

PLANNING COMMISSION STAFF REPORT

APPLICATION:	TTM72951/CUP2014-17/ V2014-02	AGENDA ITEM:	PH-2
PREPARED BY:	Barbara Lynch Senior Planner	MEETING DATE:	October 15, 2014
SUBJECT:	Tentative Tract Map No. 72951/C CUP2014-17/Variance V2014-02 721 West Duarte Road	onditional Use Permi	it
REQUEST:	Construct a two-story, 7-uni subterranean parking. A variand private recreation space. This pro High Density) Zone.	e is requested to al	llow a reduction in
APPLICANT:	Twen Ma		

Bradbury, CA 91010

195 Mount Olive Drive

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption (Class 32)

**BACKGROUND:** The applicant is requesting approval to develop a 7-unit, two-story condominium complex with a subterranean parking structure. The proposed project requires a Tentative Tract Map for consolidation of two parcels into one 14,540 square foot lot and the subdivision of the new lot into a 7-unit condominium development (§17.44.050), a Conditional Use Permit (§17.12.030 (B)) for the construction of 7-units, and a Variance to allow three of the seven units a reduction in private recreation space (§17.12.030 (G)).

**SUBJECT PROPERTY:** The subject site is located on the north side of Duarte Road between Encino Avenue and Pilgrim Way. It is an irregular shaped site with 59' of frontage (south property line) that widens to 81.76' (north property line) and is approximately 210' deep totaling 14,570 square feet in area. It is improved with a 2-story residential building built in 1966 that is proposed to be demolished. The property is zoned RH (Residential High Density).

The surrounding properties consist of single-family residential to the east and north and multiple residential to the west. Across the street to the south is primarily multiple residential which includes a 9-unit condominium project with subterranean parking currently under construction.

**DISCUSSION/ANALYSIS:** For properties less than 15,000 square feet in area in the RH Zone the allowable density is calculated at 2 units for the first 5,000 square feet of lot area and for each additional 1,500 square feet another unit is permitted. The 14,570 square foot site is permitted a maximum density of 8 units.

## Site Plan

The site plan shows seven units grouped into three buildings above a subterranean parking structure. The proposed units will be located along the west side and north side (rear) of the site and the driveway accessing the subterranean parking is on the east side. A walkway extends down the west property line leading to 3 of the unit's entrances. A second walkway T's into the first walkway extending east between Units C and D (see attached) leading to the entrances of the other 3 units.

The condominium development meets the minimum 25' front yard setback and 20' rear yard setback. The front porch on the street facing unit extends 5' (the allowed maximum) into the front setback. The minimum side yard setback for 2-story construction in the RH Zone is 6' and the proposed building setback is 9', providing 3' larger setbacks than required by code.

## Floor Plan/Parking

The 7 units range in size from 1,474 square feet to 1,667 square feet. Each unit has a living room, dining room, kitchen and bathroom on the first level and 3 bedrooms and 2 bathrooms on the second level.

The subterranean parking structure provides seven 2-car garages and 4 guest spaces. Each unit via a staircase has direct access into a garage. The three most northerly units are provided bonus rooms located next to their garage space that can be used for storage.

## Variance/Recreation Space

The RH Zone requires that a minimum of 20% of the unit size be provided in recreation space. At least half of the required recreation space must be in *private* yards. Private yards must have minimum dimensions of 8', be directly accessible from the unit and be enclosed with a 5' high fence. The remainder of the required recreation space can be provided in *common* area and must have minimum dimensions of 20'.

The 7 units total 10,853 square feet in floor area; 2,171 square feet is the total required recreation space. The total proposed is 2,912 square feet exceeding the total minimum required by 741 square feet. However, a variance is requested because the front 3 units (Units A, B and C) do not have the minimum 20% of private yard area required (when common recreation space is not provided). These units have approximately 10% of their unit size provided in private yard. The rear 4 units (Units D, E, F and G) exceed the 20% required because the 20' rear yard setback and the side setbacks without pedestrian walkways are incorporated into these private yards.

	Unit Size	Private Yard Size (sf.)	% Private Yard
A	1667	156.3	9.3
В	1579	158.0	10.0
С	1502	157.0	10.4
D	1474	660.3	44.7
E	1563	381.4	24.4
F	1583	844.6	53.3
G	1504	554.7	36.8

In order to approve a major variance, the Commission must find that because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the code deprives such property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

The properties in this RH Zoned neighborhood are primarily rectangular in shape and are developed with surface parking and *private* yard space only in side yards. Development on the subject property is more difficult because it is irregular in shape making it more difficult to provide a desirable layout, comply with on-site parking *and* meet the recreation space requirements. Early in the process, the Applicant had submitted a site plan that met recreation space requirements. Each unit was provided a private yard and common recreation space was provided in the middle of the rear yard setback between two private yards and accessible by a small walkway. It technically met code but created a common space that would likely never be used. The more desirable layout was to incorporate this area into the private yards of the rear units. Although the proposed private yard space does not meet the 20% <u>per</u> unit requirement it does provide a more desirable layout with yard space that will be used and in total exceeds (by 741 square feet) what is required by the code. Approval of this variance would not result in granting the property a privilege that is not already enjoyed by other properties in the area.

## **Building Elevations**

The Spanish style buildings incorporate both hipped and gable rooflines, exposed rafter tails under the eaves, concrete roof tiles, multi-paned windows and smooth stucco exterior finishes. Additional architectural details include arched entry doors to each unit, precast concrete window sills and casings, a turret and front porch that incorporates the architectural details of the Spanish style buildings (arches, smooth stucco and concrete roof tiles).

#### Conclusion

The neighborhood has shown a gradual transition from lower density residential sites to higher density condominium developments. The subterranean parking allows this development to be lower in profile as it abuts single-family zoned development to the north and a single-family improved lot to the east. It is an attractive project that will be an asset to the neighborhood and community.

**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 TTM72951, CUP2014-17 and V2014-02 is categorically exempt from CEQA under Class 32.
- 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 TTM72951, CUP2014-17 and V2014-02, which are incorporated herein by this reference.
- 4. The Planning Commission hereby recommends approval of TTM72951, CUP2014-17 and V2014-02, 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 recommending approval to the City Council of Tentative Tract Map No. 72951, Conditional Use Permit CUP2014-17 and Variance V2014-02 as presented in the Staff Report.

DATA SHEET 1



TTM72951/CUP2014-17/V2014-02

721 West Duarte Road

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 Tract Map No. 72951/Conditional Use Permit CUP2014-17/Variance V2014-02, a 7 unit condominium development with subterranean parking 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 by unit of materials to be used and samples/examples of siding, stucco, stone veneers, windows, exterior doors, garage doors, roofing, color schemes and exterior light fixtures.
- 2. A <u>decorative</u> block wall shall be provided by the Applicant adjacent to the rear (north) and side (east and west) property lines. The property line wall must be a minimum (outside of the front yard setback area) 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 perimeter walls shall be installed before building construction begins.
- 3. The design of the driveway retaining wall shall be submitted for review and approval by the Planning Division Manager.
- 4. The site plan, revised to include the requirements specified in these Planning Conditions, shall be submitted to the Planning Division Manager for review and approval prior to building permit issuance.
- 5. All private recreation areas must be enclosed by 5' to 6' high wood fence <u>or</u> decorative block wall or approved alternative. All proposed fences shall be shown and indicated on the submitted site plan.
- 6. 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.
- 7. If a driveway gate is proposed at a later date the Development Review Committee shall consider the request after providing written notification to

property owners within a 300' radius of the site. The cost of such notification shall be paid in advance by the Applicant.

- 8. 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.
- 9. Placement and design of mailboxes shall be reviewed and approved by both the U.S. Postal Service and the Planning Division prior to installation.
- 10. No roof mounted mechanical equipment shall be permitted.
- 11. Ground level mechanical equipment shall be placed a minimum of 5' from perimeter property lines and shall be completely screened with landscaping. Ground level mechanical equipment shall not be located within the front setback.
- 12. 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.
- 13. 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.
- 14. 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

- 15. A Landscape and Irrigation Plan prepared by a Landscape Architect shall be submitted to the Planning Division for plan check showing the size, type, and location of all planting areas and shall incorporate the following:
  - a. Landscaping shall be a combination of 24" and 36" box trees, shrubs, groundcover, and turf.
  - b. All landscaping shall be maintained by a permanent automatic irrigation sprinkler system.
  - c. Any unimproved City right-of-way contiguous with the property shall be landscaped by the Applicant and incorporated into the required landscape plan.
  - d. Hardscape improvements shall be provided in common areas.
- 15. 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

- 16. All paved driveway areas shall be surfaced with Portland cement concrete (3-1/2" minimum thickness) or approved alternative.
- 17. All driveway surface areas shall incorporate accent treatment throughout the design. Accent treatment shall include stamped concrete or other approved treatment.

## CONSTRUCTION SITE REQUIREMENTS

- 18. 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.
- 19. 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

- 20. A draft copy of the Conditions, Covenants, and Restrictions (CC&R's) shall be provided in electronic form to the Planning Division for review. The CC&R's, acceptable in form and substance to the City Attorney, must meet the approval of the Planning Division Manager and City Engineer prior to submission of the Final Map to the City Engineer for certification, and shall be recorded against each unit with the Los Angeles County Recorder's Office concurrent with or prior to the filing of the Final Map. No Certificate of Occupancy will be issued by the City until the CC&R's are approved and recorded. The CC&R's shall include that a homeowner's fee be collected by the Board of Governors of the Homeowners Association (HOA) for maintenance of the front yard and common landscaping, walls/fences, the driveway, and all exterior finishes and roofing. Additionally, the CCR's shall incorporate all of the provisions listed in MMC §17.44.050(C) (4)(a) as well as provisions imposing and enforcing the following conditions of approval:
  - a. The CC&R's shall not be modified or revoked without the prior written approval of the City of Monrovia.
  - b. All trees indicated on the approved Landscape and Irrigation Plan and/or Tree Retention Plan shall be retained. Removal of any trees requires the approval of the Planning Division Manager.
  - c. The pruning of the oak trees shall be under the direction of a Certified Arborist.
  - d. Garages shall be used for the storage of vehicles only and shall not be converted for livable, recreational or storage usage in a way that would prohibit its primary use as a two-car garage.

- e. Maintenance of common landscaping and irrigation includes all areas not in enclosed private yard areas.
- 21. 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.
- 22. 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.
- 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. Tentative Tract Map No. 72951/Conditional Use Permit CUP2014-17/Variance V2014-02 shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
- 24. The Final Map for the proposed subdivision shown on this Tentative Tract Map No. 72951 must satisfy the requirements of Section 16.16.010 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 and Variance applies must begin, within twenty-four months after the Tentative Map was conditionally approved, or TTM72951/CUP2014-17/Variance V2014-02 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 these permits 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.



DATA SHEET 2

TTM72951/CUP2014-17/V2014-02

721 W. Duarte Road

All conditions shall be met prior to the final approval of the project.

The Applicant shall submit a tentative tract map and final tract map as required by Monrovia Municipal Code (MMC) 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 subsequent owners of each parcel.

#### **Engineering Conditions**

- 1. Prior to any development, the Applicant shall provide the following:
  - a. Soils and Geotechnical Report
  - b. Hydrology Report
  - c. SUSMP Plan
  - d. Local SWPPP Plan
  - e. Tract Map
  - f. Site Plan
  - g. Grading Plan
  - h. Utility Plan
- 2. 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-875 for this project. Partial or incomplete submittals will not be accepted.
- 3. All submitted plans by the Applicant such as but not limited to site plans, grading plans, drainage plans, utility plans and street improvement 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.
- 4. 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.

- 5. All easements and dedications must be shown on Final Map in accordance with Section 16.16.130 of the Monrovia Municipal Code prior to approval by the City Council. This includes the location, owner, purpose and recording reference for all existing easements.
- 6. 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.
- 7. Prior to filing the Final Map (TTM72951) 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.
- 8. Prior to filing the Final Map (TTM72951) with the Department of Public Works for review and approval, the Applicant shall provide street improvements adjacent to the proposed land division to the satisfaction of the City Engineer. Improvements shall include, but are not limited to, driveway modifications, new driveways, removal of abandoned driveways, sidewalk improvements, ADA improvements and compliance to latest requirements, replacement of damaged curb and gutter, and street resurfacing and/or slurry seal of street pavement within the boundary of the dedicated Right-of-Way property as directed by the City Engineer. If the improvement work has not been completed and/or survey requirements have not been met all as set forth in <u>Chapter 16.28</u> and to the satisfaction of the City Engineer, then the Applicant shall file an agreement and bonds in accordance with <u>Chapter 16.32</u> of the Monrovia Municipal Code (MMC). Improvement plans and necessary letters of credit, cash and/or bonds to secure the construction of all public improvements shall be submitted by Applicant and approved by the City Engineer prior to the issuance of any construction permit.
- 9. Applicant shall remove and replace any curb, gutter, sidewalk, driveway approach or street pavement found by the City Engineer to be broken, uplifted or damaged. Applicant shall construct improvements as required to match existing improvements on adjacent properties. 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 by 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.
- 10. The City requires the restoration of the existing pavement after utility installation. Restoration is required from the outer limits of the area covering and encompassing all the utility cuts as shown on the plans, but actual limits shall be determined out in the field by City Engineer. Restoration of asphalt pavement may be up to 2-inch pavement grind and 2-inch asphalt overlay, 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 approval of any construction plans and/or issuance of any Public Works permits.

- 11. Prior to start of any construction activity, Applicant shall provide a Transportation Plan to the 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 prior to issuance of any demolition, grading, construction or encroachment permits for the project. No construction activity will be allowed without first getting approval of all required submittals to the Public Works Department.
- 12. Applicant shall provide the Engineering Division with a soils and geotechnical report. The soils investigation shall evaluate the soils percolation characteristics for storm drainage considerations. Grading plan shall conform to MMC Chapter 15.28 and be prepared on a maximum 24" x 36" sheets with City title block. Required improvements may be shown on the grading plan along with site drainage.
- 13. 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.
- 14. 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.
- 15. 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 a part thereof. Drainage devices shall be designed to handle and prevent erosion from damaging the proposed structure and surrounding neighborhood.
- 16. 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.
- 17. 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.
- 18. Applicant shall submit a utility plan showing all proposed utility cuts for services such as Water, Sewer, Fire Department Stand Pipe, Gas, Edison, Telephone, Cable TV, etc.

The Utility plan shall be submitted and approved prior to issuance of grading permits. Private utility plans including sewer, water, gas, including all abandoned, or to be removed facilities, etc. for the proposed development shall be submitted for review and approval by the City Engineer.

- 19. This project shall obtain water service from the City of Monrovia. Apply to the City's Utilities Division for new water services and for removal of all unused meters by the City. Deposit fee will be required, construction costs will be based on actual time and material incurred by the City.
- 20. Applicant shall install sanitary sewers to connect to Monrovia's sewer system to serve the entire development in accordance with all applicable standard sewer drawings such as but not limited to new minimum 6 inch lateral(s) with clean-out(s) at property line per City standard drawing S-215 and S-225 requirements and to the specifications of the City Engineer. The Applicant shall connect all buildings to Monrovia's sewer system. Cap off all abandoned laterals at the connection point from the main line to the satisfaction of the City Engineer. Indicate on the Site/Grading/Utility plan the work to be done by the Applicant.
- 21. 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 video report of the condition of the existing sewer lateral and any newly installed sewer lateral. A City Public Works Inspector must be present on-site to witness all CCTV video inspections. Prior to CCTV inspection, the Applicant shall notify the Department of Public Works at least 24-hours in advance, requesting to have the Public Works Inspector on site to witness the CCTV inspection. Payment of applicable fee is required on all CCTV inspection request. Public Works will review the CCTV report, and 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.
- 22. 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.

#### **Environmental Conditions**

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/Packet 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 <sup>3</sup>/<sub>4</sub> 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.
- 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.
- 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.

#### 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)
- 23. 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.
- 24. 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.
- 25. The Applicant shall obtain the approval of a Drainage BMP plan (which can also be included as part of the grading and drainage 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. Partial or incomplete submittals will not be accepted.
- 26. 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. <u>Parking Lot Run-off</u>: A biofiltration, infiltration area, filter (or approved equivalent)

should be installed to filter parking lot and site run-off.

- 27. In compliance with AB 939, any waste and recyclables that are generated must be reported. The applicant must work with the hauler to fulfill this on-going condition. The report must provide the following information: the total tonnage collected, total tonnage diverted, total tonnage disposed, and disposal sites used and tonnages delivered to each.
- 28. The site will be required to contract for recycling services.
- 29. Roof down spouts should be discharged to gravel or heavily vegetated areas whenever possible.
- 30. 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.
- 31. 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.
- 32. 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.
- 33. 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.
- 34. 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.
- 35. 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.
- 36. 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.
- 37. 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.

Findings

TTM72951/CUP2014-17/V2014-02

721 West Duarte Road

# TENTATIVE TRACT MAP

As required by Sections 66473.5 & 66474 of the California Government Code, the decision for approving Tentative Tract Map No. 72951 for a 7 unit condominium project located at 721 West Duarte Road is based on the following findings:

- A. That the tentative tract map consolidating two parcels into one 14,570 square foot lot for the development of a 7-unit condominium project, together with the provisions for the subdivision's design and improvement, will be consistent with the General Plan, and satisfies the requirements of the Map Act and of the Municipal Code, with the approval of a variance for the size requirements for private yard areas. This project will be consistent with the General Plan in that it will meet the RH General Plan designation and the increase in the intensity of the land use from its current use will not be significant, thus it is compatible with the objectives, policies, general land uses, and programs specified in the General Plan. This plan will conform to the current RH requirements for a condominium development, and provide the required on-site parking and building setbacks needed to comply with current development guidelines with the exception of private yard area that does not meet the per unit size requirements but cumulatively exceeds the square footage required, for which a variance has been requested.
- B. That the site is physically suitable for this type of development, as the site is flat and can accommodate a 7-unit condominium development. It is on a residential block improved with similar multiple-residential developments. No variances are requested for the proposed improvements other than a reduction in private yard area that allows for a more desirable site layout.
- C. That the site is physically suitable for the proposed density of development, specifically the 14,423 square foot parcel is zoned RM3500 and is being developed at the permitted density and floor area ratio requirements of the Zoning Ordinance. The proposed development will meet all of the development standards of the Zoning Ordinance with the approval of the requested variance.
- 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, 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 seven additional 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 granting Conditional Use Permit CUP204-17 for the development of a 7-unit condominium development located at 721 West Duarte Road is based on the following findings:

- A. The project site is adequate in size, shape and topography for the development of the 7-units. The site has sufficient width, depth and lot area to accommodate this type of development.
- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by this 7-unit condominium development with one ingress and egress access onto Duarte Road.
- C. The 7-unit condominium development will be compatible with the General Plan, and will not adversely impact the objectives of the General Plan, specifically the RH designation allows a density of 8 units on this 14,570 square foot site.
- D. The 7-unit condominium development will comply with the applicable provisions of the zoning ordinance, except for the approved variance. The variance allows the reduction in private yard area that creates a more desirable site layout on an irregular shaped lot.
- E. The proposed location of the 7-unit condominium 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 the site will be upgraded to include new landscaping, perimeter walls and architectural amenities. It is on a residential block developed with similar density.
- 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. No residential structures that will be demolished were built prior to January 1, 1940.

#### **VARIANCE**

As required by Section 17.52.100 of the Monrovia Municipal Code and provisions of Section 65906 of the California Government Code, the decision for granting Variance V2014-02 to allow a reduction in private yard area for a 7-unit condominium development located at 721 West Duarte Road is based on the following findings:

- A. Special circumstances applicable to this property related to the size, shape, topography, location and configuration of the property make strict application of the Zoning Ordinance a deprivation of privileges enjoyed by other property owners in the vicinity and same zone. The irregular shaped parcel limits the location and size of recreation space for both common and private yard areas in comparison to other multiple residential parcels in the area that are rectangular in shape. The cumulative square footage of recreation space exceeds what is required and meets the intent of the code since it allows for a more desirable site layout. Strict application of the Zoning Ordinance would deprive the development of property rights enjoyed by property owners with standard rectangular lot configurations.
- B. Conditions have been imposed to assure that granting the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which this property is situated. The variance is very limited, and only applies to three of the seven private yard areas in the development. The variance is conditioned to comply with the plans and applications submitted, which specify private yard sizes and locations. Additionally, it will not change the character of the neighborhood, as the development is consistent with the higher density multiple-residential developments on the block.
- C. The proposed residential construction is expressly authorized by the zoning regulation governing the parcel of property. Multiple residential development is a permitted use in the RH Zone.



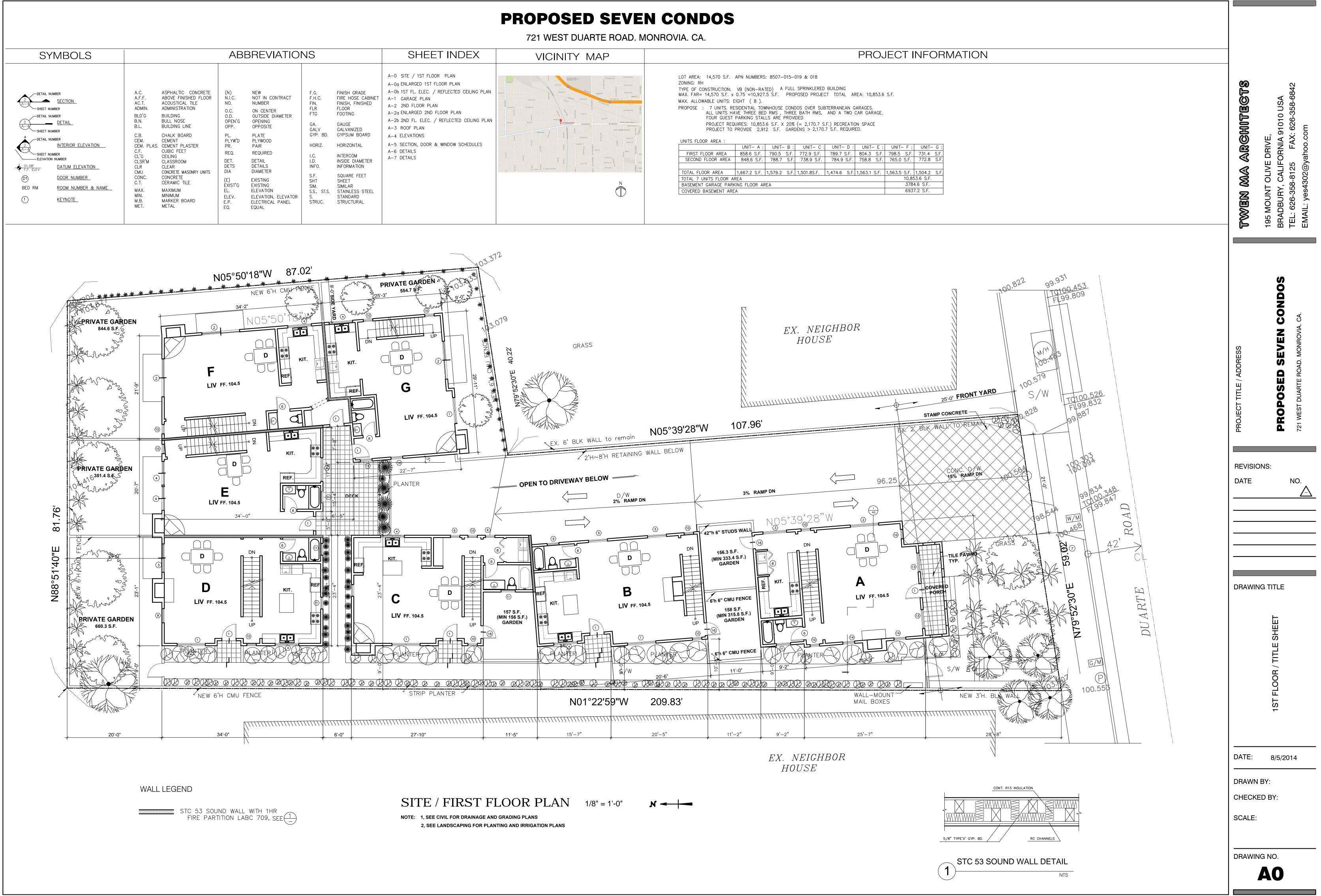
DATA SHEET 4

**Surrounding Land Uses** 

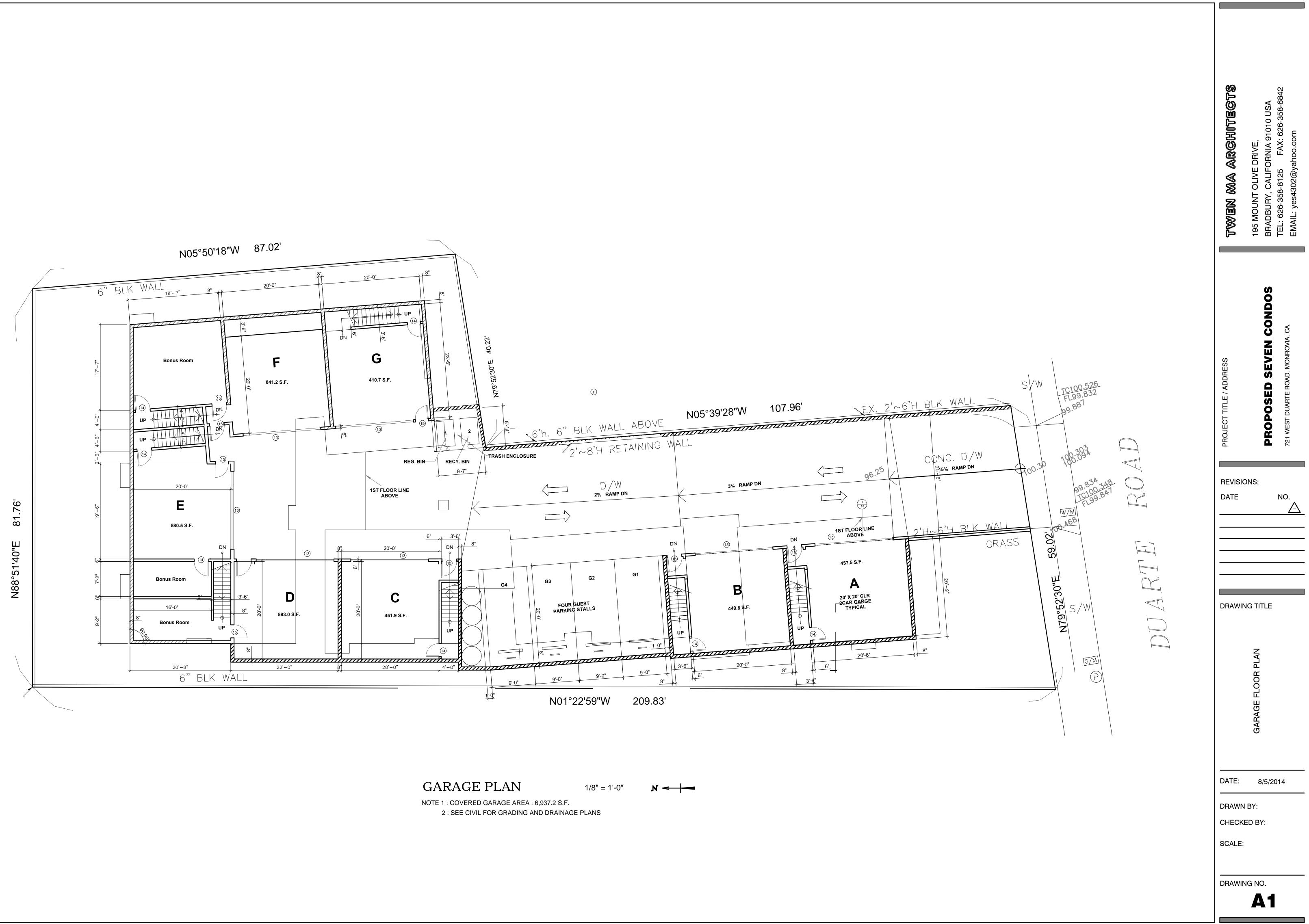
TTM72951/CUP2014-17/V2014-02

721 West Duarte Road

Property Description:	The 14,570 square foot site is irregular in shape and has 59' of frontage on Duarte Road and is approximately 210' deep. It is currently improved with a 2-story residential building.	
<b>Zoning</b> Subject site:	RH (Residential High Density)	
Surrounding pattern:		
north:	RL (Residential Low Density)	
south:	RH (Residential High Density)	
east:	RH (Residential High Density)	
west:	RH (Residential High Density)	
Land Use		
Subject site:	Apartment Building	
Surrounding pattern:		
north:	: Single-family residential	
south:	: Multiple-family residential	
east:	Single-family residential	
west:	Multiple-family residential	
Environmental Determination:	Categorical Exemption Class 32	
Applicable Ordinance Regula	tions: MMC 17.52.020 Planning Commission Authority for CUP	







ELECTRICAL LEGEND

$\bigcirc$	RECESSED LIGHT FIXTURE WITH FLUORESCENT OR
	ENERGY EFFICIENT LAMPS

- <sup>F</sup>-O- RECESSED FLUORESCENT LIGHT
- **FLUORESCENT LIGHT FIXTURE**
- CEILING LIGHT FIXTURE

FIXTURE

- CHANDELIER/PENDANT LIGHT WITH DIMMER SWITCH
- HO WALL MOUNTED LIGHT FIXTURE WITH FLUORESCENT OR ENERGY EFFICIENT LAMPS
- 110V DUPLEX CONVENIENCE OUTLET 12" ABOVE FLOOR OR AT HT. INDICATED
- 110V DUPLEX CONVENIENCE OUTLET WITH GROUND FAULT INTERRUPTER
- WATERPROOF DUPLEX CONVENIENCE OUTLET W/ GROUND FAULT
- CFI INTERRUPTER WP

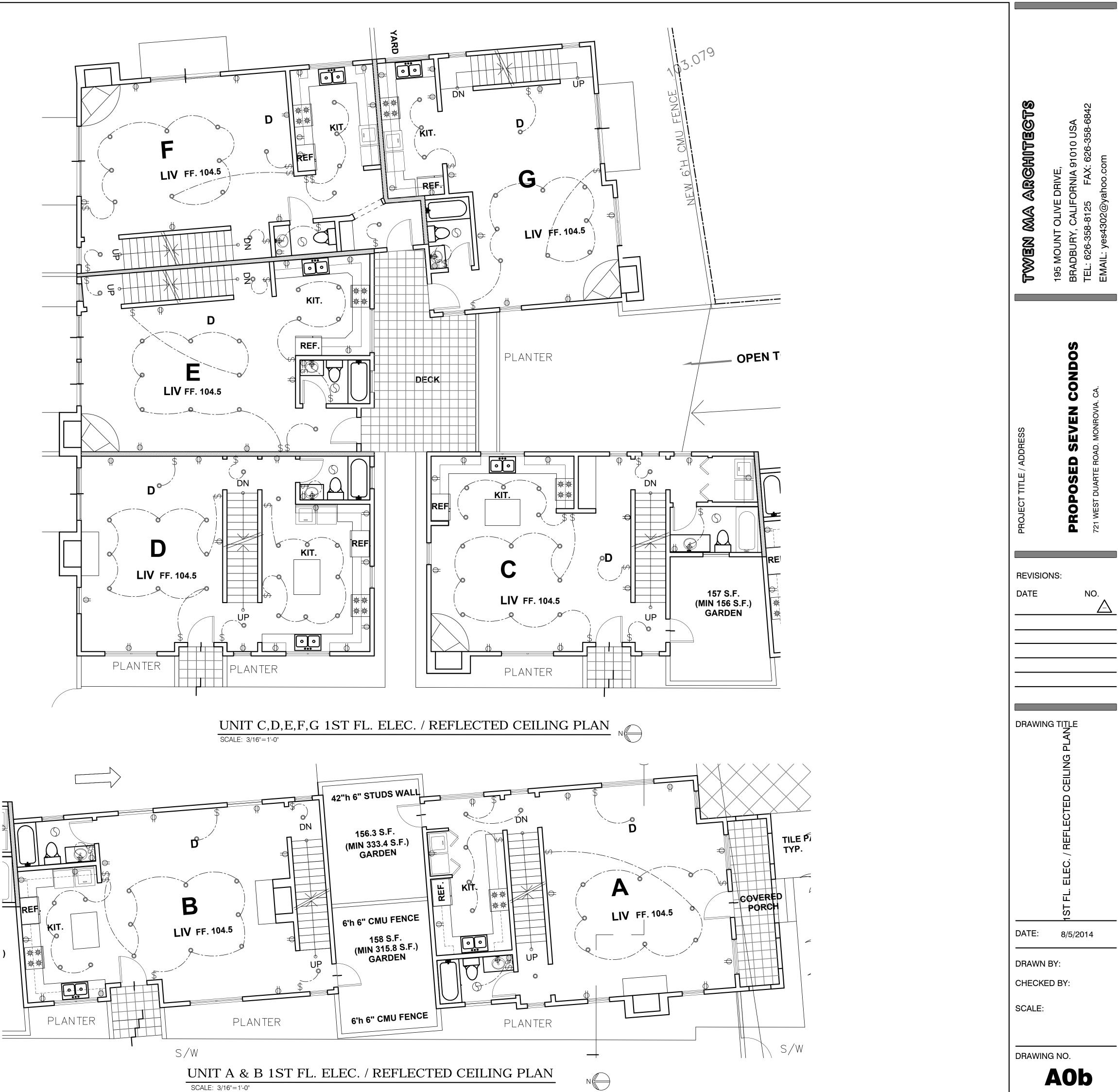
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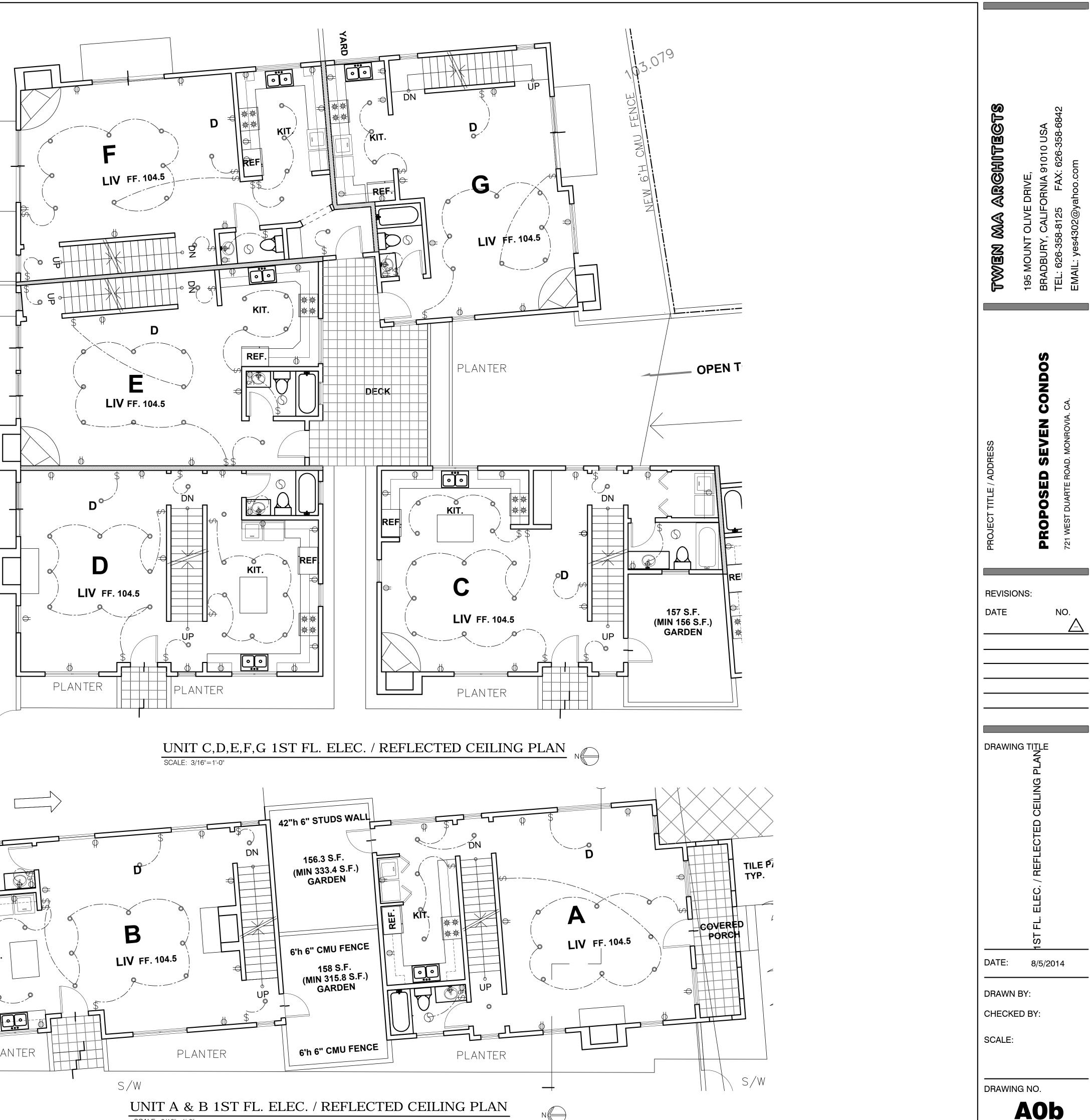
- <sup>+</sup> ① 110V DUPLEX CONVENIENCE OUTLET OVER CABINET
- 1/2 HOT OUTLET
- SINGLE POLE SWITCH
- (HEIGHT 36" ABOVE FLOOR)
- DIMMER SWITCH 3-WAY,SWITCH
- SMOKE DETECTOR, HARD WIRED W/ BATTERY BACKUP INTEE
- <sup>/</sup> BATTERY BACKUP, INTERCONNECTED
- CM CARBON MONOXIDE DETECTOR, INTERCONNECTED HARD-WIRED W/ BATTERY BACKUP
- riangle Telephone outlet
- THERMOSTAT (60" ABOVE FLOOR)

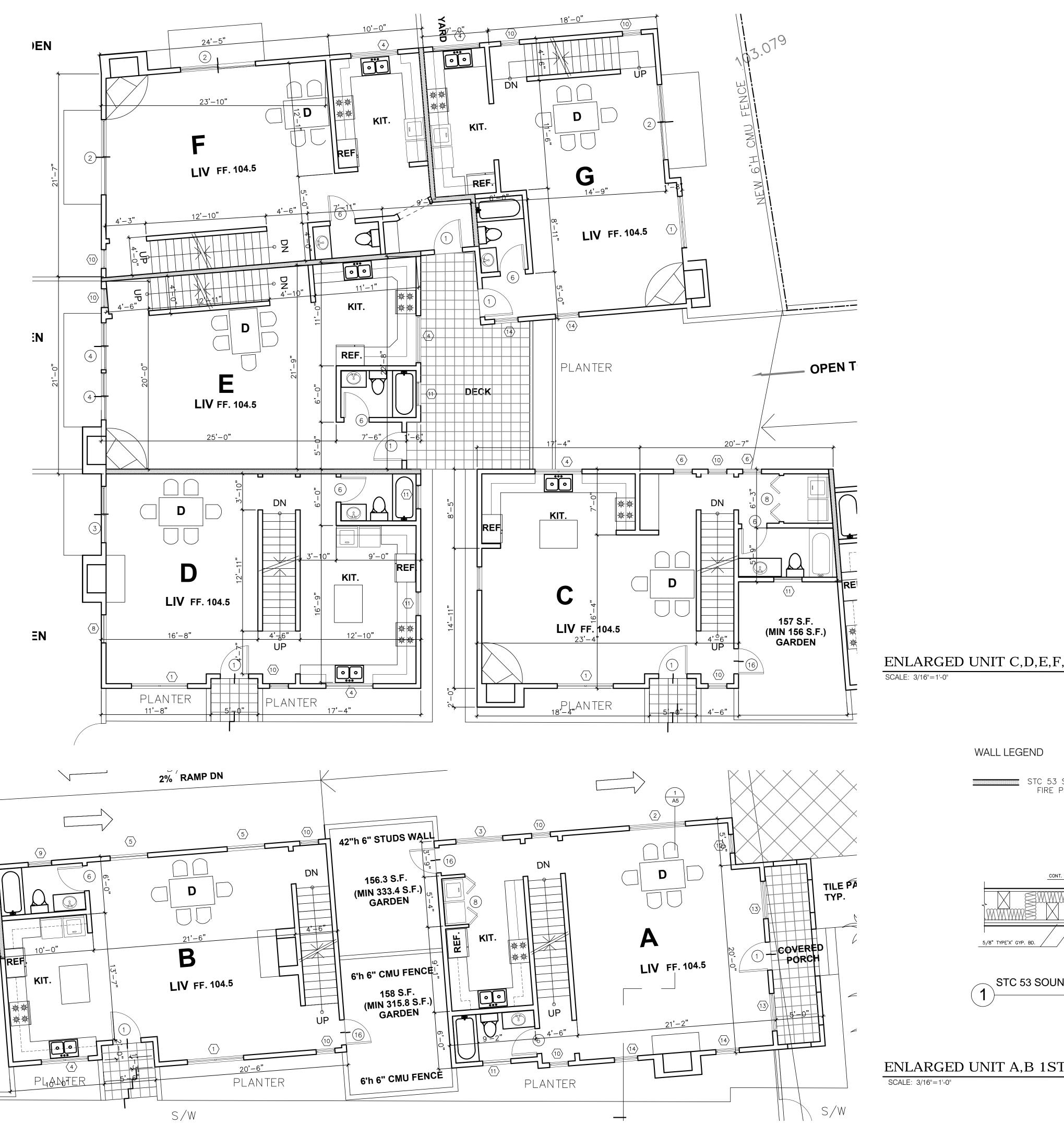
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FAN/LT

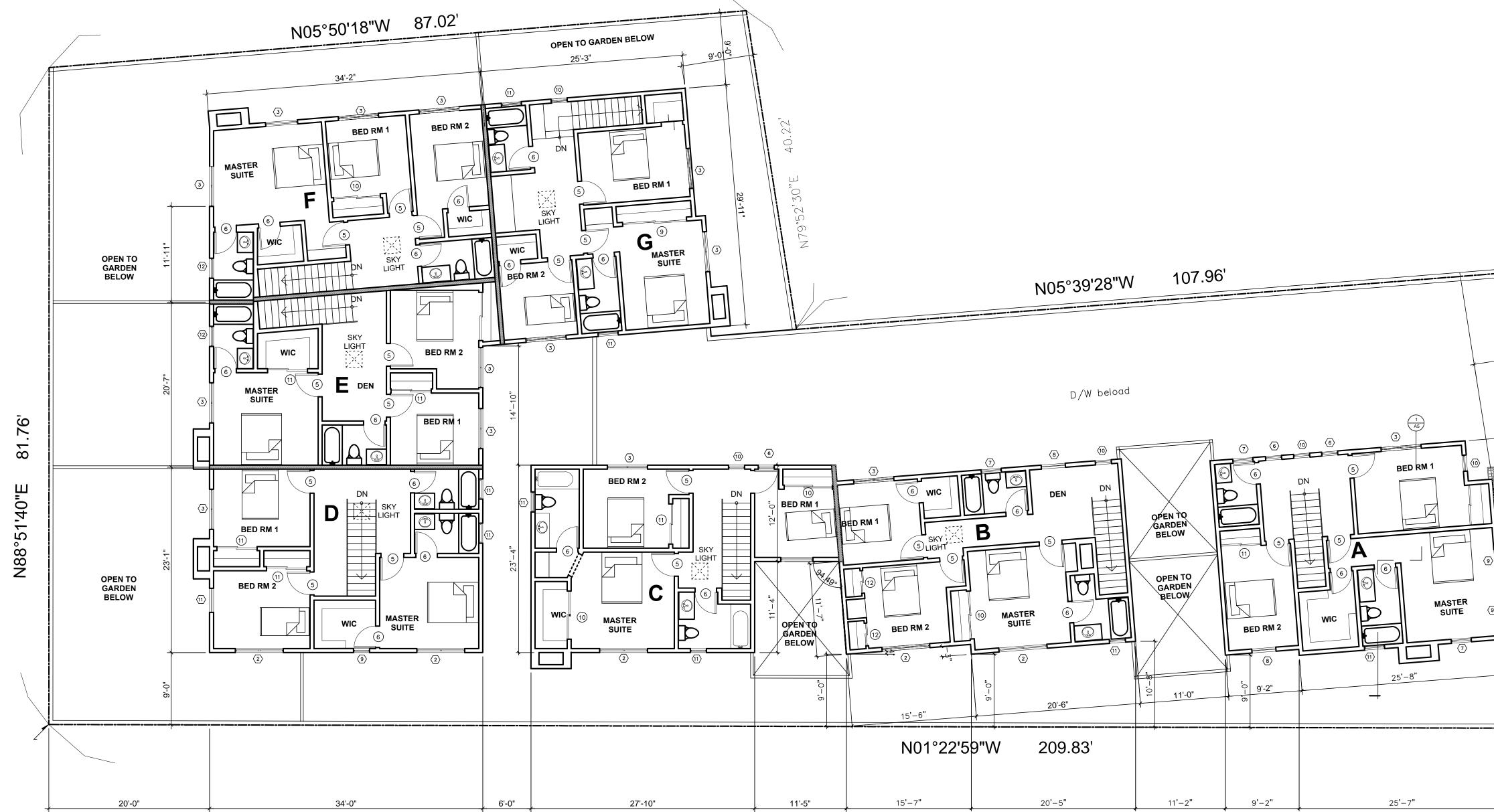
- POOL TABLE LIGHT
- (a) FLOOR RECEPTACLE
- SENSOR LIGHT W/ MOTION DETECTOR
- HOSE BIB W/ BACKFLOW PREVENTER
- WF WHOLE-BUILDING VENTILATION FAN PER ASHRAE 62.2-2007 FAN SIZE SEE MECHANICAL







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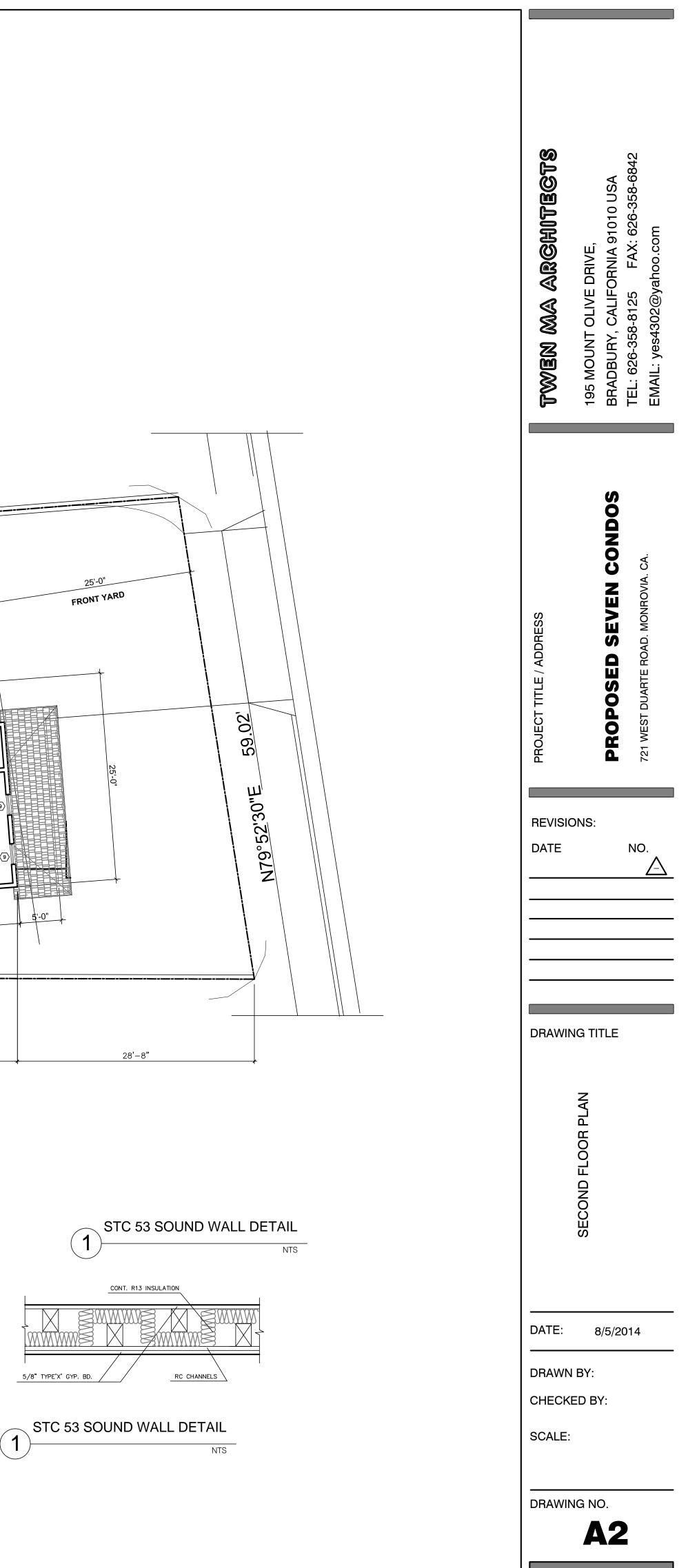
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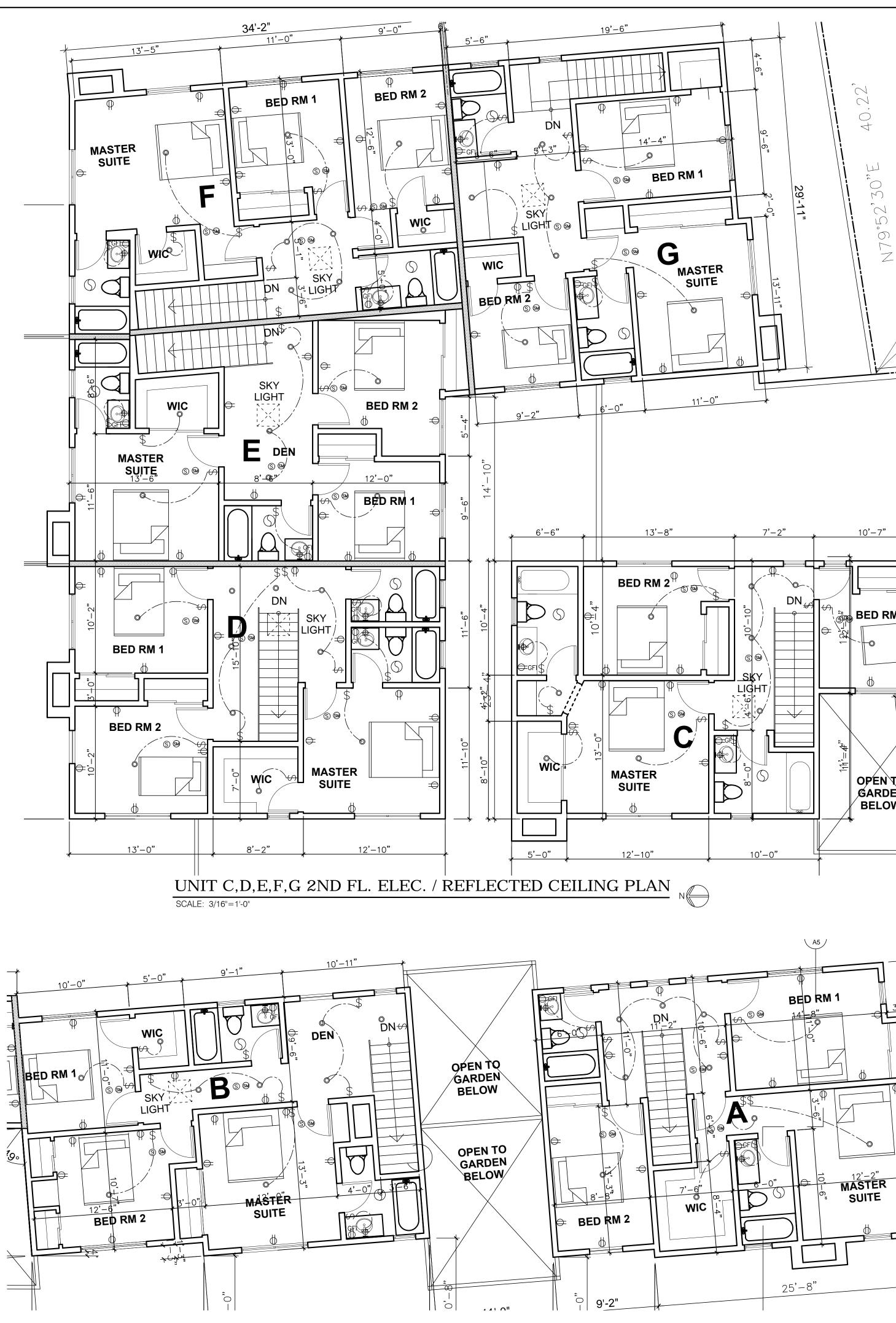
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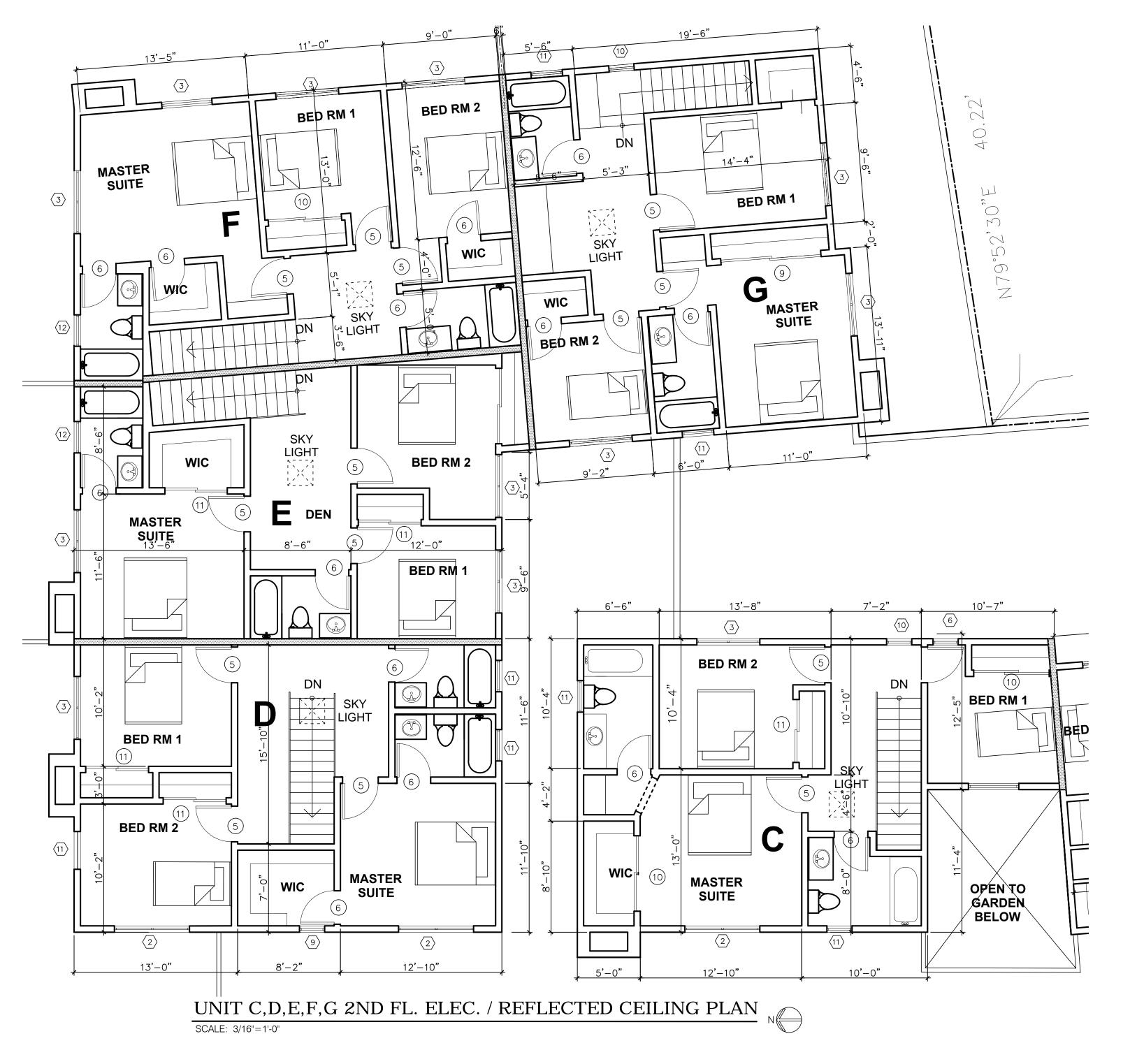


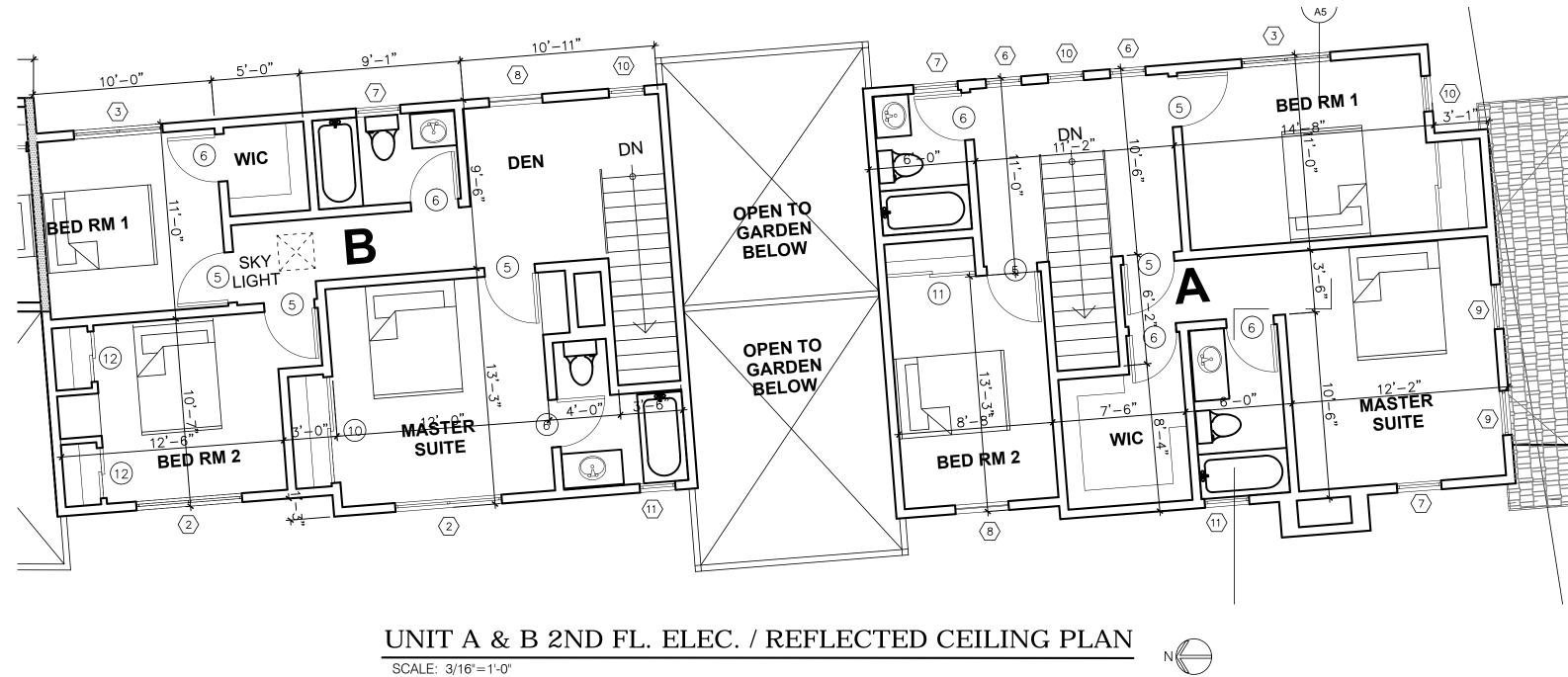
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	POOL TABLE LIGHT	
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UNIT A & B 2ND FL. ELEC. / REFLECTED CEILING PLAN

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