



PLANNING COMMISSION STAFF REPORT

APPLICATION: TM53891/CUP2002-09/
V2002-03 (Amendment)

AGENDA ITEM: PH-2

PREPARED BY: Barbara Lynch
Senior Planner

MEETING DATE: January 14, 2015

SUBJECT: Tract Map No. 53891/Conditional Use Permit CUP2002-09/Variance
V2002-03 (Amendment)
750-752 West Walnut Avenue

REQUEST: Eliminate Condition No. 9 from Data Sheet 1 "Planning Conditions" prohibiting a driveway gate for an 8-unit planned unit development that was constructed in 2003. This property is located in the RH (Residential High Density) Zone.

APPLICANT: Jeremy Tu Agent for Walnut Vista Homeowners Association
752 West Walnut Avenue #C
Monrovia, CA 91016

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 1)

BACKGROUND: The applicant is requesting that an original condition of approval prohibiting the installation of a driveway gate in the 8-unit Planned Unit Development (PUD) be eliminated so that a driveway gate can be installed. The PUD was approved in 2002. At that time, the prohibition of driveway gates was a standard condition of approval.

SUBJECT PROPERTY: The property is located on the south side of West Walnut Avenue between Monterey and Fifth Avenues. The property is a through lot and is 100 feet wide by 219'5" feet deep, with a total area of 21,340 square feet. The rear property line abuts Chestnut Avenue. The zoning on the property is Residential High Density (RH) as are other properties to the east and the west side of the street. To the south, across Chestnut Avenue, the properties are zoned Planned Development Area 3.

The neighborhood is a mixture of single-family, medium and high-density residential dwellings with several large condominiums and apartment buildings in the vicinity.

The eight detached two-story units run along the east and west side of the property and are served by a common driveway down the middle. Each unit has an attached two-car garage. The development has a total of 4 guest parking spaces; one located between each the unit.

DISCUSSION/ANALYSIS: The prohibition of driveway gates initially was put in place several decades ago, in response to a hillside subdivision with a private street. At that time the City Council was concerned that hillside development would become exclusionary if private streets were allowed to be gated. The policy eventually expanded to include multiple-residential projects. It was felt that driveway gates created more of a residential compound appearance losing its connectivity with a neighborhood. In most instances the prohibition of

driveway gates in multiple residential neighborhoods has helped with the integration of new multiple residential developments into established residential blocks.

Over time, the review of multifamily development stressed connection to the existing neighborhoods through building design. Units adjacent to the street are required to be oriented toward the street. Porches and front doors facing the street are now standard for new multifamily development; this addresses connection to neighborhood context better than prohibiting driveway gates, especially in light of the fact that this driveway gates are permitted by right for most other residential development.

The “no gate” policy has been enforced through the conditions of approval and is not a provision of the Monrovia Municipal Code. Based on concerns of property owners within multifamily developments, the standard condition has been modified. If gates are proposed at the time the entitlements are reviewed, it is part of the consideration of the application by the Planning Commission and, if applicable, the City Council. If gates are not initially proposed, the standard condition now requires that if and when gates are proposed, it is reviewed by the Development Review Committee with surrounding property owners receiving notification of the request. This eliminated the need to amend the conditions of approval, but still provide notification to surrounding property owners.

Amendment to Conditions of Approval

The Applicant represents the Homeowners Association of the 8-unit Planned Unit Development and is requesting that the prohibition of a driveway gate specified in Condition 9 on Data Sheet 1 be removed. Condition 9 states, “No driveway gates shall be allowed.”

The request is based on continued trespassing by nonresidents using the common driveway on the subject property as a shortcut between Walnut Avenue and Chestnut Avenue. The properties on the south side of Walnut Avenue on this residential block back up to Chestnut Avenue. These double frontage properties are unique because they back up to a street and not another lot.

If the Planning Commission decides the condition is not needed, then Staff proposes that Condition 9 be amended to read:

“If a gate is installed across the driveway, it shall meet all requirements of the Monrovia Municipal Code. The driveway gate shall be consistent with the existing development design. The gate shall also be setback from the front property line to allow a vehicle to wait in the driveway for the gate to open. A Knox keyed switch shall be installed providing Fire Department emergency access to the property. A means of access by visitors to the onsite guest parking spaces shall also be provided and shall be approved in advance by the Planning Division Manager. Prior to installation of the driveway gate, Applicant shall submit a site plan depicting the location and design of the driveway gate to the Planning Division Manager for review and approval prior to building permit issuance.”

Based on the both the circumstances of this property (through lot) as well as conditions of approval applied to recently approved multifamily developments, this request is both reasonable and consistent with recent approvals. The addition of driveway gates does will

not negatively impact the neighborhood and will provide the residents with a means to deter trespassing over the property.

RECOMMENDATION: The Development Review Committee and Staff recommend approval of the project. 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 the amendment to the conditions of approval for Tract Map No. 53891/Conditional Use Permit CUP2002-09/Variance V2002-03 is categorically exempt from CEQA under Class 1.
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 this amendment to Condition 9 on Data Sheet 1 for Tract Map No. 53891/Conditional Use Permit CUP2002-09/Variance V2002-03, which are incorporated herein by this reference.
4. The Planning Commission approves the amendment to Condition 9 on Data Sheet 1 for Tract Map No. 53891/Conditional Use Permit CUP2002-09/Variance V2002-03 as presented in the Staff Report.

MOTION:

Close the public hearing and adopt the Resolution amending the conditions of approval of Tract Map No. 53891/Conditional Use Permit CUP2002-03/Variance V2002-03 as presented in the Staff Report.



DATA SHEET 3

Findings

Tract No. 53891/CUP2002-09/V2002-03
(Amendment)

746-752 West Walnut Avenue

CONDITIONAL USE PERMIT (Amendment)

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting an amendment to the conditions of approval for Conditional Use Permit No. CUP2002-09 to allow a driveway gate for a Planned Unit Development at 746-752 West Walnut Avenue is based on the following findings:

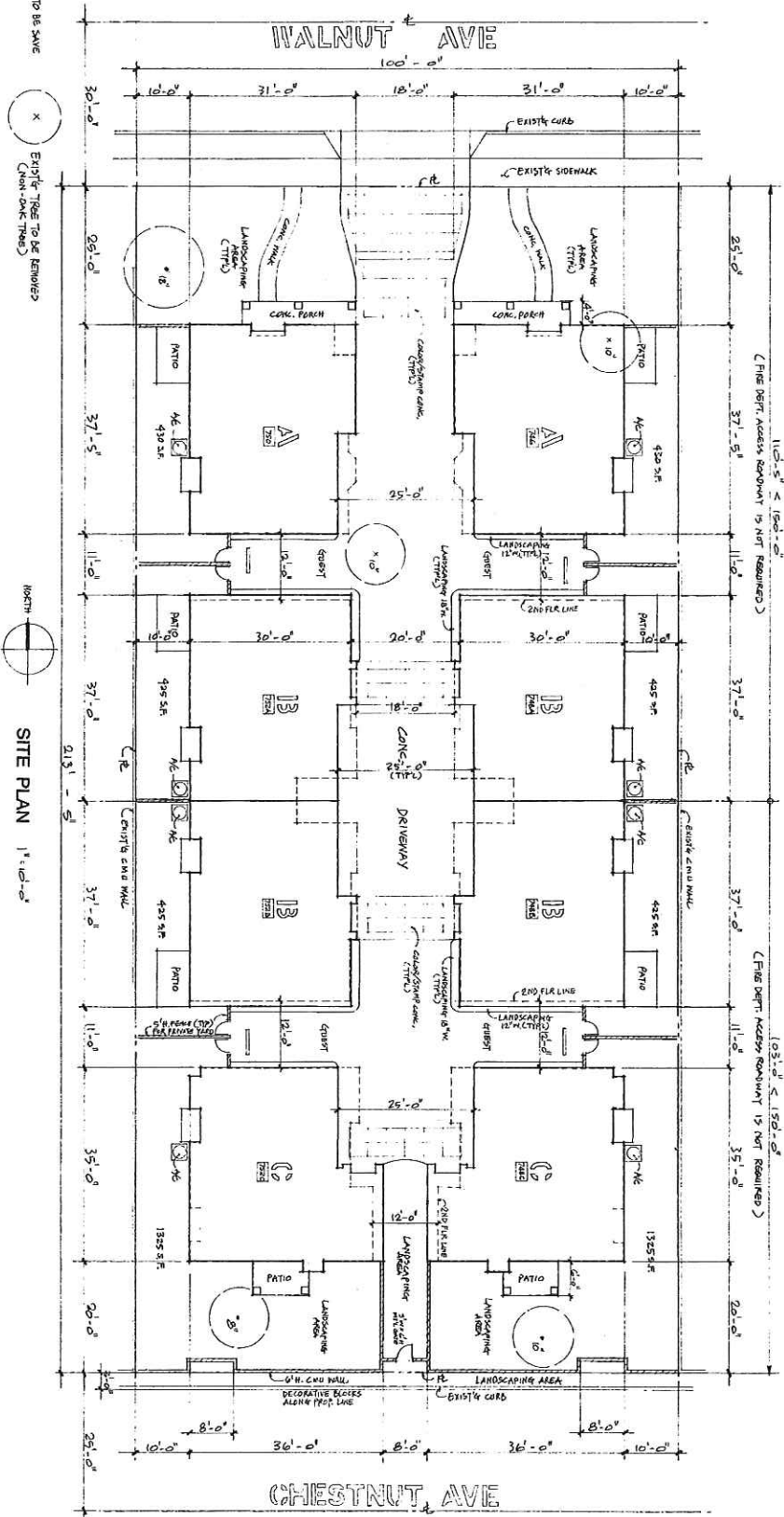
- A. The project site is adequate in size, shape and topography for the existing 8-unit Planned Unit Development. The property is a conforming lot and is adequate to accommodate a driveway gate that complies with the requirements set forth in amended Condition No. 9.
- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the existing development. The amendment to the conditional use permit does not permit the development of additional residential units or habitable space and will not generate additional traffic.
- C. The existing development is compatible with the General Plan and does not adversely impact the objectives of the General Plan. The amendment to the conditional use permit will not result in additional development of the property. The allowance of the installation of a driveway gate is consistent with the development standards for this zoning district and does not have any impact on the objectives of the General Plan.
- D. The amendment to the conditional use permit to allow a driveway gate to be installed will comply with all applicable provisions of the zoning ordinance. Driveway gates are not prohibited by the Zoning ordinance.
- E. The location of existing residential development and potential locations for a driveway gate 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 any proposed gate must meet the requirements of the zoning ordinance and safety requirements imposed by the Fire Department and the Building Division, as well as the conditions of approval.

SUMMARY

Project: New 8 - Unit PUD
 Address: 765-752 Walnut Ave., Menlo Park, CA
 Zoning: RM
 Lot Area: 100' x 213'-4" = 21,340 s.f.
 Unit Mix:
 Type Number Bedrooms Dbl. Area Private Rec.
 A 2 2 3 410 s.f. 420 s.f.
 B 0 0 3 420 s.f. 420 s.f.
 C 2 2 3 430 s.f. 430 s.f.
 Total 8 Total 1420 s.f. 2510 s.f.

Designing Group K&J/LU
 Construction Type V-2A w/ Fire Sprinkler System

| EXISTING FRONT SETBACK | ADDRESS NO. | SECTORS |
|------------------------|-------------|---------|
| 764 | 27 | |
| 766 | 15 | |
| 768 | 32 | |
| 770 | 20 | |
| 772 | 31 | |
| 774 | 15 | |
| 776 | 34 | |
| 778 | 34 | |
| 780 | 15 | |
| 782 | 34 | |
| 784 | 15 | |
| 786 | 34 | |
| 788 | 15 | |
| 790 | 34 | |
| 792 | 15 | |
| 794 | 34 | |
| 796 | 15 | |
| 798 | 34 | |
| 800 | 15 | |
| 802 | 34 | |
| 804 | 15 | |
| 806 | 34 | |
| 808 | 15 | |
| 810 | 34 | |
| 812 | 15 | |
| 814 | 34 | |
| 816 | 15 | |
| 818 | 34 | |
| 820 | 15 | |
| 822 | 34 | |
| 824 | 15 | |
| 826 | 34 | |
| 828 | 15 | |
| 830 | 34 | |
| 832 | 15 | |
| 834 | 34 | |
| 836 | 15 | |
| 838 | 34 | |
| 840 | 15 | |
| 842 | 34 | |
| 844 | 15 | |
| 846 | 34 | |
| 848 | 15 | |
| 850 | 34 | |
| 852 | 15 | |
| 854 | 34 | |
| 856 | 15 | |
| 858 | 34 | |
| 860 | 15 | |
| 862 | 34 | |
| 864 | 15 | |
| 866 | 34 | |
| 868 | 15 | |
| 870 | 34 | |
| 872 | 15 | |
| 874 | 34 | |
| 876 | 15 | |
| 878 | 34 | |
| 880 | 15 | |
| 882 | 34 | |
| 884 | 15 | |
| 886 | 34 | |
| 888 | 15 | |
| 890 | 34 | |
| 892 | 15 | |
| 894 | 34 | |
| 896 | 15 | |
| 898 | 34 | |
| 900 | 15 | |



SITE PLAN 1" = 10'-0"

| | |
|---------|-------------|
| Date | 5/4/92 |
| Scale | 1" = 10'-0" |
| Drawn | |
| Checked | |
| By | |
| Of | |