PLAN**

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

I, STEVE SIZEMORE, Secretary of the Planning Commission of the City of Monrovia, California, do hereby certify that the foregoing is a full, true and correct copy of Planning Commission Resolution No. 2014-06, and that it was duly adopted and passed at a regular meeting of the Monrovia Planning Commission on the 11th day of June 2014, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**EXCUSED:**

ATTEST:

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Steve Sizemore, Secretary  
Monrovia Planning Commission

## PLANNING COMMISSION RESOLUTION NO. 2014-07

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONROVIA, CALIFORNIA, RECOMMENDING TO CITY COUNCIL APPROVAL OF ORDINANCE 2014-04, AN AMENDMENT TO THE ZONING ORDINANCE TO ADD THE PARKS AT STATION SQUARE SPECIFIC PLAN TO SECTION 17.04.035 OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF POMONA AND MAGNOLIA AVENUES, VACANT PROPERTY PREVIOUSLY ADDRESSED AS 1622 SOUTH MAGNOLIA AVENUE AND 204 WEST POMONA AVENUE (APNS 8507-003-917 AND 8507-003-919)**

### RECITALS

(i) The Parks at Station Square 1, LLC has initiated an application to develop a 2.819 acre site with a 261-unit apartment complex with a parking structure located at the southeast corner of Pomona and Magnolia Avenues, on vacant property previously assigned the following addresses: 1622 South Magnolia Avenue and 204 West Pomona Avenue (Assessor's Parcel Numbers 8507-003-917 and 8507-003-919) ("project"). The development application includes a request to amend the text of the Zoning Ordinance to add The Parks at Station Square Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for the subject property.

(ii) On June 11, 2014, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project, including Ordinance No. 2014-04, 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.

#### (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. 2014-04.

(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. 2014-04, 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. 2014-04 is consistent and compatible with existing land uses in the environs, in that the surrounding land uses include a mix of multiple residential, commercial and industrial uses and is adjacent to the Metro Gold Line right-of-way. Allowing an apartment complex with a parking structure on the property located at the southeast corner of Magnolia and Pomona Avenues, subject to a specific plan providing land use and development regulations, will allow development of a project that is compatible with those mixed uses.
5. Ordinance No. 2014-04 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.
6. Ordinance No. 2014-04 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. 2014-04 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 11<sup>th</sup> day of June 2014.

BY:

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Carlos Parrague, Chair  
Monrovia Planning Commission

ATTEST:

APPROVED AS TO FORM:

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Steve Sizemore, Secretary  
Monrovia Planning Commission

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Gena M. Stinnett, Assistant City Attorney  
City of Monrovia

Exhibit "A"

Ordinance No. 2014-04



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

I, STEVE SIZEMORE, Secretary of the Planning Commission of the City of Monrovia, California, do hereby certify that the foregoing is a full, true and correct copy of Planning Commission Resolution No. 2014-07, and that it was duly adopted and passed at a regular meeting of the Monrovia Planning Commission on the 11th day of April 2014, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**EXCUSED:**

ATTEST:

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Steve Sizemore, Secretary  
Monrovia Planning Commission

## ORDINANCE NO. 2014-04

**AN ORDINANCE OF CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING THE ZONING ORDINANCE TO ADD THE PARKS AT STATION SQUARE SPECIFIC PLAN TO SECTION 17.04.035 OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF MAGNOLIA AND POMONA AVENUES, VACANT PROPERTY PREVIOUSLY ADDRESSED AS 1622 SOUTH MAGNOLIA AVENUE AND 204 WEST POMONA AVENUE (APNS 8507-003-917 and 8507-003-919)**

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

**SECTION 1.** The Parks at Station Square 1, LLC has initiated an application to develop a 2.819 acre site with a 261-unit apartment complex with a parking structure located at the southeast corner of Pomona and Magnolia Avenues, vacant property previously assigned the following addresses: 1622 South Magnolia and 204 West Pomona Avenue (Assessor's Parcel Numbers 8507-003-917 and 8507-003-919) ("project"). The development application includes a request to amend the text of the Zoning Ordinance to add The Parks at Station Square Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for the subject property.

**SECTION 2.** On June 11, 2014, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project, including this Ordinance No. 2014-04, 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. PCR2014-07 recommending approval of this Ordinance No. 2014-04.

**SECTION 3.** On XXXXX, 2014, the City Council of the City of Monrovia conducted a duly noticed public hearing on the project, including this Ordinance No. 2014-04. 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 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 City Council has adopted Resolution No. 2014-36 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. 2014-04.

**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.** 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:

“(I) The Parks at Station Square Specific Plan.”

**SECTION 8.** 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 9.** 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 XX day of XXX, 2014.

**PASSED, APPROVED, AND ADOPTED** this XX day of XXX, 2014.

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Mary Ann Lutz, Mayor  
City of Monrovia

**ATTEST:**

**APPROVED AS TO FORM:**

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

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Craig A. Steele, City Attorney  
City of Monrovia