



CITY OF MONTEREY PARK PLANNING COMMISSION AGENDA

SPECIAL MEETING
CITY HALL—COUNCIL CHAMBERS
320 W. NEWMARK AVENUE
January 23, 2014
7:00 P.M.

Planning Commission

Michael Hamner, Chairperson
Larry Sullivan, Vice-Chair
Ricky Choi
Rodrigo T. Garcia
Stephen Lam

Staff

Michael Huntley, Community and Economic
Development Director
Karl H. Berger, Assistant City Attorney
Samantha Tewasart, Acting Senior Planner
Harald Luna, Assistant Planner

CALL TO ORDER:

ROLL CALL:

ELECTION:

ORAL AND WRITTEN COMMUNICATIONS:

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission, prior to any action taken on the agenda. No action may be taken on off-agenda items except as authorized by law. Speakers are requested to limit their comments to no more than **five minutes** each.

If you would like to address the Planning Commission, please complete the **white speaker's card**. The card is available at the speaker's podium or from the Secretary. Please identify on the card your name, address and the item on which you would like to speak and return to the Secretary. The **speaker's card** assists the Chairperson in ensuring that all persons wishing to address the Commission are recognized. If you wish to speak on an agenda item, your name will be called at the time the matter is heard by Planning Commission.

AGENDA CHANGES AND ADOPTION:

APPROVAL OF MINUTES:

November 12, 2013

PUBLIC HEARING:

1. TENTATIVE MAP NO. 072527 – 314 SOUTH CHANDLER AVENUE (TM-13-01)

The applicant, Gary Lin of Studio Quartet 1! LLC, on behalf of the property owner, is requesting approval for a subdivision of air rights to establish and maintain a five-unit condominium project at 314 South Chandler Avenue in the R-3 (High Density Residential) Zone.

ENVIRONMENTAL: The Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines §§ 15315 and 15332 as a Class 15 categorical exemption (Minor Land Divisions) and Class 32 categorical exemption (Infill Development). The project consists of the division of property in an urbanized area that is zoned for residential use into four or fewer parcels. The residential units consist typically of apartments, condominiums, and townhomes built at a maximum density of 25 units per acre. The project is the subdivision of air rights to establish and maintain a five-unit condominium development. No variances or exceptions are required for this project, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The subject property is relatively flat.

RECOMMENDATION: It is recommended that the Planning Commission consider taking the following actions: (1) open the public hearing and take testimonial and documentary evidence; (2) close the public hearing; (3) after considering the evidence presented during the public hearing, adopt the Resolution approving the requested Tentative Map (TM-13-01); and (4) take such additional, related, action that may be desirable.

2. GENERAL PLAN AMENDMENT AND SPECIFIC PLAN – 2015 POTRERO GRANDE DRIVE (GPA-13-02/SP-13-02)

The applicant, Olson Urban Housing, LLC, is requesting approval for a General Plan Amendment and Specific Plan to construct a new 80-unit residential development at 2015 Potrero Grande Drive.

ENVIRONMENTAL: As required by the California Environmental Quality Act (CEQA), the City prepared an Initial Study to determine what environmental impacts, if any, would be generated

by the proposed project. Staff recommends that after consideration of the Initial Study and comments received during the public review period, that the Planning Commission exercise its independent judgment and recommend to the City Council that with the implementation of certain mitigation measures, the proposed Project would not have a significant impact on the environment and therefore a Mitigated Negative Declaration is recommended.

RECOMMENDATION: It is recommended that the Planning Commission (1) open the public hearing and take testimonial and documentary evidence; (2) close the public hearing; (3) after considering the evidence presented during the public hearing, adopt the Resolution recommending that the City Council approve General Plan Amendment (GPA-13-02) and Specific Plan (SP-13-02) and certify the Mitigated Negative Declaration; and (4) take such additional, related, action that may be desirable.

3. CONSIDER ADOPTING A RESOLUTION INDICATING THAT THE PROPOSED DISPOSITION OF REAL PROPERTY IS IN CONFORMANCE WITH THE MONTEREY PLAN GENERAL PLAN

The City is proposing the disposition (i.e., sale) of a City-owned property located at 236 South Ramona Avenue. LINC Community Housing Development Corporation intends to purchase the property to develop six affordable residential units. The City is also proposing the disposition of City-owned properties located at 321, 325, 341, and 371 East Pomona Boulevard and 534 North Chandler Avenue. LINC also intends to purchase these residentially developed properties, refurbish the existing residential units as necessary, and manage and rent these existing residential units as affordable housing.

ENVIRONMENTAL: After reviewing the City's application, the Planning Commission finds that the proposed project is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312 and the Monterey Park Guidelines. Specifically, the City proposes to sell the Surplus Property; the Surplus Property is not located in an area of concern; the Surplus Property does not have significant value for wildlife habitat or other environmental purpose; and the use of the Surplus Property and adjacent property has not changed since the time the City acquired the Surplus Property.

Accordingly, this project falls under a Class 12 categorical exemption pursuant to CEQA.

RECOMMENDATION: After holding the public hearing, (1) Adopt a resolution finding that the disposition of City property is in conformance with the Monterey Park General Plan; (2) find that the project as proposed is exempt from additional environmental review pursuant to CEQA Guidelines § 15312 (Surplus Government Property Sales) ; and (3) take such related action that may be desirable.

4. **CONSIDER ADOPTING A RESOLUTION INDICATING THAT THE PROPOSED DISPOSITION OF REAL PROPERTY IS IN CONFORMANCE WITH THE MONTEREY PLAN GENERAL PLAN**

The City is proposing the disposition (i.e., sale) of a City-owned property located at 751 South Alhambra Avenue. City Venture intends to purchase the property to develop 25 single-family residential dwellings. As a result of the disposition, the City would be identifying an alternate location for the City's Maintenance Yard.

ENVIRONMENTAL: After reviewing the City's application, the Planning Commission finds that the proposed project is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312 and the Monterey Park Guidelines. Specifically, the City proposes to sell the Surplus Property; the Surplus Property is not located in an area of concern; the Surplus Property does not have significant value for wildlife habitat or other environmental purpose; and the use of the Surplus Property and adjacent property has not changed since the time the City acquired the Surplus Property. Accordingly, this project falls under a Class 12 categorical exemption pursuant to CEQA.

RECOMMENDATION: After holding the public hearing, (1) adopt a resolution finding that the disposition of City property is in conformance with the Monterey Park General Plan; (2) find that the project as proposed is exempt from additional environmental review under CEQA Guidelines § 15312 (Surplus Government Property Sales) ; and (3) take such related action that may be desirable.

**ITEMS FROM COMMUNITY
DEVELOPMENT:**

**ITEMS FROM THE
COMMISSION:**

ADJOURNMENT:

Next regular meeting on January 28, 2014, at 7:00 p.m.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT CITY HALL, (626) 307-1359 OR TTD/TTY (626) 307-2540. PLEASE NOTIFY THE CITY CLERK'S OFFICE TWENTY-FOUR HOURS PRIOR TO THE MEETING SO THAT REASONABLE ARRANGEMENTS CAN BE MADE TO ASSURE ACCESSIBILITY TO THIS MEETING. STAFF REPORTS, WRITINGS, OR OTHER MATERIALS RELATED TO AN ITEM ON THIS AGENDA, WHICH ARE DISTRIBUTED TO THE PLANNING COMMISSION LESS THAN 72 HOURS BEFORE THIS SCHEDULED MEETING SHALL BE AVAILABLE FOR PUBLIC INSPECTION IN THE PLANNING DIVISION LOCATED AT 320 WEST NEWMARK AVENUE, MONTEREY PARK, CA 91754, DURING NORMAL BUSINESS HOURS. SUCH STAFF REPORTS, WRITINGS, OR OTHER MATERIALS ARE ALSO ON THE CITY'S WEBSITE SUBJECT TO STAFF'S ABILITY TO POST THE MATERIALS BEFORE THE MEETING. THE CITY'S WEBSITE IS LOCATED AT [HTTP://WWW.CI.MONTEREY-PARK.CA.US](http://www.ci.monterey-park.ca.us).

APPROVED BY:

MICHAEL A. HUNTLEY	
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PLANNING COMMISSION

STAFF REPORT

ITEM
NUMBER

1

TO: Planning Commission

FROM: Community and Economic Development Department

MEETING DATE: January 22, 2014

SUBJECT: Public hearing

Tentative Map No. 072527 to subdivide air rights to establish and maintain a five unit condominium project in the R-3 (high density residential) zone

LOCATION: 314 South Chandler Avenue

APPLICANT: Gary Lin
Studio Quartet 1! LLC
2775 Huntington Drive #896
San Marino CA 91108

PROJECT PLANNER: Samantha Tewart
Acting Senior Planner

RECOMMENDATION: It is recommended that the Planning Commission consider taking the following actions: (1) open the public hearing and take testimonial and documentary evidence; (2) close the public hearing; (3) after considering the evidence presented during the public hearing, adopt the Resolution approving the requested Tentative Map No. 072527 (TM-13-01); and (4) take such additional, related, action that may be desirable.

ZONE: R-3(High Density Residential)

GENERAL PLAN DESIGNATION: High Density Residential

ASSESSOR'S PARCEL NUMBER:

SITE DESCRIPTION:

Property Size: 15,878 square feet (0.36 acre)

Surrounding Properties:

North:	R-3(High Density Residential); High Density Residential
South:	R-3(High Density Residential); High Density Residential
East:	R-3(High Density Residential); High density Residential
West:	R-3(High Density Residential); High Density Residential

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

None

LEGAL NOTIFICATION:

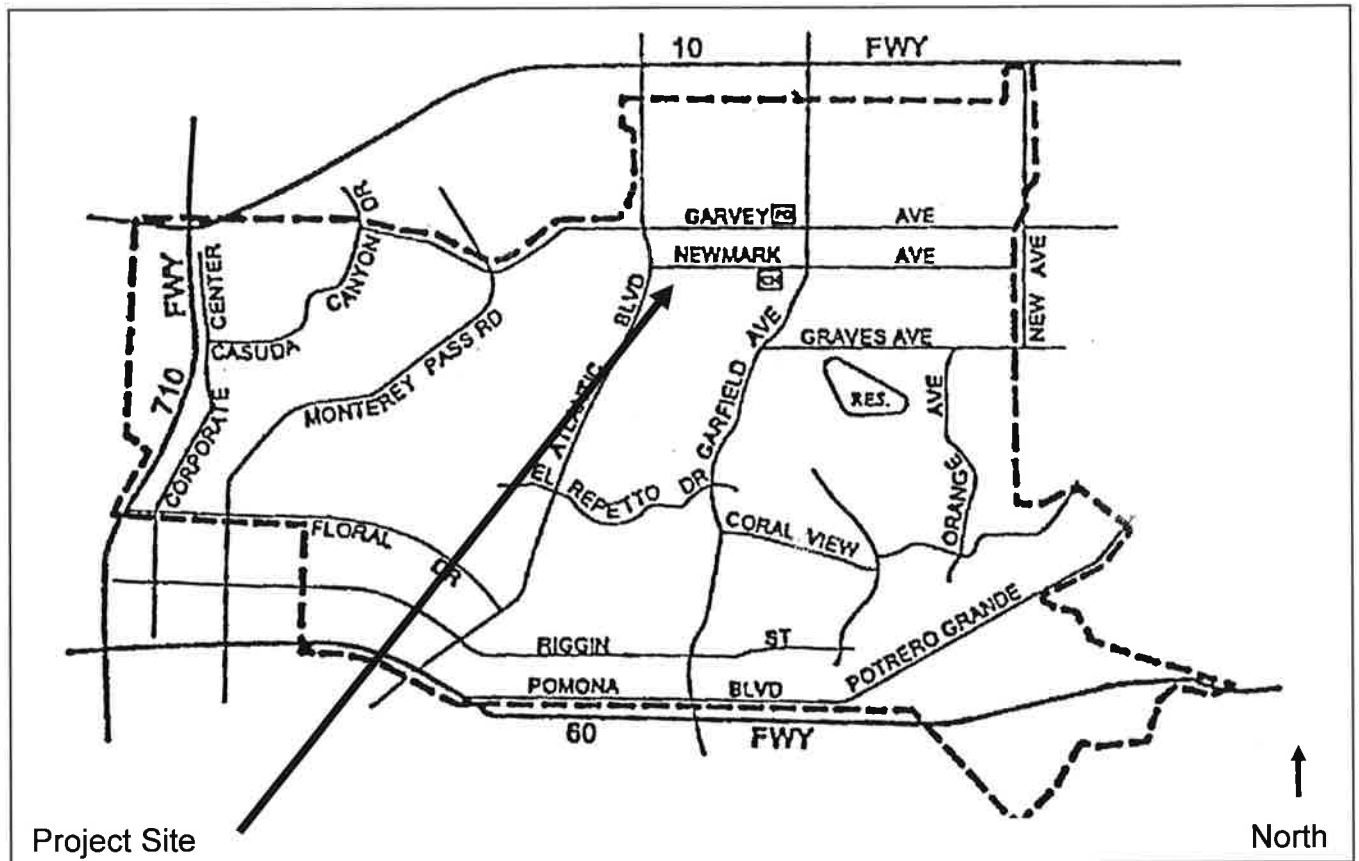
The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **January 7, 2014** and published in the Wave on **January 16, 2014**, with affidavits of posting on file. The legal notice of this hearing was mailed to **86** property owners within a 300 feet radius and current tenants of the property concerned on **January 7, 2013**.

ENVIRONMENTAL ASSESSMENT:

The Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines §§ 15315 and 15332 as a Class 15 categorical exemption (Minor Land Divisions) and Class 32 categorical exemption (Infill Development). The project consists of the division of property in an urbanized area that is zoned for residential use into four or fewer parcels. The project conforms with the General Plan because, according to the Land Use Element, the High Density Residential land use category allows a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes built at a maximum density of 25 units per acre. The project is the subdivision of air rights to establish and maintain a five-unit condominium development. The project is consistent with the zoning. No variances or exceptions are required for this project, all services and access to the proposed parcels to local standards are available, the parcel was not involved in

a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The subject property is relatively flat.

VICINITY MAP:



STREET MAP:



AERIAL MAP



ANALYSIS AND EVALUATION OF PROJECT:

The applicant, Gary Lin of Studio Quartet 1! LLC, on behalf of the property owner, is requesting approval of a Tentative Map for the subdivision of air rights as part of the development of a five unit condominium project at 314 South Chandler Avenue. The property is located four lots south of the southeast corner of West Newmark Avenue and South Chandler Avenue. The property is zoned R-3 (High Density Residential) and designated High Density Residential in the General Plan. To the north, south, east and west of the property are R-3 zoned lots. The subject site has a frontage of 82.7 feet and a depth of 192 feet, with a total lot area of 15,878 square feet in size.

Per R-3 development standards, a maximum building density of 1 unit per 3,000 square feet applies to the subject property. A maximum of 5 units can be built on the lot, and 5 units are proposed. There are two existing units and one garage on the subject site, which will be demolished, and replaced by the five detached condominium units. The property will remain as one lot. Under California law, a tentative map is required to allow for the subdivision of air space for separate ownership of each of the units.

Two of the proposed units will have 3 bedrooms, and the other three proposed units will have 4 bedrooms. The proposed units are between 2,242 square feet and 2,378 square feet. The proposed building on the site will meet the required front and rear setback of 25 feet, with 5-foot side setback for the first floor, and 10-foot side setback for the second floor. Each unit will be two stories, with a maximum height of 26 feet 7 inches. A clearance of at least 11 feet will be provided between the buildings.

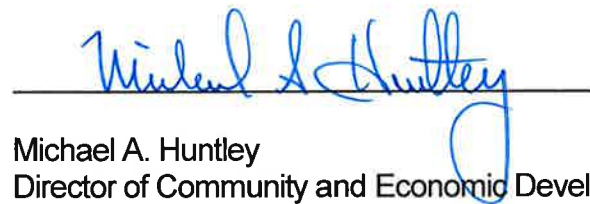
According to Monterey Park Municipal Code (MPMC) § 21.22.050, condominium units with three or less bedrooms require 2 enclosed garage spaces plus 1 guest space per 2 dwelling units. For units with four or more bedrooms, 2 enclosed garage spaces, plus 1 guest parking per 1 dwelling unit are required. Overall, 10 enclosed garage spaces and 4 guest parking spaces are required, and 13 enclosed garage spaces and 4 guest parking spaces will be provided as tuck-under parking. According to the basement plan, each three-bedroom unit will have two-car garages, for the other 3 four-bedroom units, each will be provided with three-car garages. In addition, four guest parking spaces will also be provided. The driveway has a width of 18 feet, and each parking space has a back-up space of 26 feet. Each enclosed parking space is required to have a minimum width of 9 feet, and a minimum depth of 20 feet.

Per the MPMC, the project is required to provide a minimum of 2,000 square feet of common open space, and a minimum of 250 square feet of private open space per unit. According to the site plan, the project will include a 2,000 square foot common open space in the back yard area, and each unit will be provided with private open spaces with at least 250 square feet. The common open space area will be maintained by a Homeowner's Association, which will be a requirement of the covenants, conditions and restrictions ("CC&Rs") that must be recorded.

This proposal will allow for the subdivision of air rights for condominium purposes only. The project is in compliance with zoning development standards. The project design must be approved by the Design Review Board.

CONCLUSION:

Staff recommends adopting the Resolution approving the Tentative Map No. 072527, subject to conditions contained therein.



Michael A. Huntley
Director of Community and Economic Development

Attachments:

1. Draft Resolution
2. Plans

RESOLUTION NO.

A RESOLUTION APPROVING TENTATIVE MAP NO. 072527 (TM-13-01) TO SUBDIVIDE AIR RIGHTS FOR A FIVE-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 314 SOUTH CHANDLER AVENUE

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On September 26, 2013, Gary Lin submitted an application pursuant to Tile 20 of the Monterey Park Municipal Code ("MPMC"), requesting approval of Tentative Map No. 072527 (TM-13-01) to subdivide air rights to establish and maintain a five-unit condominium project at 314 South Chandler Avenue, ("Project");
- B. The proposed Project was reviewed by the Community and Economic Development Department for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The Community and Economic Development Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for January 22, 2014. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On January 22, 2014, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of Gary Lin; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its January 22, 2014 hearing including, without limitation, the staff report submitted by the Community and Economic Development Department.

SECTION 2: *Factual Findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. The Applicant seeks to construct five new detached residential dwelling units and subdivide the air rights for condominium purposes;
- B. 314 South Chandler Avenue is zoned R-3 (High Density Residential) and designated High Density Residential in the General Plan;

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- C. The Project property is located on the east side of South Chandler Avenue. To the north, south, east and west of the subject property are residential uses;
- D. The Project property is 15,878 square feet (0.36 acres) in area and is currently developed with two residential dwelling units that will be demolished a part of the proposed Project.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines §§ 15315 and 15332 as a Class 15 categorical exemption (Minor Land Divisions) and Class 32 categorical exemption (Infill Development). The project consists of the division of property in an urbanized area that is zoned for residential use into four or fewer parcels. The project conforms with the General Plan because, according to the Land Use Element, the High Density Residential land use category allows a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes built at a maximum density of 25 units per acre. The project is the subdivision of air rights to establish and maintain a five-unit condominium development. The project is consistent with the zoning. No variances or exceptions are required for this project, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The subject property is relatively flat.

SECTION 4: *Tentative Map Findings.* The Commission finds as follows pursuant to Government Code § 66474 and MPMC Title 20:

1. The proposed map is consistent with applicable general and specific plans as required by Government Code § 66473.5. The proposed Tentative Map is consistent with the City's General Plan in that the subject property is proposed to be developed at a maximum density of 14 dwelling units per acre, which will not exceed the maximum allowed standard of 25 dwelling units per acre for high density residential uses. The property is located on South Chandler Avenue, a local street with a 50-foot right-of-way, which is adequate in size and capacity to accommodate the anticipated traffic that will be generated by the proposed development. There is no specific plan adopted for this area.
2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans. The design of the proposed subdivision is consistent with the General Plan in that the project is a five-unit condominium project, which is compatible with the high density housing either attached or detached allowed in the high density residential category. There is no specific plan adopted for this area.
3. The site is physically suitable for the type of development and the proposed density of the development. The size of the property is 15,878 square feet (0.36 acres) and adequate in size to accommodate a five-unit condominium project because in the R-3

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Zone, one dwelling unit is allowed for every 3,000 square feet of lot area on lots of 7,000 square feet or more and having a front lot line of at least fifty feet.

4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is bordered by residentially developed lots to the north, south, east, and west. There are no rare plants, wild animals nor cultural, historical or scenic aspects within the surrounding area.
5. The design of the subdivision or the type of improvements is not likely to cause serious public health problems. The proposed subdivision will not cause any public health problems in that the subject development will be constructed according to all City, State, and Federal regulations and specifications.
6. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within proposed subdivision. There are no public easements for access within the proposed development.

SECTION 5: Approval. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Tentative Map No. 072527 (TM-13-01).

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: Limitations. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

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SECTION 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution will be mailed to Gary Lin and to any other person requesting a copy.

SECTION 11: This Resolution may be appealed within nineteen (19) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 12: Except as provided in Section 9, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 22nd day of January 2014.

Chairperson Michael Hamner

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 22nd day of January 2014, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael A. Huntley, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____
Karl H. Berger,
Assistant City Attorney

PLANNING COMMISSION RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

314 SOUTH CHANDLER AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Gary Lin agrees that he will comply with the following provisions as conditions for the City of Monterey Park's approval of Tentative Map No. 072527 (TM-13-01) ("Project Conditions").

PLANNING:

1. Gary Lin of Studio Quartet 1! LLC (the "Applicant"), agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of TM-13-01 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of TM-13-01, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building and Safety Division. Any subsequent modification must be referred to the Director of Community and Economic Development for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The tentative map expires twenty-four months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A total of three, one year, extensions may be granted by the Planning Commission upon finding of good cause. An application requesting an extension must be filed with the Community and Economic Development Department.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.

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5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
6. The real property subject to TM-13-01 must remain well-maintained and free of graffiti.
7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.
9. A final map must be approved and recorded before the City issues a certificate of occupancy.
10. Provide a 26 feet turning radius, not including the width of the block wall.
11. All enclosed garage spaces must be used for off-street parking only. There cannot be any personal storage or conversion of this space that would prevent the parking of vehicles in the enclosed garage. This condition must be included in the conditions, covenants and restrictions ("CC&Rs") recorded for this property.

BUILDING:

12. The second sheet of the building plans must list all City of Monterey Park conditions of approval.
13. A valid building permit does not allow excavations to encroach into adjacent property. Requirements for protection of adjacent property are defined in Civil Code § 832.
14. The site plan must indicate the proposed path of building sewer, size of sewer line, location of cleanouts, and the invert elevation of the lateral at the property line.
15. A soils and geology report is required as part of plan check submittal.
16. Before the City issues a building permit, the applicant must obtain a permit from CAL-OSHA to construct the project.
17. The applicant must submit a compaction report for demolition of previous buildings to the Monterey Park Public Works Department for approval before the City allows the applicant to excavate new foundations.

ENGINEERING:

18. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a

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permittee; this project involves the distribution of soils by grading, clearing and/or excavation. The applicant/property owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the issuance of the grading permit on evidence of compliance with this permit and its requirements. Compliance information is available in the office of the City Engineer. Upon approval of the NPDES document by the City, the applicant/property owner must submit an electronic copy of the approved NPDES file, including site drawings, prior to the issuance of a building or grading permit.

19. The applicant must record the Final Map after the City Council approves the final map and the City Council accepts any applicable bonds or agreements. A refundable \$191 cash deposit must be submitted to guarantee that developer will provide the City with one (1) transparent 4 mil thick mylar tracing, one (1) electronic file of approved final map tracings transferable to City's AutoCAD and GIS systems and two (2) blueprints of the recorded map which must be filed with the City Engineer's Office within three (3) months of recordation. If recorded copy is not submitted by the end of the three-month time period, developer will forfeit the \$191 cash deposit.
20. The applicant/property owner must provide written proof that there are no liens against the subdivision for unpaid taxes or special assessments and submit Los Angeles County tax bill, tax payment receipt, and copy of cancelled check before filing a Final Map with the City for approval.
21. The developer/owner is responsible for paying all applicable City development impact fees as required by the MPMC.
22. A homeowner's association must be established.
23. Covenants Conditions & Restrictions must be prepared and filed with the City to obtain City Attorney and the City Engineer approval. Developer/owner shall be responsible for securing the CC&R guidelines from the Office of the City Engineer. A copy of the recorded CC&Rs must be submitted before final inspection and clearance of the building permit. The applicant must pay for the City's costs associated with reviewing the CC&Rs including, without limitation, legal costs.
24. All improvement plans, including grading and public improvement plans must be based upon City approved criteria. Benchmark references to be obtained from the Engineering Division.
25. A water plan must be submitted for review and approval by the City Engineer. This plan must substantiate adequate water service for domestic flow, fire flow and identify backflow prevention. If current fire flow and pressure tests are not available to substantiate adequate pressure and flow to serve the development,

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the developer is responsible for conducting the appropriate tests and submitting copies of the test results for review and ultimate approval by the City.

26. Water Division requirements are to be determined upon completion and submittal of a water meter sizing sheet by the applicant. This may include up sizing of water meter and water services. All upgrading costs are the responsibility of the property owner.
27. The applicant must provide survey monuments denoting the new property boundaries and lot lines to the satisfaction of the City Engineer. All maps must be prepared from a field survey. Compiled maps are not permitted unless prior approval is granted by the City Engineer. Whenever possible, lot lines must be located to coincide with the top of all man-made slopes. Any deviation from this requirement must be approved by the City Engineer.
28. The applicant must provide a site drainage plan for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer. Drainage from contiguous properties must not be blocked and must be accommodated to the satisfaction of the City Engineer. A hydrology and hydraulic study of the site may be required for submittal to the City Engineer for review and approval.
29. All storm drainage facilities serving the development must accommodate a 50 year storm. If existing storm drain facilities are inadequate they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also the satisfaction of the City Engineer prior to approval of the grading and drainage plans.
30. Any damage done to existing street improvements and utilities during construction must be repaired before the City issues certificates of occupancy. Pre-existing damaged, deteriorated, substandard or off-grade curb, gutter, driveways and sidewalk must be repaired or replaced to the satisfaction of the City Engineer.
31. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the City or a public works improvement guarantee and agreement posted before final map approved by the City Council.
32. All electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, shall be made to City and public utility standards. A utility plan must be prepared and submitted

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showing all existing and proposed utilities. The utilities may be shown on either a separate plan or on the proposed site plan.

33. A sewer connection reconstruction fee will be assessed at the time of issuance of a building permit in accordance with the provisions of MPMC Chapter 14.06.
34. All buildings must have roof gutters and all roof drainage must be conducted to the public street or an approved drainage facility in a manner approved by the City Engineer.
35. The grading and drainage plan must be submitted by the first plan check and must incorporate all pertinent site development comments from the City's geological and geotechnical consultants and must also include the approved geological report submitted by the developer's consultant.
36. Modify and/or correct the tentative map in accordance with the adopted conditions of approval of the tentative map and also in accordance with the specific criteria noted by the City Engineer verify and submit correct drainage pattern of adjacent property.
37. Parkways must be irrigated and landscaped per plans submitted for review and approval by the City Engineer. The need for preserving existing street trees and/or providing additional street trees must be reviewed and approved by the City Recreation and Parks Department.
38. The City reserves the right to restrict driveway access to and from the project in the event future traffic conditions warrant such restricted turn movements.

FIRE:

39. The applicant must submit plans to the Monterey Park Fire Department for approval before the City issues a building permit.
40. The applicant must provide a minimum unobstructed driveway width of 20 feet, except for approved security gates in the accordance with Fire Code § 503.6 and an unobstructed vertical clearance "clear to sky" for Fire Department vehicular access to within 150 feet of all portions of the exterior building walls according to Fire Code § 503.2.1. Cross-hatch the Fire Department vehicle access on the site plan.
41. Dead-end fire apparatus access roads in excess of 150 feet in length must be provided with an approved Fire Department turnaround according to Fire Code § 503.2.5 Cross hatch the Fire Department turnaround on the site plan.
42. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction according to Fire Code § 501.4. Provide a note on the site plan.

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43. A minimum 5 feet wide approved firefighter access walkway leading from the fire apparatus access road to the building exterior openings must be provided for fire fighting and rescue purposes according to Fire Code § 504.1. Indicate the firefighter walkway access routes on the site plan.
44. When security gates are provided, maintain a minimum access width of 20 feet. The security gates must be provided with an approved means of emergency operations, and must be maintained operation at all times. Electric gate operators, where provided, must be listed in accordance with UL325. Gates intended for automatic operation must be designed, constructed and installed to comply with the requirements of ASTM F220 per California Fire Code (CFC) § 503.6. Indicate the access width of the security gates on the site plan, means for emergency operation, and the requirement that it be maintained at all times.
45. Manually operated gates and barriers must have a weather resistant Knox-key box. The key box must be placed four to five feet above the roadway surface at the right side of the access gate in a conspicuous location that is readily and visibly accessible. The key box must be clearly labeled "FIRE DEPT" per CFC § 506.
46. Electrically operated gates and barriers must have an operable Knox-key switch. The key switch must be placed between 42 inches and 48 inches above the roadway surface at the right side of the access gate within two feet of the edge of the roadway. The key switch must be readily visible and unobstructed from the fire lane leading to the gate. The key must be clearly labeled "FIRE DEPT" per CFC § 506 and Appendix D.
47. Gate and barrier locks must be reviewed and approved prior to their installation on any new and/or existing access gate or barrier. Authorization/order forms for Knox products may be obtained through the Monterey Park Fire Department Fire Prevention Division at (626) 307-1308 per CFC § 506 and Appendix D.
48. Provide approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required per CFC Appendix D. Provide a note on the site plan and show the location of each "Fire Lane – No Parking Sign" and the dimensions of the roadway width.
49. Minimum road widths must be measured from top face of curb for standard vertical curbs or flow line to flow line for rolled, ramped, or other curb types. Parking prohibited on roadway less than 28 feet and the roadway is required to be posted as a fire lane. If roadway is at least 28 feet but less than 36 feet, parking is permitted on one side only and roadway is required to be posted as a fire lane. If roadway is 36 feet or wider, parking will be permitted on both sides. Indicate roadway width and the requirement that it be maintained at all times.

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50. The Fire Department vehicular access roads must be hardscape for all weather access in according with the All Weather Access Requirements per CFC § 503.2.3. On the site plan, label the surface type of the access road. A letter or statement, wet-stamped and signed by a registered engineer must be provided on the plans certifying that any new roadway meets the 75,000 pound all weather requirements.
51. The Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction per CFC § 501.4.
52. A minimum 5-foot wide approved firefighter access walkway leading from the fire apparatus access road to the building's exterior opening must be provided for fire fighting and rescue purposes per CFC § 504.1.
53. The fire apparatus access road must be identified with approved signs. Temporary signs must be installed at each street intersection when construction of new roadway allows passage by vehicles. Signs must be an approved size, weather resistant and be maintained until replaced by permanent signs per CFC § 505.2.
54. The required fire flow from fire hydrants at this location is based on the type of construction and occupancy classification per CFC Table B105. Plan submittal must include fire flow test date to be obtained within one year of the submittal date. The fire flow test can be requested at the Fire Prevention Office per CFC Table B105.
55. Show all existing public fire hydrants within 250 feet of the lot frontage on both sides of the street. Specify the size of the fire hydrant(s) and dimensions to the property lines. Additional fire hydrant requirements may be necessary after this information is provided per CFC Table B105.
56. All fire hydrants must measure 6 inches by 4 inches by 2 ½ inches, brass or bronze, conforming to American Water Works Association Standard C53, or approved equal per CFC § 507.5.
57. Approved numbers or addresses must be placed on the front elevation of all new or existing buildings in such a position that is plainly visible and legible from the street or road on which the property is addressed. Addressed must not be located where they have the potential of being obstructed by signs, awnings, vegetation or other building/site elements. Numbers must be a minimum of 4 inches high with a minimum stroke width of 0.5 inch per CFC § 505 and CBC § 501.2.
58. If all building addressed are not clearly visible or legible from the public road serving the structures, an address monument must be provided at the entry

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points to the site indicating the range of addressed accessible from that entrance per CFC § 505. Provide a note on the site plan and clearly show the location of the address monument and dimensions of the monument.

59. Provide an approved automatic fire sprinkler system as set forth by CFC § 903 and 907.

POLICE:

60. Adequate exterior lighting must be provided so that the units are visible from the street during the hours of darkness.
61. The shrubbery on the property must be installed and maintained in such condition to permit good visibility of the units from the streets. Any shrubbery surrounding the complex and in the courtyard areas must be planted and maintained where the height of the greenery would not easily conceal persons.
62. The driveway leading into the complex must be constructed and maintained in such a condition that traffic is easily visible to those entering or leaving the location.
63. Any outside ladders leading to the roof top must be secured to prevent unauthorized access to the roof.
64. Address number must be illuminated during hours of darkness and positioned as to be readily readable from the street. Numbers must be at least 12 inches in height.
65. Each distinct unit within the building must have its address displayed on or directly above both the front and rear doors.
66. All common open areas must be well lit during the hours of darkness.
67. Signs must be posted at the guest parking areas and in the driveway leading into the complex.
68. A thoroughfare for residents, guests, and any necessary emergency vehicles and/or personnel must be maintained at all times. The Monterey Park Police Department Traffic Bureau must be contacted for sign verbiage and posting locations. The Traffic Bureau Sergeant can be reached at (626) 307-1481.

By signing this document, Gary Lin, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Gary Lin, Applicant



PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

2

TO: Planning Commission

FROM: Community and Economic Development Department

MEETING DATE: January 22, 2014

SUBJECT: Public Hearing
General Plan Amendment (GPA-13-02) and Specific Plan (SP-13-02) to allow the Construction of a new 80-Unit Residential Development in the C-S (Commercial Service) Zone

LOCATION: 2015 Potrero Grande Drive

APPLICANT: Olson Urban Housing, LLC
3010 Old Ranch Parkway
Seal Beach, CA 90740

PROJECT PLANNER: Samantha Tewart
Acting Senior Planner

RECOMMENDATION: After holding the public hearing, (1) adopt the attached Resolution recommending that the City Council approve General Plan Amendment (GPA-13-02) and Specific Plan (SP-13-02), subject to conditions contained therein; and (2) take such related action that may be desired.

ZONE: C-S (Commercial Service)

GENERAL PLAN DESIGNATION: Commercial

ASSESSOR'S PARCEL NUMBER: 5276-018-003

SITE DESCRIPTION:

Property Size: 398,574 square feet (9.15 acres)

Surrounding Properties:

North:	R-1 (Single-Family Residential); Southern California Edison right-of-way; single-family dwellings
South:	R-S, P-D (Regional Specialty, Planned Development); Potrero Grande Drive, Southern California Edison property and Resurrection Cemetery in the City of Montebello
East:	C-S (Commercial Services); public storage facility
West:	O-P (Office Professional); Southern California Edison right-of-way; 50-foot wide water easement; vacant lot

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

None

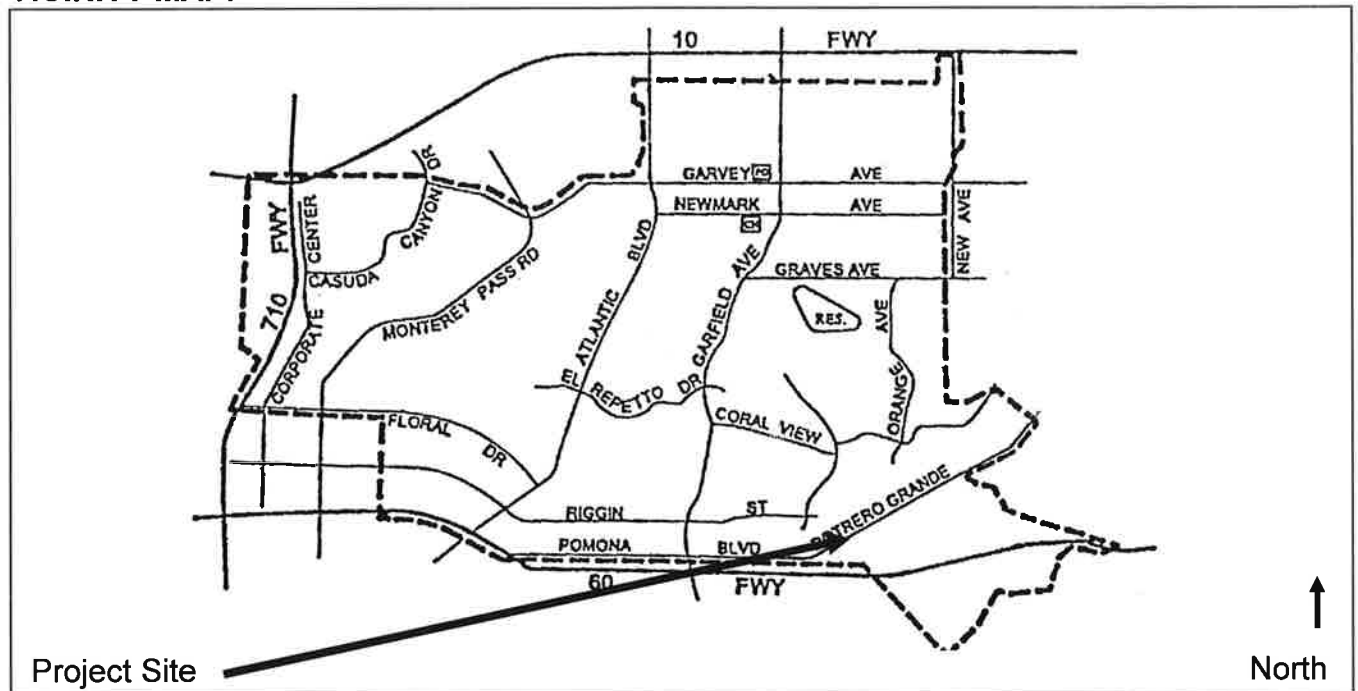
LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **December 30, 2013** and published in the Monterey Park Progress on **December 30, 2013**, with affidavits of posting and publication on file. The legal notice of this hearing was mailed to **9** property owners within a 300 feet radius and current tenants of the property concerned on **December 30, 2013**.

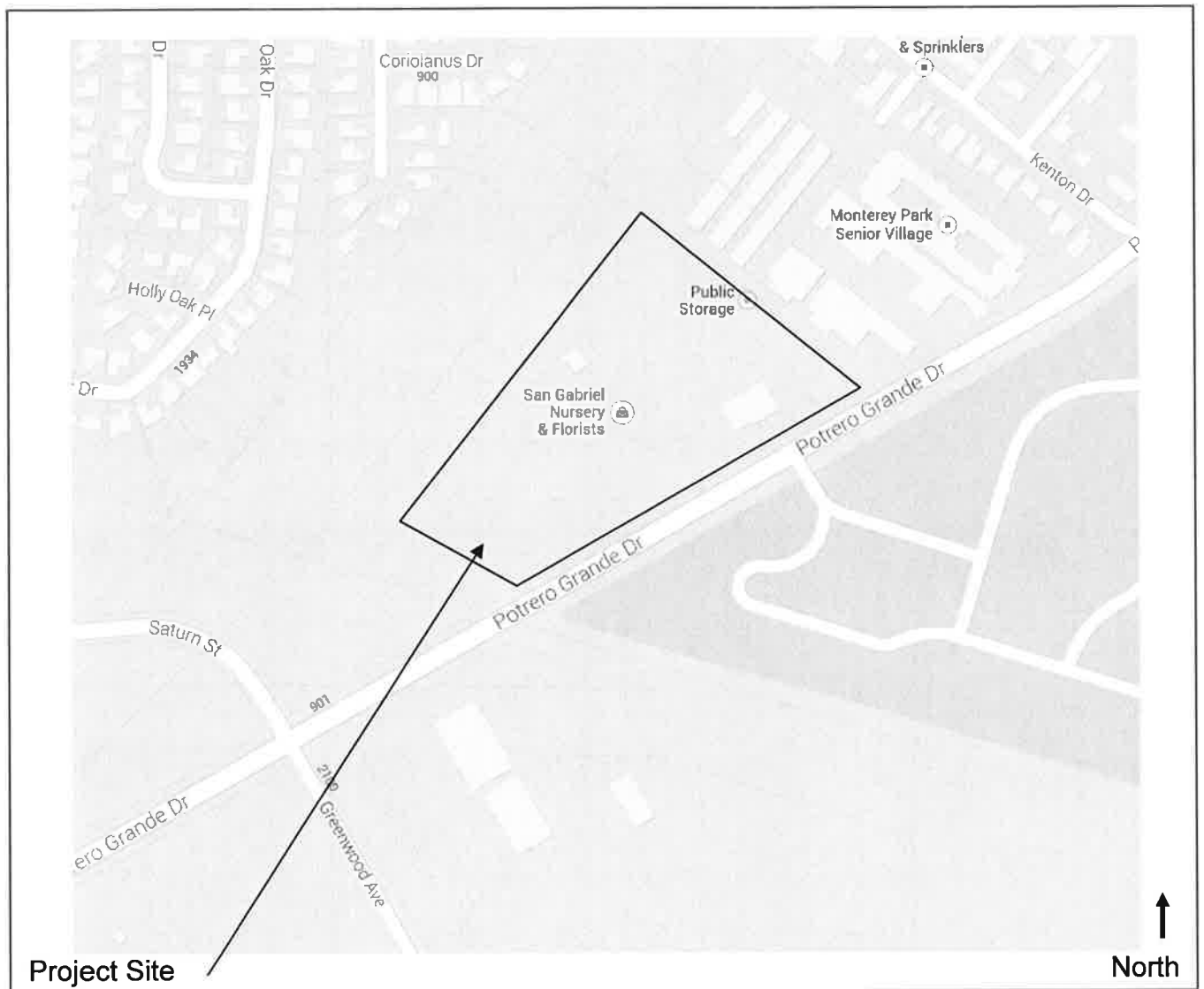
ENVIRONMENTAL ASSESSMENT:

As required by the California Environmental Quality Act (CEQA), the City prepared an Initial Study to determine what environmental impacts, if any, would be generated by the proposed project. Staff recommends that after consideration of the Initial Study and comments received during the public review period, that the Planning Commission exercise its independent judgment and recommend to the City Council that it certify a Mitigated Negative Declaration.

VICINITY MAP:



STREET MAP:



AERIAL MAP:



ANALYSIS AND EVALUATION OF PROJECT:

Property Description

The applicant, Olson Urban Housing, LLC, is requesting approval for a General Plan Amendment and Specific Plan for the construction of a new 80-unit residential housing development at 2015 Potrero Grande Drive. The subject property is located on the north side of Potrero Grande Drive, one lot east of the northeast corner of Potrero Grande Drive and Saturn Street. The property is zoned C-S (Commercial Services) and the General Plan designation is Commercial. The lot is 398,574 square feet (9.15 acres) in area. The property is currently occupied by the plant nursery since 1977. The lot is accessible from Potrero Grande Drive, a principal arterial with a width ranging from 84 to 100 feet curb-to-curb within a 100- to 120-foot right-of-way. This street section typically provides for a four-lane divided roadway. North of the property are R-1 (Single-Family Residential) zoned lots and Southern California Edison right-of-way, south are Potrero Grande Drive, Southern

California Edison property and Resurrection Cemetery in the City of Montebello, west are an O-P (Office Professional) zoned lot, Southern California Edison right-of-way, and a 50-foot wide water easement, and east are C-S (Commercial Services) zoned lots and a public storage facility.

General Plan Amendment

The applicant is requesting approval of a General Plan Amendment and Specific Plan to allow for the development of an 80-unit residential development. The proposed project will be a combination detached dwelling units and motor court units.

The requested General Plan Amendment will change the land use designation from Commercial to Medium Density Residential. According to the General Plan Land Use Element, the Medium Density Residential land use provides for moderate density housing either as attached or detached units at a density range of 0 to 16 units per acre. The applicant proposes to construct 40 percent of the maximum density allowed. Upon voter approval of the requested General Plan Amendment and Specific Plan, the applicant will make a tentative map application for the subdivision of air-rights for the establishment and maintenance of the condominium dwelling units.

The proposed General Plan Amendment is appropriate for the site for several reasons. First, although the property is currently zoned Commercial Services (C-S) and designated Commercial in the General Plan, the City has not received a commercial development proposal for the site for the past few decades. In fact, the only proposal received for the site was another residential development in 2005. In addition, as stated above, the property abuts an Edison right-of-way to the north, another Edison property to the west and is located across the street from Resurrection Cemetery in the City of Montebello. To the east of the site are a public storage facility, a warehouse building and a few other commercial tenant spaces that have experienced high levels of turnovers and vacancies. The only other types of commercial uses existing within the project area are flower shops and a couple of small retail eating establishments. Furthermore, the site of the Monterey Park Market Place, entitled by the City in 2012, is currently preparing for development in the near future. The Monterey Park Market Place Development includes approximately 600,000 square feet of retail/commercial space. The availability of this property for commercial occupancy will provide a high level of competition for the subject site. The project site is currently underutilized and is suitable for the proposed residential development.

According to MPMC Chapter 21.42(E), general plan changes which exceed one acre of land must be approved by the City Council and require voter approval. A General Plan Amendment application must be filed; the Planning Commission conducts a public hearing; and following the public hearing, the Planning Commission makes a recommendation to the City Council regarding the proposed General Plan Amendment.

Specific Plan

A specific plan is a tool for the systematic implementation of a General Plan. It effectively establishes a link between implementing policies of a general plan and the individual development proposals in a defined area. A specific plan may be as general as setting forth broad policy concepts, or as detailed as providing direction to every facet of development from the type, location and intensity of uses to the design and capacity of infrastructure; from the resources used to finance public improvements to the design guidelines of a subdivision.

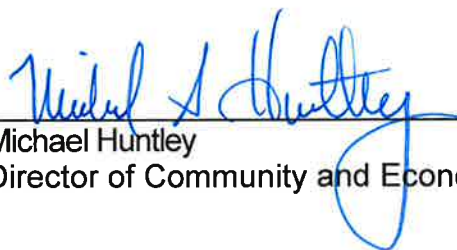
The applicant is requesting approval of a Specific Plan to allow for several development standards, including density, setbacks, parking, and open space. The proposed site design is similar to a traditional single-family residential subdivision with detached residential units. Initially, the applicant was considering a mix of both detached and attached residential units. The applicant held several community meetings and based on feedback from the community, the applicant has since modified the project to only include detached residential units. The proposed density will be 10 units per acre, which is consistent with the density allowed for the R-2 (Medium Density Residential) Zone. The setbacks include a reduced rear yard setback from 25 feet to 15 feet for five units located at the northwest corner of the property. Each dwelling unit includes a two-car garage and two guest parking spaces to be located on the driveway in front of the garage. According to MPMC § 21.22.050, the parking requirement is a two-car garage plus one guest parking space per unit. The Specific Plan will allow the guest parking to be provided on the driveway and along the curbside instead of providing separate stripped guest parking spaces designated for guest parking. The project includes a 36 feet wide private driveway (internal streets), which will allow for the curb side parking. According to Table 21.08(E), the minimum required private open space is 250 square feet per unit and 600 square feet of common open space per unit. With a minimum of 25 feet deep rear and front yards each unit will meet the private open space requirement. The common open space required for the development is 48,000 square feet and 10,000 square feet will be provided. One of the objectives of the Specific Plan is to distribute more of the common open space areas to the private open space areas. By doing so, each unit will have between 390 to 500 square feet of private open space instead of the minimum 250 square feet of private open space, which doubles the private open areas for many of the units. The architecture will be proposed if voters approve the General Plan Amendment and Specific Plan; it will be subject to the review and approval of the Design Review Board.

The proposed Specific Plan is appropriate for this property because the lot abuts a Southern California Edison (SCE) right-of-way to the north and an SCE-owned property to the west. Although the proposed rear yard setback will be 15 feet, the setback will have minimal impacts on the residential properties located north of the SCE right-of-way. The proposed location of the guest parking spaces for the detached residential units will not have significant effects on the use of the proposed guest parking spaces. The purpose of proposed detached residential dwelling units is to create the feel of single family dwelling units with private yards and parking spaces. The garage and driveway parking spaces are intended to provide adequate parking for each individual unit.

According Government Code § 65451, a specific plan must include certain text and diagram(s). As set forth in the draft resolution, there is substantial evidence to make the findings required by Government Code § 65450.

RECOMMENDATION:

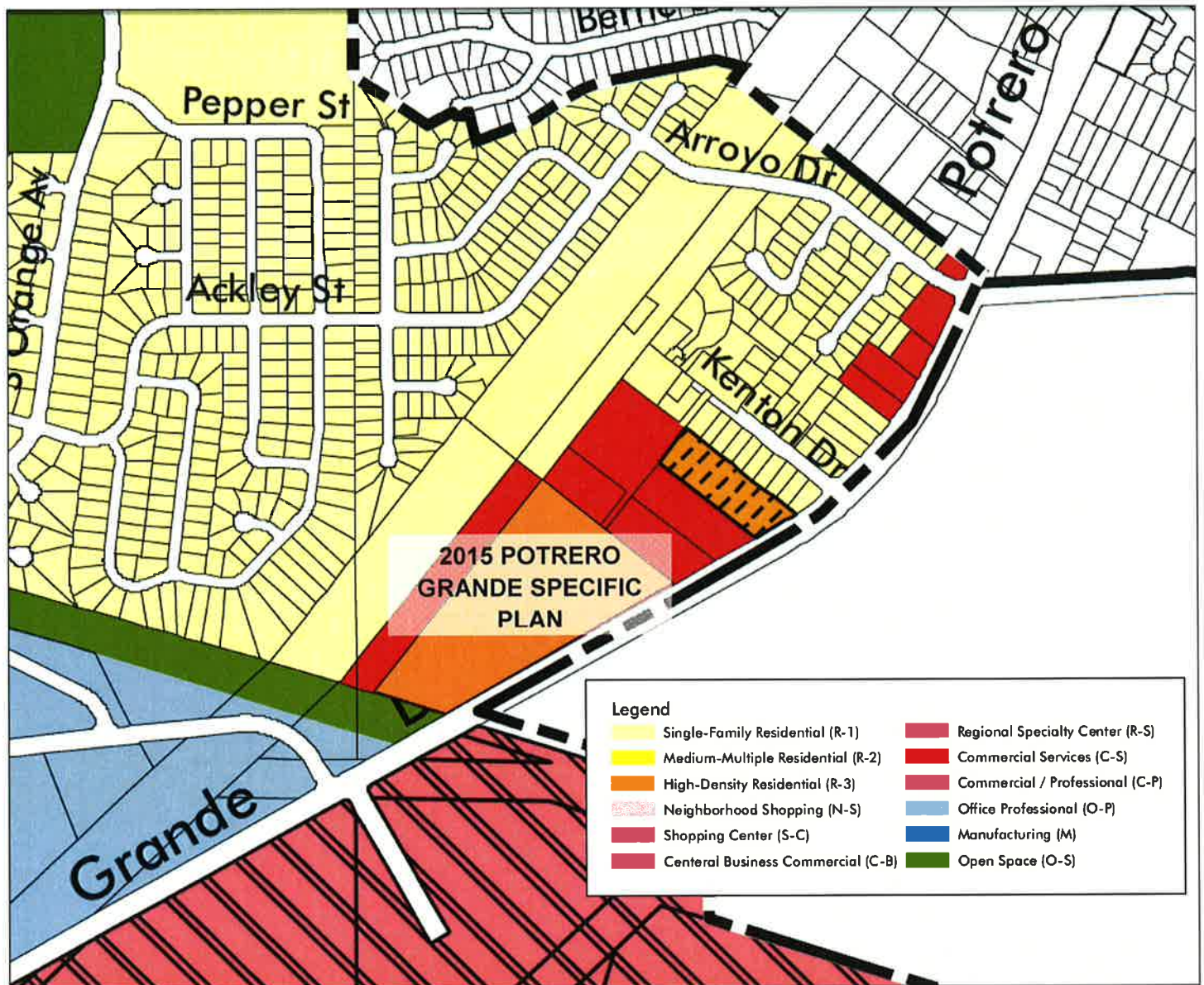
It is recommended that the Planning Commission: (1) open the public hearing; (2) consider the evidence submitted during the public hearing including, without limitation, this staff report; (3) adopt the draft resolution recommending approval of the project; and (4) take such additional, related, action that may be desirable.



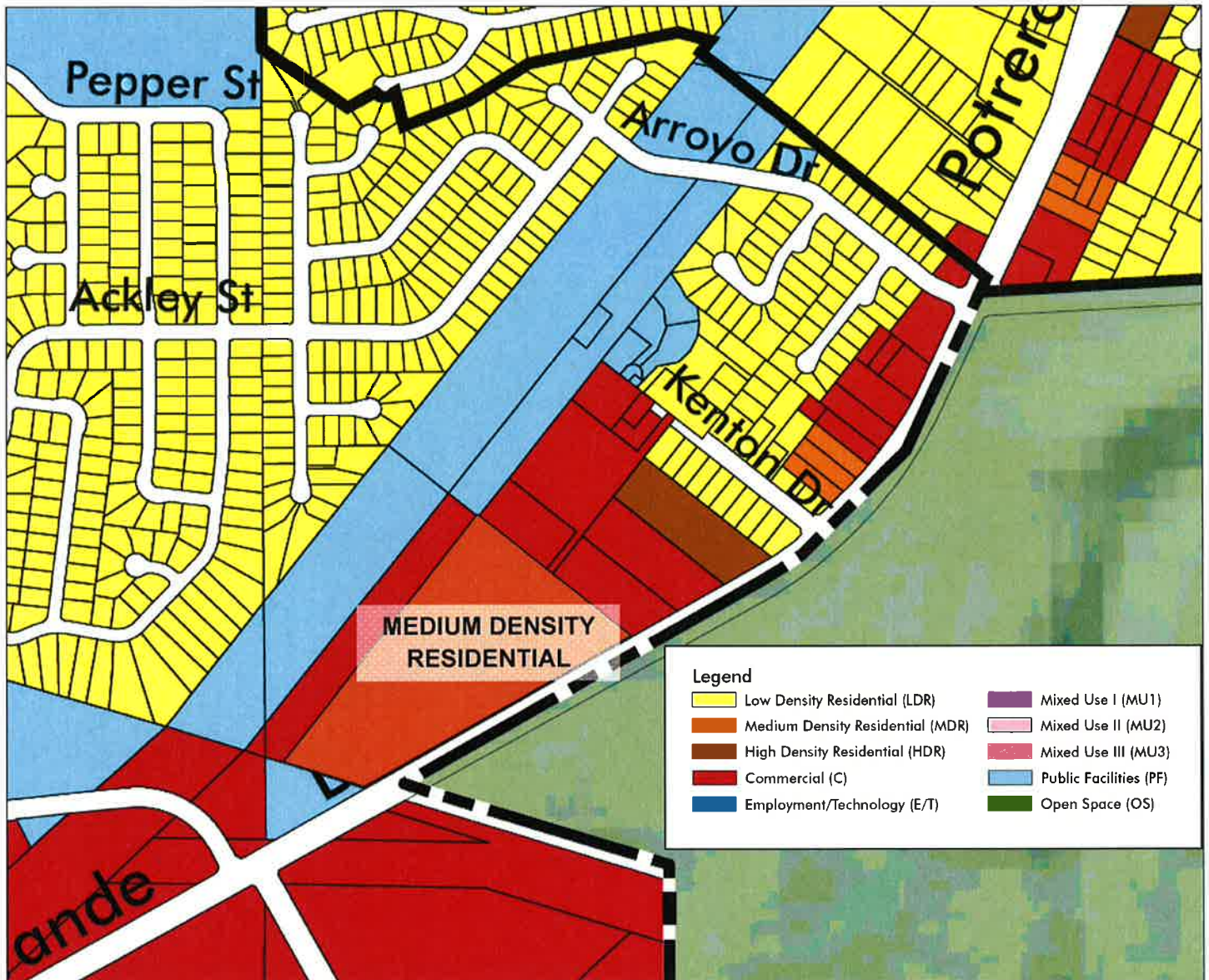
Michael Huntley
Director of Community and Economic Development

Attachments:

1. Draft Resolution
2. Site Plan
3. Specific Plan
4. Initial Study and Mitigated Negative Declaration



Amendment of the Zoning Map from Commercial Services (C-S) to 2015 Potrero Grande Specific Plan



Amendment of the Land Use Map from Commercial to Medium Density Residential

RESOLUTION NO.

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL CERTIFY A MITIGATED NEGATIVE DECLARATION AND ADOPT GENERAL PLAN AMENDMENT (GPA-13-02) AND SPECIFIC PLAN (SP-13-02) FOR THE CONSTRUCTION A NEW 80-UNIT RESIDENTIAL DEVELOPMENT AT 2015 POTRERO GRANDE DRIVE.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On August 29, 2013, Olson Urban Housing, LLC., submitted an application pursuant to Tile 21 of the Monterey Park Municipal Code ("MPMC"), requesting approval of General Plan Amendment (GPA-13-02) and Specific Plan (SP-13-02) to construct a new 80-unit residential development at 2015 Potrero Grande Drive ("Project");
- B. The proposed Project was reviewed by the Community and Economic Development Department for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The Community and Economic Development Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for January 22, 2014. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On January 22, 2014, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff and public testimony, and the applicant's representatives; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its January 22, 2014 hearing including, without limitation, the staff report submitted by the Community and Economic Development Department.

SECTION 2: *Factual Findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. The property is zoned C-S (Commercial Services) and the General Plan designation is Commercial.
- B. The property is located on the north side of Potrero Grande Drive, one lot east of the northeast corner of Potrero Grande Drive and Saturn Street. North of the property are

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 2 OF 5**

R-1 (Single-Family Residential) zoned lots and Southern California Edison right-of-way, south are Potrero Grande Drive, Southern California Edison property and Montebello Resurrection Cemetery, west are an O-P (Office Professional) zoned lot, Southern California Edison right-of-way, and a 50-foot wide water easement, and east are C-S (Commercial Services) zoned lots and a public storage facility.

- C. The lot is 398,574 square feet (9.15 acres) in area. The property is currently occupied by the plant nursery.
- D. The lot is accessible from Potrero Grande Drive, a principal arterial with a width ranging from 84 to 100 feet curb-to-curb within a 100- to 120-foot right-of-way. This street section typically provides for a four-lane divided roadway.

SECTION 3: Environmental Assessment.

- A. The Project was analyzed for its environmental impacts and an Initial Study was prepared pursuant to CEQA Guidelines § 15063. The Initial Study demonstrated that the project would not have a significant effect on the environment with the implementation of mitigation measures. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070 (the "MND"). The MND is attached as Exhibit "A," and incorporated by this reference. A Notice of Intent to Adopt a Negative Declaration was prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and was available for public comment from January 8, 2014 to January 28, 2014.
- B. In accordance with CEQA Guidelines § 15074, the record on which the Planning Commission's findings are based is located at the City of Monterey Park Community and Economic Development Department – Planning Division at City Hall, 320 West Newmark Avenue, Monterey Park, California 91754.
- C. When considering the whole record for the draft Initial Study and Mitigated Negative Declaration, there is no evidence that the Project will have the potential for an adverse effect on wildlife resources or the habitat on which the wildlife depends, because the project is in a built-out urban environment.
- D. These findings are based on the various mitigation measures to be required in the implementation of the project as set forth in the MND as already having been incorporated into the Project. The Planning Commission finds that all the mitigation measures now incorporated into the project are desirable and feasible.
- E. Accordingly, based upon the evidence presented to the Planning Commission, the City need not prepare an environmental impact report for the proposed project. Consequently, the Planning Commission recommends that the City Council certify the MND.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 3 OF 5**

SECTION 4: *Specific Plan Findings.* The Commission finds as follows pursuant to Government Code § 65451 and MPMC Title 21:

1. The Specific Plan includes text and diagrams which specifies all the required details. The Plan outlines the distribution, location, and extent of the uses of land, including open space, within the area covered by the plan. The Plan addresses the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Specific Plan and needed to support the land uses described in the Plan. The Plan includes the standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable. The Plan provides a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the details of the Plan.
2. The Specific Plan includes a statement of the relationship of the Specific Plan to the General Plan. The Project property is currently designated Commercial in the General Plan. However, the Project includes an amendment to the General Plan land use from Commercial to Medium Density Residential. According to the General Plan Land Use Element, the Medium Density Residential land use provides for moderate density housing either as attached or detached units at a density range of 0 to 16 units per acre. The applicant proposes to construct 40 percent of the maximum density allowed. Upon voter approval of the General Plan Amendment, the Specific Plan will facilitate the implementation of the General Plan.

SECTION 5: *General Plan Amendment Findings.* After considering the factual findings of this Resolution and the accompanying staff report, the Commission finds as follows pursuant to MPMC § 21.42.020(E):

- A. The applicant is requesting a General Plan Amendment to change the land use designation of the property from Commercial to Medium Density Residential. The land use change will allow the General Plan to be consistent with the Specific Plan, which will allow for medium density residential development. The General Plan Amendment will allow for the development of the proposed 80-unit residential development.
- B. General plan changes which exceed one acre of land must be approved by the City Council and require voter approval. A General Plan Amendment application must be filed; the Planning Commission conducts a public hearing; and following the public hearing, the Planning Commission makes a recommendation to the City Council regarding the proposed General Plan Amendment.

SECTION 6: *Recommendations.* The Planning Commission recommends that the City Council:

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 4 OF 5**

- A. Certify the MND and direct the Director of Community and Economic Development, or designee, to file any appropriate notifications in accordance with applicable law;
- B. Adopt the Ordinance set forth in Exhibit "B," and incorporated by reference, that would approve General Plan Amendment (GPA-13-02) and Specific Plan (SP-13-02) in its entirety including, without limitation, the conditions of approval set forth within the draft Ordinance; and
- C. Authorize the City Manager, or designee, to make non-substantive changes to the Specific Plan, as determined by the City Attorney.

SECTION 7: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 10: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

SECTION 11: A copy of this Resolution will be mailed to the applicant and to any other person requesting a copy.

SECTION 12: This Resolution may be appealed within nineteen (19) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

ADOPTED AND APPROVED this 22nd day of January 2014.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 5 OF 5**

Chairperson Michael Hamner

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 22nd day of January 2014, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael Huntley, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By:

Karl H. Berger,
Assistant City Attorney

ORDINANCE NO.

Exhibit A

CONDITIONS OF APPROVAL

2015 POTRERO GRANDE DRIVE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Olson Urban Housing, LLC agrees that it will comply with the following provisions as conditions for the City of Monterey Park's approval of General Plan Amendment (GPA-13-02) and Specific Plan (SP-13-02) ("Project Conditions").

PLANNING:

1. Olson Urban Housing, LLC (the "Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of GPA-13-2 and SP-13-02 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out the City approval of GPA-13-02 and SP-13-02, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or nay sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the City Council and on file. Before the City issues a building permit, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Community and Economic Development Department. Any subsequent modification must be referred to the Director of the Community and Economic Development Department for a determination regarding the need for City Council review and approval of the proposed modification.
3. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
4. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
5. The real property subject to GPA-13-02 and SP-13-02 must remain well-maintained and free of graffiti.
6. Landscaping/irrigation must be maintained in good condition at all times.

7. All enclosed garage spaces must be used for off-street parking only. There cannot be any personal storage or conversion of this space that would prevent the parking of vehicles in the enclosed garage. This condition must be included in the conditions, covenants and restrictions ("CC&Rs") that must be recorded for this property.
8. The project must comply with the mitigations as required by the Mitigated Monitoring and Reporting Program.

BUILDING:

9. The second sheet of the building plans must include all City of Monterey Park conditions of approval.
10. Specify the type of construction and occupancy on the plan. Provide analysis per the 2013 California Building Code (CBC) § 504 and § 506, as adopted by the MPMC, for allowable floor area and maximum height of building.
11. All works must conform to the requirements of the 2013 CBC, as amended by the MPMC.

ENGINEERING:

12. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a permittee; this project involves the distribution of soils by grading, clearing and/or excavation. The applicant/property owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the issuance of the grading permit on evidence of compliance with this permit and its requirements. Compliance information is available in the office of the City Engineer. Upon approval of the NPDES document by the City, the applicant/property owner must submit an electronic copy of the approved NPDES file, including site drawings, prior to the issuance of a building or grading permit.
13. The San Gabriel Water District governs the water lines that feed to the project site. A water plan must be submitted for review and approval from both the San Gabriel Valley Water District and City of Monterey Park Water Department. The title block shown on the plans must include approval signature blocks for both agencies. All comments and reviews by the San Gabriel Valley Water District must be completed prior to the approval of the grading and drainage plan.
14. All improvement plans, including grading and public improvement plans must be based upon City approved criteria. Benchmark references to be obtained from the Engineering Division.
15. A water plan must be submitted for review and approval by the City Engineer. This plan must substantiate adequate water service for domestic flow, fire flow

and identify backflow prevention. If current fire flow and pressure tests are not available to substantiate adequate pressure and flow to serve the development, the developer is responsible for conducting the appropriate tests and submitting copies of the test results for review and ultimate approval by the City.

16. Water Division requirements are to be determined upon completion and submittal of a water meter sizing sheet by the applicant. This may include up sizing of water meter and water services. All upgrading costs are the responsibility of the property owner.
17. The applicant must provide a site drainage plan for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer. Drainage from contiguous properties must not be blocked and must be accommodated to the satisfaction of the City Engineer. A hydrology and hydraulic study of the site may be required for submittal to the City Engineer for review and approval.
18. All storm drainage facilities serving the development must accommodate a 50 year storm. If existing storm drain facilities are inadequate they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also the satisfaction of the City Engineer prior to approval of the grading and drainage plans.
19. Any damage done to existing street improvements and utilities during construction must be repaired before the City issues certificates of occupancy. Pre-existing damaged, deteriorated, substandard or off-grade curb, gutter, driveways and sidewalk must be repaired or replaced to the satisfaction of the City Engineer.
20. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the City or a public works improvement guarantee and agreement posted before final map approved by the City Council.
21. A street lighting/photometric plan must be prepared for review and approval by the City Engineer. Streetlights must be installed along the frontage of the project site. The plans must be designed using Los Angeles County Standards.
22. Provide new street improvement from the centerline of Potrero Grande Drive to the property line, this includes roadway along the entire frontage. Construct a new curb and gutter, main entry driveway 5-foot width sidewalk and 5-foot width parkway with landscape and irrigation. The improvements must be along the entire property frontage and must include asphalt pavement improvements as approved by the City Engineer.

23. Landscape and irrigation plans must be prepared and all parkway tree types must be reviewed and approved by the City Parks Division.
24. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the City of a public works improvement guarantee and agreement posted before the City Council approves a final map.
25. All electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, must be made to City and public utility standards. A utility plan must be prepared and submitted showing all existing and proposed utilities. The utilities may be shown on either a separate plan or on the proposed site plan.
26. Provide a Sewer Study for existing sewer contributory flow and sewer connection. A sewer connection reconstruction fee will be assessed at the time of issuance of a building permit in accordance with the provisions of MPMC Chapter 14.06.
27. All buildings must have roof gutters and all roof drainage must be conducted to the public street or an approved drainage facility in a manner approved by the City Engineer.
28. Construct a wheelchair ramp(s) in the curb return at the street intersection.
29. All buildings must have roof gutters and all roof drainage must be conducted to the public street or an approved drainage facility in a manner approved by the City Engineer before the City approves drainage plans.
30. The grading and drainage plan must be submittal by the first plan check and must incorporate all pertinent site development comments from the City's geological and geotechnical consultants and must also include the approved geological report submitted by the developer's consultant.
31. Modify and/or correct the tentative map in accordance with the adopted conditions of approval of the tentative map and also in accordance with the specific criteria noted by the City Engineer verify and submit correct drainage pattern of adjacent property.
32. The City reserves the right to restrict driveway access to and from the project in the event future traffic conditions warrant such restricted turn movements.
33. The off-site driveway approach must align true and square with the on-site driveway.

34. On-way traffic must have a minimum of 12 feet in width; two-way traffic must have a minimum of 29 feet in width.
35. Show existing curb markings and street signage fronting the project on the plans.
36. Provide scaled turning templates for larger vehicles, i.e. sport utility vehicles
37. Each parking stall must have a minimum of 18 feet perpendicular to the stall and 12 feet parallel to the stall, directly adjacent to the rear of the stall, to allow for vehicle maneuverability clearance.

FIRE:

38. Provide a minimum unobstructed driveway width of 20 feet, exclusive of shoulders and except for approved security gates in accordance with 2013 California Fire Code (CFC) § 503.6 and an unobstructed vertical clearance for Fire Department vehicular access to within 150 feet of all portions of the exterior building walls per CFC § 503.2.1, as amended by the MPMC.
39. A new fire flow test is required for all new building construction. Plan submittal must include fire flow test data obtained within one year of the submittal date. The fire flow test can be requested at the Fire Prevention office.
40. Provide approved signs or other approved notices or markings that include the words No Parking – Fire Lane. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the CFC Appendix D103.6.
41. Dead-end fire apparatus access roads in excess of 150 feet in length must be provided with an approved Fire Department turnaround per CFC § 503.2.5.
42. Fire Department vehicular access roads must be provided with a 32-foot centerline turning radius per CFC § 503.2.4. Indicate the centerline, inside and outside turning radii for each change in direction on the site plan.
43. When security gates are provided, maintain a minimum access width of 20 feet. The security gates will have provided with an approved means of emergency operations, and must be maintained operational at all times. Electric gate operators, where provided, must be listed in accordance with UL325. Gates intended for automatic operation must be designed, constructed and installed to comply with the requirements of ASTM F220 per CFC § 503.6. Indicate the access width of security gates on the site plan and means for emergency operation, and the requirement that it be maintained at all times.

44. Manually operated gates and barriers must have a weather resistant Knox-key box. The key box must be placed four to five feet above the roadway surface at the right side of the access gate in a conspicuous location that is readily and visibly accessible. The key box must be clearly labeled "FIRE DEPT" per CFC § 506.
45. Electrically operated gates and barriers must have an operable Knox-key switch. The key switch must be placed between 42 inches and 48 inches above the roadway surface at the right side of the access gate within two feet of the edge of the roadway. The key switch must be readily visible and unobstructed from the fire lane leading to the gate. The key must be clearly labeled "FIRE DEPT" per CFC § 506 and Appendix D.
46. Gate and barrier locks must be reviewed and approved prior to their installation on any new and/or existing access gate or barrier. Authorization/order forms for Knox products may be obtained through MPKFD Fire Prevention Division at (626) 307-1308 per CFC § 506 and Appendix D.
47. Provide approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, prohibit the obstruction thereof, as required per CFC Appendix D. Provide note on site plan and show location of each "Fire Lane – No Parking Sign" and show dimensions of roadway width.
48. Fire Department vehicular access roads shall be hardscape all weather access in accordance with the Department's All Weather Access requirements per CFC § 503.2.3.
49. A minimum 5 foot wide approved firefighter access walkway leading from the fire apparatus access road to the building's exterior opening must be provided for fire fighting and rescue purposes per CFC § 504.1.
50. Fire apparatus access road must be identified with approved signs. Temporary signs must be installed at each street intersection when construction of new roadway allows passage by vehicles. Signs must be an approved size, weather resistant and be maintained until replaced by permanent signs per CFC § 505.2.
51. 2013 CFC Table B105 must determine the required fire flow from fire hydrants at this location based on type of construction and occupancy classification. Plan submittal must include fire flow test date to be obtained within one year of the

submittal date. The fire flow test can be requested at the Fire Prevention Office per CFC Table B105.

52. All fire hydrants must measure 6 inches by 4 inch by ½ inch, brass or bronze, conforming to the American Water Works Association Standard C53, or approved equal per CFC § 507.5.
53. Approved numbers or addresses must be placed on the front elevation of all new or existing buildings in such a position that is plainly visible and legible from the street or road on which the property is addressed. Addresses must not be located where they have the potential of being obstructed by signs, awnings, vegetation or other building/sit elements. Number must be a minimum of 4 inches high with a minimum stroke width of 0.5 inch per CFC § 505 and CBC § 501.2.
54. If all building addresses are not clearly visible or legible from the public road serving the structures, an address monument must be provided at the entry point(s) to the site indicating the range of addresses accessible from the entrance per CFC § 505.
55. Provide an automatic fire sprinkler system as set forth by CFC § 903 and 907.
56. Provide a separate fire apparatus access road plan as set forth per CFC § D104.3 for developments of one- or two-family dwellings where the number of dwelling units exceeds 30.

POLICE:

57. If a security gate is placed across the driveway, the gate code will be furnished to the Police Department so that access can be made by Police Department personnel as needed. If there is an security gates located on the property, the Police Department must be granted access by the providing a key or gate code to these gates.
58. Adequate exterior lighting must be provided so that the units are visible from the street during the hours of darkness. At all times, all hallways, stairwells, and any garage/carport, guest parking areas and parking entrances must be well lit to deter any criminal activity. There must also be adequate lighting in all common areas of the facility. During non-business hours motion sensor activated lights may be used in the interior areas of the facility in order to reduce electricity usage.
59. Access to the roof of the building must be locked and secured. Access to the roof must be restricted to maintenance personnel, building management, or other authorized personnel.

60. The shrubbery on the property must be installed and maintained in such condition to permit good visibility of the units from the streets. Any shrubbery surrounding the complex must be planted and maintained where the height of the greenery would not easily conceal persons.
61. The residents and property management are encouraged to participate in the Monterey Park Police Department's Business/Neighborhood Watch Program; a free service designed to educate individuals about minimizing criminal activity. Contact the Monterey Park Community Relations Bureau at (626) 307-1215.

By signing this document, Olson Urban Housing, LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

By: _____
Olson Urban Housing, LLC, Applicant

ORDINANCE NO.

AN ORDINANCE CERTIFYING A MITIGATED NEGATIVE DECLARATION AND ADOPTING GENERAL PLAN AMENDMENT (GPA-13-02) AND 2015 POTRERO GRANDE DRIVE SPECIFIC PLAN (SP-13-02).

The City Council for the City of Monterey Park does ordain as follows:

SECTION 1: The City Council finds and declares that:

- A. On August 29, 2013, Olson Urban Housing, LLC., submitted an application pursuant to Tile 21 of the Monterey Park Municipal Code ("MPMC"), requesting approval of General Plan Amendment (GPA-13-02) and Specific Plan (SP-13-02) to construct a new 80-unit residential development at 2015 Potrero Grande Drive ("Project");
- B. The proposed Project was reviewed by the Community and Economic Development Department for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The Community and Economic Development Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for January 22, 2014. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On January 22, 2014, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff and public testimony, and applicant representatives. The Planning Commission adopted Resolution No. 14-02 which recommended that the City Council certify the Mitigated Negative Declaration and adopt the Specific Plan;
- F. The City Council reviewed the draft Specific Plan and related environmental aspects of the proposal as required by the MPMC at the February 5, 2014 hearing; and
- G. The City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing of February 5, 2014.

SECTION 2: The City Council finds and determines that the Specific Plan attached as Exhibit "A," and incorporated by this reference, was processed in accordance with California law and the MPMC (the "Specific Plan"). Adopting the Specific Plan is in the public interest and consistent with the Monterey Park General Plan pursuant to Government Code § 65588. The findings and analysis set forth in Planning Commission Resolution No. 14-02, as adopted January 22, 2014, is incorporated into this Ordinance as if fully set forth.

SECTION 3: *Environmental Findings.*

- A. The Project was analyzed for its environmental impacts and an Initial Study was prepared pursuant to CEQA Guidelines §15063. The Initial Study demonstrated that the Project would not have a significant effect on the environment with the implementation of mitigation measures. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and was available for public comment from January 8, 2014 to January 28, 2014.
- B. In accordance with § 15074 of the CEQA Guidelines, the record on which the City Council's findings are based is located at the City of Monterey Park Community and Economic Development Department – Planning Division at City Hall, 320 West Newmark Avenue, Monterey Park, California 91754.
- C. When considering the whole record for the Mitigated Negative Declaration, there is no evidence that the Project will have the potential for an adverse effect on wildlife resources or the habitat on which the wildlife depends, because the project is in a built-out urban environment.
- D. These findings are based on the various mitigation measures to be required in the implementation of the project as adopted in the Mitigated Negative Declaration as already having been incorporated into the Project. The City Council finds that all the mitigation measures now incorporated into the project are desirable and feasible.
- E. Accordingly, based upon the evidence presented to the City Council, the City need not prepare an environmental impact report for the proposed project. Consequently, the City Council certifies the MND attached as Exhibit "B," and incorporated by reference.

ORDINANCE NO.
PAGE 3 of 4

SECTION 4: *Approvals.*

- A. Subject to the conditions listed on attached Exhibit "C," which are incorporated into this Ordinance by reference, the City Council approves the General Plan Amendment and adopts the Specific Plan.
- B. The Monterey Park Zoning Map is amended to add the zoning designation of "SP-13-02" as set forth in Exhibit "D," and incorporated by reference.

SECTION 5: *Reliance on Record.* Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: *Limitations.* The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 8: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 9: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 10: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED, APPROVED, AND ADOPTED this February 5, 2014.

Anthony Wong, Mayor
City of Monterey Park, California

ATTEST:

Vincent D. Chang, City Clerk
City of Monterey Park, California

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Monterey Park City Council at its regular meeting held on XX of _____, 2014, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger, Assistant City Attorney



PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

3

TO: Planning Commission

FROM: Community and Economic Development Department

MEETING DATE: January 22, 2014

SUBJECT: Scheduled Matter

Consider adopting a resolution indicating that the proposed disposition of real property is in conformance with the Monterey Plan General Plan

LOCATIONS: 236 South Ramona Avenue
321, 325, 341, and 371 East Pomona Boulevard; and
534 North Chandler Avenue

APPLICANT: City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

PROJECT PLANNER: Michael Huntley
Director of Community and Economic Development

RECOMMENDATION: After holding the public hearing, (1) Adopt a resolution finding that the disposition of City property is in conformance with the Monterey Park General Plan; (2) find that the project as proposed is exempt from Environmental Review under CEQA Guidelines § 15312 (Surplus Government Property Sales); and (3) take such related action that may be desirable.

ZONE: R-3 (High Density Residential); R-3, P-D (High Density Residential, Planned Development; and R-3 (High Density Residential), respectively

GENERAL PLAN: Low Density Residential; Mixed-Use II; High Density Residential; respectively

SITE DESCRIPTION:

Property Size: 1.04 acres for all properties included in the disposition

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

On June 6, 2012, the City Council certified LINC Housing as a qualified Community Housing Development Organizations (CHDO) and authorized City Manager to enter into a Reservation Agreement with LINC Housing in the amount of the \$544,245 (this figure was later increased to \$834,833 because of additional HOME Funds that needed to be expanded or the funds would roll back to HUD).

On July 22, 2013, the City Council approved 236 South Ramona Avenue as the Project Site to utilize the HOME Funds and authorized the City Manager to enter into an Agreement with LINC Housing. This Agreement committed \$834,833 in HOME Funds to LINC Housing for the development of 6 new affordable housing units and the sale of 25 units located at 534 Chandler Avenue and 321, 325, 341 and 371 East Pomona to LINC.

On October 2, 2013, the City Council approved the Pre-Development Loan to LINC Housing to evaluate project feasibility of the 236 South Ramona Avenue Site. The City Manager was authorized to execute the Pre-Development Loan in the amount of \$83,483.

ENVIRONMENTAL ASSESSMENT:

After reviewing the City's application, the Planning Commission finds that the proposed project is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312 and the Monterey Park Guidelines. Specifically, the City proposes to sell the Surplus Property; the Surplus Property is not located in an area of concern; the Surplus Property does not have significant value for wildlife habitat or other environmental purpose; and the use of the Surplus Property and adjacent property has not changed since the time the City acquired the Surplus Property. Accordingly, this project falls under a Class 12 categorical exemption pursuant to CEQA.

ANALYSIS AND EVALUATION OF PROJECT:

Proposal

The City is proposing the disposition (i.e., sale) of City owned property located at 236 South Ramona Avenue. It is LINC Community Housing Development Corporation's intention to purchase the property to develop six affordable residential units. The City is also proposing the disposition (i.e. sale) of City owned property located at 321, 325, 341, and 371 East Pomona Boulevard; and 534 North Chandler Avenue. LINC intends to purchase these residentially developed properties; refurbish the existing residential units as necessary; and manage and rent these existing residential units as affordable housing.

Pursuant to Government Code § 64502, the City cannot convey real property until the Planning Commission determines whether the property conforms with the General Plan.

The Planning Commission's finding that the disposition of the Property is in compliance with the City's General Plan does not automatically dispose of the Property. Only the City Council can declare the property surplus and determine the method of its conveyance.

Before disposition of surplus property, the City must provide written notice to interested parties to allow development opportunities for affordable housing, park & recreational uses, school facilities, enterprise zone purposes, or a transit village development pursuant to Government Code § 54222. This action will occur once the Planning Commission and then the City Council declare the property as surplus.

General Plan Conformance

The Monterey Park General Plan provides Goals and Policies to provide direction on development and land use decisions. Staff has reviewed the adopted goals and policies of the General Plan and believes that disposition of the Property is consistent with the City's General Plan. Several goals that are advanced as a result of the disposition of the Property are provided below.

Land Use Element

Goal 10 Maintain the quality and character of Monterey Park's residential neighborhoods.

The disposition of the Property for residential infill purposes and for the ongoing maintenance and preservation of existing affordable residential units is responsive to the needs of the community and will not impact the quality and character of the surrounding residential neighborhood and civic center district.

Housing Element

Goal 3 Provide adequate housing by location, type of unit, and price to meet existing and future needs of City residents.

The disposition of the Property for residential infill purposes will allow six new affordable residential units of varying affordability levels. Moreover, the ongoing maintenance and preservation of existing affordable residential units will allow for the ongoing preservation of affordable housing in the community.

Economic Development

Goal 10 Achieve overall government efficiency to improve the environment for economic growth and community enhancement.

The disposition of the Property for residential infill purposes will enhance the

surrounding residential neighborhood and civic center district and the ongoing maintenance and preservation of existing affordable residential units will allow for the ongoing preservation of affordable housing in the community.

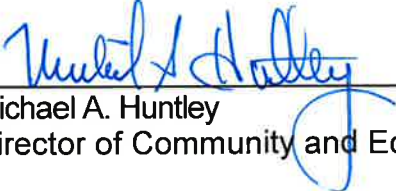
Circulation Element

Goal 6 Ensure that all development projects provide well-designed parking facilities that are safe, convenient, and attractive.

The disposition of the Property for residential infill purposes has been designed to provide the required off-street parking for both the residents and guests. The proposed development will also provide subterranean parking for City of Monterey Park use as well as parking for the general public exceeding the code requirements. The existing affordable residential units will maintain the existing number of off-street parking dedicated to each residential unit.

RECOMMENDATION:

After holding the public hearing, (1) Adopt a resolution finding that the disposition of City property is in conformance with the Monterey Park General Plan; (2) find that the project as proposed is exempt from Environmental Review under CEQA Guidelines § 15312 (Surplus Government Property Sales); and (3) take such related action that may be desirable.



Michael A. Huntley
Director of Community and Economic Development

Attachments:

1. Draft Planning Commission Resolution
2. Location Map of subject parcels

RESOLUTION NO. _____

**A RESOLUTION FINDING THAT CONVEYANCE OF SURPLUS
PROPERTY LOCATED 236 SOUTH RAMONA AVENUE; 321, 325, 341,
AND 371 EAST POMONA BOULEVARD; AND 534 NORTH CHANDLER
AVENUE CONFORMS TO THE MONTEREY PARK GENERAL PLAN
AND THE MONTEREY PARK MUNICIPAL CODE.**

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On January 9, 2014, the City of Monterey Park filed an application requesting that the City Council declare real property located 236 S. Ramona Avenue; 321, 325, 341, and 371 East Pomona Boulevard; and 534 North Chandler Avenue ("Surplus Property") to be surplus and authorize the City Manager to dispose of such property in accordance with applicable law;
- B. Pursuant to Government Code § 65402(a), the City submitted its application to the Planning Commission for review. The City's submission was reviewed by the Planning Commission for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the Planning Commission reviewed the property sale environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines") and found the sale of the property to be categorically exempt pursuant to a Class 12 exemption;
- D. At a special meeting on January 22, 2014, the Planning Commission considered the information provided in the City's application regarding the Surplus Property.

SECTION 2: *Purpose of Surplus Property Sale.*

- A. The City is purposing to dispose of the City owned property located at 236 S. Ramona Avenue to a nonprofit home builder with the intention of developing a six unit affordable housing project; and disposing of the property located at 321, 325, 341, and 371 East Pomona Boulevard; and 534 North Chandler Avenue to the same nonprofit corporation that will rehabilitate, manage and rent the existing residential units as affordable housing. It is the City's intention to declare the property as surplus.

SECTION 3: Environmental Assessment. After reviewing the City's application, the Planning Commission finds that the proposed project is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312 and the Monterey Park Guidelines. Specifically, the City proposes to sell the Surplus Property; the Surplus Property is not located in an area of concern; the Surplus Property does not have significant value for wildlife habitat or other environmental purpose; and the use of the Surplus Property and adjacent property has not changed since the time the City acquired the Surplus Property. Accordingly, this project conforms with a Class 12 categorical exemption under CEQA.

SECTION 4: General Plan Conformance and Zoning. The proposed project conforms to the City's General Plan and the zoning regulations in the MPMC as follows:

- A. Resources Element (Open Space and Recreational Components)
The subject property does not provide an open space benefit or contain a recreational facility and as such, the sale and development of the subject property will not lead to the loss of open space.
- B. Land Use Element
The site remains in conformance with the Land Use Element as the subject property is designated for residential use.
- C. Zoning
The sale of the subject site, if declared surplus property, would be in conformance with the Zoning Code which would allow for the development of an affordable housing project.

SECTION 5: Report. Pursuant to Government Code § 65402(a), this Resolution constitutes the Planning Commission's report to the City Council showing that selling the Surplus Property is consistent with the General Plan.

SECTION 6: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 7: The Commission Secretary is directed to provide a copy of this Resolution to the City of Monterey Park and to any other person requesting a copy.

SECTION 8: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 9: Except as provided in Section 8, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of ____, 2014.

Michael Hamner, Chairperson
City of Monterey Park Planning Commission

ATTEST:

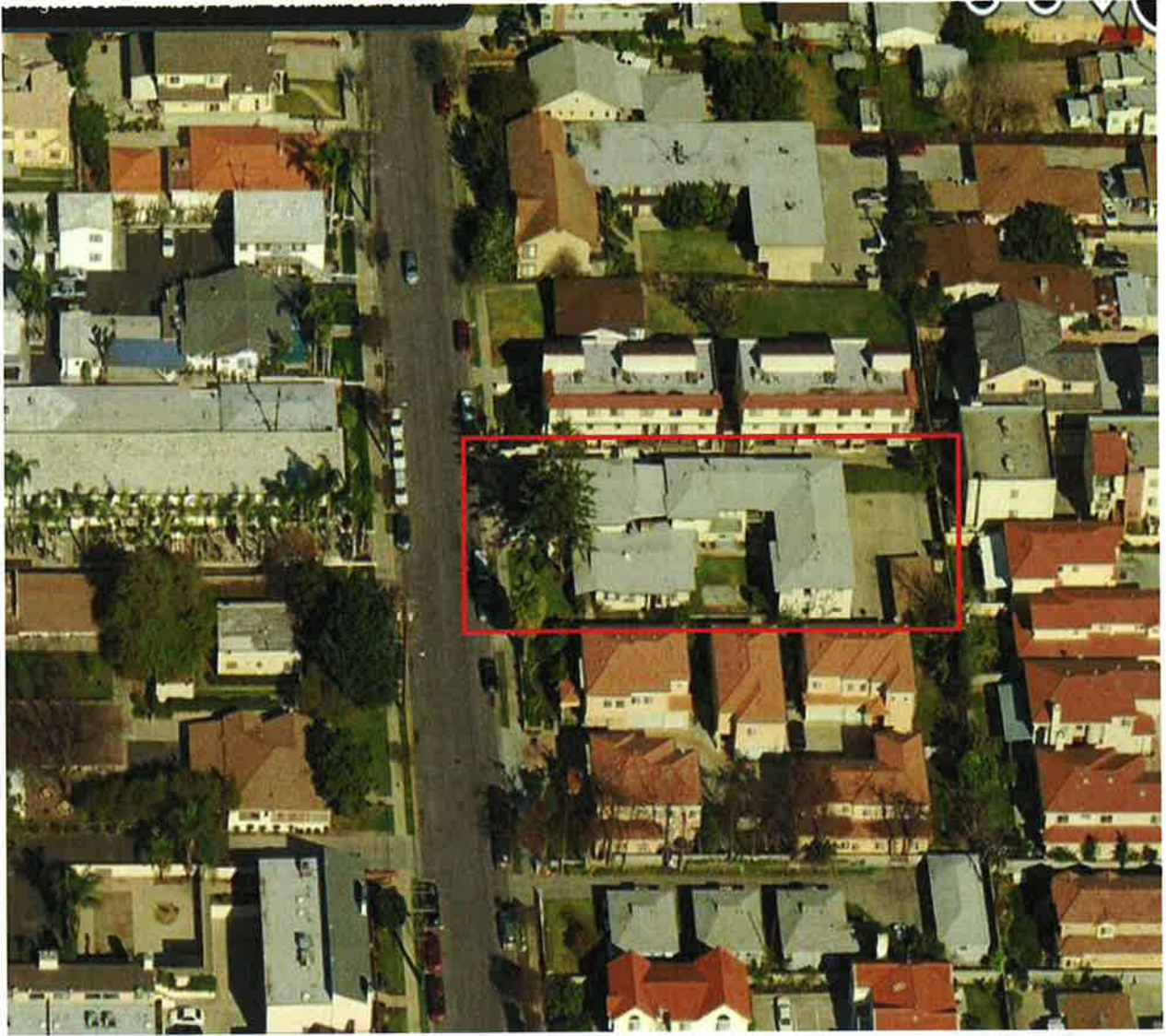
Secretary

APPROVED AS TO FORM:

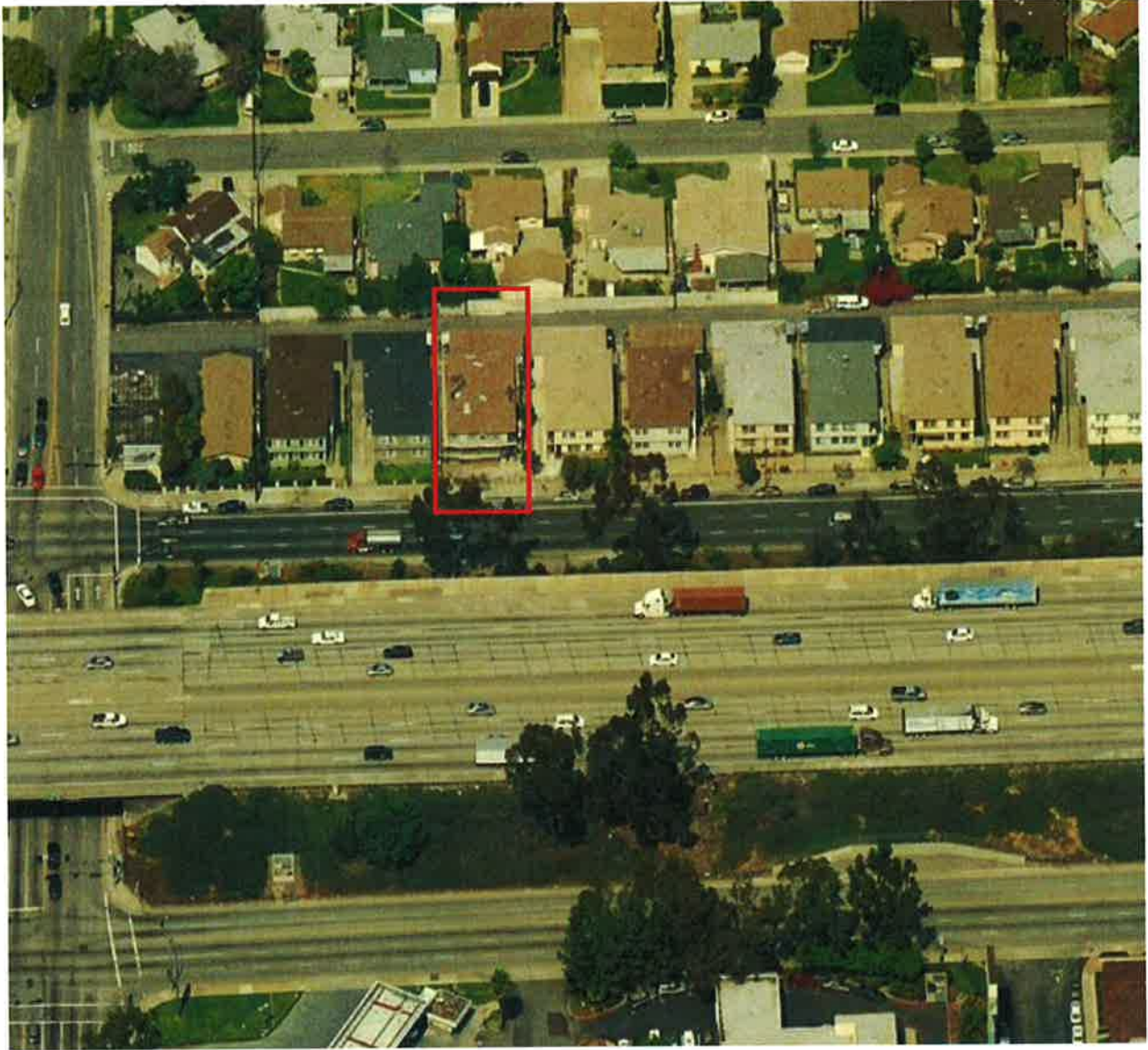
By: _____
Karl H. Berger, Assistant City Attorney



Aerial Photo Map: 236 S. Ramona Ave
APN: 5257-013-900



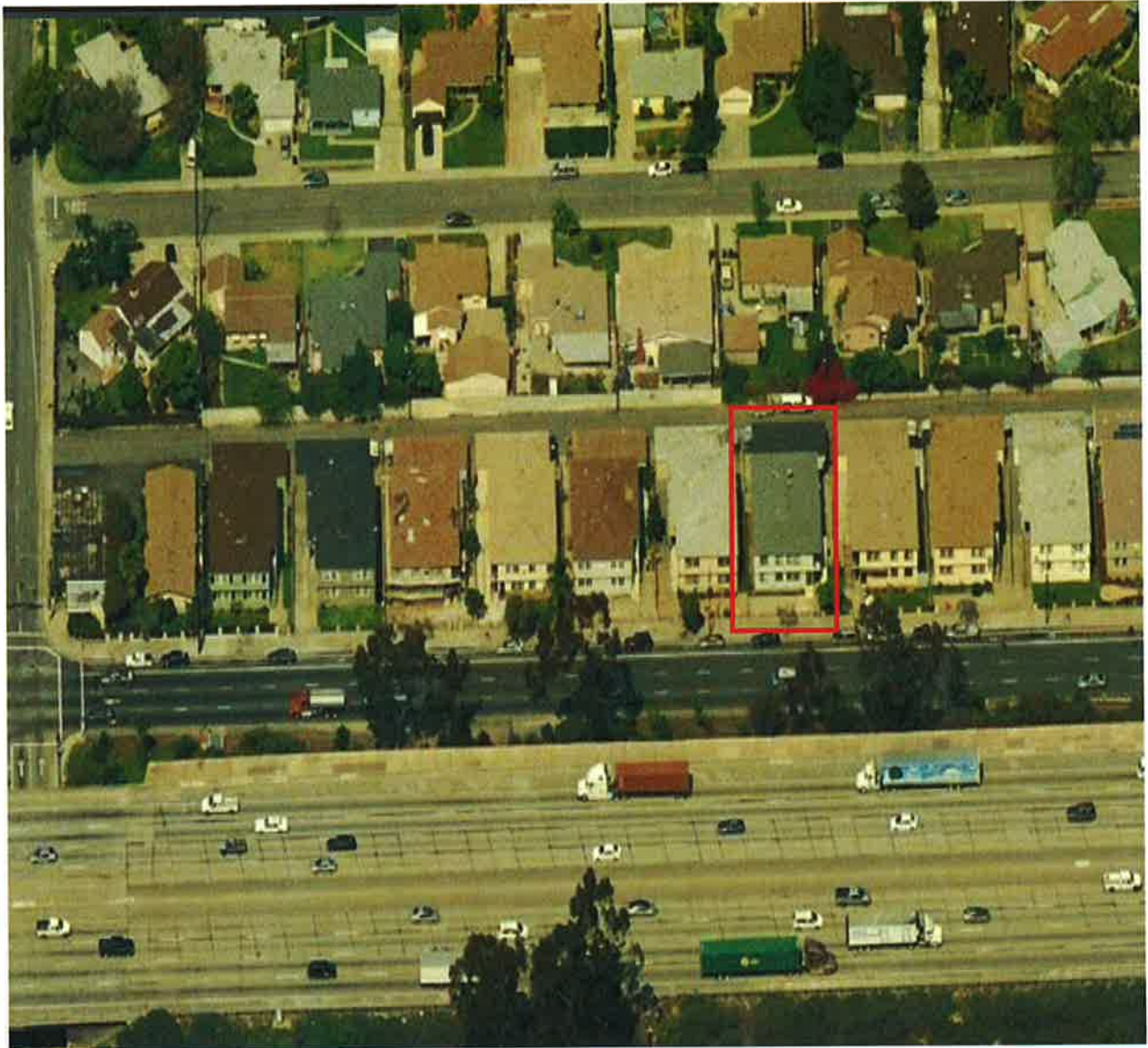
Aerial Photo Map: 534 N. Chandler Ave
APN: 5256-008-900



Aerial Photo Map: 321 E. Pomona Blvd
APN: 5265-015-900



Aerial Photo Map: 325 E. Pomona Blvd
APN: 5265-015-903



Aerial Photo Map: 341 E. Pomona Blvd
APN: 5265-015-902



Aerial Photo Map: 371 E. Pomona Blvd
APN: 5265-015-901



PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

4

TO: Planning Commission

FROM: Community and Economic Development Department

MEETING DATE: January 22, 2014

SUBJECT: Scheduled Matter

Consider adopting a resolution indicating that the proposed disposition of real property is in conformance with the Monterey Park General Plan

LOCATIONS: 751 South Alhambra Avenue
City Maintenance Yard

APPLICANT: City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

PROJECT PLANNER: Michael Huntley
Director of Community and Economic Development

RECOMMENDATION: After holding the public hearing, (1) Adopt a resolution finding that the disposition of City property is in conformance with the Monterey Park General Plan; (2) find that the project as proposed is exempt from Environmental Review under CEQA Guidelines § 15312 (Surplus Government Property Sales); and (3) take such related action that may be desirable.

ZONE: OS (Open Space)

GENERAL PLAN: PS (Public Facilities)

SITE DESCRIPTION:

Property Size: 5.2 acres

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

On September 30, 2013, the City Council entered into an Exclusive Negotiation Agreement with City Ventures Homebuilding, LLC for the acquisition and development of the City owned property located at 751 S. Alhambra Avenue and utilized as the City Maintenance Yard.

ENVIRONMENTAL ASSESSMENT:

After reviewing the City's application, the Planning Commission finds that the proposed project is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312 and the Monterey Park Guidelines. Specifically, the City proposes to sell the Surplus Property; the Surplus Property is not located in an area of concern; the Surplus Property does not have significant value for wildlife habitat or other environmental purpose; and the use of the Surplus Property and adjacent property has not changed since the time the City acquired the Surplus Property. Accordingly, this project falls under a Class 12 categorical exemption pursuant to CEQA.

ANALYSIS AND EVALUATION OF PROJECT:

Proposal

The City is proposing the disposition (i.e. sale) of City owned property located at 751 S. Alhambra Avenue. City Ventures Homebuilding, LLC intends to purchase the property from the City to develop 25 single-family residential homes. As a result of the disposition, the City would be identifying an alternate location for the City's Maintenance Yard.

Pursuant to Government Code § 64502, the City cannot convey real property until the Planning Commission determines whether the property conforms with the General Plan. The Planning Commission's finding that the disposition of the Property is in compliance with the City's General Plan does not automatically dispose of the Property. Only the City Council can declare the property surplus and determine the method of its conveyance.

Before disposition of surplus property, the City must provide written notice to interested parties to allow development opportunities for affordable housing, park & recreational uses, school facilities, enterprise zone purposes, or a transit village development pursuant to Government Code § 54222. This action will occur once the Planning Commission and then the City Council declare the property as surplus.

General Plan Conformance

The Monterey Park General Plan provides Goals and Policies to provide direction on development and land use decisions. Staff has reviewed the adopted goals and policies of the General Plan and believes that disposition of the Property is consistent with the City's General Plan. Several goals that are advanced as a result of the disposition of the Property are provided below.

Land Use Element

- Goal 10 Maintain the quality and character of Monterey Park's residential neighborhoods.

The disposition of the Property for infill single-family residential development would relocate the City Maintenance Yard, a less desirable use in a residential neighborhood, with compatible residential development that will improve the quality and character of the surrounding residential neighborhood.

Housing Element

- Goal 3 Provide adequate housing by location, type of unit, and price to meet existing and future needs of City residents.

The disposition of the Property for infill single-family residential development would provide additional buy up housing, a type of housing that is somewhat limited in the city.

Economic Development

- Goal 10 Achieve overall government efficiency to improve the environment for economic growth and community enhancement.

The disposition of the Property for infill single-family residential development would bring in more residents with greater buying power that would allow for economic growth and enhancements to the community.

Circulation Element

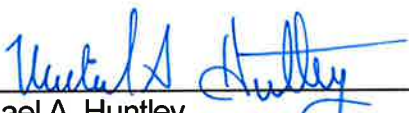
- Goal 6 Ensure that all development projects provide well-designed parking facilities that are safe, convenient, and attractive.

The disposition of the Property for residential infill purposes has been designed to provide the required off-street parking for both the residents and guests. Future residential development will be required to comply with the

Off-Street Parking Requirement as specified in the Monterey Park Municipal Code.

RECOMMENDATION:

After holding the public hearing, (1) Adopt a resolution finding that the disposition of City property is in conformance with the Monterey Park General Plan; (2) find that the project as proposed is exempt from Environmental Review under CEQA Guidelines § 15312 (Surplus Government Property Sales); and (3) take such related action that may be desirable.



Michael A. Huntley
Director of Community and Economic Development

Attachments:

1. Draft Planning Commission Resolution
2. Location Map of subject parcels

RESOLUTION NO. ____

A RESOLUTION FINDING THAT CONVEYANCE OF SURPLUS PROPERTY LOCATED 751 SOUTH ALHAMBRA CONFORMS TO THE MONTEREY PARK GENERAL PLAN AND THE MONTEREY PARK MUNICIPAL CODE.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On January 9, 2014, the City of Monterey Park filed an application requesting that the City Council declare real property located 751 S. Alhambra Avenue ("Surplus Property") to be surplus and authorize the City Manager to dispose of such property in accordance with applicable law;
- B. Pursuant to Government Code § 65402(a), the City submitted its application to the Planning Commission for review. The City's submission was reviewed by the Planning Commission for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the Planning Commission reviewed the property sale environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines") and found the sale of the property to be categorically exempt pursuant to a Class 12 exemption;
- D. At a special meeting on January 22, 2014, the Planning Commission considered the information provided in the City's application regarding the Surplus Property.

SECTION 2: *Purpose of Surplus Property Sale.*

- A. The City is proposing to dispose of the City owned property located 751 S. Alhambra Avenue to a home builder with the intention of developing approximately 25 detached residential units. It is the City's intention to declare the property as surplus.

SECTION 3: *Environmental Assessment.* After reviewing the City's application, the Planning Commission finds that the proposed project is exempt from CEQA requirements pursuant to CEQA Guidelines § 15312 and the Monterey Park Guidelines. Specifically, the City proposes to sell the Surplus Property; the Surplus Property is not

located in an area of concern; the Surplus Property does not have significant value for wildlife habitat or other environmental purpose; and the use of the Surplus Property and adjacent property has not changed since the time the City acquired the Surplus Property. Accordingly, this project conforms with a Class 12 categorical exemption under CEQA.

SECTION 4: General Plan Conformance and Zoning. The proposed project conforms to the City's General Plan and the zoning regulations in the MPMC as follows:

- A. Resources Element (Open Space and Recreational Components)
The subject property is currently developed as the City of Monterey Park maintenance yard does not provide an open space benefit or contain a recreational facility and as such, the sale and development of the subject property will not lead to the loss of open space. The proposed project will provide new open space opportunity if the project is developed.
- B. Land Use Element
The Land Use Element of the General Plans identifies the subject property as a Public Facility. Residential development would require a General Plan Amendment to a residential designation.
- C. Zoning
The sale of the subject site, if declared surplus property, would be required to comply with the zoning provisions of the Monterey Park Municipal Code.

SECTION 5: Report. Pursuant to Government Code § 65402(a), this Resolution constitutes the Planning Commission's report to the City Council showing that selling the Surplus Property is consistent with the General Plan.

SECTION 6: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 7: The Commission Secretary is directed to provide a copy of this Resolution to the City of Monterey Park and to any other person requesting a copy.

SECTION 8: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 9: Except as provided in Section 8, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of ____, 2014.

Michael Hamner, Chairperson
City of Monterey Park Planning Commission

ATTEST:

Secretary

APPROVED AS TO FORM:

By: _____
Karl H. Berger, Assistant City Attorney



Aerial Photo Map: 751 South Alhambra Ave
APN: 5260-013-900