



## PLANNING COMMISSION STAFF REPORT

**APPLICATION:** CUP2014-15

**AGENDA ITEM:** PH-2

**PREPARED BY:** Barbara Lynch  
Senior Planner

**MEETING DATE:** September 10, 2014

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**SUBJECT:** Conditional Use Permit CUP2014-15  
616 West Colorado Boulevard

**REQUEST:** Construct a two-story unit behind an existing residence in the RM3500 (Residential Medium Density) Zone.

**APPLICANT:** Ashley Lin and George Hsu  
9087 Las Tunas Drive  
Temple City, CA 91780

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

**BACKGROUND:** The applicant is requesting approval to add a 2-story unit on a lot currently improved with a single-family residence that will be retained. A Conditional Use Permit is required (§17.12.030) when a new rear unit is of two-story construction.

**SUBJECT PROPERTY:** The subject site is located on the south side of Colorado Boulevard between Mayflower and Monterey Avenues. It is 50' wide and 140' deep totaling 7,000 square feet in area and is improved with a single-family residence located towards the front of the lot and a detached garage with a carport in front (of the garage) on the east side of the house. The applicant proposes to demolish the garage and carport structures to provide access to the rear of the lot for the proposed new construction.

The properties on both sides are developed with single-family residences and the surrounding neighborhood is developed with a mixture of single-family and two unit properties. Also, there is a church parking lot located on the north side of Colorado Boulevard that accesses the rear of a church site located on Lemon Avenue, one street north.

**DISCUSSION/ANALYSIS:** The 7,000 square foot lot is permitted a maximum density of 2 units. The residence that will be retained was built in 1928 but has been remodeled over the years where it now has vertical siding, vinyl windows and encased eaves. The remodels have eliminated many of the historical architectural details of the residence but it is in good condition.

### **Site Plan**

The existing residence is 1,250 square feet in size. The residence is setback 25' from the front property line and the front porch extends 3' into the setback. The side yard setback on the east side is the minimum 5' and on the west side where the driveway is located is 12' from the property line.

The proposed 1,252 square foot two-story unit is setback the minimum 5' (first floor) and 8' (second floor) from the west property line and 19' from the east property line. The rear yard setback is the minimum 20'. An attached 2-car garage is located under the second story of the unit and is side loading. The driveway extends down the east side of the property to provide access to the attached garage and to a proposed 2-car detached garage located in the southeast corner of the lot.

A 5' high perimeter decorative block wall will be provided along the south, east and west property lines.

### ***Private Open Space***

The RM Zone requires that a minimum of 40% of the unit size be provided in private yard area. The existing residence will be provided a 13'-9"x38' private yard area that will be located between the two units. The minimum required is 500 square feet and 522 square feet is provided. The private yard area of the proposed rear unit will be located in the rear yard setback and will be provided a 20'x30' private yard area totaling 600 square feet in size. The minimum required is 501 square feet.

### ***Building Elevations/Floor Plans***

The applicant has renovated and recently painted the existing residence. Typically when a unit is being retained staff recommends that the new construction integrate some of the design elements of the retained unit. Since the siding on the existing residence is vertical (T1-11) staff recommended that the Applicant provide the more traditional horizontal siding on the proposed 2-story unit. The design of the proposed unit ties in the architectural details of the existing residence with a similar roof pitch, roofing material and color. The entrance and garage doors face east. In order to provide the backup vehicle clearance into the garage space the garage doors are recessed 5' in from the face of the building (east elevation). The second-story cantilevers over this recessed area and a decorative support column is provided in the buildings northeast corner. The first floor will have a living room, dining room and kitchen and the second floor will have 2 bedrooms and 2 bathrooms.

### ***Conclusion***

The limited land area behind the existing residence made it difficult to add a second unit and comply with all development standards. Following several renditions the Applicant was able to design a project that complied with all RM regulations (minimum unit size, building separation, parking and setbacks) and in a very tight area provide a desirable site layout.

**RECOMMENDATION:** The Development Review Committee and Staff recommend approval of the project with the attached conditions of approval. If the Planning Commission concurs with this recommendation then, following the public hearing, the adoption of the following resolution is appropriate:

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

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that CUP2014-15 is categorically exempt from CEQA under Class 3.

2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
3. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 3 for CUP2014-15, which are incorporated herein by this reference.
4. The Planning Commission hereby recommends approval of CUP2014-15, 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.

**MOTION:**

**Close the public hearing and adopt the Resolution approving CUP2014-15 as presented in the Staff Report.**



# DATA SHEET 1

# Planning Conditions

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616 West Colorado Boulevard

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 616 West Colorado Boulevard, an existing residence and a new 2-story unit, submitted by the applicant, as approved by the Planning Commission and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the Planning Commission and by subsequent modifications determined by the Planning Division Manager to be in substantial compliance with the conditions of approval. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.

## DEVELOPMENT STANDARDS

1. A final materials board shall be submitted to the Planning Division Manager for review and approval prior to building permit issuance. The final materials board shall include a breakdown of materials to be used and samples/examples of siding, windows, exterior doors, garage doors, roofing, color schemes and exterior light fixtures.
2. A decorative block wall shall be provided by the Applicant adjacent to the east, west and south property lines, but outside of the front setback area. The property line wall must be a minimum of five feet above the subject property's finished grade and a minimum of five feet and a maximum of six feet above the adjacent property's grade, measured in accordance with the Monrovia Municipal Code. The wall shall be installed before building construction begins.
3. All private recreation areas must be enclosed by a 5' high (wood fence or decorative block wall) or approved alternative. All proposed fences shall be shown and indicated on the submitted site plan.
4. Submit an entrance design (such as a decorative eyebrow) above the door of the rear unit to the Planning Division Manager for review and approval.
5. The Applicant shall make a good faith effort to work with adjacent property owners (that have existing walls/fences) to avoid a double wall condition, and provide a single wall along the project's perimeter. The applicant shall notify by mail all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project's perimeter.
6. A level concrete patio shall be provided for each unit in the private recreation area and shall be indicated on the grading plan and approved by the Development Review Committee prior to the start of grading.
7. Placement and design of mailboxes shall be reviewed and approved by both the U.S. Postal Service and the Planning Division prior to installation.
8. No roof mounted mechanical equipment shall be permitted.

9. Ground level mechanical equipment shall be placed a minimum of 5' from the interior property lines and shall be completely screened with landscaping. Ground level mechanical equipment shall not be located within the front setback.
10. 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 both units.
11. 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.
12. 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**

13. A Landscape and Irrigation Plan shall be submitted to the Planning Division for plan check showing the size, type, and location of all planting areas.

### **PARKING**

14. All driveway areas shall be surfaced with Portland cement concrete (3-1/2" minimum thickness) or approved alternative.

### **CONSTRUCTION SITE REQUIREMENTS**

15. One waterproof sign (36" x 48") in both English and Spanish noting construction hours and a phone number for contact shall be posted at the front of the site prior to grading or construction.

### **GENERAL REQUIREMENTS**

16. 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.
17. 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.
18. The Applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet Numbers 1 and 2. The Conditional Use Permit shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
19. The development associated with the Conditional Use Permit shall begin within one (1) year after its approval or it will expire without further action by the City.

20. 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.
21. The development shall be constructed in strict compliance with the approved building elevations and site plan.
22. 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, proceedings, losses, fines, penalties, judgments, settlements, defensive costs or expenses (including but not limited to, interest, expert witness fees and attorneys' fees), liabilities, damages or injuries, in law or equity, to persons or property, including wrongful death (collectively "Claims"), arising out of, attributable to, or relating to (i) the granting of CUP2013-16 and the granting of any permits for the development (the "Permits"), (ii) the work performed pursuant to the Permits, or any other cause on the subject property, whether related to the Permits or not, including but not limited to, Claims asserted by third parties and adjoining property owners, property owners' guests, invitees, tenants, successors in interest and permittees; provided, however, the Applicant will not be responsible for those Claims caused by the willful misconduct or sole negligence of the City, its officers, officials, employees, agents or volunteers. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.



## DATA SHEET 2

## Public Works Conditions

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616 West Colorado Boulevard

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

### Engineering Conditions

1. Submit existing site plan, topographic map of the project site, grading, drainage and utility plan to Public Works Department for review and approval. The plans shall indicate existing and proposed structures, and all existing and proposed utilities such as gas, water and sewer line applicable within the project site. The plans shall be prepared on a maximum 24" x 36" sheets with City standard title block stamped and signed by a Registered Professional Civil Engineer in the State of California. The submittal of the plans shall include: required design calculations, geotechnical report, construction cost estimate, a plan check fee, and an inspection fee. The final submittal for final approval of the plans shall include the approved site, grading, drainage and utility plans on mylar. The mylar copy shall be approved by the Community Development and Public Works Department. Upon approval of the mylar copy, applicable permit such as grading or construction permit will be issued. The applicant shall use the assigned drawing number G-874 for this project. Partial or incomplete submittals will not be accepted. All site plans, grading plans, and drainage plans shall be coordinated for consistency prior to the issuance of any permits.
2. Applicant shall remove and replace any public curb, gutter, driveway approach or pavement found by the City Engineer to be broken, uplifted or damaged and construct improvements as required, per City standard drawings to match existing improvements on adjacent properties. All ADA requirements shall be satisfied by the Applicant.
3. The City requires the restoration of the existing street pavement after utility installation and other street location such as pavement damaged by the construction operation of this project. Restoration is required from the outer limits of the area covering and encompassing all the utility cuts as shown on the plans, but actual limits shall be determined out in the field by City Engineer. Restoration of asphalt pavement for street may be up to 2-inch pavement grind and 2-inch asphalt overlay and/or Type II slurry seal, removal and replacement of existing pavement as determined by the City Engineer during field inspection.
4. All work such as but not limited to demolition, construction and improvements within the public right-of-way shall be subject to review and approval of the Public Works Department, and will require construction and encroachment permits from the City's Public Works Department, prior to start of any construction. All work within the public right-of-way shall be in accordance with applicable standards of the City of Monrovia, Standard Specifications for Public Works Construction (Green Book, latest edition) and the Manual on Uniform Traffic Control Devices (MUTCD, latest edition), whichever is applicable and further that construction equipment ingress and egress be controlled by a plan approved by the City Engineer. Applicant shall pay all applicable fees for

Engineering Division services such as plan check fee and construction inspection fee as applicable.

5. All grading is to be done under the supervision of a licensed engineer in the State of California qualified in soils field. Upon completion of the grading, the Soils Engineer shall file a certification with the 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.
6. Applicant shall provide an analysis and construct required infiltration and/or treatment of storm water from impervious surfaces prior to reaching direct connections leading to the main storm drainage system.
7. All required mitigation measures identified in the soils engineer's and geologist's reports shall be incorporated into the grading/drainage plans and made a part thereof. Drainage devices shall be designed to handle and prevent erosion from damaging the proposed structure and surrounding neighborhood.
8. Project drainage shall be collected on site and be discharged to an outlet approved by the City of Monrovia Department of Public Works. Site drainage discharge shall be subject to the requirements of the City of Monrovia Storm Water Management and Discharge Control Ordinance. Site drainage discharge shall not adversely affect off-site drainage structures. Design and construction of off-site drainage structures from this project shall be performed to the satisfaction of the City Engineer.
9. Prior to 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.
10. Applicant shall submit a utility plan showing all proposed utility cuts for services such as Water, Sewer, Gas, Edison, Telephone, Cable TV, etc. The Utility plan/Grading plan shall be submitted and approved prior to issuance of grading permits. Private utility plans including sewer, water, gas, including all abandoned, or to be removed facilities, etc. for the proposed development shall be submitted for review and approval by the City Engineer. Applicant shall pay all applicable fees for Engineering Division services for issuance of Public Works permits.
11. This project must obtain water service from the City of Monrovia. Apply to the City's Utilities Division for new water services and for removal of all unused meters by the City. Construction costs will be based on actual time and material incurred by the City. Advance fee or deposit will apply upon request of any water service.
12. The Applicant shall install sanitary sewers to Monrovia's sewer system to serve the development to the specifications of the City Engineer. Applicant shall connect all buildings to the public sewer and cap off all abandoned laterals at the main sewer line to



the satisfaction of the City Engineer. Indicate on the Site/Utility Plan the work to be done by the Applicant. A CCTV inspection of the existing and newly installed sewer line connection to the main line is required prior to approval of the project.

13. The Applicant shall comply with the requirements of MMC Section 13.12.015 Non-Storm Water Discharges, 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 report of the condition of the existing sewer lateral. Prior to CCTV, the owner/applicant shall notify the Department of Public Works 24-hours in advance, requesting to have the Public Works Inspector on site to witness the CCTV inspection. If the sewer lateral needs repair, it shall be completed to the satisfaction of the City Engineer prior to commencement of the applicant's operation or prior to issuance of certificate of occupancy.
14. Applicant shall provide a Transportation Plan formalizing the approved truck route, staging areas, radio control points and manpower, street sweeping activities along with loading/unloading of supplies/materials and parking for contractors and employees in/on and around the site prior to issuance of any demolition, grading, construction or encroachment permits for the project.

### **Environmental Conditions**

15. 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 within his own lot of the Development 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.
- 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.
- 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.
- 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)
16. 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 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.
17. The Applicant shall maintain the drainage devices such as paved swales, inlets, catch basins, pipes, and water quality devices as applicable in a good and functional condition to safeguard the adjoining properties from damage and pollution.
18. 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.
19. The project demolition activities shall comply with the City's Construction and Demolition Recycling Program (C&D Recycling Program) by filing an application and submit 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.
20. 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.
21. Trash containers shall be enclosed to prevent discharge of trash, and be equipped with

lids, or screened, roofed or walled, and runoff should be diverted around trash areas to avoid flow through. Trash enclosure drainage if any should be directed to vegetative areas whenever feasible.



## DATA SHEET 3

## Findings

CUP2014-15

616 West Colorado Boulevard

### CONDITIONAL USE PERMIT

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting Conditional Use Permit No. 2014-15 for development of a 2-story unit at 616 West Colorado Boulevard is based on the following findings:

- A. The project site is adequate in size, shape and topography for development of a two-story unit behind an existing single-family residence, because it has an adequate width of 50' and a depth of 140' that can accommodate the existing residence and a new 2-story unit and comply with all yard area and setback requirements as set forth in the Zoning Ordinance.
- 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 a new 2-story unit. West Colorado Boulevard is a 70' right-of-way with a 58' roadway that can accommodate traffic generated by one additional unit. It is an east/west residential street that carries a moderate traffic volume.
- C. The residential development is compatible with the General Plan and, and will not adversely impact the objectives of the General Plan. The development conforms to the residential neighborhood and meets the objectives of the RM3500 designation.
- D. The residential development will comply with the applicable provisions of the zoning ordinance. All building setbacks, building separations, FAR and private yard area meet or exceed the minimum required by the RM regulations.
- E. The proposed location of the residential development 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 it complies with all General Plan and Municipal Code regulations that insures development will not be detrimental to a neighborhood that has both single-family and multiple-family uses.
- F. The proposed project will not result in the demolition of a residential structure built prior to January 1, 1940, with architectural or known historic value. The residence was built in 1928 and is being retained as part of the project.