



PLANNING COMMISSION STAFF REPORT

APPLICATION: CUP2017-02

AGENDA ITEM: PH-1

PREPARED BY: Jose Barriga
Assistant Planner

MEETING DATE: February 15, 2017

SUBJECT: Conditional Use Permit CUP2017-02
236 West Cypress Avenue

REQUEST: Construct a new, detached 1,850 square foot, two-story unit with an attached two-car garage, behind an existing single-story home. This property is located in RM 3500 (Residential Medium Density) zone.

APPLICANT: Si Huynh
236 West Cypress Avenue
Monrovia, CA 91016

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 3)

BACKGROUND: The applicant is requesting approval to construct a new, detached 1,850 square foot, two-story residential unit with an attached two-car garage, behind an existing single-story home. The proposed development requires a Conditional Use Permit in accordance with Monrovia Municipal Code (MMC) Section 17.12.030(B)(1)(a) for the construction of a two-story residential unit behind the main dwelling.

In February 2016, the Development Review Committee approved a minor exception for the existing unit, which allowed a 248 square foot rear addition to be constructed within an existing 4'-0" nonconforming side yard setback. The scope of work also included a remodel and reduction of living area on the west (side) elevation for the purpose of providing a 12'-0" wide driveway, which is minimum driveway width required for multi-family developments.

SUBJECT PROPERTY: The property is located on the south side of West Cypress Avenue between South Magnolia Avenue and South Primrose Avenue. The lot measures 50' wide and 193' deep for a total lot area of 9,650 square feet. The property is developed with a single-story residential unit, built in 1950, with an attached two-car garage. The immediate neighborhood is developed with both single-family and multi-family dwellings. The zoning for the parcel is RM3500 (Residential Medium Density), as is the zoning to the north, south, and west.

DISCUSSION/ANALYSIS: The 9,650 square foot parcel is permitted for a maximum density of two units in accordance with the RM3500 zoning development standards.

Site Plan

The lot is currently developed with a 1,197 square foot single-story dwelling with an attached two-car garage. The existing front unit is oriented toward west Cypress Avenue and a 12' driveway is located on the west side of the residence. The development of two-story detached unit is proposed behind the existing unit.

The unit meets or exceeds all Zoning Code requirements in relation to front, rear, and side yard setbacks, and building separation requirements. Side yard setbacks required for the rear unit is a minimum 10% of the parcel width for the first floor and a minimum of 8' for the second floor. This parcel is 50' wide, so a minimum 5' side yard setback is required for the first story. The proposed development meets the side yard setbacks for the first and second floors. A 12' wide driveway for vehicular access, as required by the Zoning Code, is located along the west property line that opens up into the required 25' of unobstructed back-up space for each unit's two-car garage. A 20' rear yard setback is being proposed at the south property line, as required by the Monrovia Municipal Code. The minimum required separation between structures is at least 10' for the first floor and a minimum of 15' for the second floor. The site plan proposes approximately 43'-8" of building separation on the first and second floors between the residential units that will exceed the minimum required for both floors. The following table further summarizes and illustrates compliance with Monrovia's Zoning Code requirements.

Development Standard	Requirement	Provided
FAR	40%	29.6%
Front Yard Setback	25'	24' 6" (Existing Unit)
1 st Story Side Yard Setback	5'	5'
2 nd Story Side Yard Setback	8'	8'
Rear Yard Setback	20'	20'
Building Separation	10'	43' 8"
Private Recreation Area	740 sq. ft.	1,000 sq. ft.

In accordance with Monrovia Municipal Code Section 17.24.030, a two-car garage is required for each unit in a multi-family residential development consisting of five or fewer units. Each unit, both the existing and proposed, will have a two-car garage. Guest parking is not required due to the project having less than six or more dwelling units.

As stated in the conditions of approval, the applicant will be required to install a decorative block wall adjacent to the rear and side property lines, but outside the front yard setback area. The decorative block wall along the west property will not extend past the rear of the front unit, as extending the block wall beyond this point would impact the driveway widths of the subject property and property to the west. Lastly, a landscape and irrigation plan will be required to upgrade the landscaping on-site and will be compliant with the State Model Water Efficient Landscape Ordinance by the installation of low water use plants that will improve the site. A landscape planter will be installed along the west side of the driveway to soften its appearance.

Floor Plans/Building Elevations

The existing front unit provides three bedrooms and two bathrooms. The proposed rear unit will have four bedrooms and three bathrooms. The proposed first floor plan consists of an attached two-car garage, an open dining/living room and kitchen area, a bedroom, and one

bathroom. The proposed second story floor plan consists of three bedrooms, including a master suite with a walk-in closet and private bathroom, a bathroom, and a closet for laundry facilities. The maximum allowable living space permitted on the parcel is 3,860 square feet (40% of the total lot size of 9,650). The project proposes a total of 2,860 square feet of living area, which includes both front and rear units.

As part of the review of this project, staff applied components of the Neighborhood Compatibility Review process that included an assessment of building heights, site design features, and common architectural styles of the neighborhood in comparison to the proposed development to ensure that the new dwelling fits the context of the existing development. The 200 block of West Cypress Avenue is developed with a variety of one and two-story residential multi-family units both attached and detached. The development on this block is also relatively mixed in terms of architectural style. In an effort to achieve a compatible design, the applicant proposes to use some of the existing architectural features found on the existing unit and within the neighborhood.

The existing single-family home is a simple example of a minimal traditional home built in 1950. The front façade of the home was originally clad in a mixture of vertical and horizontal siding with a stucco base. The home provided minimal details with the use of window shutters and small roof eaves. During the remodel of the front unit, the siding and wood shutters were removed from the front façade. This front unit has not yet been signed-off, and the property owner will be adding some of these design details back on the unit.

The rear unit will be wrapped in horizontal Hardie Board siding to match the existing front unit. The front porch will provide ornamental columns and wood vertical rails. The front façade and all second story windows will have window shutters that complement the shutters on the front unit. The proposed unit's windows will be vinyl dual pane sliders to match the front unit.

The proposed two-story home has also been sensitively designed to minimize privacy and view shed impacts on the neighboring properties. The second story windows on the west elevation were placed so as to limit the view into the adjacent private yard space within the property to the west. To reduce privacy impacts to the single-family dwelling adjacent to the east, window sizes have been reduced and placed at a higher sill height.

Private Open Space

The RM zone requires that a minimum of 40% of each unit's size be provided in recreational space, up to half of which can be provided in a common area. Both the existing and proposed units provide more than 40% of private recreational space. The front unit's private recreation area will be provided in two separate areas that total 836 square feet, which is approximately 69% of the unit's floor area. The rear unit's private recreation area will be provided within the rear yard setback area and totals 1,000 square feet, which is approximately 54% of the unit's floor area.

Development Review Committee Advisory Review

As part of the Advisory Review by the Development Review Committee (DRC) meeting, Staff sent out a courtesy notice to property owners within 300 feet of the subject property. The courtesy notice was provided to further encourage and allow for any public input regarding the project prior to any public hearings. At the DRC meeting held on January 18, 2017, one neighbor attended and expressed concerns regarding the two-story unit. The main concern

was the impact of privacy and loss of existing mature trees in the rear yard of the subject property. The DRC recommended that the applicant maintain the existing mature trees in the proposed private recreation area for the front unit to reduce impacts to the neighboring property to the east. The neighbor agreed that either maintaining or planting new trees would limit the impact of the neighboring structure. Staff expressed these concerns to the property owner, who is now proposing to maintain the existing mature avocado trees in this area.

Conclusion

The proposed development will result in a new home that will be an attractive addition to the neighborhood and community. There are several multi-family structures within this block of West Cypress Avenue, several of which are two-story structures. The properties to the north are developed with seven unit two-story Planned Unit Development and single-story single-family dwellings. To the west, the properties are developed with a single-story duplex and two-story eight unit apartment building. The new unit will incorporate various quality building materials. The project meets all the development guidelines for this multi-family zoned property, and the proposed development is fitting with the character of the neighborhood.

RECOMMENDATION: Staff and the Development Review Committee recommend approval of CUP2017-02 for a new, detached 1,850 square foot, two-story unit with attached two-car garage, behind an existing single-story residential unit. If the Planning Commission concurs with this recommendation then, following the public hearing, the appropriate actions would be:

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 CUP2017-02 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 CUP2017-02, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2017-02, 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 approve CUP2017-02 pursuant to the recommendations in the Staff Report.



STANDARD CONDITIONS FOR MULTIPLE RESIDENTIAL DEVELOPMENT

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, CUP2017-02, for a duplex with an existing single-story front unit and new two-story rear unit submitted by the applicant, as approved by the Planning Commission and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the Planning Commission and by subsequent modifications determined by the Planning Division Manager to be in substantial compliance with the conditions of approval. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.

DEVELOPMENT STANDARDS

1. A final materials board shall be submitted to the Planning Division Manager for review and approval prior to building permit issuance. The final materials board shall include a breakdown 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 decorative 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 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. A level concrete patio shall be provided for each unit in the private recreation area and shall be indicated on the grading plan and approved by the Development Review Committee prior to the start of grading.

7. Placement and design of mailboxes shall be reviewed and approved by both the U.S. Postal Service and the Planning Division prior to installation.
8. No roof mounted mechanical equipment shall be permitted.
9. Ground level mechanical equipment shall be placed a minimum of 5' from the interior property lines and shall be completely screened with landscaping. Ground level mechanical equipment shall not be located within the front setback.
10. Electrical power lines, telephone lines, and any other transmission lines (including, without limitation, cable television lines, data transmission lines, communication lines, other utility lines, etc.) to and from the development, and within the development, shall be placed underground and provided to each unit.
11. All utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, or other potential obstructions shall be noted on the plans with provisions for appropriate screening.
12. Plans showing all exterior lighting shall be submitted to the Planning Division for review prior to building permit issuance and no exterior lighting shall be installed without the approval of the Planning Division Manager. All exterior lighting shall be designed, arranged, and installed so as to confine direct rays onto the premises and to direct light away from adjacent structures.

LANDSCAPING

13. The Applicant shall submit plans which show all on-site trees to remain (the "Tree Retention Plan"), specifically the two mature avocado trees in the rear yard along the east property line. If the property owner decides to eliminate the two avocado trees, they shall be replaced with one or more 24" box trees as approved by the Planning Division Manager. 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.
14. 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. Tree protection fencing requirements. 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. Protection Measures. 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. Recommendations on anticipated pruning of trees. Pruning shall be under the direction of a certified arborist if pruning occurs as part of the construction process.
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 Tree Retention Plan and the following conditions of approval:
- a. Landscaping shall be a combination of 24" box trees, shrubs, groundcover, and turf. The use of turf shall be minimal.
 - 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.
 - e. The Landscape and Irrigation Plan shall comply with the State of California Governor's Executive Order B-29-15 and any updates to the State Model Water Efficient Landscape Ordinance.
16. A landscape documentation package pursuant to the requirements of the State 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

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

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. 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.
21. Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
22. The Applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet Numbers 1 and 2. The Conditional Use Permit 2017-02 shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
23. The development associated with the Conditional Use Permit shall begin within one (1) year after its approval or it will expire without further action by the City.
24. 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.
25. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, proceedings, losses, fines, penalties, judgments, settlements, defensive costs or expenses (including but not limited to, interest, expert witness fees and attorneys' fees), liabilities, damages or injuries, in law or equity, to persons or property, including wrongful death (collectively "Claims"), arising out of, attributable to, or relating to (i) the granting of CUP2017-02 and the granting of any permits for grading, building or any other activity on the property arising out of or relating to the building of a single-family residence with garage and other structures on the property (the "Permits"), (ii) the work performed pursuant to the Permits, or (iii) any earth movement, erosion, earthquake, liquefaction, landslide, lateral displacement, vertical displacement, sloughing, slippage, settlement or any other cause on the subject property, whether related to the Permits or not, including but not limited to, Claims asserted by third parties and adjoining property owners, property owners' guests, invitees, tenants, successors in interest and permittees; provided, however, the Applicant will not be responsible for those Claims caused by the willful misconduct or sole negligence of the City, its officers, officials, employees, agents or volunteers. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.

26. Additional Indemnification. Further, as a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses (including, but not limited to, interest, attorneys' fees and expert witness fees), or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.



DATA SHEET 2

Public Works Conditions

CUP2017-02

236 West Cypress Avenue

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

Engineering Conditions

1. Prior to any development, the Applicant shall provide the following:
 - a. Soils and Geotechnical Report
 - b. LID/SUSMP Plan with Hydrology Report
 - c. Site Plan
 - d. Grading Plan(if over 50 cubic yards of soil moved)/Drainage Plan
 - e. Utility Plan
2. Submit existing site plan, topographic map of the project site, grading, drainage and utility plan to the Community Development 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-__ 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 which include drive approach modifications, drainage plans, and utility plans shall be coordinated for consistency and shall be approved by the City Engineer prior to the issuance of any construction permit. Applicant shall pay all fees for Engineering Divisions services such as plan check fee and construction inspection fee as applicable.
4. Applicant shall remove and replace any curb, gutter, sidewalk, driveway approach or street pavement found by the City Engineer to be broken, uplifted "holding water" 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.
5. Cypress Avenue is scheduled to be resurfaced by June 2017. The City thus 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.

6. 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.
7. 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.
8. 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 Community Development 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.
9. 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 or the street.
10. 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.
11. The project shall handle its own drainage on site in compliance with Municipal Code Section 15.28.200. On site infiltration or percolation may be used if quantified by a Soils engineer, thereby not impacting off site drainage systems. Site drainage discharge shall be subject to the requirements of the City of Monrovia Storm Water Management and Discharge Control Ordinance. Plans shall include the existing catch basins/parkway drains.
12. With the submittal of a grading/drainage plan for plan check, 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.

13. 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.
14. If a second water service is required or an upgrade of the existing, the Applicant 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.
15. The Applicant, if approved by the Building Department may use the existing sewer lateral to serve the second unit once the existing lateral is determined to be in a safe and sanitary condition. The Applicant shall provide the Public Works Department a copy of CCTV Inspection.
16. 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 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 all waste through the lateral to the sewer main is free from stoppage and obstruction; all devices and safeguards required for the operation of the sewer laterals shall be maintained in a good working order.

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.

17. 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.
18. 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.
19. The Applicant shall obtain 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.
20. 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 the 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.
21. 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.
22. Roof down spouts should be discharged to gravel or heavily vegetated areas whenever possible.
23. 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.
24. 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.
25. 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.

26. 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.
27. 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.
28. 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.
29. 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.



As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting Conditional Use Permit No. CUP2017-02 for the development of a two-story rear unit behind an existing single-story front unit located at 236 West Cypress Avenue is based on the following findings:

- A. The project site is adequate in size, shape and topography for the development of a two-story rear residential unit. *The subject property is located in the RM3500 (Residential Medium) zone, which allows a maximum density of one dwelling per 3,500 square feet of lot area. The subject parcel as a total lot area of 9,650 square feet, and therefore is allowed to be developed with up to two residential dwelling units with a maximum 40 percent Floor Area Ratio (FAR). The site has sufficient width, depth and lot area to accommodate this type of development. The site is rectangular and relatively flat and of sufficient size to accommodate the proposed two-story rear unit behind an existing single-story residential unit.*
- 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 two-story rear unit. *The project will be accessed by a 12'-0" wide residential driveway for both ingress and egress onto West Cypress Avenue. The project provides the required residential parking spaces for both the existing and proposed residential units. West Cypress Avenue is a Local Street designed to accommodate traffic from residential driveways as indicated in the Circulation Element of the General Plan.*
- C. The two-story rear unit will be compatible with the General Plan and will not adversely impact the objectives of the General Plan. *The proposed development is consistent with the goals and policies of the General Plan that require new developments in established neighborhoods to consider the established architectural styles, building materials, and scale of buildings within the vicinity of the proposed project. The development on this block is relatively mixed in terms of architectural style. The applicant proposes to use some of the existing architectural features found on the existing unit and within the neighborhood. Additionally, the proposed development is consistent with the residential designation for Residential Medium Density allowing duplexes.*
- D. The new two-story residential unit will comply with the applicable provisions of the Zoning Ordinance. *The project is zoned RM3500 (Residential Medium Density) and is being developed at less than the maximum 40 percent Floor Area Ratio that is permitted by the Monrovia Municipal Code. All development standards, including setbacks, recreation space, walls, and parking requirements, are being met.*

- E. The proposed location of the two-story residential unit 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. *This site allows for a multi-family development that is consistent with properties in the area with the number of units. Several design elements have been incorporated into the design to ensure that the new structure is compatible in scale, massing, style, and architectural materials with the existing structures in the surrounding neighborhood. The building elevations were designed to complement the existing residential development in the immediate neighborhood. The second story windows on the west elevation were placed so as to limit the view into the adjacent private yard space within the property to the west. To reduce privacy impacts to the single-family dwelling adjacent to the east, window sizes have been reduced and placed at a higher sill height. Lastly, conditions of approval are provided to address any potential issues related to public health, safety, or welfare, or materially injurious to properties in the vicinity.*
- 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. *As part of this project, there is no proposed demolition of any residential structure. The single-story front unit will remain.*



DATA SHEET 4

Surrounding Land Uses

CUP2017-02

236 West Cypress Avenue

Property Description:

Located on the south side of West Cypress Avenue between South Magnolia Avenue and South Primrose Avenue. The lot measures 50 feet wide and 193 feet deep for a lot area of 9,650 square feet and is currently developed with single-family dwelling with an attached two-car garage.

Zoning

Subject site: RM3500 (Residential Medium Density)

Surrounding pattern:

north: RM3500 (Residential Medium Density)

south: RM3500 (Residential Medium Density)

east: RM3500 (Residential Medium Density)

west: RM3500 (Residential Medium Density)

Land Use

Subject site: Single-Family Residential

Surrounding pattern:

north: Multi and Single-Family Residential

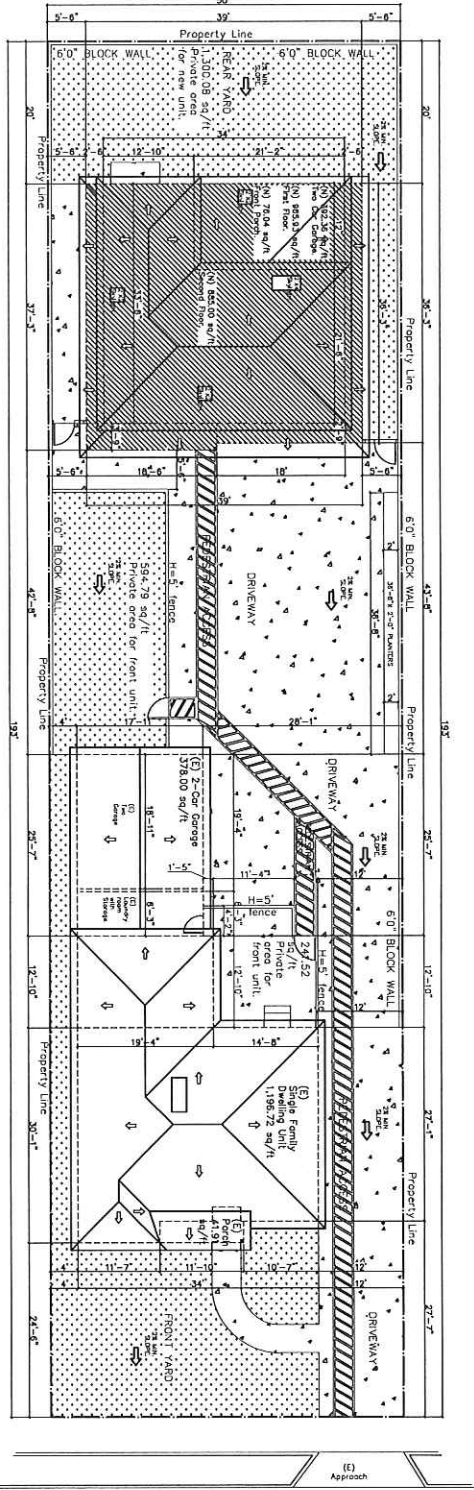
south: Single-Family Residential

east: Single-Family Residential

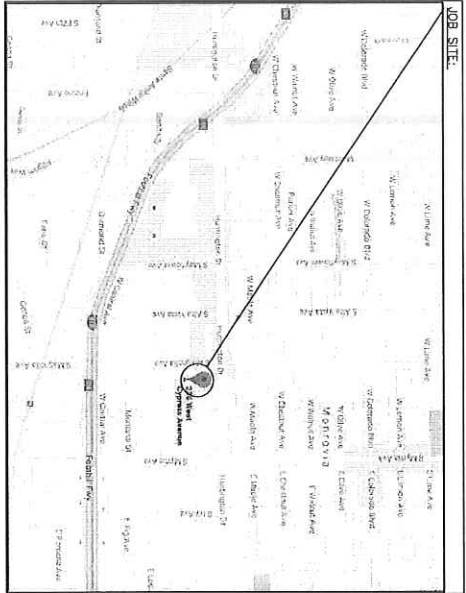
west: Multi-Family Residential

Environmental Determination: Categorical Exemption Class 3

Applicable Ordinance Regulations: MMC 17.52.020 Planning Commission Authority for CUP



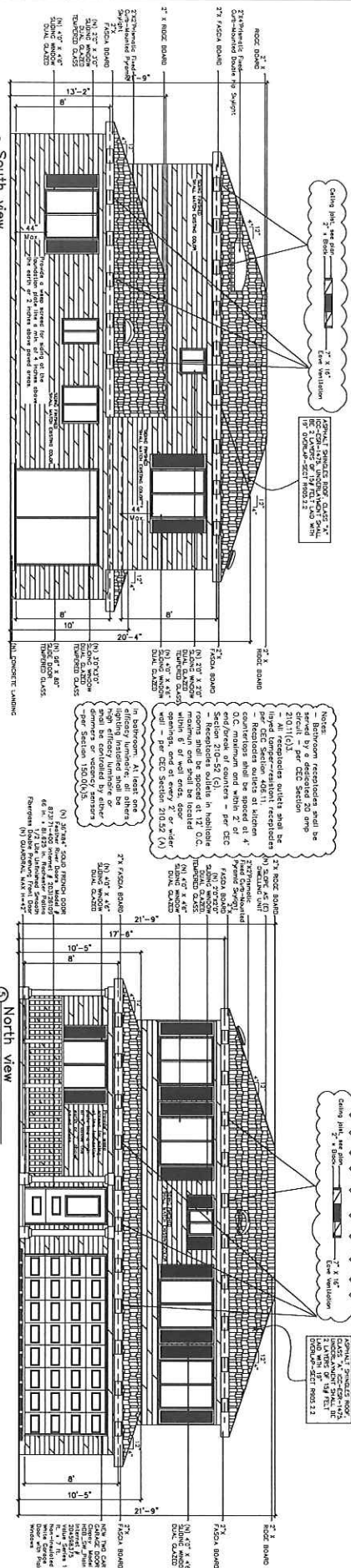
1 New Plot Plan
SCALE: 0'-1/8" = 1'-0"



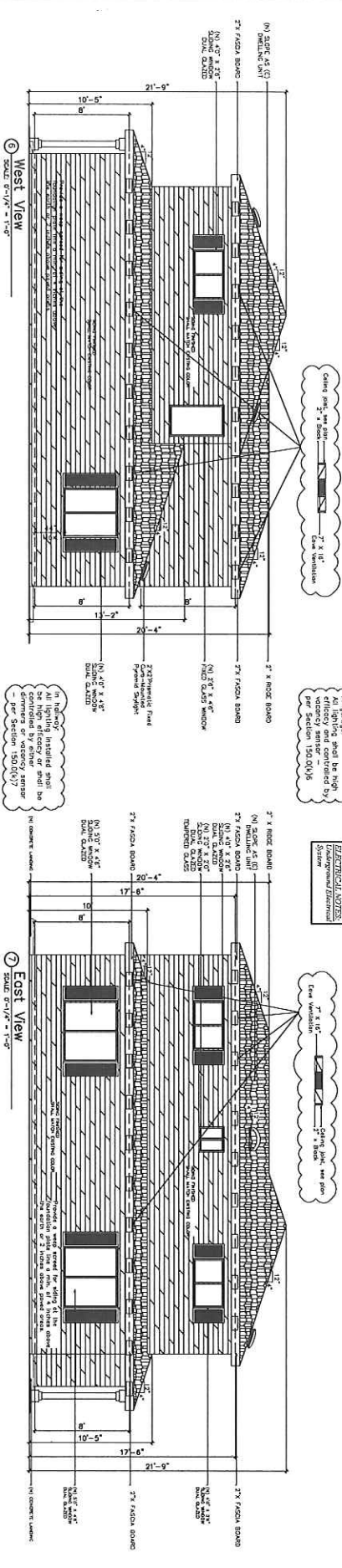
<p>PROPERTY INFORMATION Assessor's ID No: 8508-001-037 Address: 236 W CYPRESS AVE MONROVIA CA 91016 Property Type: Single Family Residential Region / Cluster: 05 / 05173 Property Boundary Description: PASADENA SUB OF BLKS 6 AND 11 OF MONROVIA 1/2 VAC ALLEY ADJ ON S AND LOT 52 BLK 11 Building Improvement 1 Square Footage: 1,008 Year Build / Effective Year Built: 1950 / 1950 Bedrooms / Bathrooms: 2 / 1 Units: 1 Zone: RM3500</p>	<p>NOTES FOR RESIDENTIAL BUILDING: THESE NOTES ARE PROVIDED AS AN AID AND SHOULD NOT BE CONSIDERED AS A COMPLETE LIST OF REQUIREMENTS FOR ADDITIONAL CLARITY OR FOR ALL OTHER REQUIREMENTS. PLEASE REFER TO MONROVIA BUILDING AND ZONING CODES, CODES AND AUTHORITIES: ALL CONSTRUCTION SHALL COMPLY WITH: 1. 2013 CALIFORNIA BUILDING CODE 2. 2013 CALIFORNIA RESIDENTIAL CODE 3. 2013 CALIFORNIA PLUMBING CODE 4. 2013 CALIFORNIA MECHANICAL CODE 5. 2013 CALIFORNIA ELECTRICAL CODE 6. 2013 CALIFORNIA ENERGY EFFICIENCY STANDARDS 7. 2013 CALIFORNIA GREEN CODE 8. MONROVIA MUNICIPAL CODE</p>	<p>INDEX SHEET: A-01 New Plot Plan and General Information A-02 New Floor Plan A-03 Elevations</p>
<p>REQUIRED PRIVATE AREA PER UNIT: To 1,196.72 (0) unit, required area 478 sq/ft, new area 836.31 sq/ft. To 1,850.95 (0) unit, required area 440 sq/ft, new area 1,300.08 sq/ft. To 3,923.96 sq/ft Two car garage.</p>		
<p>SCOPE OF WORK: - 76.04 sq/ft Front porch. - 1,850.95 sq/ft Second dwelling unit (two story). - 392.36 sq/ft Two car garage.</p>		
<p>FLOOR AREA RATIO CALCULATION: EXISTING LOT SIZE: 5561.00 SQ/FT = 100.00% (E) DWELLING UNIT: 1196.72 SQ/FT (E) FRONT PORCH: 41.91 SQ/FT (E) FRONT PORCH: 1.96 SQ/FT (N) DWELLING UNIT: 1850.95 SQ/FT (N) FRONT PORCH: 76.04 SQ/FT (N) FRONT PORCH: 20.36 SQ/FT TOTAL UTILITY: 611.96 SQ/FT = 109.89% TOTAL UTILITY: 611.96 SQ/FT = 109.89% TOTAL UTILITY: 611.96 SQ/FT = 109.89% F.A.R. = 0.31 % NOT EXCEEDED 90%</p>		

236 W. Cypress Ave.,
Monrovia, CA 91016

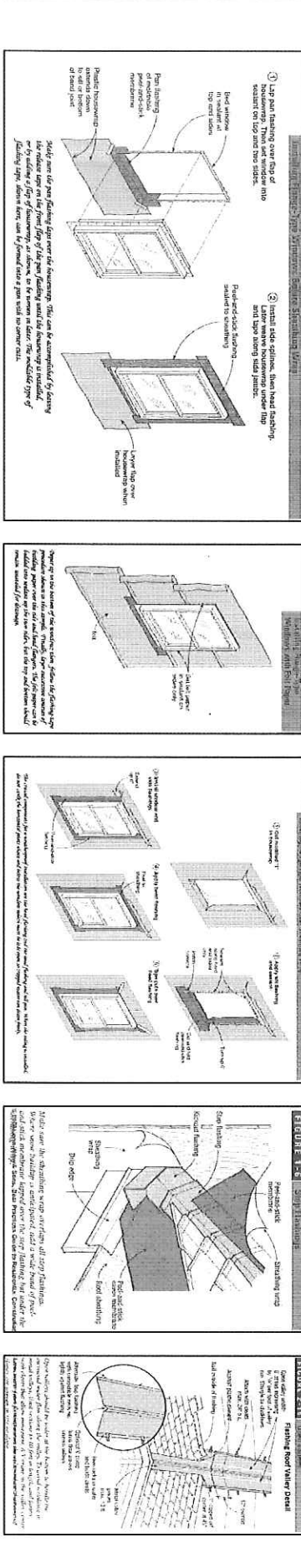
Named File: huynh-cypress.dwg	Project Property Improve	Scale: Each sheet	Owner: Si Huynh	Contact: M. Mejia (818) 564-0252	Revised by:
Sheet No.: A-01	Drawing Title: New Plot Plan.	Address: 236 W. Cypress Ave., Monrovia, CA 91016	Permit:	Design: S. Huynh 236 W Cypress Ave., Monrovia, CA 91016	Date: Jul-25th-2016



South View
Scale: 3/4" = 1'-0"



East View
Scale: 3/4" = 1'-0"



North View
Scale: 3/4" = 1'-0"



<p>Named File: huynh-cypress.dwg</p> <p>Sheet No.: A-03</p>	<p>Project: Property Improve</p> <p>Drawing Title: Elevations.</p>	<p>Scale: Each sheet.</p>	<p>Owner: Si Huynh</p> <p>Address: 236 W. Cypress Ave., Monrovia, CA 91016</p> <p>Permit:</p>	<p>Contact: M. Mejia (818) 564-0252</p> <p>Design: S. Huynh 236 W Cypress Ave., Monrovia, CA 91016</p>	<p>Revised by:</p>
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