

## PLANNING COMMISSION STAFF REPORT

APPLICATION:	TTM73257/CUP2014-18	AGENDA ITEM:	PH-1
PREPARED BY:	lli Lobaco Associate Planner	MEETING DATE:	January 14, 2015
SUBJECT:	Tentative Tract Map No. TTM73257/Conditional Use Permit CUP2014-18 725 East Lemon Avenue		
REQUEST:	Construct a 4-unit, two-story, detached Planned Unit Development in the RM3500 (Residential Medium Density) Zone.		
APPLICANT:	Lanno Lemon LLC 18472 Colima road, Suite 222 Rowland Heights, CA 91748		

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

**BACKGROUND:** The applicant is requesting approval to construct a detached 4-unit, planned unit development (PUD). The subdivision of the property requires the approval of a tentative tract map and the construction of a planned unit development requires approval of a conditional use permit (CUP).

This item was advertised for the December 10, 2014, Planning Commission meeting but was continued to this meeting as per the request of the applicant. At the December meeting the public hearing for this agenda item was opened, public testimony was heard from four neighbors and then the Planning Commission continued the agenda item to this meeting. Attached are some letters of concern submitted from neighbors for your review.

**SUBJECT PROPERTY:** The property is located on the north side of East Lemon Avenue between Shamrock and Mountain Avenues. The lot measures 100' wide and approximately 140' deep for a lot area of 14,000 square feet and is developed with a 1,297 square foot single-family residence. The zoning for the parcel is RM3500 (Residential Medium) Density as is the zoning to the east and the west. To the north the zoning is RL (Residential Low) and across the street the zoning is PQP (Public Quasi Public). Of the 22 parcels on the north side of Lemon Avenue between Shamrock and Mountain Avenues, more than half (13) are developed with two units. Recreation Park in located across the street to the south.

## DISCUSSION/ANALYSIS:

### Site Plan

The development of four (4), two-story, detached units is proposed. The lot will be subdivided into five parcels, one parcel for each unit, with the fifth parcel consisting of the common area that will be managed by the homeowner's association. The two street facing units are setback 30' feet from the property line at Lemon Avenue (29'7" is the average

setback of the block). The other two units are to the rear and are accessed via a 12' paved driveway down the center of the property.

The units meet all zoning code requirements in relation to side yard setbacks, rear yard setbacks, separation requirements and recreation space. Side yard setbacks required for the units are a minimum 10% of the parcel width (or 8' minimum). This parcel is 100' wide so a minimum 10' side yard setback is required for the first and second stories. The proposed development meets or exceeds the minimum required separation between structures with at least 10' for the first floor and a minimum of 15' for the second floor. Some of the units exceed the 15' second story separation by providing from 18' to 34'10". The rear yard (north property line) setback requires a minimum 20' setback as is being proposed.

A decorative block wall or approved alternative is required as part of the conditions on Data Sheet 1 and shall be provided adjacent to the rear and side property lines but outside of the front setback area. There currently exists a combination of wall/fencing along all the property lines that include block, red brick and wood fencing. Planning Condition #4 requires the applicant to make a "good faith effort" to work with the adjacent property owners to prevent the installation of a double wall.

The site has several mature oak trees on the property. The proposed development will preserve the seven on-site oaks trees that vary from 6" to 24" diameter in size. The applicant provided a Protected Tree Survey Report addressing the protection of the trees. The site plan submitted shows the location and size of the oak trees.

### **Private Open Space**

The RM Zone requires that a minimum of 40% of the unit's size be provided in private recreational space of which 50% of that can be provided in common area. This development will be able to provide all the 40% required recreational space adjacent to each unit. For this development private recreational spaces are required to be between 503 to 631 square feet. This project provides between 506 square feet up to 1,673 square feet of recreational space.

### **Building Elevations/Floor Plan**

Four different floor plans are proposed that vary in size between 1,256 to 1,576 square feet. The maximum allowable living space allowed on the parcel is 40% of 14,000 or 5,600 square feet which is the square footage that is being proposed. Three of the units will have three bedrooms and three bathrooms while the fourth unit will have four bedrooms and three bathrooms. An attached two-car garage will be provided for each unit. Guest parking is not required for this project because there are only four units proposed. On-site guest parking is only required once six or more units are proposed.

The proposal is Spanish Colonial architecture with stucco finish, wood front door with arched design, arched casement windows, concrete tile roofing, wrought iron railing, decorative façade motif and decorative corner and porch columns on the front elevations.

### Conclusion

The development will result in the addition of four homes that will be an attractive addition to the neighborhood and community. The project meets all the development guidelines for this multi-family zoned property and will be improved with additional landscaping while preserving the seven oak trees located on the property.

**RECOMMENDATION:** Staff and the Development Review Committee recommend approval of the 4-unit Planned Unit Development. 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 TTM73257/CUP2014-18 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 TTM73257/CUP2014-18, which are incorporated herein by this reference.
- 4. The Planning Commission hereby recommends approval to the City Council of TTM73257/CUP2014-18, 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. 73257/Conditional Use Permit CUP2014-18 as presented in the Staff Report.

**DATA SHEET 1** 



TTM73257/CUP2014-18

725 East Lemon Avenue

Development of the subject property and operations on the site must remain in substantial conformance at all times with the request and application forms and plans for TTM73257/CUP2014-18, a four-unit PUD 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 and tract map.

### 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 and side 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 walls shall be installed before building construction begins.
- 3. All private recreation areas must be enclosed by 5' to 6' high wood fence or decorative block wall or approved alternative. All proposed fences shall be shown and indicated on the submitted site plan.
- 4. 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.
- 5. 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.
- 6. An area for storage of individual trashcans shall be provided on a paved surface and screened and shall be shown and indicated on the submitted site plan.
- 7. 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.

- 8. Placement and design of mailboxes shall be reviewed and approved by both the U.S. Postal Service and the Planning Division prior to installation.
- 9. No roof mounted mechanical equipment shall be permitted.
- 10. 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.
- 11. 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.
- 12. 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.
- 13. 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

- 14. The Applicant shall submit plans which show all on-site trees to remain (the "Tree Retention Plan"). The Tree Retention Plan shall be submitted simultaneously with the grading plan, and be drawn to the same scale as the grading plan. The Tree Retention Plan shall be prepared or reviewed by a licensed Landscape Architect or certified Arborist and recommendations of the licensed Landscape Architect or certified Arborist shall be incorporated into the Tree Retention Plan prior to submittal to the City. The Tree Retention Plan shall be subject to the review and approval of the Planning Division Manager. After reviewing the Tree Retention Plan, the Planning Division Manager may require site design alterations to accommodate trees that will be preserved. Recommendations in the approved Tree Retention Plan shall be incorporated into the Landscape and Irrigation Plan.
- 15. The Tree Retention Plan shall include all trees that are to remain on-site (the "Retained Trees"). The Tree Retention Plan shall incorporate any necessary measures needed to protect the Retained Trees during construction or post-construction periods. The Tree Retention Plan shall include at minimum the following:
  - a. <u>Tree protection fencing requirements</u>. Each Retained Tree shall have a protective fence installed, surrounding the base of the tree a distance determined by the Landscape Architect or certified Arborist, prior to the start of construction. Such fencing shall remain in place during construction. Grading operations within the drip line of the Retained Trees shall be minimized to prevent soil compaction around the trees and to protect them from damage.

- b. <u>Protection Measures</u>. Any protection measures needed for the protection and preservation of the Retained Trees and all trees on adjacent properties on or near common property lines of the subject site, including any City parkway trees, shall be included in the Tree Retention Plan.
- c. <u>Recommendations on anticipated pruning of trees</u>. Pruning shall be under the direction of a certified arborist if pruning occurs as part of the construction process.
- 16. 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 Tree Retention Plan and 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. 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.
- 17. 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

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

## CONSTRUCTION SITE REQUIREMENTS

- 20. 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.
- 21. 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

- 22. 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, and shall be recorded against each unit with the Los Angeles County Recorder's Office. 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.
  - f. Trash cans shall be stored in private yard areas.
- 23. 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.
- 24. 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.
- 25. 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. Conditional Use Permit CUP2014-18 and Tentative Map No. 73257 shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
- 26. The Final Map for the proposed subdivision shown on this Tentative Tract Map No. 73257 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 use or development to which the Conditional Use Permit applies must begin, within twenty-four months after the Tentative Map was conditionally approved, or TTM 73257 and CUP2014-18 will expire without further action by the City.

- 27. 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.
- 28. 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. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding.



# DATA SHEET 2

TTM 73257/CUP2014-18

725 E. Lemon Avenue

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-877 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 (TM 73257) 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 (TM 73257) 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. Site drainage discharge shall be subject to the requirements of the City of Monrovia Storm Water Management and Discharge Control Ordinance.
- 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.
- 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)
- 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.
- 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. Roof down spouts should be discharged to gravel or heavily vegetated areas whenever possible.

- 29. 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.
- 30. 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.
- 31. 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.
- 32. 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.
- 33. 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.
- 34. 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.
- 35. 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.





TTM73257/CUP2014-18

725 East Lemon Avenue

### **TENTATIVE TRACT MAP**

As required by Sections 66473.5 & 66474 of the California Government Code, the decision for approving Tentative Tract Map No. 73257 for a 4 unit PUD located at 725 East Lemon Avenue is based on the following findings:

- A. That the tentative tract map subdividing the existing 14,000 square feet of land area for the development of four detached units, together with the provisions for the subdivision's design and improvement, are consistent with the General Plan and satisfies the requirements of the Map Act and of the Municipal Code. This project will be consistent with the General Plan in that it meets the requirements of the current General Plan land use designation for the property. The RM3500 zoning allows for the development of four-units and the applicant is proposing four units that meet all the Zoning Code development guidelines. The increase in the intensity of the land use from its current use will not be significant, thus it is compatible with the objective policies, general land uses and the programs specified in the General Plan.
- B. That the site is physically suitable for this type of development, as the site is flat and can accommodate a 4-unit Planned Unit Development. This parcel is actually two parcels developed with one house. The parcel will allow for the development of four houses while still preserving the oak trees and requiring minimal grading. No variances are requested for the proposed improvements.
- C. That the site is physically suitable for the proposed density of development, specifically the 14,000 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 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 requirements.
- 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 public sidewalk incorporated into the design will continue to provide access to the public along that right-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 three more 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 No. CUP2014-18 for a 4-unit Planned Unit Development located at 725 East Lemon Avenue is based on the following findings:

- A. The project site is adequate in size, shape and topography for the development of 4 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 4-unit development with one ingress and egress access onto Lemon Avenue.
- C. The four-unit PUD will be compatible with the General Plan and will not adversely impact the objectives of the General Plan specifically the RM3500 designation allows a density of 4 units on this 14,000 square foot site.
- D. The 4-unit PUD will comply with the applicable provisions of the zoning ordinance. All development guidelines are being met.
- E. The proposed location of the 4-unit PUD 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 both single and multi-family residences.
- F. The proposed project will not result in the demolition of a residential structure built prior to January 1, 1940, with architectural or know historic value. The existing structure that will be demolished was constructed in 1940, and is thus not covered by the moratorium (Ordinance No. 2014-13U) that prohibits demolition of any main building constructed in a residential zone prior to January 1, 1940.

### PLANNED UNIT DEVELOPMENT

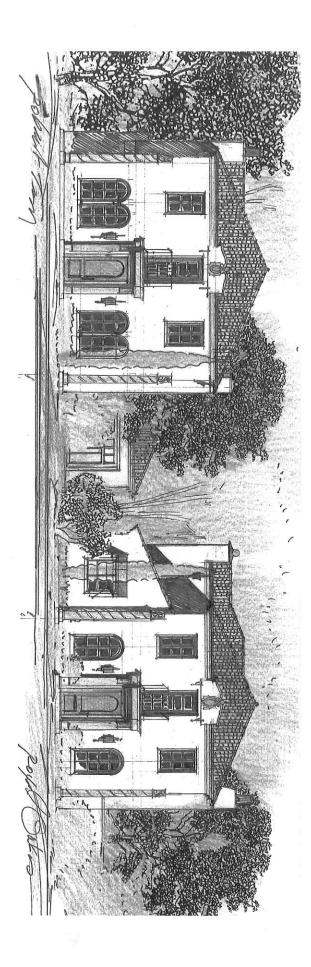
As required by Section 17.44.050 of the Monrovia Municipal Code, the approval of the 4unit PUD located at 725 East Lemon Avenue is based upon the following findings: A. The plan provides as well, or better, for light and air, for public safety and convenience, the protection of property values and the preservation of the general welfare of the community, than if developed in other permitted uses, because the design of the planned unit development has taken into consideration all of those concerns on a parcel that is regular in shape.

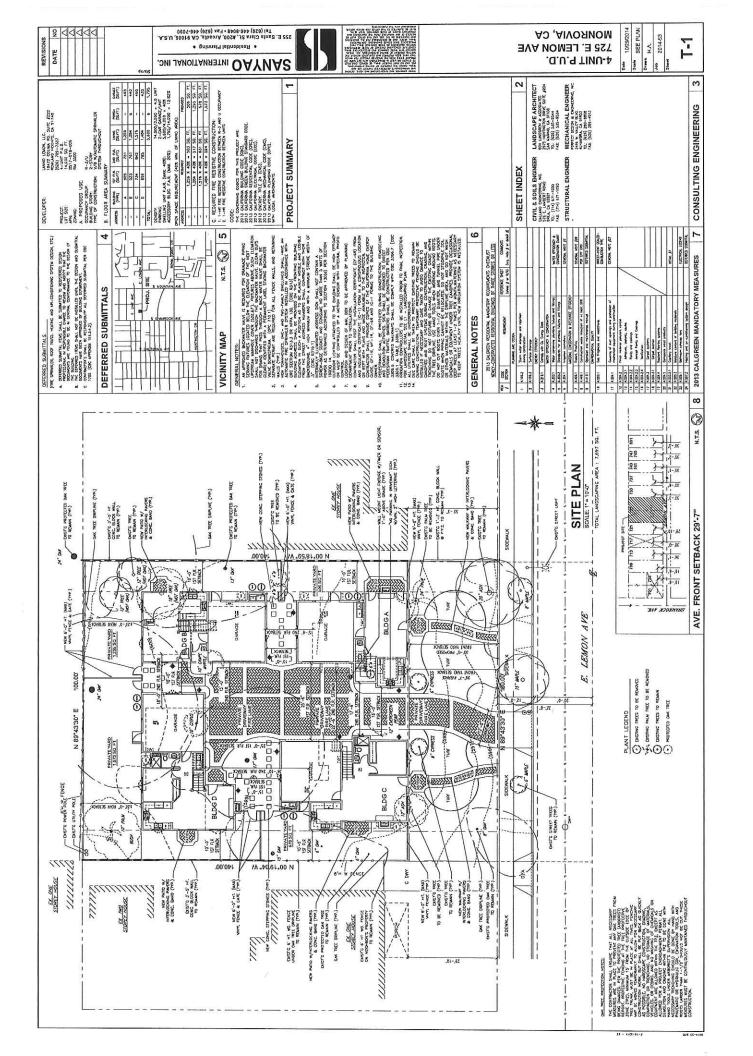


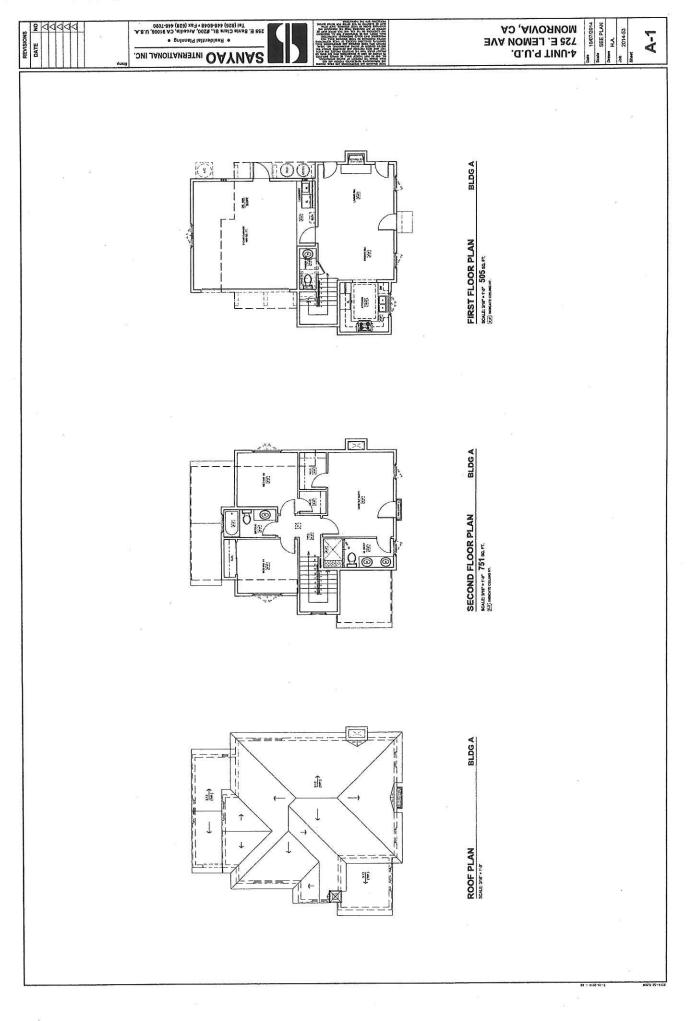
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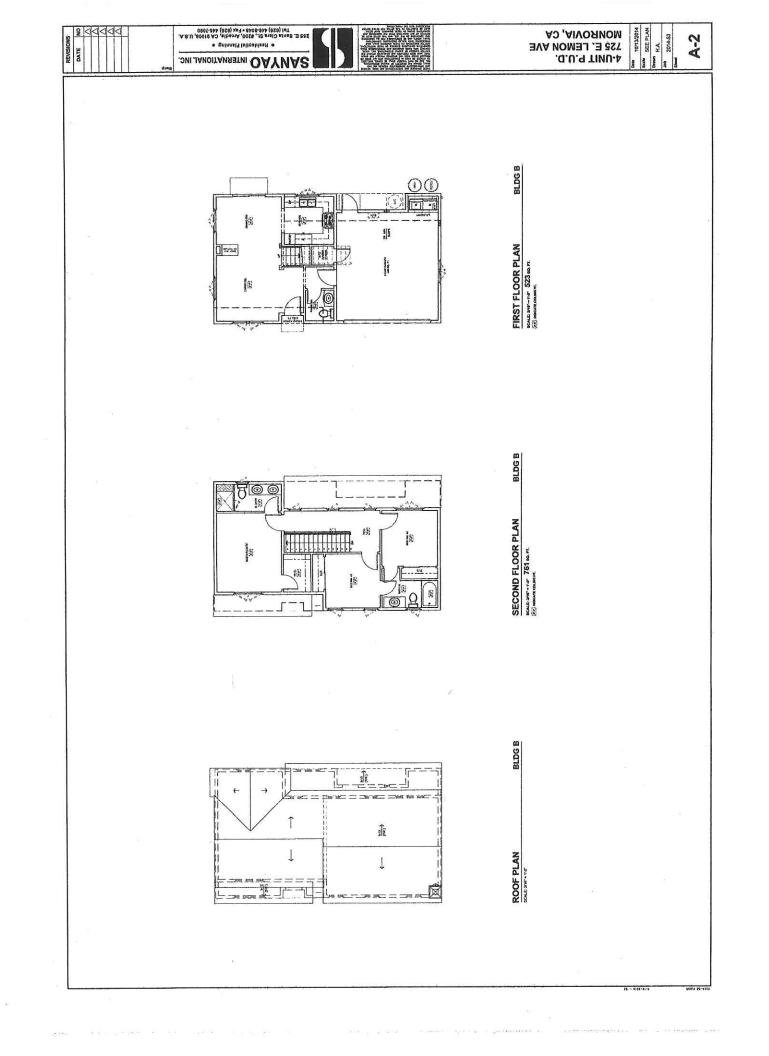
725 East Lemon Avenue

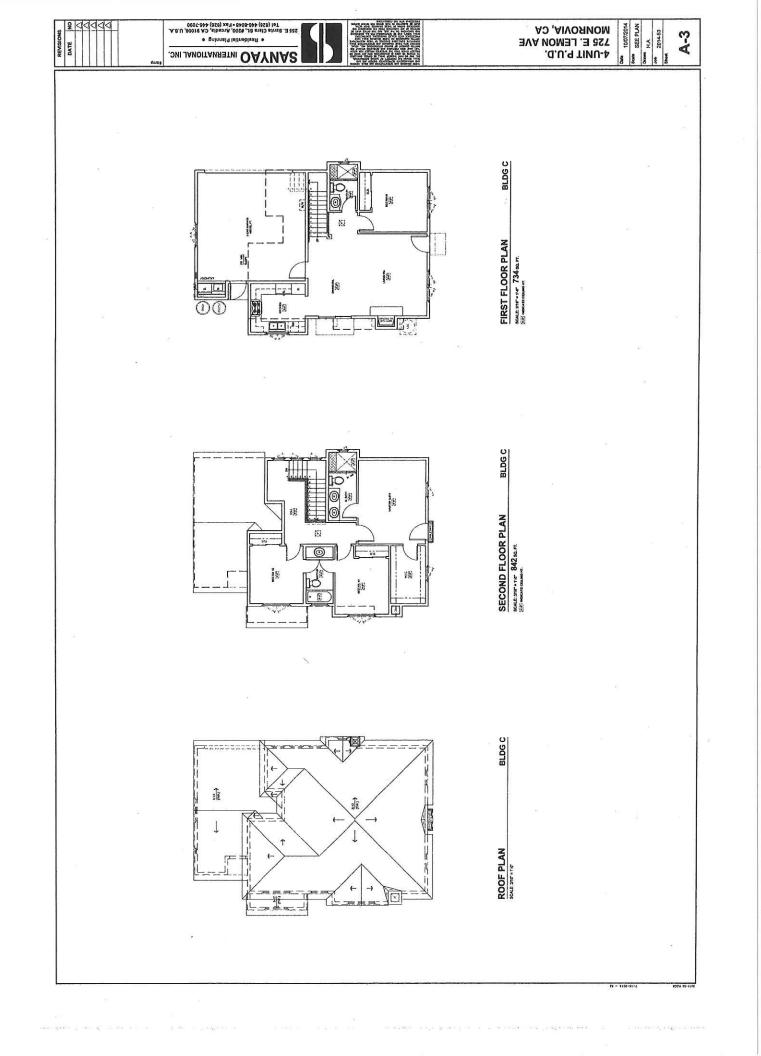
Property Description:	Located on the north side of East Lemon Avenue between Shamrock and Mountain Avenues. The lot measures 100' wide and approximately 140' deep for a lot area of 14,000 square feet and developed with a 1,297 square foot single-story home.		
Zoning			
Subject site:	RM3500 (Residential Medium 3500) Density		
Surrounding pattern:			
north:	RL (Residential Low) Density		
south:	PQP (Public Quasi Public)		
east:	RM3500 (Residential Medium 3500) Density		
west:	RM3500 (Residential Medium 3500) Density		
Land Use			
Subject site:	Single-family residence		
Surrounding pattern:			
north:	Single-family residences		
south:	Recreation Park		
east:	Single-family residence		
west:	Single-family residence		
Environmental Determination:	: Categorical Exemption Class 3		
Applicable Ordinance Regulat	tions: MMC 17.52.020 Planning Commission Authority for CUP		

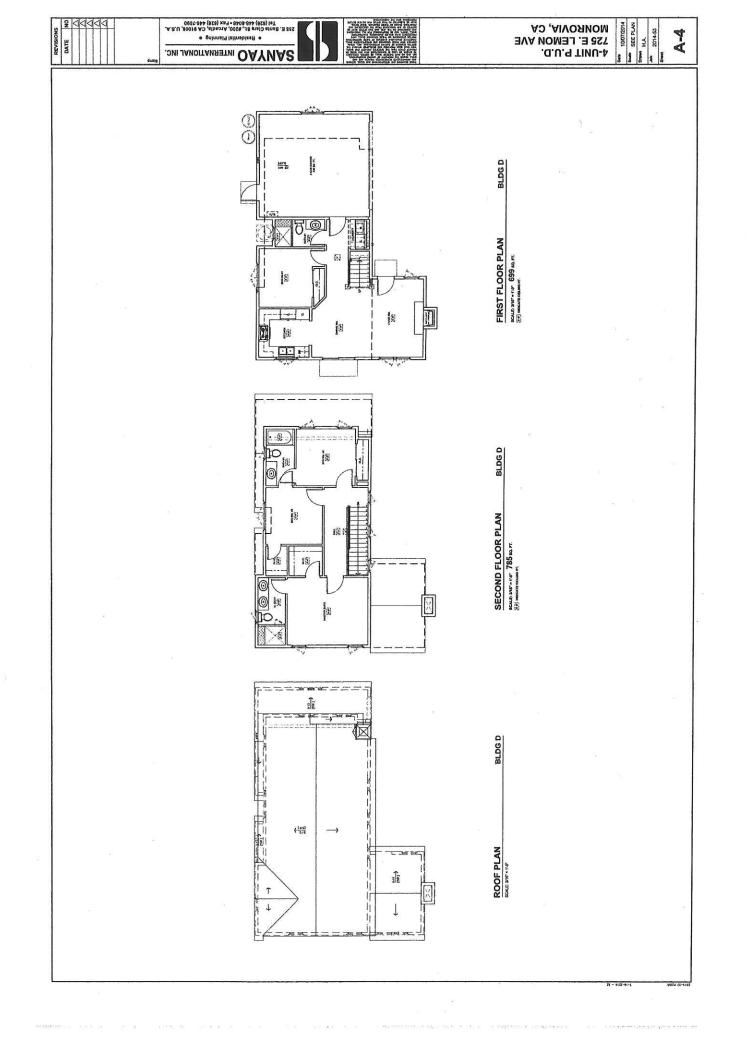


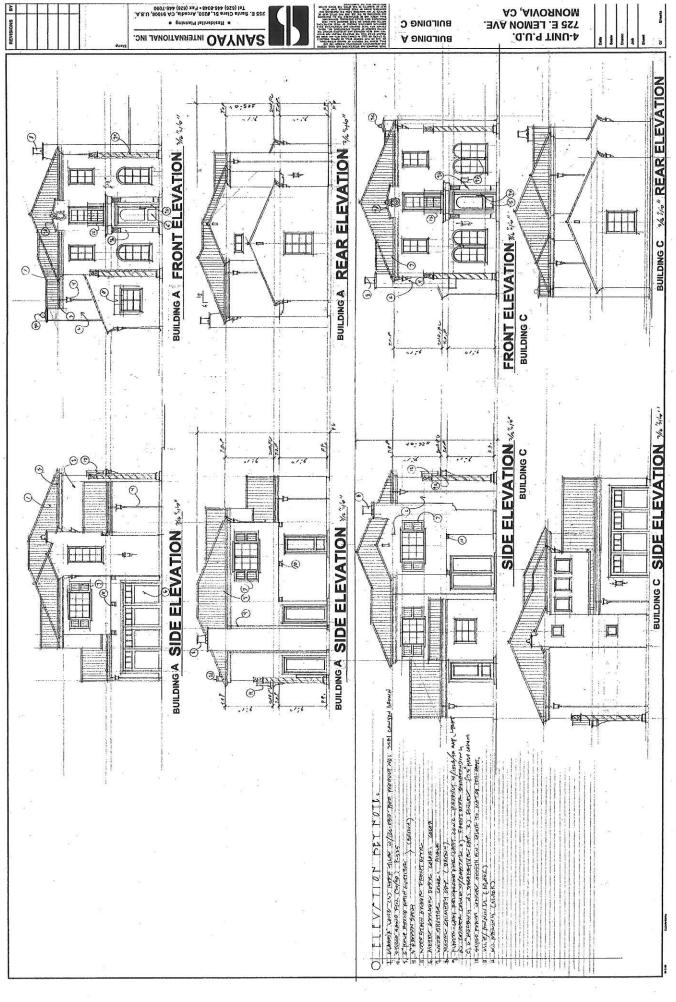




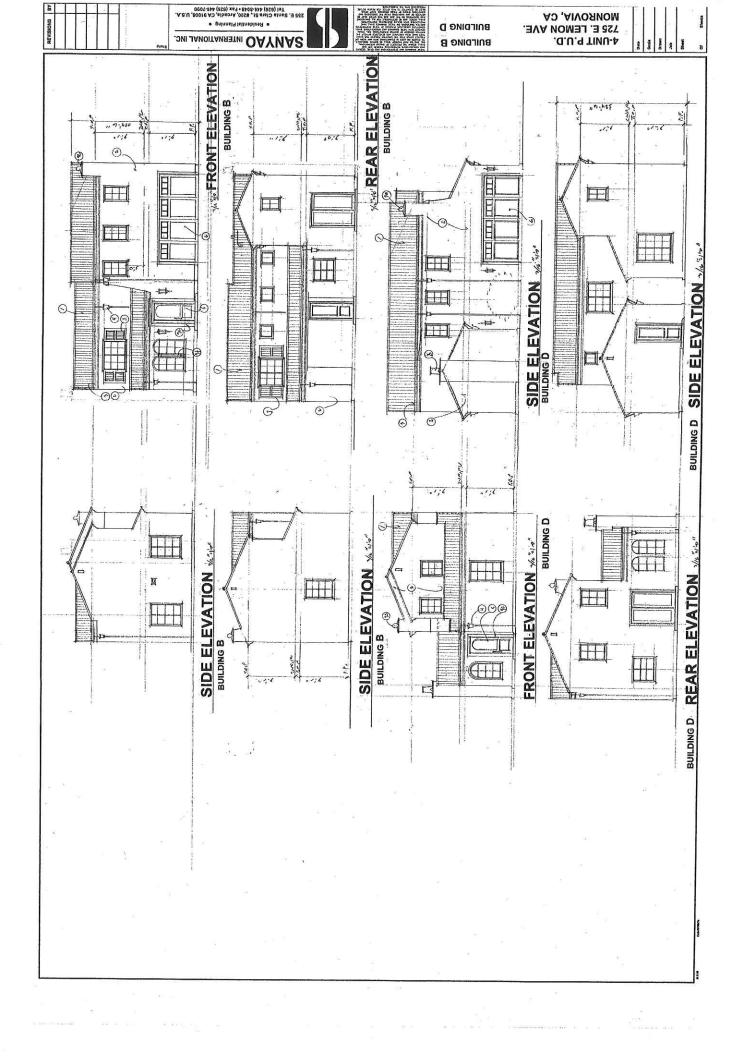








بهاأأثاثهم ومعروباتك



Joel and Karla De Leon 834 E. Lime Ave Monrovia, Ca 91016

Dear Monrovia City Council and Planning Commission,

We recently have been informed that a developer has purchased the property at **725 EAST LEMON AVE** and has plans to demolish a single-family home and replace it with a 4 unit 2 story PUD. We beg you to prevent this from happening!

We purchased our home in Monrovia in August 2012 and moved here from Alhambra. This kind of development has been happening in Alhambra now for years. Alhambra was once like Monrovia many years ago. Developers have taken away the uniqueness and desirability of the city. **Please don't allow this to become another Alhambra!** We considered many different cities in the nearby area and the reason we purchased in Monrovia was because we found it be much different. Cities that look and feel like Monrovia are basically nonexistent in the Los Angeles area. This is what motivates people to buy here and keeps values high. The landscape of Monrovia consist of mostly older single story, single family homes. This is what makes the city so desirable and unique to live in. By allowing the construction of the PUD on 725 East Lemon Ave, you are taking that away and making this city like any other nearby city. You also will be creating a precedence for developers.

The developer's motivation is only to make a profit and care's nothing about the city like the residents who make Monrovia their home. We feel confident that by not changing the landscape of the city, it will benefit the property owners with higher values, which will allow the city to collect more \$ in property tax revenue. Everybody wins!

Again, we beg you to please not allow this development to happen!

il De Zuen

Joel and Karla De Leon

Julio C. Rodriguez Monica S. Karbassioun

> 721 E Lime Avenue Monrovia, CA 91016

December 3, 2014

Monrovia City Council and Planning Commission Monrovia, CA

Dear Sir or Madam:

We are residents of East Lime Avenue in Monrovia. Although we cannot attend the Public Hearing at City Hall in person, we would like to express our strong disagreement with the plan to demolish the single-family home at 725 E. Lemon Avenue, which is to be replaced with a two-story multi-unit PUD structure. We believe this change would alter our neighborhood and affect it negatively in many ways and set precedence for other developers to build such housing structures within Monrovia single-family neighborhoods.

We live in a single-family, single-story home and so do the vast majority of our neighbors. Our Monrovia single-family neighborhood is beautiful, historic, and culturally significant with a small-town charm, which is quaint and unique in its essence.

We would like to keep this cultural, historic small-town essence of our neighborhood. Please disallow the development of a two-story multi-unit PUD housing structure at 725 E. Lemon Avenue to take place, as these changes would unquestionably alter our neighborhood in the most undesirable manner.

Sincerely,

Julio C. Rodriguez Monica S. Karbassioun Dear City Council and Planning Commission,

I've recently learned that a developer has plans to demolish a single-family home at **725 East Lemon Ave.** and replace it with a 4-unit two-story PUD structure.

I beg you to stop this from happening.

If you are not familiar with our neighborhood, it consists almost exclusively of single-story, single-family homes. It's neighborhoods like ours that make Monrovia quaint, classy and highly desirable to live in. This PUD structure and others like it threaten to take this away.

Which brings me to my next point. Who benefits from this? Our neighborhood certainly doesn't. This type of construction threatens to bring down property values, make parking more difficult, cheapen the look of our street and produce fear that this will happen again next time a home in our neighborhood goes up for sale. Have we not already learned this lesson from the other PUD developments in our City? PUD should be an example of what not to do, not a precedent on how to proceed.

Honestly, I'm shocked that the Design and Review Committee has recommended this for approval. With no disrespect, would the members of the DRC approve a PUD structure next to their homes? If we are honest with ourselves, we all know somewhere deep down that this development plan is bad for our neighborhood, bad for our City and just plain wrong.

It really comes down to this: Do you on the City Council and The Planning Commission value our wishes to keep our neighborhood's aesthetics quaint and charming or do you value this developer's desire to make a buck.

And here's one more thing to consider. We as a neighborhood have put a lot of love, work, and money into our homes to make our collective blocks as beautiful as they can be. When you weigh all sides of this debate, this should count for a lot, because it certainly will count for a lot in this developer's advertisements if he gets a chance to build his PUD development in our community. And does this not make this developer's plans parasitic to our efforts? This is a healthy, vibrant neighborhood that doesn't deserve to be tarnished this way.

I sincerely hope the City Council and Planning Commission does the right thing and stops this hit-and-run profit venturist and others like him from ruining this special and long-established neighborhood and others like it in our City.

Sincerely,

The Roth Family 714 East Lime Ave

Jan 2, 2015

**Dear City Council and Planning Commission,** 

This is in connection with the proposed PUD development of 4-unit two-story structure at 725 E Lemon Ave in Monrovia, Ca. The proposed construction will adversely affect us in the following ways:

- My wife and I live at 730 E Lime Ave. Our house will be greatly impacted since the proposed PUD will be due south of our house. The two-story PUD will block our view to the south, as we currently face a one-story house.
- A PUD development in this block will reduce the value of all the properties in this block, including our property, since there are no other PUD units nearby. This is of great concern to us.
- If there are windows on the 2<sup>nd</sup> floor looking north, residents of the PUD can see directly into our backyard. This is unacceptable.
- The PUD wants to put in a white plastic fence separating our backyards. We currently have a six foot wood gray fence. We do not like the white plastic fence and we would have to change our backyard décor to accommodate this change at our expense.
- The landscaping changes will affect our view from our backyard to the south. Some trees in the PUD are will be removed affecting our current view and privacy.
- The on-going construction and noise will affect us, as well as our having to remove any plants, trees or statues that we have along the back fence so that they can replace the fence.

In conclusion, The PUD development does not fit into our neighborhood, which is mostly single story, small to medium single family residences. This is what makes the neighborhood friendly, quiet, and charming. We are surprised that the Planning Commission has pre-approved the zoning for this neighborhood as PUD zoning?

Since there are already two houses on the proposed site, why doesn't the contractor just rehab those two houses and rent them out? This plan would avoid the cost of tearing down two houses and building a 4-unit PUD, as well as maintaining the character of this block.

#### Your truly,

#### **Edward Forys/Paula Andricos**

Edward forys/ Jack Ondrives.

Dear City Council and Planning Commission,

I will be attending the Public Hearing on December 10<sup>th</sup> to voice my displeasure regarding the possibility of a two-story four-unit PUD housing structure being erected at 725 East Lemon Avenue, after the demolition of a single family home on the property.

PLEASE consider the effect this development will have on the homes in our neighborhood. Monrovia has finally overcome its previous reputation of a second class city, to one of charming areas lovingly kept by its citizens. We love our quaint Old Town, the varied neighborhoods filled with homes immaculately kept, and the pride we have in our community.

Is it really in the best interest of the city to approve this development? Who truly benefits? Certainly not the homeowners! I believe the city will find that allowing these types of developments will turn it into a city of such expansions. Do we want Monrovia to turn into Arcadia? Arcadia, a previously striking city of single family dwellings, now the home to ugly Mega Mansions. Would any member of the council or commission approve this type of development next to their residence? Please consider the effect this will have on the neighbors of this development, who have worked so diligently to maintain their properties and neighborhood.

Prospective homeowners have started to flock to our beautiful Monrovia, please do not allow a development of this type to scare them away and lower the values of our homes.

Sincerely,

The Yslava Family (Owner) The Hirsch Family (Tenant) 842 East Lime Avenue Dear City Council and Planning Commission,

We own the house immediately behind the proposed 4-unit two-story PUD structures that a developer wants to erect at 725 East Lemon Avenue.

We are alarmed at this proposal and we have several valid concerns regarding the wisdom of approving this venture. We purchased our house over twenty years ago. We were charmed by the beauty and the history of our home as well as the surrounding neighborhood. We purposely chose a home in a neighborhood of mostly single-story, single-family homes. Our neighborhood consists of mostly pre-1940 homes that are cute, quaint and highly desirable. We have come to truly appreciate the privacy, the view and the quiet of our back yard as we're sure all of our neighbors have.

Now, our neighborhood is being threatened by the intrusion of a housing complex that is completely out-of-sorts with this neighborhood. Erecting the proposed structure will immediately destroy our view as well as our privacy and it will most likely be a source of considerable noise due to the fact there will ultimately be four families living in the structure.

Allowing a structure of this type does not resonate well with us as we are believers in the conservation and preservation of buildings whether they are commercial or residential. Monrovia has an outstanding reputation regarding preservation of older properties. This can be readily seen by taking a walk or drive through downtown Myrtle Avenue. We do not believe authorizing a structure such as the one proposed is in keeping with the spirit of conservation which has been so very well demonstrated over the years in this fine city of ours.

If the proposed structure was standing at the time we purchased our house we would not have made the purchase. We would have looked elsewhere. Many other communities do not seem to care about preservation of older properties and neighborhoods. I recommend that the City Council and Planning Commission ask the developer to look into erecting this structure in such a place rather than risk "bringing down the neighborhood" by erecting this monstrosity in such a beautiful and historic neighborhood. If you allow your consciences to prevail, you will know in your hearts and your minds that this is not a good idea and that it should not be approved.

Sincerely,

The Brady Family 726 East Lime Avenue