



# AGENDA

## CITY OF EL MONTE PLANNING COMMISSION

TUESDAY, FEBRUARY 25, 2020

7:00 P.M.

CITY HALL EAST – COUNCIL CHAMBERS  
11333 VALLEY BOULEVARD

### CITY OF EL MONTE PLANNING COMMISSION

**CHAIRPERSON**  
Amy Wong

**VICE-CHAIRPERSON**  
Rafael Gonzalez

**COMMISSIONER**  
Alfredo Nuño

**COMMISSIONER**  
Cesar Peralta

**COMMISSIONER**  
Roberto Estrada Cruz

### OPENING OF MEETING

1. Call Meeting to Order
2. Flag Salute
3. Roll Call
4. Approval of Agenda
5. Commission Disclosures
6. Public Comments

Citizens wishing to address the Planning Commission on land use and development matters may do so at this time. Note that the Commission cannot respond to or take any action on the item.

Citizens wishing to speak on an agenda item will be given the opportunity to speak after the item is presented by staff.

Limit your comments to three (3) minutes. State your name and address at the podium for the record.

### CONSENT CALENDAR

7. Approval of Planning Commission Minutes  
January 21, 2020
8. Approval of Modification Minutes  
January 21, 2020

Phone: (626) 258-8626  
www.elmonteca.gov  
planning@elmonteca.gov

**PUBLIC HEARING**

**9. Tentative Parcel Map No. 82423**

*Address:* 5232 Hammill Road

*Request:* The applicant is requesting the approval of Tentative Parcel Map No. 82423 to subdivide an existing 25,985 square foot lot into three (3) separate parcels to accommodate two (2) new one-story dwelling units and one (1) common driveway. The subject property is located in the R-1B (Single-Family Residential) zone. The request is made pursuant to Title 16.12 (Subdivisions) of the El Monte Municipal Code (EMMC).

*CEQA Recommendation:* Article 19 - Categorical Exemption sections 15303 (class 3 – new construction or conversion of small structures) & section 15315 (class 15 – minor land divisions) in accordance with the requirements of the California Environmental Quality Act (CEQA) of 1970 and the CEQA guidelines.

*Case Planner:* Sandra Elias, Assistant Planner

*Recommendation:* Continue to March 10, 2020

**REGULAR AGENDA**

**10. Time Extension for Conditional Use Permit No. 04-17, Design Review No. 01-17 & Modification No. 23-17**

*Address:* 10950 Grand Avenue

*Request:* On January 16, 2018, the Planning Commission adopted Resolution No. 3495 approving Conditional Use Permit No. 04-17, Design Review No. 01-17 and Modification No. 23-17 to allow the construction of a new 1,750 square foot building for the occupancy of a non-profit organization in the M-1 (Light Manufacturing) Zone. On December 11, 2018, the Planning Commission granted a one (1) year time extension that extended the project’s entitlements expiration date to January 26, 2020. The applicant is now requesting an additional one (1) year time extension to complete construction. The request is made pursuant to Chapter 17.20, 17.22 and 17.24 of the El Monte Municipal Code (EMMC).

*Case Planner:* Werner Abrego, Planning Aide

*Recommendation:* Approve an additional one (1) year time extension with a new expiration date of January 26, 2021.

**11. Time Extension for Tentative Parcel Map No. 73160**

*Address:* 2711 Meeker Avenue

*Request:* On January 31, 2017, the Planning Commission adopted Resolution No. 3467, approving Tentative Tract Map No. 73160 to allow the subdivision of a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway). On April 23, 2019, the Planning Commission approved a one (1) year time extension for the project to extend the expiration date to February 10, 2020. The applicant is now requesting an additional one (1) year time extension to complete the final map plan-check process and obtain the necessary permits to begin construction. The request is made pursuant to Title 16.12 (Subdivisions) of the El Monte Municipal Code (EMMC).

*Case Planner:* Werner Abrego, Planning Aide

*Recommendation:* Approve an additional one (1) year time extension with a new expiration date of February 10, 2021

**12. Time Extension for Tentative Parcel Map No. 74238**

*Address:* 3442 Whistler Avenue

*Request:* On December 12, 2017, the Planning Commission adopted Resolution No. 3492, approving Tentative Parcel Map (TPM) 74238 to subdivide an existing 12,895 square foot lot into three (3) lots for the construction of two (2) new residences and one (1) common lot for driveway purposes. The applicant is now requesting a one (1) year time extension to extend the expiration to December 22, 2020. The request is made pursuant to Title 16.12 (Subdivisions) of the El Monte Municipal Code (EMMC).

*Case Planner:* Nancy Lee, Senior Planner

*Recommendation:* Approve Time Extension with a new expiration date of December 22, 2020

**13. General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, & Modification Nos. 11-16 & 12-16**

*Address:* 9933 Valley Boulevard

*Request:* On December 5, 2017 the City Council adopted Resolution No. 9820, approving General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, and Modification Nos. 11-16 and 12-16 to permit the construction of an approximate 17,000 square foot multi-tenant commercial development at 9933 Valley Boulevard. The applicant is now requesting a one (1) year time extension of the project's entitlements to allow additional time to complete the Building plan-check process and obtain the necessary permits to begin construction. The request is made pursuant of Chapters 16.10, 17.20, 17.22, 17.24 and 17.26 of the El Monte Municipal Code (EMMC).

*Case Planner:* Marlene Vega, Planning Aide

*Recommendation:* Approve Time Extension with a new expiration date of December 15, 2020.

**14. 2019 Housing Element Annual Report**

*Address:* Citywide

*Request:* The City of El Monte has completed the Housing Element Annual Report for 2019. This report tracks housing construction and implementation of housing programs during the reported period. The City Council adopted the "Vision El Monte" General Plan in 2011 and the Housing Element in 2013.

*CEQA Recommendation:* General Plan and Housing Element Annual Reports are not a project as defined by the California Environmental Quality Act (CEQA) Section 21065 and therefore exempt from CEQA.

*Case Planner:* Tony Bu, Senior Planner

*Recommendation:* Adopt resolution recommending City Council approval of report and directing staff to transmit the report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.

*Resolution:* 3565

**15. Director's Report**

- New Cannabis Regulations
- New Accessory Dwelling Units (ADU) Urgency Ordinance

**16. City Attorney's Report**

- New Housing Legislation for 2020

**17. Commissioner Comments**

**NEXT SCHEDULED CITY PLANNING COMMISSION MEETING****Tuesday, March 10, 2020 at 7:00 P.M.**

City Hall East – City Council Chambers

**Availability of staff reports:** Copies of the staff reports or other written documentation relating to each item of business described hereinabove are on file in the offices of the Planning Division, City Hall West, 11333 Valley Boulevard, El Monte, California, 91731. These documents are available for public inspections during regular business hours, Monday through Thursday, 7:30 a.m. to 5:30 p.m., except legal City holidays. You may also call the Planning Division at (626) 258-8626 for information.

**Individuals with special needs:** The City of El Monte wishes to assist individuals with special needs. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (626) 258-8626. Notification 48 hours prior to the meeting will enable us to make reasonable arrangements to ensure accessibility to this meeting. [28 Code of Federal Regulations 35.102-35.104 ADA Title II]

**General explanation of how the meeting is conducted:**

1. The staff report is presented by City Planning staff.
2. The City Planning Commissioners ask questions if necessary for clarification.
3. The City Planning Commission Chair opens the public hearing.
4. The applicant makes a presentation to the City Planning Commission.
5. Individuals speaking in favor of the project address the Commission.
6. Individuals speaking against the project address the Commission.
7. The applicant responds to project opponents.
8. The public hearing is closed.
9. City Planning Commission members discuss the project.
10. City Planning Commission members vote on the project.
11. At the next scheduled Commission meeting, which is usually two weeks after the hearing, a resolution confirming the Commission action will be adopted.
12. Any interested party who disagrees with the City Planning Commission decision may appeal the Commission's decision to the City Council within 10 calendar days of the adoption of the resolution. Any appeal filed must be directed to the City Clerk's Office and must be accompanied by a fee of \$1,620.35. Any individual that received notice of this meeting from the City of El Monte will receive notice of an appeal, if one is filed.

**TO:** CITY PLANNING COMMISSION

**FROM:** BETTY DONAVANIK  
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

**BY:** JASON C. MIKAELIAN, AICP  
CITY PLANNER

WERNER ABREGO  
PLANNING AIDE

**SUBJECT:** CONDITIONAL USE PERMIT NO. 04-17, DESIGN REVIEW  
NO. 01-17 & MODIFICATION NO. 23-17  
(TIME EXTENSION)

**LOCATION:** 10950 GRAND AVENUE

**APPLICANT /** TIM CHO/DFH ARCHITECTS AND ENGINEERS  
378 DEL MAR BOULEVARD, #9  
PASADENA, CA 91101

**PROPERTY OWNER:** CHINESE PARENTS ASSOCIATION FOR THE DISABLED  
P.O. BOX 2884  
SAN GABRIEL, CA 91778

**RECOMMENDATION:** APPROVE TIME EXTENSION FOR CONDITIONAL USE  
PERMIT NO. 04-17, DESIGN REVIEW NO. 01-17 &  
MODIFICATION NO. 23-17

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**BACKGROUND**

On January 16, 2018, the Planning Commission adopted Resolution No. 3495 approving Conditional Use Permit No. 04-17, Design Review No. 01-17 and Modification No. 23-17 to allow the construction of a new 1,750 square foot building for the occupancy of a non-profit organization in the M-1 (Light Manufacturing) Zone. Per Condition of Approval No. 2 of Resolution No. 3495, the approval of the project's entitlements had a one (1) year expiration date of January 26, 2019. Furthermore, on December 11, 2018, the Planning Commission approved a one (1) year time extension to extend the expiration date to January 26, 2020.

## **REQUEST**

The applicant is now requesting an additional one (1) year time extension for a new expiration date of January 26, 2021. Since the time of the project's approval, the applicant has completed the required site preparation work such as soils work, rough grading, site utilities and the property line block walls. The additional time extension is requested due to unforeseen circumstances involving the general contractor that has delayed construction progress as detailed in Attachment B.

## **RECOMMENDATION:**

Staff recommends the Planning Commission approve the additional time extension request for a new project expiration date of January 26, 2021.

## **ATTACHMENTS:**

- A. Planning Commission Resolution No. 3495
- B. Time Extension Request Letter from Applicant

**RESOLUTION NO. 3495**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 04-17, DESIGN REVIEW NO. 01-17 AND MODIFICATION NO. 23-17 TO ALLOW THE CONSTRUCTION OF A NEW 1,750 SQUARE FOOT BUILDING FOR THE OCCUPANCY OF A NON-PROFIT ORGANIZATION IN THE M-1 (LIGHT MANUFACTURING) ZONE, AND ADOPTING A CATEGORICAL EXEMPTION FOR THE PROPERTY LOCATED AT 10950 GRAND AVENUE, EL MONTE, CALIFORNIA**

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

**SECTION 1 – PROJECT DESCRIPTION.** On March 30, 2017, Tim Cho (DFH Architects and Engineers), 378 E. Del Mar Boulevard #9, Pasadena, California, filed an application for Conditional Use Permit No. 04-17, Design Review No. 01-17, and Modification No. 23-17. A Conditional Use Permit and Design Review are requested for the construction of a new one-story 1,750 square foot building on a 6,030 square foot lot for the occupancy of a nonprofit organization. A Modification is also requested to reduce the required rear setback from 25 feet to zero (0) feet. The subject property is located in the M-1 (Light Manufacturing) zone. The request is made pursuant to the requirements of Chapters 17.20, 17.22 and 17.24 of the El Monte Municipal Code (EMMC).

**SECTION 2 – PUBLIC HEARING.** The property is located at 10950 Grand Avenue, on the south side of Grand Avenue, and described as follows, to-wit:

APN: 8574-020-006

Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Conditional Use Permit No. 04-17, Design Review No. 01-17 and Modification No. 23-17 before this Planning Commission on January 16, 2018 at which time, all interested persons were given full opportunity to be heard and present evidence.

**SECTION 3 - ZONING.** The property is located within the M-1 (Light Manufacturing) Zone. The surrounding zoning and land use of the adjacent properties are as follows:

**North:** R-2 (Residential - Temple City); Residential Use  
**South:** M-1 (Light Manufacturing); Retail/Residential Use  
**East:** M-1 (Light Manufacturing); Industrial Use  
**West:** M-1 (Light Manufacturing); Industrial Use

**SECTION 4 - ENVIRONMENTAL.** In accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has conducted the appropriate environmental analysis and based on that assessment, the City has determined the project to be Categorically Exempt by Article 19 Section 15303 (Class 3 – New Construction or Conversion of Small Structures) in accordance with the requirements of the State CEQA Guidelines. No further environmental assessment is required.

**SECTION 5 - GENERAL PLAN.** The General Plan land use designation is Industrial/Business Park. Allowable uses include a mix of sustainable manufacturing, processing, office, warehousing, and distribution uses that generate employment, minimize traffic, and are compatible with residential neighborhoods. Supporting and limited retail uses are also allowed. Industrial uses are allowed at an intensity of up to 1.0 FAR.

**SECTION 6 – CONDITIONAL USE PERMIT FINDINGS.** All necessary

findings for the granting of Conditional Use Permit No. 04-17 pursuant to Section 17.24.050 of the El Monte Municipal Code can be made in a positive manner and are as follows:

- A. The granting of such conditional use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;

*Finding of Fact:*

The approval of the Conditional Use Permit will allow the construction of a 1,750 square foot building for the occupancy of a non-profit organization. All operations will occur within the building. Conditions of approval have been imposed to ensure that the proposed occupancy will not increase the demand for public services or negatively impact the residential properties or residential land uses in the area.

- B. The use applied for at the location indicated is properly one for which a conditional use permit is authorized;

*Finding of Fact:*

The site is zoned M-1 (Light-Manufacturing) and is currently vacant. Pursuant to Section 17.24.040(41) of the El Monte Municipal Code, the proposed occupancy of the proposed building for the occupancy of a nonprofit organization is permitted upon the approval of a Conditional Use Permit.

- C. The site for the proposed use is adequate in size and shape to accommodate such use; and that all yards, spaces, walls, fences, parking, loading, landscaping, and other features required to adjust such use with the land and uses in the neighborhood are provided;

*Finding of Fact:*

The site, as proposed, will provide six (6) parking spaces and one (1) ADA parking space for a total of seven (7) parking spaces. The current parking requirement requires seven (7) parking spaces. Furthermore, the site complies with all applicable zoning requirements with an exception to the rear yard setback in which the applicant has applied for a Modification. The foregoing analysis, site-plan review, and input from other City Divisions assure compliance with these requirements.

- D. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use;

*Finding of Fact:*

The site is served by Grand Avenue, which is classified as a local street and fulfills the standard design requirements for its classification. There will be therapy classes and support meetings with approximately 15-20 students/parents in attendance, on average. Students will typically be dropped off at the site for recreation/social interaction activities. All activities that will be held on site will have staggered scheduling to avoid any problems with parking. The existing driveway will be repaired and expanded to achieve EMMC's requirement of twenty-five (25) feet. Furthermore, staff has determined that the street is adequate to accommodate the proposed businesses operations.

- E. The granting of such conditional use permit will not adversely affect the purpose, goals and policies of the city general plan.

*Finding of Fact:*

The General Plan land use designation of the subject property is Industrial/Business Park. The Industrial/Business Park designation encourages a mixture of office, commercial and industrial uses within an integrated development setting and allows for uses such as warehousing, assembly, distribution, and administrative offices. The proposed construction of an office/non-profit center building would be consistent with the General Plan, provided that a Conditional Use Permit is approved by the Planning Commission.

**SECTION 7 – DESIGN REVIEW FINDINGS.** All necessary findings for the granting of Design Review No. 01-17 to construct a new 1,750 square foot warehouse on a 6,030 square foot lot, located in the M-1 (Light Manufacturing) zone, pursuant to Chapter 17.22 (Design Review) of the EMMC can be made in a positive manner as follows:

- A. The granting of the design review request will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;

*Finding of Fact:*

The applicant is proposing to construct a new 1,750 square foot building on a 6,030 square foot lot. The project site is zoned M-1, which permits the construction of a new building upon approval of a Design Review by the City's Planning Commission. The subject property is surrounded on three sides by M-1 zoned properties and the R-2 residential zone of Temple City to the north. The overall placement, massing, and design of the proposed building will not be detrimental to the public health or welfare or injurious to the adjacent properties.

- B. The design of the proposed project would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, textures, and colors that will remain appealing and will retain a reasonably adequate level of maintenance.

*Finding of Fact:*

The building is proposed to be situated along the southern part of the project site. There will also be a five (5) foot wide public utilities easement along the west property line. There will be a new seven (7) foot landscape planter along the front property line. In order to ensure proper maintenance of the property, staff has added a condition of approval that requires the recordation of a property maintenance agreement prior to building permit issuance. Staff has determined that the overall site plan design and placement of the proposed building is consistent with the City's Comprehensive Design Guidelines and will be a development that is aesthetically pleasing for the community.

- C. The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards;

*Finding of Fact:*

The proposed layout of the project site was carefully considered by the applicant. The proposed building is situated closer to the rear of the property. The proposed new driveway approach will provide easier vehicle ingress and egress to the site. As proposed, staff has determined that the design and layout of the building will not interfere with the existing or future enjoyment of adjacent properties and uses.

- D. The architectural design of the proposed project is compatible with the character of the surrounding neighborhood and will maintain the harmonious, orderly and attractive development contemplated by the provisions of this chapter and the general plan;

*Finding of Fact:*

The architectural design of the proposed building takes on a contemporary/modern style. The proposed entry facade area features different types of metal/aluminum materials in different cuts and colors to create accents and unique architectural detailing for the building. The building walls will also feature split face CMU blocks, however they will be arranged in different ways to create a modern design. Overall, the proposed colors and materials of the building create a dynamic and interesting design that is consistent with the City's Comprehensive Design Guidelines and the General Plan's goal of achieving exceptional commercial design along a commercial corridor. The proposed color scheme will also convey an overall "playful" theme that will appeal to children/youth.

- E. The landscape considerations including the location, type, size and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas, have been provided to insure visual relief, to complement buildings and structures and to provide an attractive environment.

*Finding of Fact:*

The proposed landscape plan provides a good mixture of drought tolerant plant materials. Proposed trees are also methodically placed in the new landscape areas located along the western part of the parking lot to not only add a landscape texture to the proposed building, but also serve as an alleviating element to break up the continuous concrete area of the proposed parking lot. The proposed landscape will provide an attractive environment and is consistent with the City's landscape regulations.

- F. The architectural design, layout and site configuration is consistent with the City's adopted "comprehensive design guidelines."

*Finding of Fact:*

The proposed architecture of the building is of contemporary style and is consistent with the City's commercial design guidelines for massing and façade articulation. Given that the new building is one-story, the proposed massing of the building will match existing buildings surrounding the project. The project as proposed is consistent with the City's Comprehensive Design Guidelines.

**SECTION 8 – MODIFICATION FINDINGS.** All necessary findings for the granting of a Modification pursuant to Section 17.20.110 of the El Monte Municipal Code can be made in a positive manner and are as follows:

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

*Finding of Fact:*

The M-1 (Light Manufacturing) zone requires a twenty-five (25) foot rear yard setback when the subject property is adjacent to a residentially zoned or used property. The rear property line of the project site abuts the side yard of a residential property; therefore, the EMMC requires a 25 foot rear setback. The City's Subdivision Ordinance requires industrially zoned lots to have a minimum area of 40,000 square feet and dimensions of 200 feet wide and deep. The existing site is legal non-conforming as it has an area of only 6,000 square feet. In addition, the property is only 50 feet wide by 120 feet deep and includes a five (5) foot wide easement along the west property line and a street dedication along Grand Avenue. This greatly limits the ability for any proposed building to meet all setback requirements. Furthermore, the proposed building location will be consistent with building setbacks of adjacent properties to the east and west.

- B. The granting of the Modification will not be materially detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity in which the property is located.

*Finding of Fact:* The proposed design of the building is consistent with the existing commercial/industrial character of the surrounding properties. Staff has determined the site plan design provides appropriate buffers to accommodate the transition from commercial, industrial and residential uses that are adjacent to the site. Therefore, the granting of the Modification will not be materially detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity in which the property is located.

- C. Because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under the identical zone classifications.

*Finding of Fact:*

The applicant is proposing to reduce the required rear setback from twenty-five (25) feet to zero (0) feet. The City's Subdivision Ordinance requires industrially zoned lots to have a minimum area of 40,000 square feet and dimensions of 200 feet wide and deep. The existing site is legal non-conforming as it has an area of only 6,000 square feet. In addition, the property is only 50 feet wide by 120 feet deep and includes a five (5) foot wide easement along the west property line and a street dedication along Grand Avenue. This greatly limits the ability for any proposed building to meet all setback requirements. Furthermore, the proposed building location will be consistent with building setbacks of adjacent properties to the east and west.

- D. The granting of such modification will not adversely affect the comprehensive General Plan.

*Finding of Fact:*

The subject property is located within the Industrial/Business Park General Plan land use designation. The General Plan provides design guidance for Industrial/Business Park projects to ensure that they convey a high level of visual and physical quality and distinctive neighborhood character. The proposed project is consistent with the goals and policies of the General Plan by developing a building that is of high quality design, providing consistent use of architectural details and materials, is pedestrian in its focus and scale, and conveys a welcoming and inviting theme that coincides with the proposed use of the building.

The proposed project meets all of the design guidelines as listed in the Community Design Element, with conditions imposed. Therefore, the granting of such modification will not adversely affect the comprehensive General Plan.

**SECTION 9 – APPROVALS AND CONDITIONS.**

The Planning Commission determines that the project is Categorically Exempt under Article 19 Section 15303 (Class 3 – New Construction and Conversion of Small Structures) in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines, as amended, and does hereby approve Conditional Use Permit No. 04-17, Design Review No. 01-17 and Modification No. 23-17 subject to the following recommended conditions:

**PROJECT GENERAL**

1. The project shall substantially conform to Conditional Use Permit No. 04-17, Design Review No. 01-17, and Modification No. 23-17 presented to the Planning Commission on January 16, 2018.
2. The Conditional Use Permit No. 04-17, Design Review No. 01-17, and Modification No. 23-17 approval as contained herein shall be effective for a period of twelve (12) months from the date of effective approval thereof unless the applicant has obtained building occupancy permits from the City for the proposed project or has timely requested an extension within which to procure building permits.
3. A copy of the approving resolution shall be printed or attached to the development plans that are to be submitted during the plan check process.
4. All Planning Division, Building Division, Code Enforcement Division, Engineering Division, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building permits or at another time specified in the conditions of approval or as outlined in City Codes.
5. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits or a Certificate of Occupancy Permit for the proposed project.
6. All activities on the property shall comply with the City of El Monte Noise Ordinance at all times.

**LEGAL**

7. By acceptance of the approval of the project by the City, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from

any claim, action, or proceeding against the City or its agents, officers, and employees to challenge, set aside, void or annul the approval of the project from an action which may be brought within the time period provided for such actions or challenges under applicable law. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate in any such defense.

8. Subject to review and applicability by the Economic Development Director, Public Works Director, and the City Attorney and to ensure ongoing compliance with the conditions of approval set forth under this resolution and to ensure that the property and all improvements located thereupon are properly maintained, the applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the applicant) shall execute a maintenance agreement with the City of El Monte which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:
  - a. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.).
  - b. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, and/or restrictions on certain uses, including uses determined by the Planning Commission (or the City Council upon appeal) to be incompatible or inconsistent with any authorized uses; compliance with applicable State and/or federal statutes and regulations, including but not limited to compliance with statutes and regulations regarding the appropriate operating guidelines for certain equipment (e.g., emissions standards, radio frequency emissions standards etc.);
  - c. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
  - d. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);
  - e. If the applicant and the owner of the property are different (e.g., if the applicant is a tenant or licensee of the property or any portion thereof), both the applicant and the owner of the property shall be signatories to the

maintenance agreement and both shall be jointly and severally liable for compliance with its terms.

- f. The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties and obligations and responsibilities set forth under the maintenance agreement.
- g. The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.
- h. The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any construction permit related to this entitlement.

## **CONSTRUCTION**

- 9. Prior to the commencement of construction on the site, the developer shall schedule a pre-construction meeting between the general superintendent or field representative and the Planning Division to discuss the approved plans and construction requirements.
- 10. The project must comply and be designed to meet the all requirements of the current California Building Code. All building safety, geotechnical, mechanical, electrical, plumbing, and accessibility requirements will be reviewed for compliance during plan review.
- 11. Prior to commencing demolition and site preparation activities, the project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times. At the primary entrance to the site, the screening material shall be reduced to a maximum height of four feet to provide visibility into the site at all times and for public safety purposes. The project site shall also have a minimum of one sign of quality material depicting the proposed development, which shall include renderings, project opening date, and City Council information. The signs shall be designed and installed to the satisfaction of the Economic Development Department and maintained in good condition (free of tears, graffiti, holes, cracks, fading, debris, etc.) at all times.

12. During the construction process all related activities, including but not limited to, loading, unloading, storage of equipment and materials, and parking of employee vehicles are prohibited within the public R.O.W. All such activities shall be conducted only on the project site and not in the public R.O.W.
13. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.
14. Automatic gas shut off/earthquake safety valves shall be installed for each gas meter location.
15. Fire protection facilities; including access, must be provided prior to and during construction.
16. All staging areas and storage of equipment and materials shall be set back from adjacent residential uses.
17. All trash and refuse (i.e. solid waste) shall be disposed of in dumpsters or other like containers; and all such waste shall be removed from the premises on a routine basis, as provided under EMMC Chapter 8.20, by a solid waste hauler duly franchised to provide such service to the property. Applicant shall divert fifty percent (50%) of its solid waste through recycling services provided by a solid waste hauler duly franchised to provide such service to the property. Pending completion of all construction activities upon the property, surplus construction materials shall be stored so as to be screened from view when not actually in use. All construction and demolition debris shall be removed from the property in compliance with EMMC Chapter 8.20. The removal of all solid waste arising out of the construction and demolition process shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services for construction and demolition projects within the City of El Monte. The removal of all other wastes from the property shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services to residential and commercial properties within the City of El Monte.
  - a. Prior to the issuance of a Building Permit, the developer shall submit to the Building Safety Division, the Environmental Services Division and the City Code Enforcement Division, the name and contact information for the contracted waste hauler. It shall be the developer's obligation to ensure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
  - b. Prior to final approval for occupancy, and in addition to any other requirements set forth under the El Monte Municipal Code or by the Chief Building Official, the developer shall submit to the Building and Safety Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed and/or diverted.

- c. Except as otherwise authorized pending the completion of the construction and demolition activities authorized under this resolution, solid waste containers and bulky items may not be stored or maintained at locations designated for parking and must be maintained in those locations designated for the temporary storage of solid waste and bulky items.
21. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, and construction areas within the City.
    - a. Prior to issuance of a Building Permit, the developer shall submit to the City, the name and contact information for the contracted waste hauler. It shall be the developer's obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
    - b. Prior to final approval for occupancy, the applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.

### **OPERATION STANDARDS**

22. Uses on the subject property shall be limited to uses that do not utilize heavy equipment and hazardous materials and generate minimal noise and odors.
23. The hours of operation for class or group activities for the non-profit center use shall be limited to 7:00 a.m. to 10:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturday and Sundays. All activities shall be conducted indoors and be limited to the capacity of its allotted off-street parking spaces.
24. Maximum number of occupants at any one time shall be limited to 15 people. No more than one class or group activity with more than seven (7) people shall occur at one time. Class or group activities with more than seven (7) people shall be staggered (with a minimum of 20 minutes between activities).
25. A final detailed list of services/activities shall be submitted and approved by the Planning Division prior to building permit issuance.

26. The site and the public R.O.W. adjacent to any portions of the site, shall be kept free of weeds, trash, or other debris, and that abandoned vehicles be promptly reported, pursuant to the Municipal Code and Los Angeles County Fire and Health Codes at all times.
27. Graffiti must be removed from any interior/exterior surfaces to the structures and improvements on the property within 24 hours following the application of the graffiti. Graffiti shall be removed by either painting over the evidence of such vandalism with a paint that has been color-matched to the surface to which it is applied or graffiti may be removed with solvents or detergents, as appropriate.
28. Window signage shall not exceed five (5) percent of the window area. Only signs displaying the business name, operational status, and hours of operations may be approved.
29. All business activities and all storage shall take place within the confines of the building. There shall be no outdoor display, advertisement, merchandizing, debris, and storage of containers and inoperable vehicles at any time. No storage of materials or supplies or inventory shall be permitted outside of the structure.

### **LIGHTING**

30. The developer shall submit a photometric plan to the Public Works Department for review and it shall provide a minimum of 1 foot-candle throughout the site. Where available and deemed necessary by the City Planner, the system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses, and comply with CALGreen or local ordinance, whichever is more stringent. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values.
31. The developer shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to issuance of building permits.

### **TRASH ENCLOSURE**

32. The Applicant shall submit a design for the onsite trash enclosure for review and approval by the Planning Division and the City's Solid Waste Service Provider during building plan check review. The trash enclosure shall include a designated

area for solid waste disposal and a designated area for recycling disposal. The design will be reviewed for aesthetic value and use of quality materials. All outside trash and garbage collection areas shall be paved and enclosed on at least three (3) vertical sides by solid five (5) foot high wall and on the fourth side by a view obscuring gate to screen the containers from view. The trash enclosure shall be of a size sufficient to contain all trash containers maintained outside the building. The finish and color of the trash enclosure shall be designed to match a primary element from the site building style as well as incorporate a decorative cover per the approval of the City Planner.

### **UTILITIES AND MECHANICAL EQUIPMENT**

33. All onsite utilities service lines shall be underground and not visible to the public view.
34. The applicant shall submit a composite utility plan depicting the location of above ground utility appurtenances. The exact location of the equipment shall be approved by the Planning Division, during the plan check process, and shall be installed as per approved plans. They shall not be allowed within a required parking, turnaround and landscape areas or on any façade facing a public street.
35. All mechanical equipment placement and screening shall be included on the composite development plan and shall be reviewed and approved by the Planning Division prior to installation. Where practicable and as shown on the plans approved by the Planning Commission in the course of obtaining the requested entitlements, mechanical equipment, heating, ventilation, air conditioning (HVAC) units, satellite dish systems, solar panels, thermal solar heaters, utility meters, above ground utility and fire safety connections will be screened and located out of public view or be architectural integrated into the project design. Plant material is not an acceptable screening device.

### **FENCES AND WALLS**

36. Prior to the demolition of any existing property line walls and/or fences and construction of a new property line concrete block wall(s), the developer shall make reasonable efforts to coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). Written authorization from the neighboring property owner shall be provided for the removal of an existing wall and construction of a new property line wall upon submittal for plan check.
37. All fences and walls shall be decorative. All proposed block walls/fences shall be reviewed and approved by the Planning Division.
38. If a security fence/gate is proposed along Grand Avenue, it shall be minimum 50 percent open with decorative pilasters, shall be behind the required landscaped

planter and shall not exceed a maximum height of five (5) high; any gate shall remain open during business hours.

## **SIGNS**

39. A sign permit application shall be reviewed and approved by the Planning Division prior to issuance of a building or sign permit for any signage. Any proposed wall sign shall include individually cut letters; not can or box signs shall be permitted. Any freestanding sign shall not exceed a height of six (6) feet.

## **LANDSCAPING**

40. The applicant shall be required to submit to the Planning Division for review and approval of a detailed landscape/irrigation plan for the site that is prepared by a State Licensed Landscape Architect. The plan shall address the following items:
  - a. Comply with the State mandated Model Water Efficient Landscape Ordinance (MWELO) 2015 update and Chapter 17.11 - Water Efficiency of the El Monte Municipal Code (EMMC). The document package may be downloaded on the City website under Building and Safety or contact the Building and Safety Division at (626) 580-2050.
  - b. An automatic timed underground irrigation system shall be installed and maintained for each landscaped area.
41. The landscape plan shall provide for a variety of groundcover, grasses, shrubs, perennials, and ornamental trees with various textures, heights, size and a variety of foliage and flower color, per EMMC Section 17.10.030(A)(1). The landscape plan shall include a Plant Legend containing: plant symbol, scientific name of plant material, common name of plant material, plant container size, and plant spacing in "inches". Single row and triangle plant spacing are preferred. Very low, low and medium water usage plant materials are encouraged.
39. All required trees shall be a minimum 36" box. The applicant shall maximize the number of box shade trees along Grand Avenue to the satisfaction of the City's Landscape Technician.
40. All landscape and irrigation areas shall be installed prior to a certificate of occupancy as outlined in a construction phasing plan, which shall be approved by the City's Landscape Technician.

## **FIRE DEPARTMENT**

41. All City and LA County Fire Department standards and conditions shall be implemented prior to final inspection and prior to occupancy of the building.

42. If requested by the Fire Department and/or City of El Monte the applicant shall post signs on the fire lane stating: "No parking on Fire Lane: Violating Vehicles will be towed away at owners expense per CV 22658 EMMC 3219 EMPD 580-2110". All safety and directional signs shall incorporate a porcelain finish and meet Public Works Division Standards.

### **SURVEILLANCE**

43. As a crime prevention measure, the project shall incorporate a High Definition Recording camera surveillance system for the building and project site. An installation plan shall be submitted to the Police Department for review and approval. The Police Department shall have the authority to make changes to the plan as needed to enhance public safety. The System must be set up for at a minimum of 30 days rotation period. All recordings must be kept onsite for at least 45 calendar days and must be made available to a City Employee upon request. The system shall be maintained and operating at all times. The system shall also be strategically placed to only focus on the subject property and not on nearby properties.

### **ENGINEERING AND PUBLIC WORKS**

The following conditions and public improvements will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws. Federal, State, County and local laws and regulations for project implementation must be adhere to throughout the duration of the project. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect public health and safety.

#### **44. Required Submittals:**

- a) It is the applicants' responsibility to contact the Water Purveyor (Golden State Water Co.) to obtain a Will Serve Letter and receive approval of the water service. Preliminary project approval will not be issued until any water service issues are resolved.
- b) The post development stormwater flow cannot exceed the predevelopment stormwater flow. A hydrology study prepared by a registered engineer must demonstrate that the discharge criteria have been met in compliance with the MS4 permit requirements.
- c) The developer shall deposit and pay such fees as may be required for the preparation, processing, and approval of environmental documents and all other reviews, studies, reports, plans, calculations, estimates, etc. to obtain required City approvals pursuant to the procedures of the City of El Monte.

- d) Developer shall obtain approval from the Los Angeles Fire Department (LACFD) for development's fire protection, fire flow requirements, access road(s) for development, etc. and shall construct all Fire Department required improvements. The water supply system serving the development shall be adequately sized to accommodate the total required fire flows, in compliance with Los Angeles County Fire Department requirements. LACFD approval will be required:
  - i. Prior to Grading/Building Permits (LACFD Building Division)

45. General:

- a) Development Impact Fees associated with this project include but are not limited to the following fees and deposits; landscaped areas (impervious versus pervious) fee, applicable sewer fee, street fee, storm drain fee, traffic fee, deposits, technology enhancement fees, and all applicable fees associated with demolition of existing structures, drainage, site development, and construction are based on actual number of residential units.
- b) Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract/parcel maps and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.
- c) Comply with the City's ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain a Construction & Demolition Debris Diversion Program form.
- d) All USA/Dig Alert graffiti markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement prior to project completion.
- e) No encroachment into the City right-of-way from private property will be allowed.

46. Surveying / Dedication:

- f) Streets fronting project shall be improved to meet current General Plan requirements for Right of Way and Roadway. Grand Avenue is classified as a local street requiring a 56-60 foot right-of-way. Dedicate three (3) feet of Right-of-Way as required to obtain the minimum full half-street width of 28 feet to the City of El Monte along Grand Avenue for street purposes. All required building, landscaping and parking setbacks shall be measured from after dedication.
- g) Applicant is responsible to install, document, and submit centerline tie information for new streets, revisions to existing streets, and replacement of centerline ties removed during construction. All disturbed and removed survey

monuments in the public right of way shall be re-established and record of survey shall be filed with the County surveyor in accordance with applicable provisions of the state law.

47. Grading and Drainage:

- h) The Grading and Drainage Plan must include standard City of El Monte NPDES and Grading and Drainage Notes and be prepared in accordance with the City of El Monte Grading Manual. Applicant must show proposed pad elevations are above or otherwise protected against a 100-year flood event.
- i) Soils Report. A preliminary soils report prepared in accordance with the city's grading ordinance shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the proposed development.
- j) A Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design storm for all other instances as dictated by the LA County DPW 2006 Hydrology Manual, must be submitted to the Engineering Division. The study must provide hydraulic calculations based on the given area and the ability of the existing storm drain infrastructure to receive and support the allotted drainage runoff. Drainage calculations shall adhere to City of El Monte standards, NPDES, and environmental regulations and requirements
- k) Historical drainage patterns from adjacent properties shall be identified and maintained. The project shall accept and include in the drainage design any current drainage from adjacent properties.
- l) Trash Enclosures must comply with Planning Department requirements, have a solid cover, designed to contain fluids, and fitted with a drain that connects to the Sewer.
- m) Comply with all Federal, State, and local agency requirements pertaining to the Clean Water Act, which established regulations, set forth in the Countywide National Pollutant Discharge Elimination System (NPDES) Permit.
- n) Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004001, Order No. ORDER NO. R4-2012-0175 as amended by State Water Board Order WQ 2015-0075 and Los Angeles Water Board Order R4-2012-0175-A01 and City of El Monte Ordinance No. 2840. This permit was issued by the State of California Regional Water Quality Control Board, Los Angeles Region on December 28, 2012 and amended by the CA Regional Water Quality Control Board, Los Angeles Region on September 8, 2016 an the City Ordinance

was passed and adopted June 10, 2014. The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues. Once the site has been developed, how will runoff be maintained? Was there a system that was designed to treat the runoff prior to discharging into the public system? Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system with BMPs sized to meet specified water quality design and/or peak flow discharge criteria. Where post development storm water discharges exceed pre-development levels a Hydrology Study Report must be prepared. The Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design.

- i. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system

#### 48. Water and Sewer:

- o) Proof of Los Angeles County Sanitation District clearance / Will Serve Letter must be submitted prior to issuance of conditional approval for the project.
- p) It is the applicants' responsibility to contact the Water Purveyor (**California American Water Company**) to obtain approval of service and that the purveyor has adequate water to provide such service. Provide acceptable analysis to verify sufficient water pressure and flow for:
  - i. General conditions
  - ii. During MID (maximum instantaneous demand) conditions
  - iii. During fire flow and MID condition

#### 49. Overhead Utilities:

- q) Developer shall underground any existing overhead utilities that are to serve the Project site. The final scope and design of the undergrounding of these overhead facilities is subject to SCE and other relevant utility provider approval. Any utility poles determined to be conflicting with the proposed improvements shall be relocated at the applicant's expense.

#### 50. Street and Traffic:

- r) Enter into a public improvement agreement with the City and post a Faithfull Performance bond and a Labor and Materials Bond in the amount of 150% of the estimated cost to cover the construction of the proposed offsite improvements. A Warranty Bond shall be provided in the amount of 10% of the cost of the estimated improvements and shall be in effect for one year after the date of acceptance of the project improvements.
- s) Grand Avenue fronting the project shall be improved to meet current General Plan requirements for Right of Way and Roadway as directed by the City

Engineer / City Inspector. Use Geotechnical Engineer's Report and APWA standard plans and specifications for roadway improvements. Prepare offsite improvement plans as necessary and provide an engineer's estimate for all public improvements. All offsite improvements shall be in complete compliance with the Americans with Disabilities Act (ADA).

- t) All public improvements must be ADA compliant. Remove and replace 25 feet of sidewalk fronting the property. The engineer shall provide sufficient elevations and other relevant data to determine compliance within Right of Way. Sufficient space for required compliant improvements (driveways, obstructed sidewalks, handicapped access ramps, etc.) may require the developer to dedicate an easement to the City to accommodate compliant improvements.
- u) New driveway approach must comply with ADA regulations. Public improvements will be designed and constructed in coordination with the approved site plan. P.C.C. pavement and asphalt-concrete (A.C.) thicknesses and strengths will be determined by the Registered Civil Engineer (project engineer of record) preparing the street plans and utility improvement plans. Any actual replacement quantities and limits will be determined by the City inspector prior to construction of the improvements. Use APWA standard plans and specifications.
- v) All parking lots and driveways shall be surfaced with asphaltic concrete to a minimum thickness of three (3) inches over a minimum aggregate base of six (6) inches or surfaced with Portland Cement concrete with a minimum thickness of five (5) inches over a three (3) inch aggregate base. After review of the probable vehicular traffic and the soils report for the project, additional material may be required at the discretion of the City Engineer. EMMC 17.08.030.
- w) Traffic control plans must be signed by a licensed State of California Traffic Engineer and submitted for review and approval.
- x) One (1) parkway trees shall be installed by the applicant per the City of El Monte Tree Ordinance as directed by the City of El Monte Public Works Department.

**SECTION 10 – PLANNING COMMISSION APPROVAL.**

The Secretary of the Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.



\_\_\_\_\_  
Dallas Baker, Chairperson

ATTEST:



\_\_\_\_\_  
Marcella Magdaleno, Secretary  
El Monte City Planning Commission

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE             )

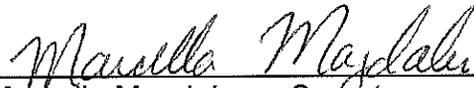
I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3495 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on January 16, 2018, by the following votes to wit:

AYES:            Morales, Peralta, Nuño

NOES:

ABSTAIN:

ABSENT:        Baker



\_\_\_\_\_  
Marcella Magdaleno, Secretary  
El Monte City Planning Commission



華裔殘障者家長協會  
Chinese Parents Association for the Disabled

December 20, 2019

Community and Economic Development Department  
City of El Monte  
11333 Valley Blvd.,  
El Monte, California 91731

Attn: Ms. Betty Donovanik, Community and Economic Development Department Director

Re: Chinese Parents Association for the Disabled ("CPAD") Center  
10950 Grand Ave., El Monte, California  
***Conditional Use Permit #04-17***

Dear Ms. Donovanik,

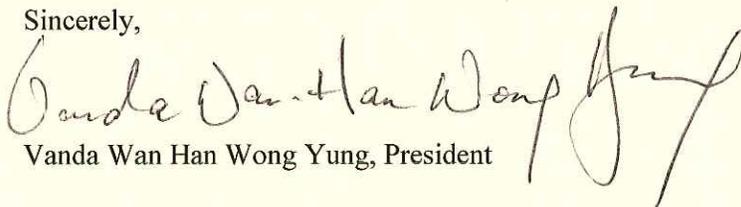
On behalf of the Chinese Parents Association for the Disabled ("CPAD"), I am writing to you to request for a time extension for Conditional Use Permit #04-17 from the Planning Commission. The Conditional Use Permit #04-17 expires on January 16, 2020.

Since project approval on February 2018, we completed the required site preparation work (i.e., soils work, rough grading, bring in on site utilities), property line block walls, landscape construction documentation, soil management report, and design drawings for mechanical, plumbing, and electrical plan check. We have been diligently preparing for construction of the building. Unfortunately, around late spring the key person (architect/general contractor) involved with this project became seriously ill and slowly recovering now. Due to this unforeseen situation, we need to request for an extension of Conditional Use Permit #04-17 for at least 9 months to 1 year, to ensure there is sufficient time to finish this project. Additionally, the winter season sometime present challenges that makes predicting construction progresses difficult. An extension would give CPAD sufficient time to complete our building.

As you know CPAD is a non-profit organization. The purpose of this building is to serve El Monte and its surrounding communities. By granting this extension, you will be helping to increase community services in El Monte.

If you have any questions regarding this request, please contact me at (310) 869-9669, email: [Vyung1979@gmail.com](mailto:Vyung1979@gmail.com).

Sincerely,

  
Vanda Wan Han Wong Yung, President

**STAFF REPORT**

February 25, 2020

**TO:** CITY PLANNING COMMISSION

**FROM:** BETTY DONAVANIK  
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

**BY:** JASON C. MIKAELIAN, AICP  
CITY PLANNER

WERNER ABREGO  
PLANNING AIDE

**SUBJECT:** TENTATIVE PARCEL MAP NO. 73160 (TIME EXTENSION)

**LOCATION:** 2711 MEEKER AVENUE

**APPLICANT/  
PROPERTY OWNER:** TING CAO  
448 SEFTON AVENUE  
MONTEREY PARK, CA 91755

**RECOMMENDATION:** APPROVE TIME EXTENSION FOR TENTATIVE TRACT  
MAP NO. 73160

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**BACKGROUND**

On January 31, 2017, the Planning Commission adopted Resolution No. 3467, approving Tentative Tract Map No. 73160 to allow the subdivision of a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway). Per Condition of Approval No. 3 of Resolution No. 3467, the approved project's entitlements had a two (2) year expiration date of February 10, 2019. Furthermore, on April 23, 2019, the Planning Commission approved a one (1) year time extension for the project to extend the expiration date to February 10, 2020.

**REQUEST**

Since then, the Planning Division approved grading plans for the project on January 16, 2019 and construction/building plans were approved by the Building Division on February 11, 2019. The property owner is requesting an additional one (1) year time extension for the project's entitlements to allow additional time to complete the final map plan-check process and obtain the necessary permits to begin construction.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission extend the project's entitlements for an additional year with a new expiration date of February 10, 2021.

**ATTACHMENTS:**

- A. Approved Planning Commission Resolution No. 3467
- B. Applicant Time Extension Request Letter

**RESOLUTION NO. 3467**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 73160 TO SUBDIVIDE THE EXISTING PARCEL INTO TWO RESIDENTIAL LOTS AND A COMMON LOT AND ADOPTING A CATEGORICAL EXEMPTION UNDER ARTICLE 19, SECTION 15315 OF THE CEQA GUIDELINES FOR THE PROPERTY LOCATED AT 2711 MEEKER AVENUE, EL MONTE, CALIFORNIA**

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

**SECTION 1 - PROJECT DESCRIPTION.** That on October 20, 2015, Michael Hsiao, 2063 S. Atlantic Boulevard, Monterey Park, CA, 91754, filed an application for Tentative Parcel Map No. 73160 to subdivide a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway). The applicant proposes to construct two (2) residential units with attached 2-car garages (Unit A is a total of 2,096 square feet and Unit B is 2,098 square feet).

**SECTION 2 - PUBLIC HEARING.** This request is made pursuant to the requirements of Title 16 (Subdivisions) Chapter 16.10 of the El Monte Municipal Code(EMMC). The property is located at 2711 Meeker, El Monte, California, and described as follows, to-wit:

APN: 8105-009-002

Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Tentative Parcel Map No. 73160 before this Planning Commission on January 31, 2017 at which time, all interested persons were given full opportunity to be heard and present evidence.

**SECTION 3 - ZONING.** That the property is located on the west side of Meeker Avenue, within the R-3 (Medium-density Multiple-family Dwelling) zone. The property is currently vacant. The surrounding zoning and land use of the adjacent properties are as follows:

North:	R-3; Single-family Dwelling & Multi-family
South:	R-3; Multi-family
East:	R-3; Single-family Dwelling & Multi-family
West:	R-3; Single-family Dwelling & Multi-family

**SECTION 4 - ENVIRONMENTAL.** That in accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has determined that the proposed project to allow the construction of two (2) residential units and a common lot qualifies for a Categorical Exemption under Article 19, Section 15315 (Class 15 – Minor Land Divisions) of the CEQA Guidelines. Therefore, no further environmental assessment is required.

**SECTION 5 - GENERAL PLAN.** That the 2011 El Monte General Plan Land Use Element designates the site as Medium Density Residential. The proposed residential development complies with applicable City General Plan Policies and has been designed to be compatible with the surrounding neighborhood and surrounding medium density residential land uses. The architectural designs proposed by the applicant provide a visually interesting and aesthetically appealing project. The proposed development will enhance the neighborhood and the development is consistent with the goals of the EMMC and the 2011 El Monte General Plan.

**SECTION 6 – TENTATIVE PARCEL MAP FINDINGS.** That all necessary findings for the granting of the Tentative Parcel Map pursuant to Section 16.10.110 of the EMMC can be made in a positive manner and are as follows:

- A. That the proposed map is consistent with applicable general and specific plans.

*Finding of Fact:*

The proposed development makes efficient use of available land and serves to further goals listed within the City's 2011 General Plan by: 1) providing facades with rich detailing, varied rooflines, and consistent architectural styles; 2) designing detached family housing projects to convey a high level of visual and physical quality and distinctive neighborhood character; and 3) encouraging infill housing development and the reuse of sites. The Tentative Parcel Map as proposed will be consistent with the adopted General Plan Land Use designation and will be consistent with the zoning designation of the project site.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*Finding of Fact:*

The proposed subdivision and development is consistent with the General Plan land use designation of Medium Density Residential. The proposed development has a density of 6.5 du/ac and the General Plan allows up to 8.1-14.0 du/ac within this land use designation. Therefore, the Tentative Parcel Map is consistent with the General Plan.

- C. That the site is physically suitable for the type of development.

*Finding of Fact:*

The proposed parcel measuring 13,441 square feet and the subsequent subdivision of the site into a total of two (2) residential parcels will result in a project density of approximately 6.5 du/ac, which is consistent with the General Plan Land Use designation of Medium Density Residential. The proposed residential development complies with all standards of Zoning Code including setbacks, FAR, lot coverage, height parking and density. The proposed lot configurations and location of the subject 13,441 square foot project site are physically suitable for development of the two-unit residential housing project.

- D. That the site is physically suitable for the proposed density of development.

*Finding of Fact:*

The proposed development is consistent with the proposed General Plan land use designation of Medium Density Residential with a development density of 6.5 du/ac. The two (2) residential units would be accessible from a common driveway from Meeker Avenue. The proposed 20 foot wide common driveway shall meet all of Los Angeles County Fire Department's and City requirements.

- E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. However, if an environmental impact report was prepared for the project and a finding was made pursuant to Subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social and other

considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report, then the Planning Commission may still approve the proposed subdivision.

*Finding of Fact:*

The City of El Monte is an urbanized built-out community, and there are no fish or wildlife habitats within the vicinity of the subject property. This project is consistent with the General Plan Land Use Designation of Medium Density Residential.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

*Finding of Fact:*

The City of El Monte is an urbanized built-out community, and the residential development is not likely to cause serious public health problems. Conditions of approval have been accepted by the applicant and have been incorporated into the project or will be imposed to ensure that the proposed project will not negatively impact the surrounding properties or land uses in the area. Additionally, before the issuance of City development permits and/or a Certificate of Occupancy, the project is required to comply with all conditions set forth in the resolution of approval, from the Building and Safety Division, Engineering/Public Works Division, and Fire Department requirements. The referenced agencies through the permit and inspection process will ensure that the proposed project will not be detrimental to the public health, safety or welfare nor will it be materially injurious to the properties or improvements in the vicinity.

- G. That 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 the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record and to easements established by judgment of a court of competent jurisdiction. No authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

*Finding of Fact:*

The proposed Tentative Parcel Map has been evaluated by the City's Public Works Department and it has been determined that the proposed subdivision complies with the intent and requirements of Chapter 16 of the EMMC (Subdivisions) and that there are no easements. The proposed project will have a common driveway for access that will be maintained and used by the residential development.

**SECTION 7 – APPROVALS AND CONDITIONS.** The Planning

Commission does hereby approve Tentative Parcel Map No. 73160, and adopt a Categorical Exemption under Article 19, Section 15315 (Class 15 – Minor Land Divisions) of the CEQA Guidelines, as amended, subject to the following conditions:

1. The proposed project is Tentative Parcel Map No. 73160 (TPM No. 73160) to subdivide a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway). The applicant proposes to construct two (2) residential units with attached 2-car garages (Unit A is a total of 2,096 square feet and Unit B is 2,098 square feet).
2. The project shall substantially conform to the Tentative Parcel Map, site plan, floor plans, elevation plans, and landscape plan on file with the City Planning Division and as presented to the Planning Commission on January 31, 2017 and as amended herein.
3. The Tentative Parcel Map approval as contained herein shall be effective for a period of twenty-four (24) months from the date of effective approval thereof; provided however, that prior to such date, building permits shall have been obtained or a time extension shall have been approved by the City Planning Commission in accordance with Section 16.10.140 of the EMMC and the State Subdivision Map Act.
4. **The common lot shall include a driveway and utilities easement providing access to each for both residential lots shall be required and reviewed and approved by the City Attorney. Such easement shall provide both a grant of easement and maintenance of such easement. (Added by the Planning Commission on January 31, 2017)**
5. CC&R's for property maintenance shall be required and shall be reviewed and approved by the City Attorney. Said CC&R's shall include, but not be limited to, the following: a) ~~Home Owners Association~~ b) the provision that the Conditions of Approval contained in this Resolution shall be transformed to the individual property owners of the three (3) parcels at the time of ownership transfer from the applicant to the buyer; and c) ~~the provision that the Owner's Association shall be administered by a professional property management company~~ **maintenance provisions for the common lot driveway and utilities easement.** The CC&R's shall be submitted for review by the City Attorney and shall be approved and recorded before building permits are issued and before a final map is approved an/or recorded. **(Modified by the Planning Commission on January 31, 2017)**
6. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits for the proposed project.

## CONSTRUCTION

7. **Construction Hours shall be limited to Monday through Friday from 7:00 AM to 6:00 PM, Saturdays from 8:00 AM to 5:00 PM, and no construction activities on Sundays or Holidays. (Added by the Planning Commission on January 31, 2017)**
8. Prior to commencing demolition and site preparation activities, the project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times. At the primary entrance to the site, the screening material shall be reduced to a maximum six (6) feet to provide visibility into the site at all times and for public safety purposes.
9. Prior to the demolition of any existing property line walls and/or fences and construction of a new property line concrete block wall(s), the applicant shall coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). Such evidence shall be submitted to the Planning Division for review and approval upon submittal for plan check.
10. Prior to the commencement of construction on the site, the developer shall schedule a pre-construction meeting between the general superintendent or field representative and the Planning Division to discuss the approved plans and construction requirements.
11. The applicant and project construction manager shall be required work with City Staff to identify all public and private schools within a 1,000-foot radius from the project site. The applicant/construction manager shall be required to contact all identified schools to notify the principal of the school about the proposed project, construction periods, and planned trucking routes, and to coordinate trucking activities to and from the site. Trucking deliveries and pickups from the project site shall be prohibited during the periods identified by a school within the radius and during peak hours when children are coming to or leaving the school. Additionally, all project sites located within this specified radius shall be required to maintain one (1) onsite flag personnel to direct trucking activities coming to and leaving the site during all phases of project construction and until the project has received final approval. The applicant shall be required to submit to the Planning Division written letter showing evidence that this condition has been satisfied prior to issuance of a building permit.
12. During the construction process all related activities, including but not limited to, loading, unloading, storage of equipment and materials, and parking of employee vehicles are prohibited. All such activities shall be conducted only on the project site and not in the public R.O.W.

13. A copy of the approving resolution(s) shall be printed or attached to the development plans that are to be submitted during the plan check process.
14. All applicable conditions shall be met or deemed to have been addressed by the Economic Development Director or his designee prior to final inspection, and prior to occupancy of any buildings.
15. All Building Division, Code Enforcement Division, Engineering Division, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building permits.
16. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.
17. Automatic gas shut off/earthquake safety valves shall be installed for each unit.
18. The applicant shall submit a proposal to address trash, recycle, and green waste containers storage for each unit within the project site. The location shall be located in a rear or side yard area and shall not be visible to view from the public right-of-way or from the private driveway within the project site.
19. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, construction, and industrial areas within the City.
  - a. Prior to issuance of a Building Permit, the applicant shall submit to the City, the name and contact information for the contracted waste hauler. It shall be the applicant's obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
  - b. Prior to final approval for occupancy, the applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.

## **LANDSCAPING**

20. Landscape/Irrigation plans shall be reviewed during Building Plan-Check for compliance with the State's MWEL0 (Model Water Efficient Landscape Ordinance) and compliance with the City's Water Efficient Landscape Ordinance Documentation Package.
21. The applicant shall be required to submit to the Planning Division for review and approval of a detailed landscape/irrigation plan for the site that is prepared by a state licensed Landscape Architect. The plan shall provide for a variety of grasses and ground cover, flowering plants, and shrubs and trees, per Section 17.10.030(A)(1). The minimum size of trees to be planted is 36" box within the front yard area of the unit and in the City parkway within the frontage of the project site and shall be subject to review and approval by the Economic Development Director or his designee. An automatic timed underground irrigation system shall be installed and maintained for each landscaped area.
22. A 6" X 6" concrete curb and mow strips shall be constructed for all landscaped planters on each property. All parkway, front yard landscaping and irrigation shall be installed prior to the issuance of a Certificate of Occupancy.
23. The applicant shall submit a parkway design and landscape and lighting proposal for review and approval by the City Economic Development Department and by the City Engineer. The parkway shall include landscape and on street light standards per the approval of the Economic Development Director and the City Engineer. All trees to be installed in the public parkway shall be a 36" box size at the time of installation.
24. All landscape and irrigation proposed for all parkways, front yards, street side yards, and any areas visible from the public right-of-way from a given structure shall be installed prior to the issuance of a certificate of occupancy for said structure.
25. Decorative, interlocking, permeable pavers shall be utilized as indicated on the project plans.
26. All landscape and irrigation areas shall be installed prior to a Certificate of Occupancy.

## **LIGHTING**

27. The applicant shall submit a photometric plan to the Public Works Department for review and it shall provide a minimum of 1 foot-candle along the proposed private street, and in the front yard setback areas of each proposed lot. The system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values.

28. The applicant shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures. The fixtures shall be reviewed for quality, aesthetics, illumination values, and shall be decoratively and architecturally consistent with the building design. The number, location, shine, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to installation.

### **MAINTENANCE**

29. Graffiti must be removed from any interior/exterior surfaces to the structures and improvements on the property within 24 hours following the application of the graffiti or within 24 hours of applicant receiving notice of such graffiti by the City of El Monte. Graffiti shall be removed by either painting over the evidence of such vandalism with a paint that has been exactly color-matched to the surface to which it is applied. If a non-painted surface, graffiti may be removed with solvents or detergents, as appropriate.

### **PARKING**

30. All enclosed garage and open parking spaces shall be used exclusively for the parking of operable, currently licensed motor vehicles of tenants, occupants, or visitors of each respective property. Each garage shall maintain an inside "clear" dimension of at least 20' by 20' for the parking of vehicles.
31. All garages shall incorporate the use of an automated garage door opener and lighting. Said garage door and opener must be maintained in an operable state at all times.
32. All paved parking and driveway areas shall be surfaced with P.C.C. with a minimum thickness of six (6) inches over three (3) inches of aggregate. The sub-base shall be compacted to a minimum of 90% compaction.

### **SITE & ARCHITECTURAL DESIGN**

33. All perimeter and interior separation walls between the proposed parcels shall not exceed six feet tall and shall be constructed of decorative concrete block, i.e., split face block, or shall consist of stucco over CMU block.
34. The applicant shall submit final selection and design of entry doors and garage doors to be approved by the Planning Division. Entry door and garage doors shall match in design and color. Color shall be a dark tone.
35. The applicant shall submit section and design drawings of the property line block walls to the Planning Division and that such walls shall be designed to the satisfaction of the Economic Development Director or his designee.

36. If a access driveway gate is proposed, such gate shall not exceed 3'-6" in height and shall be setback a minimum of 25 feet from the property line. The access gate shall be motorized and have an intercom system. A pedestrian gate shall also be included. The fence shall match the design of the proposed fence. All mechanical equipment shall be screend from public view. Such access shall obtain Fire Department clearance prior to issuing Planning and Building approval.
37. If a front property line fence is proposed in the future, the fence shall be setback 2 feet behind a landscape planter. The proposed fence shall be decorative block and wrought-iron and shall not exceed 3'-6" in height.
38. A mailbox elevation and detail shall be submitted for review and approval by the Planning Division and shall be designed to the satisfaction of the Economic Development Director or his designee. Mailboxes shall be decoratively designed and must have the property address designed to be shown clearly and must be visible from the public R.O.W. The design shall be submitted for review during the building plan check process.
39. Prior to construction, the applicant shall submit a final color, material and finish board to the City of El Monte for review and approval. The color pallete shall include earth tones.
40. All onsite utilities service lines shall be underground. All meters, panels, connection box, etc... shall be integrate into the building façade and not be visible from the street view. The locations, design and screening features shall first be reviewed and must receive final approval from the Economic Development Director or his designee.
41. The applicant shall submit a plan depicting the location of above ground utility appurtenances. The Planning Division shall approve the exact location of the equipment. They shall not be allowed within the parking, turnaround and landscape areas.
42. All mechanical equipment including heating and air conditioning units, dish antennas and electronic equipment shall be screened from view and be located in an area approved by the Planning Division.
43. Colored elevations shall be revised to reflect the project plan Elevations.

## **ENGINEERING/PUBLIC WORKS**

### **44. General:**

- a) Development Impact Fees associated with this project include but are not limited to the following fees and deposits; landscaped areas (impervious versus pervious) fee, applicable sewer fee, street fee, storm drain fee, traffic fee, quimby (Parkland Fees), deposits, technology enhancement fees, and all applicable fees associated with demolition of existing structures, drainage, site development, and

construction are based on actual square footage of any commercial development and number of residential units.

- b) Developer shall obtain approval from the Los Angeles Fire Department (LACFD) for development's fire protection, fire flow requirements, access road(s) for development, etc. and shall construct all Fire Department required improvements. LACFD approval will be required:
  - i. Prior to Tentative Map Approval (LACFD Land Development Division)
  - ii. Prior to Grading/Building Permits (LACFD Building Division)
- c) Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract map and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.
- d) Engineering Geology and/or Seismic Safety Report. A preliminary engineering geology and/or seismic safety report, prepared in accordance with Los Angeles County guidelines, is required if the subdivision lies within a "medium risk" or "high risk" geologic hazard area.
- e) Comply with the City's ordinance pertaining to construction debris recycling. Contact the Building & Safety and Engineering Divisions to obtain a Construction & Demolition Debris Diversion Program form. The Construction & Demolition Debris Diversion Program is also applicable with respect to the grading process.
- f) All USA/Dig Alert graffiti markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement prior to final approval.
- g) No encroachment into the City right-of-way from private property will be allowed unless a proper permit is obtained from the City Engineer's Office.
- h) The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect health and safety, and to benefit the public.

45. **Parcel Maps:**

- i) All Parcel Maps are to be recorded in the Los Angeles County Recorder's Office prior to issuance of "Notice of Completion"/Certificate of Occupancy" and an electronic copy of the approved Parcel Map is submitted to the Engineering Division for our records. A Registered Civil Engineer or Land Surveyor licensed by the State of California must prepare and submit the proper documents, legal descriptions and maps describing the parcel map. The final City of El Monte approved parcel map must be submitted to the Los Angeles County Recorder's Office for recordation.

- j) Applicant is responsible to install, document, and submit centerline tie information and replacement of centerline ties removed during construction. Preserve existing survey monuments (property corners, centerline ties, etc) in the public right of way. All disturbed and removed survey monuments in the public right of way shall be re-established and record of survey shall be filed with the County surveyor in accordance with applicable provisions of the state law.
- k) City Attorney's Office to approve the CC&R's or applicable document for the project. Owner or developer to contact the City Attorney's Office directly at (626) 580-2010 with any questions and comments. CC&Rs are an integral part of the development process. CC&Rs must be approved by the City prior to the final approval and release of the final map.
- l) The Title Company must submit to the Engineering Division a Final Subdivision Guarantee prior to final Tract Map approval by the City Engineer.

46. **Grading and Drainage:**

- m) The Grading and Drainage Plan must include standard City of El Monte NPDES and Grading and Drainage Notes and be prepared in accordance with the City of El Monte Grading Manual.
- n) Soils Report. A preliminary soils report prepared in accordance with the city's grading ordinance shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the proposed development.
- o) A Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design storm for all other instances as dictated by the LA County DPW 2006 Hydrology Manual, must be submitted to the Engineering Division. The study must provide hydraulic calculations based on the given area and the ability of the existing storm drain infrastructure to receive and support the allotted drainage runoff. Drainage calculations shall adhere to Los Angeles County standards, NPDES, and environmental regulations and requirements.
- p) Historical drainage patterns from adjacent properties shall be identified and maintained. The project shall accept and include in the drainage design any current drainage from adjacent properties.
- q) Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system. Follow City of El Monte adopted LID program and Los Angeles County MS4/NPDES permit requirements.

- r) Enter into a public improvement agreement with the City and post a Faithfull Performance bond in the amount of 100% and a Labor and Materials Bond in the amount of 100% of the estimated cost to cover the construction of the proposed offsite agreements. A Warranty Bond shall be provided in the amount of 100% of the cost of the estimated improvements and shall be in effect for one year after the date of acceptance of the project improvements.
- s) Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004001, Order No. ORDER NO. R4-2012-0175 and City of El Monte Ordinance No. 2840 This permit was issued by the State of California Regional Water Quality Control Board, Los Angeles Region on December 28, 2012 and the City Ordinance was passed and adopted June 10, 2014 The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues. Once the site has been developed, how will runoff be maintained? Was there a system that was designed to treat the runoff prior to discharging into the public system? Best Management Practices (BMPs) should be implemented to address storm water pollution and peak flow discharge impacts. All BMPs must be sized to meet specified water quality design and/or peak flow discharge criteria.
  - i. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system

#### 47. Sewer

- t) Engineer to show the location of the sewer mainline, nearest manholes, lateral serving the project and configuration of the onsite sewer including diameter and material of the onsite sewer. Sewer Capacity/Area Study per Los Angeles County Sanitation District standards will be required to ensure the existing sewer system has sufficient capacity for the proposed development. Sewer cleanouts must be positioned at 100-foot intervals on the lateral coming off the main sewer line.
- u) The following conditions and public improvements will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws. Federal, State, County and local laws and regulations for project implementation must be adhered to throughout the duration of the project. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect public health and safety.
  - i. The submittal of a sewer area study or a sewer capacity study is the official process for adequately sizing a sanitary sewer or determining if there is sufficient capacity for a new connection to an existing sewer. The City requires the satisfactory completion of the capacity study by a private registered civil engineer prior to giving approval for projects that can affect the capacity of the public sewer system.
  - ii. The study will assess the impact of providing sanitary service to this particular area or connection and analyze the various alternates for providing such service.

- iii. This study will detail the basis for the sewer design and provides the planning information necessary to assess the impact of this particular development on the City's sanitary sewer system, as well as information on the anticipated sewage flows to include special wastes added to the system.
- iv. The completed study will analyze the capacity and condition of the existing system and will set forth mitigation requirements for developers to ensure adequate capacity.
- v. The study will also justify the sizing of proposed lines to accommodate the base, peak, and wet weather flows from all area tributary to the mainline sewer under consideration or pumping station, now and in the future.
- vi. The approved capacity study is referenced directly by the plan checker when design plans for the new infrastructure are submitted to assure adequate capacity.
- vii. All proposals for a new connection to an existing sewer must also comply with the City's policies for managing available sewer capacity.
- viii. Sewer plans for construction are prepared by registered civil engineers and submitted to the City for plan check.
- ix. American Public Works Association Greenbook standards and the Los Angeles County Department of Public Works Standard Plans are referenced where more detailed-design data is to be specified. Permits for construction of any public sewer infrastructure are not issued until the plan check process has been satisfactorily completed, thus, ensuring the functional design and adequate capacity of the public sewer collection system.
- x. Proof of Los Angeles County Sanitation District clearance must be submitted prior to the issuance of any permits.

48. **Water:**

- v) It is the applicants' responsibility to contact the City of El Monte Water Department, 626-580-2058, to obtain approval of service and ensure adequate water to provide such service. A Will Serve letter from the El Monte Water Department must be submitted as part of the entitlement process. This must be completed at the initial stages of the tentative map process. A grading permit will not be issued unless the water service is resolved. Provide acceptable analysis to verify sufficient water pressure and flow for:
  - i. General conditions
  - ii. During MID (maximum instantaneous demand) conditions
  - iii. During fire flow and MID conditions
- w) Water system analysis/modelling is required. General requirements are verification of:
  - i. Minimum of 40 psi delivered during PHD
  - ii. Minimum of 20 psi delivered during MDD + FF. This test is usually coordinated with LA County Fire Department.

- x) The water supply system serving the development shall be adequately sized to accommodate the total required domestic water and fire flows, in compliance with the City of El Monte Public Works Department and Los Angeles County Fire Department requirements. Engineer shall submit water system improvement plans and calculations for the development to the City for review and approval.
- y) A minimum ten (10) feet wide non-exclusive easement is required for water system and incidental purposes for all water lines operated by the City of El Monte utilized in providing water to the development.
- z) All existing water services no longer required as part of this development shall be abandoned at the mainline.
- aa) Relocate existing water meter out of existing drive approaches.

49. **Overhead Utilities:**

- bb) Any utility poles conflicting with the proposed improvements shall be relocated at the applicant's expense.

50. **Parking Lot and Driveways:**

- cc) All parking lots and driveways shall be surfaced with asphaltic concrete to a minimum thickness of three (3) inches over a minimum aggregate base of six (6) inches or surfaced with Portland Cement concrete with a minimum thickness of five (5) inches over a three (3) inch aggregate base. After review of the probable vehicular traffic and the soils report for the project, additional material may be required at the discretion of the City Engineer. EMMC 17.08.030.
- dd) All drive approaches shall be ADA compliant. Insufficient width in the parkway will require applicant to dedicate an easement at each drive approach to the City to accommodate a compliant drive approach.

51. **Street and Traffic:**

- ee) All Streets fronting project shall be improved to meet current General Plan requirements for Right of Way and Roadway. Use Geotechnical Engineer's Report and APWA standard plans and specifications for roadway improvements. Prepare offsite improvement plans as necessary and provide an engineer's estimate for all public improvements. Streets fronting the project site must be paved (overlay) at the half distance (centerline) of the street. All offsite improvements shall be in complete compliance with the Americans with Disabilities Act (ADA).
- ff) Traffic control plans must be signed by a licensed State of California Traffic Engineer and submitted for review and approval.

- gg) Public improvements on Meeker Avenue will be generated on the basis of the approved site plan. P.C.C. pavement and asphalt-concrete (A.C.) thicknesses and strengths will be determined by the Registered Civil Engineer (project engineer of record) preparing the street plans and utility improvement plans.
- hh) Remove and replace all of the damaged sidewalk and standard curb & gutter adjacent to the development at the direction of the City Engineer/City Inspector. Use APWA standard plans and specifications
- ii) Remove all existing improvements no longer intended for use (drive approaches, under sidewalk drains, meter boxes, etc.) and replace with new sidewalk and full height curb and gutter as required. Use APWA standard plans and specifications.
- jj) Developer shall remove all existing curb paint and replace in kind on all curbs fronting the proposed development.
- kk) On-site roadway lighting shall be designed in accordance with Illuminating Engineering Society (IES) standards. Engineer shall submit street lighting system improvement plans and calculations for the development to the City for review and approval.
- ll) Parkway trees shall be installed by the applicant per the City of El Monte Tree Ordinance in the quantities and locations as directed by the City of El Monte Public Works Department. Requiring a minimum of two (2) trees in the public right of way.
- mm) A focused traffic study shall be prepared by a Registered Traffic Engineer and submitted to the Public Works Department for review and approval. The study shall focus on onsite and offsite circulation including but not limited to access locations, inbound/outbound turning movements, internal circulation, and parking operations to determine the need for additional striping, pavement markings, and signage that will improve motor vehicle and pedestrian safety.

## **FIRE DEPARTMENT**

- 52. All conditions of the Fire Department shall be met prior to building final occupancy.
- 53. If requested by the Fire Department and/or City of El Monte the applicant shall post signs on the fire lane stating: "No parking on Fire Lane: Violating Vehicles will be towed away at owners expense per CV 22658 EMMC 3219 EMPD 580-2110". All safety and directional signs shall incorporate a porcelain finish and meet Public Works Division Standards.
- 54. Fire Department Access shall be extended to within 150 feet distance of any exterior portion of all structures.

55. Access shall comply with Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.
56. Provide water mains, fire hydrants and fire flows as required by the County of Los Angeles Fire Department, for all land shown on map which shall be recorded.
57. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
58. The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
59. All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access must be provided and maintained serviceable throughout construction.
60. Provide a copy of the CC&R's shall be provided prior to the approval of the final map.

SECTION 9 – PLANNING COMMISSION APPROVAL.

That the Secretary of the City Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.



\_\_\_\_\_  
Dallas Baker, Chairperson

ATTEST:

\_\_\_\_\_  
Marcella Magdaleno, Secretary  
El Monte City Planning Commission

STATE OF CALIFORNIA)  
COUNTY OF LOS ANGELES) SS:  
CITY OF EL MONTE)

I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3467 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on January 31, 2017 by the following votes to wit:

AYES: Baker, Garcia, Morales, Nuno

NOES:

ABSTAIN:

ABSENT: Peralta

  
\_\_\_\_\_  
Marcella Magdaleno, Secretary  
El Monte City Planning Commission

**RECEIVED**  
JAN 22 2020

TO CITY OF EL MONTE PLANNING DIVISION

BY: .....

I am the owner of 2711 Meeker Ave. Property, Ting Cao  
I apply for an other extension for my project, TNETATIVE PARCEL MAP NO. 73160  
For this project, the building department has approved, grading approved,  
orther arch. Corrections has submit to plan checker , need time to recheck, and  
subdivison is still working, and need more time for the corrections.

Thank You

Ting Cao

1-22-2020

**TO:** CITY PLANNING COMMISSION

**FROM:** BETTY DONAVANIK  
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKAELIAN, AICP  
CITY PLANNER

**BY:** NANCY LEE  
SENIOR PLANNER

**SUBJECT:** TIME EXTENSION FOR TENTATIVE PARCEL MAP 74238

**LOCATION:** 3442 WHISTLER AVE

**APPLICANT:** GOLDEN JADE, LLC.  
4140 IRIS CIRCLE  
LA VERNE, CA 91750

**PROPERTY OWNER:** JENNIE FENG  
4140 IRIS CIRCLE  
LA VERNE, CA 91750

**RECOMMENDATION:** APPROVE TIME EXTENSION FOR TENTATIVE PARCEL MAP  
74238

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**BACKGROUND**

On December 12, 2017, the Planning Commission adopted Resolution No. 3492, approving Tentative Parcel Map (TPM) 74238 to subdivide an existing 12,895 square foot lot into three (3) lots for the construction of two (2) new residences and one (1) common lot for driveway purposes.

**REQUEST**

Per Resolution No. 3492, Condition of Approval No. 2 states that the TPM approval is effective for 24 months from the effective date of approval. As such, TPM 74238 expired as of December 22, 2019. On February 3, 2020, the Applicant submitted a time extension request. The request, if granted by the Planning Commission, would be retroactively effective as of December 22, 2019 with a new expiration date of December 22, 2020.

At the time of requesting this extension, the Applicant indicated that the final parcel map is currently being processed for recordation by the Los Angeles County Recorder's office. The applicant is also preparing grading, building, and landscaping plans to submit to the Building Division for plan check. The project is subject to all Conditions of Approval included in Resolution No. 3492. The approval of this time extension request will extend the entitlement approval of TPM 74238 to December 22, 2020.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve a one (1) year Time Extension from the original expiration date, extending TPM 74238 to December 22, 2020.

**ATTACHMENT:**

- A. Resolution No. 3492
- B. Time Extension Request from Applicant

**RESOLUTION NO. 3492**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 74238 AND THE ADOPTION OF A CATEGORICAL EXEMPTION TO PERMIT THE CONSTRUCTION OF 2 RESIDENTIAL UNITS ON A 12,894 SQUARE FOOT LOT LOCATED AT 3442 WHISTLER AVENUE, EL MONTE, CALIFORNIA**

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

**SECTION 1 – PROJECT DESCRIPTION.** On March 27, 2017, Drafting & Design LTD, 158 W. Orange, Covina, CA 91723, filed an application for Tentative Parcel Map No. 74238 for the construction of two (2) residential units on a 12,894 square foot lot. The request is made pursuant to Title 16 (Subdivisions) of the El Monte Municipal Code (EMMC).

**SECTION 2 – PUBLIC HEARING.** The property is located at 3442 Whistler Avenue, on the east side Whistler Avenue and south of Ferris Road and described as follows, to-wit

APN: 8567-007-029

Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Tentative Parcel Map No. 74238 for the construction of two (2) residential units before this Planning Commission on December 12, 2017 at which time, all interested persons were given full opportunity to be heard and present evidence.

**SECTION 3 - ZONING.** The property is located within the R-3 (Medium-density Multiple-family) zoning district. The surrounding zoning and land use of the adjacent properties are as follows:

- North: R-3; Multiple-family Residential
- South: R-3; Multiple-family Residential
- West: R-3; Multiple-family Residential
- East: R-3; Multiple-family Residential

**SECTION 4 - GENERAL PLAN.** The General Plan land use designation is Medium Density Multiple-family Residential. The 2011 El Monte General Plan designation is intended for single-family detached residential land uses and development that allow from 8.1 to 14.0 residential dwelling units per acre. The proposed two (2) unit residential development, strives to meet the intent of the General Plan. The proposed project is permitted on the subject property upon the adoption of a Categorical Exemption and approval of Tentative Parcel Map No. 74238. The project is consistent with the goals of the 2011 El Monte General Plan.

**SECTION 5 - ENVIRONMENTAL.** In accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has conducted the appropriate environmental analysis and based on that assessment, the City has determined that the proposed project qualifies for a Notice of Exemption under Article 19 Categorical Exemptions, Section 15303 (Class 3 - New Construction and Conversion of Small Structures) and Section 15315 (Class 15 - Minor Land Divisions) in accordance with the requirements of the State CEQA Guidelines. Therefore, no further environmental assessment is required.

**SECTION 6 – TENTATIVE PARCEL MAP FINDINGS.** All necessary findings for the granting of the Tentative Parcel Map #74238 pursuant to Title 16 (Subdivisions) of the El Monte Municipal Code can be made in a positive manner and are as follows:

A. That the proposed map is consistent with applicable general and specific plans.

*Finding of Fact:*

The 2011 El Monte General Plan designation is intended for single-family detached residential land uses and development that allow from 8.1 to 14.0 residential dwelling units per acre. The proposed two (2) residential units strive to meet the intent of the General Plan. Specifically, the project is consistent with the following Land Use Element, Housing Element and Community Design Element objectives:

- LU-1.7 Residential Compatibility. Discourage duplexes, triplexes, quadplexes, and apartments from being constructed in predominantly single-family residential neighborhoods to preserve the character and integrity of neighborhoods.
- LU-4.1 Housing Opportunities. Support a range of types and prices of housing available to all economic segments of the community, in appropriate locations to meet present and future needs, consistent with the goals and policies in the Housing Element.
- H-2.1 Housing Sites. Provide adequate sites through land use, zoning, and specific plan designations to allow single-family homes, apartments, mobile homes, and special needs housing.

B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*Finding of Fact:*

The 2011 El Monte General Plan designation is intended for single-family detached residential land uses and development and strives to meet the intent of the General Plan. Specifically, the project is consistent with the following Land Use Element, Housing Element and Community Design Element objectives:

- H-2.7 Architectural Design. Require architectural excellence through the exemplary use of materials, color, site planning, environmentally sustainable practices, building treatments, landscaping, and other best practices in concert with community expectations for quality.
- CD-3.8 Private Developments. Require new residential developments, both single and multiple-family housing, to beautify properties with ample greenery and provide for continued maintenance.
- CD-4.2 Building Scale. Reduce the bulk and perceived size of larger buildings by dividing their mass into smaller parts, stepping down to adjacent structures, and using pedestrian-scale features.
- CD-9.7 Architecture: Single-Family Housing. Require that single-family detached and attached housing be well designed to assure a high level of neighborhood quality in consideration of the following:
  - Avoidance of box-like structures through the articulation and modulation of building elevations, variation of rooflines, and features to create visual interest.
  - Quality architectural design treatment of all elevations that are visible from public places and adjacent private residences.

- Minimize paving for driveways and parking areas in front yard setbacks; require well-designed front yards that provide an effective and beautiful transition from homes to the street.
- Encourage street-facing architecture by placing entries, porches, and windows at the front of the residence and connecting them to the sidewalk by a pathway.
- Encourage a blend of compatible architectural styles that contain rich façade detailing, varied rooflines, and quality materials incorporated on all four sides of the residence.

C. That the site is physically suitable for the type of development.

*Finding of Fact:*

The Medium Density Multiple-family Residential designation allows residential densities up to 14 dwelling units per acre (du/ac). The project proposes a density of 6.75 du/ac. The project has demonstrated that it can meet the zoning code design intent and requirements. Staff has worked with the applicant to achieve a site plan that is able to meet the intent of the Zoning Code and General Plan to a feasible extent. The site is physically suitable for the proposed development.

D. That the site is physically suitable for the proposed density of development.

*Finding of Fact:*

The subject property is located within the Medium Density Residential General Plan land use designation. In this land use designation, all development shall meet the requirement of 8.1 to 14.0 du/ac. The site size is approximately 0.30 acres, allowing for the development with a density of 6.75 du/ac. The proposed development will meet the density standards outlined in the City's General Plan. The site is suitable for the proposed development.

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*Finding of Fact:*

Staff determined the project to be Categorically Exempt (Class 3 – New Construction and Class 15 – Minor Land Division) in compliance with the requirements of the California Environmental Quality Act (CEQA). There are no fish or wildlife habitats within the vicinity of the subject property nor is the project site considered a habitat for wildlife. Overall, the project is consistent with the General Plan land use designation of Medium-density Multi-family Residential.

F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

*Finding of Fact:*

The City of El Monte is an urbanized built-out community, and the residential development is not likely to cause serious public health problems. Conditions of approval have been incorporated into the project or will be implemented to ensure that the proposed project will not negatively impact the surrounding properties or land uses in the area. Additionally, before the issuance of City development permits and/or a Certificate of Occupancy, the project is required to comply with all conditions set forth in the resolution of approval, from the Building and Safety Division, Engineering Division/Public Works Department, and Fire Department requirements. The referenced divisions/departments, through the permit and inspection process, will ensure that the proposed project will not be detrimental to the public health, safety or welfare nor will it be materially injurious to the properties or improvements in the vicinity.

- G. That 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 the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record and to easements established by judgment of a court of competent jurisdiction. No authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

*Finding of Fact:*

The proposed Tentative Parcel Map has been evaluated by the City's Engineering Division and it has been determined that the proposed subdivision complies with the intent and requirements of Chapter 16 of the EMMC (Subdivisions). There are no existing or proposed easements on the site.

**SECTION 7 – APPROVALS AND CONDITIONS.** The Planning

Commission determines that the project is Categorically Exempt under Article 19 Section 15303 (Class 3 – New Construction) and Section 15315 (Class 15 – Minor Land Division) in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines and does hereby approve Tentative Parcel Map No. 74238 subject to the following conditions:

**GENERAL**

1. The project shall substantially conform to Tentative Parcel Map No. 74238 as presented to the Planning Commission on December 12, 2017.
2. The Tentative Parcel Map approval as contained herein shall be effective for a period of twenty-four (24) months from the date of effective approval thereof; provided however, that prior to such date, building permits shall have been obtained or a time extension shall have been approved by the Planning Commission in accordance with Section 16.12.140 of the EMMC and the State Subdivision Map Act.
3. A copy of the approving resolution shall be printed or attached to the development plans that are to be submitted during the plan check process.
4. All applicable conditions shall be met or deemed to have been addressed by the Economic Development Director or his designee prior to final inspection and prior to either issuance of building permits or occupancy of any buildings.
5. All Planning Division, Building Division, Code Enforcement Division, Engineering Division, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building permits or at another time specified in the conditions of approval or as outlined in City Codes.
6. All City and LA County Fire Department standards and conditions shall be implemented prior to final inspection and prior to occupancy of any building permit.
7. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits for the proposed project.
8. The applicant shall provide a detailed summary of all conditions of approval to confirm compliance at key points of the project including: 1) recordation of final parcel map; 2) issuance of grading and building permits; and 3) final occupancy of

the units. The summary shall be submitted for review and approval by the Planning Division.

## LEGAL

9. By acceptance of the approval of the project by the City, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to challenge, set aside, void or annul the approval of the project from an action which may be brought within the time period provided for such actions or challenges under applicable law. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate in any such defense.
10. The applicant and City shall enter into a Subdivision Improvement Agreement prior to recordation of the Final Tract Map for the design, acquisition, installation, construction, dedication and one-year warranty for all of the public infrastructure improvements required by the conditions of approval for Tentative Parcel Map No. 74238.
11. CC&R's for property maintenance shall be required and shall be reviewed and approved by the City Attorney. Said CC&R's shall include, but not be limited to, the following:
  - a) the provision that the Conditions of Approval contained in this Resolution shall be transformed to the individual property owners of the two (2) parcels at the time of ownership transfer from the applicant to the buyer; and b) the provision that the Owner's Association shall be administered by a professional property management company. The CC&R's shall be submitted for review by the City Attorney and shall be approved and recorded before building permits are issued and before a final map is approved an/or recorded.
  - a. Parking. The CC&R's shall address and ensure that all residential parking is allocated and properly marked for use. Each enclosed garage space shall also be kept clear and available for the parking of two vehicles.
  - b. Common driveway (Parcel 3) shall be maintained and clear of obstruction to allow vehicle ingress and egress at all times.
  - c. On-going maintenance criteria, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking areas/striping, pedestrian pathways/open space areas, lighting and irrigation fixtures, walls and fencing, landscaping and related landscape improvements and the like, as applicable);
  - d. Compliance with any applicable City ordinances related to the preservation of certain varieties of protected trees, which would require City approval for removal and/or relocation.

## CONSTRUCTION

12. The Applicant shall ensure that the contractors conduct demolition and construction activities between the hours of 7:00 AM and 6:00 PM on weekdays and 9:00 AM to 5:00 PM on Saturdays, with no construction permitted on Sundays or Federal holidays.
13. Prior to the commencement of construction on the site, the developer shall schedule a pre-construction meeting between the general superintendent or field representative and the Planning Division to discuss the approved plans and construction requirements.
14. The project must comply and be designed to meet the all requirements of the 2016 California Building Code. All building safety, geotechnical, mechanical, electrical, plumbing, and accessibility requirements will be reviewed for compliance during plan review. **(Revised by the Planning Commission on 12/12/2017)**
15. Prior to commencing demolition and site preparation activities, the project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times.
16. During the construction process all related activities, including but not limited to, loading, unloading, storage of equipment and materials, and parking of employee vehicles are prohibited within the public R.O.W. All such activities shall be conducted only on the project site and not in the public R.O.W. This condition shall not apply during the driveway pouring and sifting process. **(Revised by the Planning Commission 12/12/2017)**
17. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.
18. Automatic gas shut off/earthquake safety valves shall be installed for each gas meter location.
19. Fire protection facilities; including access, must be provided prior to and during construction.
20. All staging areas and storage of equipment and materials shall be set back from adjacent residential uses.
21. All trash and refuse (i.e. solid waste) shall be disposed of in dumpsters or other like containers; and all such waste shall be removed from the premises on a routine

basis, as provided under EMMC Chapter 8.20, by a solid waste hauler duly franchised to provide such service to the property. Applicant shall divert fifty percent (50%) of its solid waste through recycling services provided by a solid waste hauler duly franchised to provide such service to the property. Pending completion of all construction activities upon the property, surplus construction materials shall be stored so as to be screened from view when not actually in use. All construction and demolition debris shall be removed from the property in compliance with EMMC Chapter 8.20. The removal of all solid waste arising out of the construction and demolition process shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services for construction and demolition projects within the City of El Monte. The removal of all other wastes from the property shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services to residential and commercial properties within the City of El Monte.

- a. Prior to the issuance of a Building Permit, the developer shall submit to the Building Safety Division, the Environmental Services Division and the City Code Enforcement Division, the name and contact information for the contracted waste hauler. It shall be the developer's obligation to ensure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
  - b. Prior to final approval for occupancy, and in addition to any other requirements set forth under the El Monte Municipal Code or by the Chief Building Official, the developer shall submit to the Building and Safety Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed and/or diverted.
  - c. Except as otherwise authorized pending the completion of the construction and demolition activities authorized under this resolution, solid waste containers and bulky items may not be stored or maintained at locations designated for parking and must be maintained in those locations designated for the temporary storage of solid waste and bulky items.
22. The developer and project construction manager shall be required to work with City Staff to identify all public and private schools within a 1000-foot radius from the project site. The applicant/construction manager shall be required to contact all identified schools to notify the principal of the school about the proposed project, construction periods, and planned trucking routes, and to coordinate trucking activities to and from the site. All project sites located within this specified radius shall be required to maintain one onsite flag personnel to direct trucking activities coming to and leaving the site during specific delivery times as designated by the City Planner. The applicant shall be required to submit to the Planning Division a written letter showing evidence that this condition has been satisfied prior to issuance of a building permit.
23. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on

an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, and construction areas within the City.

- a. Prior to issuance of a Building Permit, the developer shall submit to the City, the name and contact information for the contracted waste hauler. It shall be the developer's obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
- b. Prior to final approval for occupancy, the applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.

### **SITE PLAN**

24. Prior to the recording of the Final Map, the City and/or developer shall submit a composite development plan showing all required and intended public and private improvements for the land parcels and public roadway as delineated in the Map approved herein.
25. All garages shall incorporate the use of automated garage door opener and lighting. Said garage door and opener must be maintained in an operable state at all times, and shall maintain an inside "clear" dimension of 20'x20' for standard 2-car garage.
26. Decorative pavers shall be installed at the project entrance and in other locations along the common driveway to break up the paving to the satisfaction of the Economic Development Director.

### **LANDSCAPING**

27. A detailed landscape/irrigation plan shall be submitted to the Planning Division with the following changes for review and approval by City staff and shall address the following items:
  - a. Comply with the State mandated Model Water Efficient Landscape Ordinance (MWELO) 2015 update and Chapter 17.11 - Water Efficiency of the El Monte Municipal Code (EMMC). The document package may be downloaded on the City website under Building and Safety or contact the City Landscape Technician, Cristina Graciano, at (626) 258-8626.
    - i. Provide two (2) sets of water efficient application, soil management report, landscape/irrigation plans, certificate of landscape design and water efficient worksheet.
  - b. An automatic timed underground irrigation system shall be installed and maintained for each landscaped area.

c. Incorporate the following changes in the final submitted landscape and irrigation plans:

- i. All proposed trees shall be a minimum of 36 inch box.
- ii. Public right of way shall be planted with ground cover.
- iii. Provide a tree removal permit application for proposed removal of any trees on site.
- iv. Separation between landscape and vehicle access shall have a 6" P.C.C. curb.
- v. Update landscape square footage to include private yard.
- vi. Private open space shall be landscaped.

28. The landscape plan shall provide for a variety of groundcover, grasses, shrubs, perennials, and ornamental trees with various textures, heights, size and a variety of foliage and flower color, per EMMC Section 17.10.030(A)(1). The landscape plan shall include a Plant Legend containing: plant symbol, scientific name of plant material, common name of plant material, plant container size, and plant spacing in "inches". Single row and triangle plant spacing are preferred. Very low, low and medium water usage plant materials are encouraged.

29. All landscape and irrigation areas shall be installed prior to a Certificate of Occupancy.

### **LIGHTING**

30. The developer shall submit a photometric plan to the Planning Division and the Engineering Department for review and it shall provide adequate lighting for all common areas for access and safety. Where available and deemed necessary by the City Planner, the system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses, and comply with CALGreen or local ordinance, whichever is more stringent. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values.

31. The developer shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to issuance of building permits.

## UTILITIES AND MECHANICAL EQUIPMENT

32. All onsite utilities service lines shall be underground and not visible to the public view.
33. The applicant shall submit a composite utility plan depicting the location of above ground utility appurtenances. The exact location of the equipment shall be approved by the Planning Division, during the plan check process, and shall be installed as per approved plans. They shall not be allowed within a required parking, turnaround and landscape areas or on any façade facing a public street.
34. All mechanical equipment placement and screening shall be included on the composite development plan and shall be reviewed and approved by the Planning Division prior to installation. Where practicable and as shown on the plans approved by the Planning Commission in the course of obtaining the requested entitlements, mechanical equipment, heating, ventilation, air conditioning (HVAC) units, satellite dish systems, solar panels, thermal solar heaters, utility meters, above ground utility and fire safety connections will be screened and located out of public view or be architectural integrated into the project design. Plant material is not an acceptable screening device.

## FENCES AND WALLS

35. Prior to the demolition of any existing property line block walls and/or fences the applicant shall construct new six (6) foot high block walls along the side and rear property lines. However, the applicant may have the option to construct a six (6) foot high wrought iron fence with pilasters along the southern property line in order to preserve existing landscaping. The developer shall make reasonable efforts to coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). Written authorization from the neighboring property owner shall be provided for the removal of an existing wall and construction of a new property line wall upon submittal for plan check. **(Revised by the Planning Commission on 12/12/2017)**
36. All fences and walls shall be decorative. All proposed wrought iron fencing shall conform to the City's Fencing Standards.
37. Architectural plans including a site plan, elevations, and mechanical specifications for all walls/fences/gates shall be submitted to the Planning Division for review and approval.

## **ARCHITECTURE**

38. Prior to issuance of building permits, the plans shall specify the type of materials and colors that will be installed on exterior of residences.
39. During the plan check process the elevations shall be printed in color. All proposed materials and stucco should be presented on a board and noted on the architectural plans.
40. The applicant shall work with Planning Staff provide a door, window and garage door schedule to reflect the architectural style which should include wood or wood like entry doors and garage and the use of brown or almond vinyl framed windows.

## **ENGINEERING AND PUBLIC WORKS CONDITIONS**

The following conditions and public improvements will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws. Federal, State, County and local laws and regulations for project implementation must be adhere to throughout the duration of the project. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect public health and safety.

### **41. General:**

- a) Development Impact Fees associated with this project include but are not limited to the following fees and deposits; applicable sewer fee, street fee, storm drain fee, traffic fee, quimby (Parkland Fees), deposits, technology enhancement fees, and all applicable fees associated with demolition of existing structures, drainage, site development, and construction are based on actual square footage of any commercial development and number of residential units.
- b) Developer shall obtain approval from the Los Angeles Fire Department (LACFD) for development's fire protection, fire flow requirements, access road(s) for development, etc. and shall construct all Fire Department required improvements. LACFD approval will be required:
- i. Prior to Tentative Map Approval (LACFD Land Development Division)
  - ii. Prior to Grading/Building Permits (LACFD Building Division)
  - iii. Prior to Final Map Approval (LACFD Land Development Division)
- c) Environmental Documentation. The time limits set forth in this chapter for taking action on tentative maps shall not be deemed to commence until the environmental documentation for the subdivision is completed in compliance with the California Environmental Quality Act (CEQA). This subdivision has been determined to be classified as new construction / minor land division. The subdivider shall provide such additional data and information and deposit and pay such fees as may be required for the preparation and processing of

environmental review documents pursuant to the city's procedures for implementation of CEQA.

- d) Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract/parcel maps and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.
- e) Engineering Geology and/or Seismic Safety Report. A preliminary engineering geology and/or seismic safety report, prepared in accordance with Los Angeles County guidelines, is required if the subdivision lies within a "medium risk" or "high risk" geologic hazard area, as shown on maps on file contained within the safety element of Los Angeles County.
- f) Comply with the City's ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain a Construction & Demolition Debris Diversion Program form. The Construction & Demolition Debris Diversion Program is also applicable with respect to the grading process.
- g) All USA/Dig Alert graffiti markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement prior to final approval.
- h) No encroachment into the City right-of-way from private property will be allowed without the required permits.
- i) The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect health and safety, and to benefit the public.

#### **42. Parcel Maps:**

- j) A Final Parcel Map in substantial conformance with the approved Tentative Map will be recorded in the Los Angeles County Recorder's Office prior to issuance of "Notice of Completion"/Certificate of Occupancy" and an electronic copy of the approved Tract Map is submitted to the Engineering Division for our records. A Registered Civil Engineer or Land Surveyor licensed by the State of California must prepare and submit the proper documents, legal descriptions and maps describing the tract map. The final City of El Monte approved Parcel Map must be submitted to the Los Angeles County Recorder's Office for recordation.
- k) Applicant is responsible to install, document, and submit centerline tie information for new streets, revisions to existing streets, and replacement of centerline ties removed during construction.

- l) Preserve existing survey monuments (property corners, centerline ties, etc.) in the public right of way. All disturbed and removed survey monuments in the public right of way shall be re-established and record of survey shall be filed with the County surveyor in accordance with applicable provisions of the state law.
- m) A common parcel must be provided for ingress, egress, fire lane, and utilities that serve all other parcels being created as a result of this project.
- n) City Attorney's Office to approve the CC&R's for the project. Owner or developer to contact the City Attorney's Office directly at (626) 580-2010 with any questions and comments.
- o) The Title Company must submit to the Engineering Division a Final Subdivision Guarantee prior to final Tract Map approval by the City Engineer.

**43. Grading and Drainage:**

- p) The Grading and Drainage Plan must include standard City of El Monte NPDES and Grading and Drainage Notes and be prepared in accordance with the City of El Monte Grading Manual.
- q) A bond shall be submitted to the City of El Monte in an amount determined by the City to complete minimum grading and drainage improvements deemed critical by the City.
- r) Soils Report. A preliminary soils report prepared in accordance with the city's grading ordinance shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the proposed development.
- s) A Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design storm for all other instances as dictated by the LA County DPW 2006 Hydrology Manual, must be submitted to the Engineering Division. The study must provide hydraulic calculations based on the given area and the ability of the existing storm drain infrastructure to receive and support the allotted drainage runoff. Drainage calculations shall adhere to City of El Monte standards, NPDES, and environmental regulations and requirements.
- t) Applicant must show 100 year flood elevation in adjacent flood control channel and provide information proposed pad elevations are above this elevation or otherwise protected against a 100-year flood event.

- u) Historical drainage patterns from adjacent properties shall be identified and maintained. The project shall accept and include in the drainage design any current drainage from adjacent properties.
- v) Enter into a public improvement agreement with the City and post a Faithful Performance bond and a Labor and Materials Bond in the amount of 150% of the estimated cost to cover the construction of the proposed offsite agreements. A Warranty Bond shall be provided in the amount of 100% of the cost of the estimated improvements and shall be in effect for one year after the date of acceptance of the project improvements. Cash deposits will be accepted in lieu of the required bonding.
- w) Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004001, Order No. ORDER NO. R4-2012-0175 and City of El Monte Ordinance No. 2840 This permit was issued by the State of California Regional Water Quality Control Board, Los Angeles Region on December 28, 2012 and the City Ordinance was passed and adopted June 10, 2014 The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues. Once the site has been developed, how will runoff be maintained? Was there a system that was designed to treat the runoff prior to discharging into the public system? Best Management Practices (BMPs) should be implemented to address storm water pollution and peak flow discharge impacts. All BMPs must be sized to meet specified water quality design and/or peak flow discharge criteria.
  - i. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system

#### 44. Sewer

- x) Engineer to show the location of the sewer mainline, nearest manholes, lateral serving the project and configuration of the onsite sewer including diameter and material of the onsite sewer.
  - i. Sewer cleanouts must be positioned at 100-foot intervals on the lateral coming off the main sewer line.
  - ii. Applicant must obtain Will Serve Letter from County Sanitations District of Los Angeles County.

#### 45. Water:

- y) It is the applicants' responsibility to contact the Water Purveyor (San Gabriel Valley Water Company) to obtain approval of service and that the purveyor has adequate water to provide such service.
- z) The water supply system serving the development shall be adequately sized to accommodate the total required domestic water and fire flows, in compliance with

the San Gabriel Valley Water Company and Los Angeles County Fire Department requirements.

- i. Engineer shall submit copy of all water system improvement plans and calculations required and approved by San Gabriel Valley Water Company for coordination and verification.

aa) Relocate any existing water meter(s) out of existing drive approaches.

**46. Overhead Utilities:**

bb) Developer shall underground any existing overhead utilities that are to serve the Project site. The final scope and design of the undergrounding of these overhead facilities is subject to SCE and other relevant utility provider approval.

cc) Any utility poles conflicting with the proposed improvements shall be relocated at the applicant's expense.

**47. Parking Lot and Driveways:**

dd) All parking lots and driveways shall be surfaced with asphaltic concrete to a minimum thickness of three (3) inches over a minimum aggregate base of six (6) inches or surfaced with Portland Cement concrete with a minimum thickness of five (5) inches over a three (3) inch aggregate base. After review of the probable vehicular traffic and the soils report for the project, additional material may be required at the discretion of the City Engineer. EMMC 17.08.030.

ee) All drive approaches shall be ADA compliant. Insufficient width in the parkway will require applicant to dedicate an easement at each drive approach to the City to accommodate a compliant drive approach.

**48. Street and Traffic:**

ff) Traffic control plans must be signed by a licensed State of California Traffic Engineer and submitted for review and approval.

gg) Public improvements will be generated on the basis of the approved site plan. P.C.C. pavement and asphalt-concrete (A.C.) thicknesses and strengths will be determined by the Registered Civil Engineer (project engineer of record) preparing the street plans and utility improvement plans.

hh) Repair, remove, and replace deficient and/or damaged sidewalk and standard curb & gutter adjacent to the development at the direction of the City Engineer/City Inspector. Use APWA standard plans and specifications

- ii) Remove all existing improvements no longer intended for use (drive approaches, under sidewalk drains, meter boxes, etc.) and replace with new sidewalk and full height curb and gutter as required. Use APWA standard plans and specifications.
- jj) Developer shall remove all existing curb paint and replace in kind on all curbs fronting the proposed development.
- kk) Parkway trees shall be installed by the applicant per the City of El Monte Tree Ordinance in the quantities and locations as directed by the City of El Monte Public Works Department.

### **FIRE DEPARTMENT**

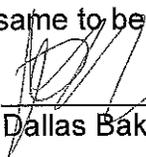
- 49. The required fire flow for public fire hydrants at this location is 500 gallons per minute at 20 psi for a duration of 1/2 hours, over and above maximum daily domestic demand. 1 hydrant flowing simultaneously may be use to achieve the required fire flow.
- 50. Fire hydrant requirements are as flows: upgrade/verify one (1) existing Public fire hydrant.
- 51. Access shall comply with Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.
- 52. All hydrants shall measure 6" x 4" x 2 1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25 feet from a structure or protected by a two (2) hour rated firewall.
- 53. All required fire hydrants shall be installed, tested and accepted or bonded prior to Final Map approval. Vehicular access must be provided and maintained serviceable throughout construction.
- 54. Additional water system requirements will be required when the land is further subdivided and/or during the building permit process.
- 55. Fire Department access shall be extended to within 150 feet distance of any exterior portions of all structures
- 56. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- 57. Provide Fire Department or City approved street signs and building access numbers prior to occupancy.

58. Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.

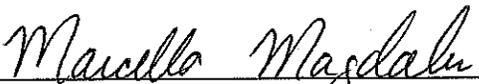
59. Provide water mains, fire hydrants and fire flows as required by the County of Los Angeles Fire Department, for all land shown on map which shall be recorded.

**SECTION 8 – PLANNING COMMISSION APPROVAL.** The Secretary of

the Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.

  
\_\_\_\_\_  
Dallas Baker, Chairperson

ATTEST:

  
\_\_\_\_\_  
Marcella Magdaleno, Secretary  
El Monte City Planning Commission

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE             )

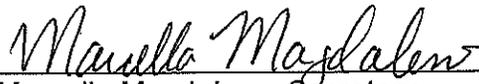
I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3492 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on December 12, 2017 by the following votes to wit:

AYES:       Morales, Nuno, Peralta, Baker

NOES:

ABSTAIN:

ABSENT:

  
\_\_\_\_\_  
Marcella Magdaleno, Secretary  
El Monte City Planning Commission

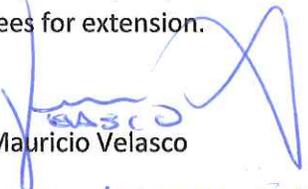
To whom it may concern

1/29/2020

Regarding 3442 Whistler El Monte CA 91732

Parcel 8567 -007-029

I Mauricio Velasco, do ask for an extension. I am the builder for Jennie Feng. Reason for project being delayed, due to fact many changes needed to be made to accommodate, project to conform to city standards, including two revisions from our architect in order to comply with city standards. I hereby respectfully request and extension to complete this project. Hereby also including check to pay for any fees for extension.

  
Mauricio Velasco

FOR JENNIE FENG.

T. P M No. 74238

**TO:** CITY PLANNING COMMISSION

**FROM:** BETTY DONAVANIK  
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

**BY:** JASON C. MIKAELIAN, AICP  
CITY PLANNER

MARLENE VEGA  
PLANNING AIDE

**SUBJECT:** GENERAL PLAN AMENDMENT NO. 03-16, ZONE  
CHANGE NO. 03-16, TENTATIVE TRACT MAP NO. 74495,  
CONDITIONAL USE PERMIT NO. 08-16, DESIGN REVIEW  
NO. 02-16, & MODIFICATION NOS. 11-16 & 12-16  
(TIME EXTENSION)

**LOCATION:** 9933 VALLEY BLVD

**APPLICANT:** SIMON LEE ASSOCIATES ARCHITECTS  
140 W. VALLEY BLVD, STE 215  
SAN GABRIEL, CA 91776

**PROPERTY OWNER:** LA VALLEY GARDEN PLAZA LP  
9911 VALLEY BLVD,  
EL MONTE, CA 91731

**RECOMMENDATION:** APPROVE A ONE (1) YEAR TIME EXTENSION FOR  
GENERAL PLAN AMENDMENT NO. 03-16, ZONE  
CHANGE NO. 03-16, TENTATIVE TRACT MAP NO. 74495,  
CONDITIONAL USE PERMIT NO. 08-16, DESIGN REVIEW  
NO. 02-16, & MODIFICATION NOS. 11-6 AND 12-16

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**BACKGROUND**

On December 5, 2017 the City Council adopted Resolution No. 9820, approving General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, and Modification Nos. 11-16 and 12-16 to permit the construction of an approximate 17,000 square foot multi-tenant commercial development at 9933 Valley Boulevard. Per Condition of Approval No. 2 of Resolution No. 9820, the project's entitlements expired on December 15, 2019.

## **REQUEST**

The applicant is now requesting a one (1) year time extension of the project's entitlements to allow additional time to complete the Building plan-check process and obtain the necessary permits to begin construction. In addition, the time extension is necessary due to an existing Southern California Edison (SCE) easement on-site that needs to be relocated prior to recordation of the Final Map.

## **RECOMMENDATION**

Staff recommends that the Planning Commission extend the project's entitlements for one (1) year with a new expiration date of December 15, 2020.

## **ATTACHMENTS:**

- A. Approved City Council Resolution No. 9820
- B. Time Extension Request Letter from Property Owner / Applicant

**RESOLUTION NO. 9820**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION, TENTATIVE TRACT MAP NO. 74495, CONDITIONAL USE PERMIT NO. 08-16, DESIGN REVIEW NO. 02-16, AND MODIFICATION NOS. 11-16 AND 12-16 TO PERMIT THE CONSTRUCTION OF AN APPROXIMATE 17,000 SQUARE FOOT MULTI-TENANT COMMERCIAL DEVELOPMENT AT 9933 VALLEY BOULEVARD, EL MONTE, CALIFORNIA**

The City Council of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

**SECTION 1 – PROPOSED PROJECT.** On May 4, 2016, Simon Lee Associates Architects, 140 West Valley Boulevard Suite 215, San Gabriel, CA 91776, filed an application for the construction of an approximate 17,000 square foot multi-tenant commercial development (the "Project"). Necessary entitlements consists of: General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, Modification Nos. 11-16 and 12-16. The City of El Monte has initiated the General Plan Amendment and Zone Change application to reclassify the residentially classified rear portion of the property to commercial. This request is made pursuant to the requirements of Section 16.10, 17.20, 17.22, 17.24 and 17.26 of the El Monte Municipal Code (EMMC).

**SECTION 2 – SUBJECT PROPERTY.** The Project site is located at 9933 Valley Boulevard, on the north side of Valley Boulevard and west side of Eunice Avenue, and described as follows, to-wit:

APNs: 8577-011-014; 8577-011-015; 8577-011-016

**SECTION 3 – SITE AND SURROUNDINGS.** The Project site encompasses three (3) parcels that is currently improved with a vacant used car dealership. Surrounding properties are of similar uses and are as follows:

**North:**R-4; Single-family & multi-family residences

**South:**C-4; Commercial/retail

**West:** C-4 & R-4; Commercial/retail & multi-family residences

**East:** C-4 & R-3; Commercial/retail

**SECTION 4 - GENERAL PLAN & ZONING.** The General Plan Land Use Designation is General Commercial for the portion along Valley Boulevard and High-Density Residential at the rear portion (APN No. 8577-011-016) of the property with a

consistent zoning of C-4 (Heavy-Commercial) along Valley Boulevard and R-4 (High-Density Residential) at the rear portion. If approved, General Plan Amendment No. 03-16 and Zone Change No. 03-16 would re-classify the rear portion of Project site to unify the entire property as commercially designated.

The 2011 El Monte General Plan General Commercial designation allows a range of retail businesses, personal services, food and beverage establishments, hotel and other tourist uses, automotive sales and repair, daycare centers, and professional offices. The Project is permitted on the subject property upon the adoption of a Mitigated Negative Declaration, and approval of General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, Modification Nos. 11-16 and 12-16. The Project is consistent with the goals of the 2011 El Monte General Plan.

**SECTION 5 - ENVIRONMENTAL.** In accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has conducted the appropriate environmental analysis and based on that assessment, the City has determined to adopt a Mitigated Negative Declaration in accordance with the requirements of the State CEQA Guidelines. Mitigation measures have been included and incorporated in Section 13 of the Resolution as conditions of approval.

**SECTION 6- PLANNING COMMISSION HEARING.** Pursuant to due notice as required by law, a full and fair public hearing was held by the Planning Commission on November 14, 2017. At that meeting, Planning Commission Resolution No. 3482 was adopted recommending approval to the City Council of General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, and Modification Nos. 11-16 & 12-16. The Planning Commission staff report dated November 14, 2017 and Resolution No. 3482 are incorporated herein by reference.

**SECTION 7- CITY COUNCIL HEARING.** Pursuant to due notice as required by law, a full and fair public hearing was held before this City Council on December 5, 2017, at which time all interested persons were given full opportunity to be heard and present evidence.

**SECTION 8- CITY COUNCIL EVALUATION.** The City Council held a noticed public hearing on the Project on December 5, 2017. The City Council has evaluated and considered the public comments received at the public hearings, reviewed the revised Project plans and additional studies, and considered the recommendation of the Planning Commission.

**SECTION 9 – TENTATIVE TRACT MAP FINDINGS.** All necessary findings for the granting of the Tentative Tract Map pursuant to Section 16.10.100 of the El Monte Municipal Code can be made in a positive manner and are as follows:

- A. The proposed map is consistent with applicable general and specific plans.

*Finding of Fact:*

The property currently has a split land use designation with the portion along Valley Boulevard designated "General Commercial" and the rear portion designated "High Density Residential." The City has initiated a General Plan Amendment to unify the property as one commercial property that will be classified as General Commercial. The 2011 El Monte General Plan Land Use Element states that areas designated for General Commercial uses allow a wide range of retail and service commercial uses to serve the community and the region. Permitted uses include a range of retail businesses, personal services, food and beverage establishments, hotel and other tourist uses, automotive sales and repair, retail, daycare centers, and professional offices. Provided that the General Plan Amendment is granted, the Project is consistent with the General Plan vision and polices intended for the General Commercial land use designation.

- B. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*Finding of Fact:*

If granted, General Plan Amendment No. 03-16 would unify the entire property as "General Commercial." The vision, goals and policies of the El Monte General Plan for the City's General Commercial land use designation allows a wide range of retail and service commercial uses to serve the community and the region. Permitted uses include a range of retail businesses, personal services, food and beverage establishments, hotel and other tourist uses, automotive sales and repair, retail, daycare centers, and professional offices. Design principles for multi-tenant commercial projects focuses on avoiding the visual perception of single-building volume and mass through modulation, articulation, setbacks, and other techniques. As well, design treatments that create a sense of individualized and personalized storefronts yet still link adjacent storefronts with a consistent theme are encouraged. The Project conveys a high level of modulation and articulation to break up the massing with the use of tower elements, trellis features and varying roof heights. The proposed finish materials, landscaping and design treatments create personalized storefronts; however, the overall design of the building is compatible and complements the recently constructed hotel directly across the street. Therefore, the proposed improvements and land uses meet the intent of the General Plan.

- C. The site is physically suitable for the type of development.

*Finding of Fact:*

The Project consolidates three (3) parcels into one 22,970 square foot parcel to subdivide into four (4) commercial condominium tenant spaces. The Project has demonstrated that it can meet the zoning code design intent and appropriate Modifications have been requested for requirements that are not met. Staff has worked with the applicant to achieve a site plan that is able to meet the intent of the Zoning

Code and General Plan to a feasible extent. The site is physically suitable for the proposed development.

D. The site is physically suitable for the proposed density of development.

*Finding of Fact:*

The General Commercial land use designation permits a maximum commercial intensity of 0.75 floor area ratio (FAR). If approved, the proposed FAR for the Project is within the maximum allowable intensity at 0.75. The site is suitable for the proposed intensity of the development.

E. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*Finding of Fact:*

The Project area is fully urbanized, and the site itself contains no natural habitat and no potential to support any species identified as a candidate, sensitive or special status species. With no habitat or species of concern located within the Project area, the implementation of the Project has no potential for impact to any native biological resources. However, according to the IPaC Resources report, several species of migratory birds could potentially be affected by construction activities in the area. To avoid an illegal take of active bird nests, as a mitigation measure, any grubbing, brushing or tree removal should be conducted outside of the State identified nesting season (Raptor nesting season is February 15 through July 31; and migratory bird nesting season is March 15 through September 1). Alternatively, the site shall be evaluated by a qualified biologist prior to the initiation of ground disturbance to determine the presence or absence of nesting birds. Active bird nests will be avoided during the nesting season. If an active nest is located in the Project construction area it will be flagged and a 300-foot avoidance buffer placed around it. No activity shall occur within the 300-foot buffer until the young have fledged the nest. Therefore, the Project is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

F. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

*Finding of Fact:*

The MND prepared for the Project identified potential health-related impacts associated with hazards and hazardous materials. Based on the hazards and hazardous materials analysis, the Project may create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment during construction. During construction there is a potential for accidental release of petroleum products in sufficient quantity to pose a significant hazard to people or the environment. As a mitigation measure, all spills or leakage of petroleum products during the construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the Stormwater Pollution Prevention Plan (SWPPP) prepared for the Project development.

The Project will require some demolition activities, including demolition of a single story wood structure, and removal of deteriorated pavement of the asphalt concrete parking area. There is a possibility that potentially hazardous materials such as asbestos containing materials, lead based paint, etc. may be encountered during the demolition of the structure. If any hazardous or potentially hazardous materials are encountered, contractors licensed and permitted to handle these materials in accordance with all applicable federal, state, and local regulations will conduct their removal. Prior to demolition, as a mitigation measure, the structure will be evaluated for the presence of ACM, lead-based paint, and PCBs. The evaluation and removal of any hazardous materials will be conducted by a Cal-OSHA certified contractor in accordance with

removal protocols and will be transported and disposed of offsite and in accordance with regulatory requirements.

The Project site does not include any known health hazards or contamination. However, according to the California State Water Board's GeoTracker website, which provides information regarding Leaking Underground Storage Tanks (LUST), there are several LUST cleanup sites within a 2,500 foot radius of the site; however, only two of these cases are open LUST sites. None of the LUST sites are located on the Project site. The main contaminant of concern is Gasoline, and the cases are open and under remediation. As a mitigation measure, the developer will retain an on-call industrial hygiene firm that will respond immediately to any discovery of soil contamination during grading to determine the nature of the contamination. Before proceeding with site development, any discovered contamination will be treated or removed from the area with residual soil concentrations being reduced to the regulatory thresholds in place at the time of construction. The contaminated material will be managed in a manner that does not expose employees or other humans to significant health hazards and will be either treated or removed from the site so that it no longer poses any hazards.

Therefore, the design of the subdivision is not likely to cause serious public health problems.

- G. 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 the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record and to easements established by judgment of a court of competent jurisdiction. No authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

*Finding of Fact:*

The Project does not interfere with any existing public access easements through or use of the proposed subdivision. Standard utility easements will remain in place for use by utility companies for the provision of water and electrical lines. Required utility easements will be conditioned and be recorded as part of the map recording. The site has adequate access and an efficient internal circulation system and the Project improvements and land uses are consistent with the intent and the applicable development standards of the City's Zoning Code, Subdivision Code, and the General Plan. Tentative Tract Map No. 74495 has been evaluated by the City's Public Works Engineering Department, which has identified conditions and public improvements that will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws.

**SECTION 10 – CONDITIONAL USE PERMIT FINDINGS.** All necessary findings for the granting of a Conditional Use Permit to allow the Project as a multi-tenant commercial use pursuant to Section 17.24.040.18 of the El Monte Municipal Code can be made in a positive manner and are as follows:

- A. The granting of the Conditional Use Permit will not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

*Finding of Fact:*

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and across the street from the newly constructed hotel. The Project would replace a previously established used car sales lot. The size, intensity, and character of the proposed

Project would complement existing surrounding commercial properties and would provide additional retail options to nearby residential neighborhoods. Adjacent to the north of the property is a single-family/multi-family neighborhood. The Project is designed with surface parking to the north with landscaping along the northern property line to buffer commercial activity from the residential properties. Staff has determined the site plan design provides appropriate buffers to accommodate the transition from commercial to residential uses that are adjacent to the site. Additionally, environmental studies and analysis have been conducted to ensure that the Project would not have a significant impact to the public health and nearby residences. Therefore, the proposed Project would not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

- B. The use applied for at the location is properly one for which a Conditional Use Permit is authorized.

*Finding of Fact:*

The property is currently split-zoned with the portion along Valley Boulevard zoned C-4 and the rear portion zoned R-4. The City has initiated a Zone Change for the property to unify it as one commercial property that will be zoned C-4. Per the EMMC Section 17.24.030(38), multi-tenant developments are allowed in the C-1 or less restrictive zone. The proposed multi-tenant commercial/retail use will comply with the zoning classification provided that the General Plan Amendment, Zone Change, Tentative Tract Map, Conditional Use Permit, Design Review, and Modification requests are approved by the Planning Commission and City Council. Therefore, the use applied for at the location is properly one for which a Conditional Use Permit is authorized.

- C. The site for the proposed use is adequate in size and shape to accommodate said uses; and that all yards, spaces, walls, fences, parking, loading, landscaping and other features required to adjust said use with the land and surrounding uses are provided.

*Finding of Fact:*

The site can adequately accommodate the proposed multi-tenant commercial use. The Project will comply with most provisions of the Zoning Code, including floor area, setbacks, parking, landscaping, and trash enclosure requirements. However, Modifications to the lot area and off-street loading requirements have been requested. The Project would replace a previously established used car sales lot. The size, intensity, and character of the Project would complement existing surrounding commercial properties and would provide additional retail options to nearby residential neighborhoods. Adjacent to the north of the property is a single-family/multi-family neighborhood. The Project is designed with surface parking to the north with landscaping along the northern property line to buffer commercial activity from the residential properties. Staff finds the site plan design provides appropriate buffers to accommodate the transition from commercial to residential uses that are adjacent to the site.

- D. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

*Finding of Fact:*

A traffic study evaluated the Project's traffic impacts relative to existing conditions, and was included in the environmental analysis. The Project was also reviewed by the Engineering Division. Based on these reviews, the site and abutting streets can adequately carry the kind and volume of traffic generated by the Project site.

- E. The granting of such a Conditional Use Permit will not adversely affect the purpose, goals, and policies of the El Monte General Plan of 2011.

*Finding of Fact:*

The property currently has a split land use designation with the portion along Valley Boulevard designated "General Commercial" and the rear portion designated "High Density Residential." The City has initiated a General Plan Amendment to unify it as

one commercial property that will be classified as General Commercial. The 2011 El Monte General Plan Land Use Element states that areas designated for General Commercial uses allow a wide range of retail and service commercial uses to serve the community and the region. Permitted uses include a range of retail businesses, personal services, food and beverage establishments, hotel and other tourist uses, automotive sales and repair, retail, daycare centers, and professional offices.

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and the newly constructed hotel across the street. The Project would replace a previously established used car sales lot. The size, intensity, and character of the proposed Project would complement existing surrounding commercial properties and would provide additional retail options to nearby residential neighborhoods.

**SECTION 11 – DESIGN REVIEW FINDINGS.** All necessary findings for the granting of a Design Review pursuant to Section 17.22.060 of the El Monte Municipal Code can be made in a positive manner and are as follows:

- A. The granting of the design review request will not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

*Finding of Fact:*

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and the newly constructed hotel across the street. The Project would replace a previously established used car sales lot. The size, intensity, and character of the Project would complement existing surrounding commercial properties and would provide additional retail options to nearby residential neighborhoods. Adjacent to the north of the property is a single-family/multi-family neighborhood. The Project is designed with surface parking to the north with landscaping along the northern property line to buffer commercial activity from the residential properties. Staff has determined the site plan design provides appropriate buffers to accommodate the transition from commercial to residential uses that are adjacent to the site. Additionally, environmental studies and analysis have been conducted to ensure that the Project would not have a significant impact to the public health and nearby residences. Therefore, the Project would not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

- B. The design of the proposed Project would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, textures, and colors that remain appealing and will retain a reasonably adequate level of maintenance.

*Finding of Fact:*

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and the newly constructed hotel across the street. The Project would replace a previously established used car sales lot. The size, intensity, and character of the proposed Project would complement existing surrounding commercial properties. The architectural design of the proposed building reflects a contemporary Mediterranean style with similar architectural features that complement the hotel that is located directly across the street. The Project provides a human scale building that is visibly pleasing and enhances the Valley Boulevard corridor. The facades of the buildings utilize high-quality building materials of varying natural and accenting colors including: smooth stucco, decorative wrought iron, concrete roof tiles, and accent tiles. The combination of vertical and horizontal lines provides a clean and modern aesthetic. The coordinated color and material scheme unify the Project. The proposed Project materials are designed to retain an adequate level of maintenance.

- C. The design and layout of the proposed Project would not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards.

*Finding of Fact:*

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and the newly constructed hotel across the street. The Project would replace a previously established used car sales lot. The size, intensity, and character of the Project would complement existing surrounding commercial properties and would provide additional retail options to nearby residential neighborhoods. Adjacent to the north of the property is a single-family/multi-family neighborhood. The Project is designed with surface parking to the north with landscaping along the northern property line to buffer commercial activity from the residential properties. Staff has determined the site plan design provides appropriate buffers to accommodate the transition from commercial to residential uses that are adjacent to the site. Additionally, traffic studies and environmental analysis have been conducted to ensure that the Project would not have a significant impact to the public health and nearby residences.

- D. The architectural design of the proposed Project is compatible with the character of the surrounding neighborhood and the provisions of this chapter and the general plan contemplate harmonious, orderly and attractive development.

*Finding of Fact:*

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and the newly constructed hotel across the street. The Project would replace a previously established used car sales lot. The size, intensity, and character of the proposed Project would complement existing surrounding commercial properties. The architectural design of the proposed building reflects a contemporary Mediterranean style with similar architectural features that complement the hotel that is located directly across the street. The Project provides a human scale building that is visibly pleasing and enhances the Valley Boulevard corridor. The facades of the buildings utilize high-quality building materials of varying natural and accenting colors including: smooth stucco, decorative wrought iron, concrete roof tiles, and accent tiles. The combination of vertical and horizontal lines provides a clean and modern aesthetic. The coordinated color and material scheme unify the Project.

- E. The landscape considerations including the location, type, size and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas, have been provided to insure visual relief, to complement buildings and structures and to provide an attractive environment.

*Finding of Fact:*

The proposed conceptual landscaping plan is designed to define street edges, building entrances, walkway paths, and open space areas throughout the Project. The conceptual landscaping plan includes a combination of water efficient trees, shrubs, vines, and ground cover plants. A variety of plant materials are proposed that will beautify the Project site. All new landscaping shall have a fully automatic irrigation system. Irrigation (including spray and/or drip) will be provided, in the Construction Document phase, and to be installed per local California water regulations. Transformers, back-flow preventers and other above-ground utilities will be screened with landscaping as permitted per code and regulations. The new design will provide an attractive environment for residents, employees and visitors on site.

Adjacent to the north of the property is a single-family/multi-family neighborhood. The Project is designed with surface parking to the north with landscaping along the northern property line to buffer commercial activity from the residential properties. Staff believes the site plan design provides appropriate buffers to accommodate the transition from commercial to residential uses that are adjacent to the site.

**SECTION 12 – MODIFICATION FINDINGS.** All necessary findings for

the granting of a Modification pursuant to Section 17.20.110 of the El Monte Municipal Code can be made in a positive manner and are as follows:

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

*Finding of Fact:*

The Modifications (MOD) are being requested pursuant to Chapter 17.20 to permit design flexibility for the development. The request includes the following elements:

Lot Area: Per the EMMC Chapter 17.74, multi-tenant developments are required to provide a minimum of 45,000 square feet of lot area. The applicant has requested a Modification to reduce the requirement to 22,648 square feet (the existing lot area).

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and the newly constructed hotel across the street. The Project would replace a previously established used car sales lot. The size, intensity, and character of the Project would complement existing surrounding commercial properties. The Project comprises of an approximate 17,000 square foot two-story multi-tenant commercial building with four (4) tenant spaces for individual ownership. Parking is provided at the rear of the property with surface and two (2) levels of underground parking. The intended use and design of the property is unique in that it is two stories and provides underground parking. Typical projects utilizing the same lot area would propose smaller single story developments with only surface parking spaces. By providing two stories and underground parking, the proposed development has maximized the use of the site that would typically be developed as a single story building with a larger footprint and surface parking only. The proposed tenant spaces for individual ownership would include property CC&Rs to regulate maintenance and design standards in regards to signage and architectural integrity.

Off-Street Loading: Per the EMMC Section 17.08.090, all new commercial developments require a minimum of one (1) large loading space of 40 feet by 15 feet. The applicant has requested a Modification to reduce the requirement to 25 feet by 15 feet.

Staff finds that the Modification request can be supported. The proposed retail and restaurant tenant spaces comprise of 2,863 to 5,447 square feet spaces; thus, they would not necessitate the need for large delivery trucks. The proposed development is conditioned with a provision that limits all incoming and outgoing truck deliveries to a maximum truck length of 25 feet.

- B. The granting of the Modification will not be materially detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity in which the property is located.

*Finding of Fact:*

The site is located along Valley Boulevard, a major arterial commercial corridor, adjacent to existing commercial uses such as retail shopping centers and the newly constructed hotel across the street. The Project would replace a previously established used car sales lot. The size, intensity, and character of the proposed Project would complement existing surrounding commercial properties and would provide additional retail options to nearby residential neighborhoods. Adjacent to the north of the property is a single-family/multi-family neighborhood. The Project is designed with surface parking to the north with landscaping along the northern property line to buffer commercial activity from the residential properties. Staff has determined the site plan design provides appropriate buffers to accommodate the transition from commercial to residential uses that are adjacent to the site. Additionally, environmental studies and

analysis have been conducted to ensure that the Project would not have a significant impact to the public health and nearby residences.

- C. Because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under the identical zone classifications.

*Finding of Fact:*

The Modifications (MOD) are being requested pursuant to Chapter 17.20 to permit design flexibility for the development. The request includes the following elements:

Lot Area: Per the EMMC Chapter 17.74, multi-tenant developments are required to provide a minimum of 45,000 square feet of lot area. The applicant has requested a Modification to reduce the requirement to 22,648 square feet (the existing lot area).

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- D. The granting of such modification will not adversely affect the comprehensive General Plan.

*Finding of Fact:*

The subject property is located within the General Commercial and High Density Residential Land Use designations identified in the EL Monte General Plan with a corresponding zoning of C-4 and R-4. The applicant has requested a General Plan Amendment and Zone Change to unify the site with a land use designation of "General Commercial" with a C-4 zoning classification. The General Plan provides design guidance for commercial projects to ensure that they convey a high level of visual and physical quality and distinctive neighborhood character. As demonstrated, the Project is consistent with the goals and policies of the General Plan by developing a commercial project that is of high quality design, such as the use of high quality architectural details and materials, is pedestrian friendly in its focus and scale, and creates attractive and compatible commercial storefronts.

The Project meets all of the design guidelines as listed in the Community Design Element, with conditions imposed. Therefore, the granting of such modification will not adversely affect the comprehensive General Plan.

**SECTION 13 – APPROVAL AND CONDITIONS.** The Planning Commission determines that the Project is in accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has conducted the appropriate environmental analysis and based on that assessment, the City has determined to adopt a Mitigated Negative Declaration; as amended, and does hereby recommend the City Council approve General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, and Modification Nos. 11-16 and 12-16 subject to the following conditions:

**GENERAL**

1. The Project shall substantially conform to General Plan Amendment No. 03-16, Zone Change No. 03-16, Tentative Tract Map No. 74495, Conditional Use Permit No. 08-16, Design Review No. 02-16, Modification Nos. 11-16 and 12-16 and the associated plans presented to the City Council on December 5, 2017.
2. The Tentative Tract Map approval as contained herein shall be effective for a period of twenty-four (24) months from the date of effective approval thereof; provided however, that prior to such date, building permits shall have been obtained or a time extension shall have been approved by the Planning Commission in accordance with Section 16.10.140 of the EMMC and the State Subdivision Map Act.
3. Approvals for the Conditional Use Permit, Design Review and Modifications shall be effective for the valid life of the Tentative Tract Map and shall remain effective for a period of twelve (12) months from the date of the final recordation of the map; provided however, that prior to such date, building permits shall have been obtained or a time extension shall have been approved by the Planning Commission.
4. A copy of the approving resolution shall be printed or attached to the development plans that are to be submitted during the plan check process.
5. The applicant shall provide a detailed status of all conditions of approval and mitigation measures to confirm compliance at key points of the Project including: 1) demolition of existing structures and grading activities; 2) recordation of final tract map; 3) issuance of building permits; and 4) final occupancy of building. The status shall be submitted for review and approval by the Planning Division.
6. All Planning Division, Building Division, Code Enforcement Division, Engineering Division, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building or another time specified in the conditions or approval or as outlined in City Codes.
7. The final tract map shall include a maximum of four (4) tenant spaces and one (1) common lot. A condominium map may be recorded that allows flexibility to customize the square footage/size of future tenant spaces. There shall be no subleasing of spaces. One (1) of the spaces shall have a floor area of at least 20 percent of the entire building floor area.

8. All City and LA County Fire Department standards and conditions shall be implemented prior to final inspection and prior to occupancy of any building.
9. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits for the proposed Project.

#### LEGAL

10. By acceptance of the approval of the Project by the City, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to challenge, set aside, void or annul the approval of the Project from an action which may be brought within the time period provided for such actions or challenges under applicable law. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate in any such defense.
11. The applicant and City shall enter into a Subdivision Improvement Agreement prior to recordation of the Final Tract Map for the design, acquisition, installation, construction, dedication and one-year warranty for all of the public infrastructure improvements required by the conditions of approval for Tentative Tract Map No. 74495.
12. The applicant shall submit Conditional, Covenants and Restrictions (CC&Rs) for the Project. These shall be submitted with the appropriate fee to the Planning Division and then shall then be reviewed and approved by the Planning Division, Public Works Department and City Attorney's Office. The final CC&Rs shall be recorded against the property before building permits are issued and before a final map is approved and/or recorded. They shall include the minimum items outlined below:
  - a. They shall contain all applicable conditions of approval as contained in this Resolution and shall be transformed to the individual property owners of the tenant parcels at the time of ownership transfer from the applicant to the buyers.
  - b. An Owner's Association shall be established and administered by a professional property management company.
  - c. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved Project phasing etc.).
  - d. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, and/or restrictions on certain uses, including uses determined by the Planning Commission (or the City Council upon appeal) to be incompatible or inconsistent with any authorized uses; compliance with applicable State and/or federal statutes and regulations, including but not limited to compliance with statutes and regulations regarding the appropriate operating guidelines for certain equipment (e.g., emissions standards, radio frequency emissions standards etc.);
  - e. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
  - f. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);

- g. If the applicant and the owner of the property are different (e.g., if the applicant is a tenant or licensee of the property or any portion thereof), both the applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms.
- h. The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties and obligations and responsibilities set forth under the maintenance agreement.
- i. The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.
- j. The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any construction permit related to this entitlement.

## **CONSTRUCTION**

- 13. The applicant shall distribute a notice prior to the commencement of construction activities to residents within 300 feet of the Project boundary of properties that abut the Project site. The notice shall include the contact information of the Project manager and City of El Monte Planning Division staff.
- 14. A truck/traffic construction management plan is required for this Project pursuant to the Department of Transportation. All construction traffic regarding the movement of heavy equipment and graded materials are limited to off peak hours. This plan shall be approved prior to the issuance of Building Permits.
- 15. The Project must comply and be designed to meet the all requirements of the 2016 California Building Code. All building safety, geotechnical, mechanical, electrical, plumbing, and accessibility requirements will be reviewed for compliance during plan check review.
- 16. Prior to commencing demolition and site preparation activities, the Project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times. At the primary entrance to the site, the screening material shall be reduced to a maximum height of four feet to provide visibility into the site at all times and for public safety purposes. The Project site shall also have a minimum of one sign of quality material depicting the proposed development, which shall include renderings, Project opening date, and City Council information. The signs shall be designed and installed to the satisfaction of the Economic Development Department and maintained in good condition (free of tears, graffiti, holes, cracks, fading, debris, etc.) at all times.
- 17. Prior to the demolition of any existing property line walls and/or fences and construction of a new property line concrete block wall(s), the developer shall make reasonable efforts to coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). Written authorization from

the neighboring property owner shall be provided for the removal of an existing wall and construction of a new property line wall upon submittal for plan check.

18. Prior to the commencement of construction on the site, the developer shall schedule a pre-construction meeting between the general superintendent or field representative and the Planning Division to discuss the approved plans and construction requirements.
19. The developer and Project construction manager shall be required to work with City Staff to identify all public and private schools within a 1000-foot radius from the Project site. The applicant/construction manager shall be required to contact all identified schools to notify the principal of the school about the Project, construction periods, and planned trucking routes, and to coordinate trucking activities to and from the site. Trucking deliveries and pickups from the Project site shall be prohibited during the periods identified by a school within the radius and during peak hours when children are coming to or leaving the school. Additionally, all Project sites located within this specified radius shall be required to maintain one onsite flag personnel to direct trucking activities coming to and leaving the site during all phases of Project construction and until the Project has received final approval. The applicant shall be required to submit to the Planning Division a written letter showing evidence that this condition has been satisfied prior to issuance of a building permit.
20. During the construction process all related activities, including but not limited to, loading, unloading, storage of equipment and materials, and parking of employee vehicles are prohibited within the public R.O.W. All such activities shall be conducted only on the Project site and not in the public R.O.W.
21. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.
22. All trash and refuse (i.e. solid waste) shall be disposed of in dumpsters or other like containers; and all such waste shall be removed from the premises on a routine basis, as provided under EMMC Chapter 8.20, by a solid waste hauler duly franchised to provide such service to the property. Applicant shall divert fifty percent (50%) of its solid waste through recycling services provided by a solid waste hauler duly franchised to provide such service to the property. Pending completion of all construction activities upon the property, surplus construction materials shall be stored so as to be screened from view when not actually in use. All construction and demolition debris shall be removed from the property in compliance with EMMC Chapter 8.20. The removal of all solid waste arising out of the construction and demolition process shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services for construction and demolition projects within the City of El Monte. The removal of all other wastes from the property shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services to residential and commercial properties within the City of El Monte.
  - a. Prior to the issuance of a Building Permit, the developer shall submit to the Building Safety Division, the Environmental Services Division and the City Code Enforcement Division, the name and contact information for the contracted waste hauler. It shall be the developer's obligation to ensure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
  - b. Prior to final approval for occupancy, and in addition to any other requirements set forth under the El Monte Municipal Code or by the Chief Building Official, the developer shall submit to the Building and Safety Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed and/or diverted.
  - c. Except as otherwise authorized pending the completion of the construction and demolition activities authorized under this resolution, solid waste containers and bulky items may not be stored or maintained at locations designated for parking and must be maintained in those locations designated for the temporary storage of solid waste and bulky items.
23. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the

construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, and construction areas within the City.

- a. Prior to issuance of a Building Permit, the developer shall submit to the City, the name and contact information for the contracted waste hauler. It shall be the developer's obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.
  - b. Prior to final approval for occupancy, the applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.
24. Fire protection facilities, including access, must be provided prior to and during construction.
25. A staging and construction plan shall be submitted for review and approval by the Planning Division prior to issuance of demolition or grading permits. The staging areas and storage of equipment and materials shall be set back from adjacent residential uses.
26. The applicant shall provide a contract specification that large trucks will not utilize Temple City Boulevard in the City of Rosemead during the construction phase. Confirmation of this shall be provided to the City of Rosemead and City of El Monte Planning Divisions prior to the issuance of demolition or grading permits.
27. The applicant shall provide photos of Valley Boulevard prior to and following major truck activity. Confirmation of this shall be provided to the City of Rosemead and City of El Monte Planning Divisions at 1) prior to the issuance of demolition or grading permits; and 2) prior to the issuance of the first occupancy permit for any tenant. Any damage to Valley Boulevard in either the City of Rosemead or El Monte shall be repaired at the applicant's expense. Such repair shall be completed prior to the occupancy of the building.
28. The site contractor is required to provide copies of Caltrans transportation permits prior to delivery if any large size truck deliveries are required to complete construction.
29. All heavy truck activities/operations during construction shall only occur during non-peak hours of operation (i.e., limited to 9:00 a.m. to 3:30 p.m.).

#### **ART IN PUBLIC PLACES**

30. The Project shall be required to comply with the Art in Public Places Ordinance. The Project applicant shall submit plans for the display of public art or a Project place monument within the development, which shall be approved by the Art in Public Places Committee or pay the designated in-lieu fee at time of building permit issuance.

#### **OPERATIONS STANDARDS**

31. The applicant shall provide a tenant mix plan for the multi-tenant commercial development for approval by the City's Economic Development Department prior to the occupancy of the building. The plan shall incorporate uses expressly permitted and prohibited as outlined in 31-a and 31-b. The plan shall also include a "safe harbor" list of potential tenants and uses that may be located within the commercial development. The plan shall include the underwriting criteria proposed to evaluate

the success rate and creditworthiness of each prospective tenant. The developer shall not enter into any lease with a retail commercial business until such time as the plan is approved by the Economic Development Department. Each individual retail commercial tenant will require separate entitlements and be subject to review by the Planning Division and/or Planning Commission.

a. The following uses shall be expressly permitted:

- i. CORPORATELY BRANDED RETAILERS AND FITNESS CENTERS: Shall mean or describe all retail stores selling consumer goods, merchandise and products of every category (unless specifically prohibited in 31b) including grocery stores, food markets, produce markets, specialty markets, banks, credit unions and other financial institutions, retail optical stores (such as Lens Crafters), men's or women's or unisex hair care salons (such as Sports Clips, Super Cuts, Fantastic Sam's), mobile phone stores (such as T Mobile, Verizon), vitamin and homeopathic retail stores (such as GNC, Vitamin World, Vitamin Shoppe), cosmetic, make-up, skin care, beauty supply stores including stores that offer as part of their operation nail services and hair salon services (such as ULTA cosmetics, Sephora, HANS Beauty, Sally Beauty Supply) and fitness centers (such as Curves), provided that each business has: 1) at least five (5) locations that are open and operating regionally or nationwide; or 2) has a nationally or regionally recognized corporate brand with demonstrated capital funding sources and a business plan for expansion and/or rollout of a series of new locations in Southern California (two (2) or more locations within an eighteen 18 month period following the opening of the El Monte location);
- ii. CORPORATELY BRANDED RESTAURANTS, CASUAL DINING ESTABLISHMENTS AND QUICK SERVICE ESTABLISHMENTS: Shall include corporately branded coffeehouses, specialty dessert, yogurt, ice cream or juice establishments and corporately branded restaurants, casual dining establishments and quick service establishments that serve beer, wine and/or alcohol for on-premises consumption (not to exceed fifty 50 percent of gross revenues generated from the sale of beer, wine and/or alcohol), provided that each business has: 1) at least five (5) locations that are open and operating regionally or nationwide; or 2) has a nationally or regionally recognized corporate brand with demonstrated capital funding sources and a business plan for expansion and/or rollout of a series of new locations in Southern California (two (2) or more locations within an 18 month period following the opening of the El Monte location).

A written proposal to the Economic Development Director for consideration for an exception of this stipulation must demonstrate that the eating establishment or restaurant is a high quality and creditworthy operation, and has sound business concept with financial backing;

- iii. COPORATELY BRANDED RETAIL SERVICE AND RETAIL OFFICE RELATED ESTABLISHMENTS: Shall mean all establishments and business operations that offer a service to the general public and are typically found in first class shopping centers in Southern California, provided each business has: 1) at least five (5) locations that are open and operating; or 2) a nationally or regionally recognized corporate brand with demonstrated capital funding sources and a business plan for expansion and/or rollout of a series of new locations in Southern California (two (2) or more locations within an 18 month period following the opening of the El Monte location); and
- iv. PROFESSIONAL OFFICES: Shall include offices for accountants, architects, attorneys, chiropractors, dentists, engineers, insurance agents, opticians, optometrists, physicians and real estate brokers. Non-corporately branded professional offices shall only be permitted on the second floor.

b) The following uses shall be expressly prohibited:

- i. Except as permitted under 31-a, any non-Corporately Branded Retailer, Fitness Center, Restaurants, Casual Dining Establishment, Quick Service Establishment, Retail Service, Retail Office or Professional Office;
  - ii. Any use involving the storage, display or sale of explosives, fireworks or firearms;
  - iii. Massage business which is not corporate owned or franchised, or which is not part of a full service spa or a personal care business that offers a variety of other spa services and is advertised as such;
  - iv. Any pawn shop, tattoo parlor, tobacco or e-cigarette shop, bail bond business, fortune teller or psychic, gun shop or self-service laundry facility;
  - v. Any fire sale, flea market, bankruptcy sale (unless pursuant to a court order) surplus store or auction operation;
  - vi. Any auto related use, including auto supply, sales, lease, repair, rental, taxi service or limousine service;
  - vii. Any same day cash loan, cash checking, payday loan or other business which provides loans to consumers in advance and in exchange of their work paycheck;
  - viii. Any buy, trade or sell of gold type business;
  - ix. Any convenience food store or mini-market; and
  - x. Any animal boarding, grooming, veterinary or animal hospital business.
32. The applicant shall provide an "employee parking plan" subject to the review and approval of the Planning Division prior to occupancy of the building. The plan shall require employees to park on the lower level of the parking structure and shall prohibit employees from parking along Eunice Avenue. There shall be no assigned spaces for specific tenants. Short term parking may be permitted for surface parking spaces, subject to Planning Division approval.
33. The applicant shall provide one (1) loading space of 25 feet by 15 feet. The loading space shall be marked and designated for loading activities only. All trucks used for incoming and outgoing deliveries shall be limited to a maximum of 25 feet in length.
34. The back-up or idling of commercial trucks is prohibited along Eunice Avenue and Valley Boulevard.
35. The applicant shall provide a security plan that includes a security system with HD cameras for the commercial building and parking areas prior to occupancy of the building. The plan shall incorporate a high definition recording camera surveillance system. The plan shall be reviewed by the El Monte Police Department and such recording shall be available for the El Monte Police Department for a minimum of 45 days. The Police Department shall have the authority to make changes to the plan as needed to enhance public safety.
36. The site and the public R.O.W. adjacent to any portions of the site, shall be kept free of weeds, trash, or other debris, and that abandoned vehicles be promptly reported, pursuant to the Municipal Code and Los Angeles County Fire and Health Codes at all times.
37. Graffiti must be removed from any interior/exterior surfaces to the structures and improvements on the property within 24 hours following the application of the graffiti. Graffiti shall be removed by either painting over the evidence of such vandalism with a paint that has been color-matched to the surface to which it is applied or graffiti may be removed with solvents or detergents, as appropriate.

38. Window signage shall not exceed ten (10) percent of the window area. Only signs displaying the business name, operational status, and hours of operations may be approved.
39. All business activities and all storage shall take place within the confines of the building. There shall be no outdoor display, advertisement, merchandizing, debris, and storage of containers and inoperable vehicles at any time. No storage of materials or supplies or inventory shall be permitted outside of the structure. Outdoor dining for restaurants may be permitted in private areas subject to Planning Division and Building Division approval.
40. All operations of any preapproved mechanical equipment shall be conducted within an enclosed building and that all openings to the building shall be maintained in a closed position at all times of business operations.

#### **SITE PLAN**

41. Prior to the recording of the Final Map, the City and/or developer shall submit a composite development plan showing all required and intended public and private improvements for the land parcels and public roadway as delineated in the Map approved herein.
42. Decorative pavers shall be installed at the Project's driveway and throughout pedestrian areas to the satisfaction of the City Planner. Such pavers shall be clearly shown on the submitted plans.
43. Provide a minimum of two (2) pedestrian walkways along the building frontage off of Eunice Avenue (in addition to the one proposed at the street corner). Such walkways shall be clearly shown on the submitted plans.
44. All mechanical equipment including the transformer shall be setback a minimum of three (3) feet from all property lines and screened from public view. The transformer proposed along Eunice Avenue shall be set back to the greatest extent feasible from the residential use and street property line.
45. Automatic gas shut off/earthquake safety valves shall be installed for each gas meter location. The location all valves and gas meters shall be completely screened from public view.
46. The Applicant shall submit a design for the onsite trash enclosure(s) for review and approval by the Planning Division and the City's Solid Waste Service Provider during the plan check process. All trash enclosures shall be screened and buffered from public view. The trash enclosures shall include a designated area for solid waste disposal and a designated area for recycling disposal. The design will be reviewed for aesthetic value and use of quality materials. All outside trash and garbage collection areas shall be paved and enclosed on at least three (3) vertical sides by a solid five (5) foot high wall and on the fourth side by a decorative view obscuring gate to screen the containers from view. Trash enclosures shall be of a size sufficient to contain all trash containers maintained outside the building. The finish and color of the enclosure shall be designed to match a primary element from the site building style as well as incorporate a decorative solid roof cover per the approval of the City Planner.
47. Handicap parking spaces shall be van accessible.
48. Bicycle racks shall be decorative.

#### **LANDSCAPING**

49. The applicant shall be required to submit to the Planning Division for review and approval of a detailed landscape/irrigation plan for the site that is prepared by a State Licensed Landscape Architect. The plan shall address the following items:

- a. Comply with the State mandated Model Water Efficient Landscape Ordinance (MWELO) 2015 update and Chapter 17.11 - Water Efficiency of the El Monte Municipal Code (EMMC). The document package may be downloaded on the City website under Building and Safety or contact the Building and Safety Division at (626) 580-2050.
  - b. An automatic timed underground irrigation system shall be installed and maintained for each landscaped area.
50. The landscape plan shall provide for a variety of groundcover, grasses, shrubs, perennials, and ornamental trees with various textures, heights, size and a variety of foliage and flower color, per EMMC Section 17.10.030(A)(1). The landscape plan shall include a Plant Legend containing: plant symbol, scientific name of plant material, common name of plant material, plant container size, and plant spacing in "inches". Single row and triangle plant spacing are preferred. Very low, low and medium water usage plant materials are encouraged. Vertical screening shall be provided along the north property line adjacent to the residential use.
51. The applicant shall install and maximize the number of 24-36" box shade trees along Valley Boulevard and Eunice Avenue to the satisfaction of the City's Landscape Technician. A maximum of four (4) date palms trees shall be allowed along Valley Boulevard and Eunice Avenue, with the species and minimum trunk height approved by the City's Landscape Technician. No palm trees shall be permitted along the northern property line adjacent to the residential use.
52. Final landscaping plans incorporating #49, #50 and #51 shall be approved by the City's Landscape Technician prior or at the same time as the issuance of Building Permits.
53. All landscape and irrigation areas shall be installed and inspected prior to a certificate of occupancy.

#### **LIGHTING**

54. The developer shall submit a photometric plan to the Public Works Department for review and it shall provide a minimum of 1 foot-candle throughout the site. Where available and deemed necessary by the City Planner, the system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses, and comply with CALGreen or local ordinance, whichever is more stringent. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values. The plan shall be approved prior to the issuance of building permits.
55. The developer shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to the issuance of building permits.

#### **UTILITIES AND MECHANICAL EQUIPMENT**

56. All onsite utilities service lines shall be underground and not visible to the public view.
57. The applicant shall submit a composite utility plan depicting the location of above ground utility appurtenances. The exact location of the equipment shall be approved by the Planning Division, during the plan check process, and shall be installed as per approved plans. They shall not be allowed within the parking, turnaround or on any façade facing a public street.

58. All mechanical equipment placement and screening shall be included on the composite development plan and shall be reviewed and approved by the Planning Division prior to installation. Where practicable and as shown on the plans approved by the Planning Commission in the course of obtaining the requested entitlements, mechanical equipment, grease interceptors, heating, ventilation, air conditioning (HVAC) units, satellite dish systems, solar panels, thermal solar heaters, utility meters, above ground utility and fire safety connections will be, screened, located out of public view or be architectural integrated into the Project design.

### **FENCES AND WALLS**

59. If a new wall is proposed along the west property line, it shall be of a decorative design and manufactured/built using durable materials and protective surfaces, with a maximum height of eight (8) feet. No existing or new chain linked fencing shall be permitted. The application of graffiti resistant coating and/or other anti-graffiti measures are required.

60. The applicant shall construct a new decorative block wall along the north property line abutting the residential use with the following height/placement restrictions:

- a. No wall shall be placed within the first seven (7) feet from the street property line;
- b. A four (4) foot high wall shall be placed between seven (7) feet and 20 feet from the street property line;
- c. A six (6) foot high wall shall be constructed for the remainder of the north property line; and
- d. The application of graffiti resistant coating and/or other anti-graffiti measures are required for all walls.

61. Where proposed, new interior and perimeter fences and walls for the Project site shall be of a decorative design and manufactured/built using durable materials and protective surfaces. The application of graffiti resistant coating and/or other anti-graffiti measures are required.

62. Architectural plans including a site plan, elevations, and mechanical specifications for all walls/fences/gates shall be submitted to the Planning Division for review and approval.

### **ARCHITECTURE**

63. The applicant shall work with Planning Staff to enhance and refine the design of all (North, East, West, and South) proposed elevations. Such measures may include the following:

- a. Simplify the design and increase the use of the second story guard railings. The rail shall still be decorative and of quality materials;
- b. Reduce the size of the window/entrances on the second story facing Valley Boulevard, remove the trellis and use dark neutral colored awnings;
- c. Consistently use only awnings or only one trellis on the second story facing Eunice Avenue;
- d. Simplify/better standardize the use of colors, use of eyebrows, use of moldings, etc. along both street frontages.
- e. Provide additional architectural features such as light fixtures, outdoor patio dining/seating, etc.
- f. Items #a-e shall be clearly shown on the submitted plan.

64. A final colors and materials board with colored elevations shall be provided. Colored elevations shall be attached to the building plans submittal.

65. There shall be no on-site changes to the final approved elevations, colors, landscaping, paving or site details without written approval by the City Planner, Building Official or their designee.

## **SIGNS**

66. The applicant shall submit and receive approval of a Master Sign Program for the multi-tenant commercial building. The plan shall incorporate the following:
- a. If more than one (1) Second story sign is proposed, the Project shall require approval of a Modification.
  - b. Each tenant facing Valley Boulevard shall be permitted a maximum of one (1) wall sign.
  - c. Tenants directly adjacent to Eunice Avenue shall be permitted a maximum of one (1) wall sign along Eunice Street. No other signs along Eunice Avenue shall be permitted.
  - d. All signs shall be made of individually cut or routed letters. The sign plan may propose/outline standard design(s) or lighting styles. No cabinet signs shall be permitted.
  - e. Signs shall be prohibited on the tower elements of the building. The corner tower may include an address range for the building.
  - f. Directional signs may be permitted for the parking areas.
  - g. One small hanging/projection sign at the entrance of each ground floor tenant may be permitted.
  - h. Freestanding signs shall be prohibited.

## **ENGINEERING & PUBLIC WORKS**

The following conditions and public improvements will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws. Federal, State, County and local laws and regulations for project implementation must be adhere to throughout the duration of the project. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect public health and safety.

### **67. General:**

- a. Development Impact Fees associated with this project include but are not limited to the following fees and deposits; Applicable sewer fee, street fee, storm drain fee, traffic fee, quimby (Parkland Fees), deposits, technology enhancement fees, and all applicable fees associated with demolition of existing structures, drainage, site development, and construction are based on actual square footage of any commercial development.
- b. Developer shall obtain approval from the Los Angeles Fire Department (LACFD) for development's fire protection, fire flow requirements, access for development, etc. and shall construct all Fire Department required improvements. LACFD approval will be required:
  - i. Prior to Tentative Map Approval (LACFD Land Development Division)
  - ii. Prior to Grading/Building Permits (LACFD Building Division)
- c. Environmental Documentation. The time limits set forth in this chapter for taking action on tentative maps shall not be deemed to commence until the environmental documentation for the subdivision is completed in compliance with the California Environmental Quality Act (CEQA). The proposed Project/subdivision has undergone a Mitigated Negative Declaration (MND). All mitigation(s) and finding(s) in the approved MND shall be implemented by the applicant as required.
- d. The developer shall provide such additional data and information and shall deposit and pay such fees as may be required for the preparation and processing of environmental review documents pursuant to the City's procedures for implementation of the California Environmental Quality Act.
- e. Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract/parcel maps and all other relevant plans. Include a legend that

demonstrates ownership, date installed, and type of monitoring well and all other relevant information.

- f. Engineering Geology and/or Seismic Safety Report. A preliminary engineering geology and/or seismic safety report, prepared in accordance with Los Angeles County guidelines, is required if the subdivision lies within a "medium risk" or "high risk" geologic hazard area, as shown on maps on file contained within the safety element of Los Angeles County.
- g. Comply with the City's ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain a Construction & Demolition Debris Diversion Program form. The Construction & Demolition Debris Diversion Program is also applicable with respect to the grading process.
- h. The applicant shall submit for review and approval to Caltrans any proposed work within the roadway that affects traffic utilizing Caltrans facilities. Applicant shall obtain necessary permits, pay all fees, and comply with all Caltrans requirements relative to such work.
- i. All USA/Dig Alert graffiti markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement prior to final approval.
- j. No encroachment into the City right-of-way from private property will be allowed.
- k. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect health and safety, and to benefit the public.

**68. Tract Map:**

- l. Tract Map 74445 will be recorded in the Los Angeles County Recorder's Office prior to issuance of "Notice of Completion"/Certificate of Occupancy" and an electronic copy of the approved Tract Map is submitted to the Engineering Division for our records. A Registered Civil Engineer or Land Surveyor licensed by the State of California must prepare and submit the proper documents, legal descriptions and maps describing the tract map. The final City of El Monte approved tract map must be submitted to the Los Angeles County Recorder's Office for recordation.
- m. The City Council shall approve the final map in conjunction with the approved tentative map, provided the final map is in substantial compliance and conformance with the tentative map and the final map is in full compliance with the Subdivision Map Act and the City's Subdivision Ordinances. Once the final map is prepared, the City Council shall authorize the appropriate City officials to sign the map.
- n. Applicant is responsible to install, document, and submit centerline tie information for new streets, revisions to existing streets, and replacement of centerline ties removed during construction.
- o. Preserve existing survey monuments (property corners, centerline ties, etc) in the public right of way. All disturbed and removed survey monuments in the public right of way shall be re-established and record of survey shall be filed with the County surveyor in accordance with applicable provisions of the state law.
- p. City Attorney's Office to approve the CC&R's for the Project. Owner or developer to contact the City Attorney's Office directly at (626) 580-2010 with any questions and comments.
- q. The Title Company must submit to the Engineering Division a Final Subdivision Guarantee prior to final Tract Map approval by the City Engineer.

**69. Grading and Drainage:**

- r. The Grading and Drainage Plan must include standard City of El Monte NPDES and Grading and Drainage Notes and be prepared in accordance with the City of El Monte Grading Manual. Applicant must show proposed pad elevations are above or otherwise protected against a 100-year flood event.
  - i. Shoring Pans must be submitted to Building Department for review and approval prior to receiving permit for Grading/Excavation Plan.
- s. Soils Report. A preliminary soils report prepared in accordance with the city's grading ordinance shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the proposed development.
- t. A Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design storm for all other instances as dictated by the LA County DPW 2006 Hydrology Manual, must be submitted to the Engineering Division. The study must provide hydraulic calculations based on the given area and the ability of the existing storm drain infrastructure to receive and support the allotted drainage runoff. Drainage calculations shall adhere to City of El Monte standards, NPDES, and environmental regulations and requirements.
- u. Historical drainage patterns from adjacent properties shall be identified and maintained. The Project shall accept and include in the drainage design any current drainage from adjacent properties.
- v. Applicant must show 100 year flood elevation and provide information proposed pad elevations are above this elevation or otherwise protected against a 100-year flood event.
- w. Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004001, Order No. ORDER NO. R4-2012-0175 and City of El Monte Ordinance No. 2840 This permit was issued by the State of California Regional Water Quality Control Board, Los Angeles Region on December 28, 2012 and the City Ordinance was passed and adopted June 10, 2014 The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues. Once the site has been developed, how will runoff be maintained? Was there a system that was designed to treat the runoff prior to discharging into the public system? Best Management Practices (BMPs) should be implemented to address storm water pollution and peak flow discharge impacts. All BMPs must be sized to meet specified water quality design and/or peak flow discharge criteria.
  - i. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system
  - ii. Due to the proposed underground parking and multilevel commercial development, an offsite improvement mitigation measure must be used to offset the proposed onsite post development stormwater. Discharge cannot exceed the predevelopment stormwater flow. The hydrology study, prepared by a registered engineer, must demonstrate that the offsite mitigation improvements meet the compliance effort of the MS4 permit requirements. Use of the existing Filterra catch basin filtration system on Eunice Avenue (and other onsite mitigation measures) as a way to comply with the MS4 permit and LID Ordinance.
  - iii. Developer shall arrange for the inspection and any required repairs to the Filterra biotreatment system on Eunice Avenue as required bringing the unit to a fully operational status.

**70. Sewer:**

- x. Engineer to show the location of the sewer mainline, nearest manholes, lateral serving the Project and configuration of the onsite sewer including diameter and material of the onsite sewer.
  - i. Sewer Capacity/Area Study per Los Angeles County Sanitation District standards and City guidelines (Obtain approval from City Engineer on requirements for study) will be required to ensure the existing sewer system has sufficient capacity for the proposed development. - Preliminary Sewer Capacity/Area Study reviewed and comments returned November 16, 2017. Applicant shall address all comments and resubmit Study for City review and approval.
  - ii. Sewer cleanouts must be positioned at 100-foot intervals on the lateral coming off the main sewer line.
  - iii. Applicant must obtain Will Serve Letter from County Sanitations District of Los Angeles County.

**71. Water:**

- y. It is the applicants' responsibility to contact the Water Purveyor (California American Water Company) to obtain approval of service and that the purveyor has adequate water to provide such service. Provide acceptable analysis to verify sufficient water pressure and flow for:
  - i. General conditions
  - ii. During MID (maximum instantaneous demand) conditions
  - iii. During fire flow and MID conditions
- z. The water supply system serving the development shall be adequately sized to accommodate the total required domestic water and fire flows, in compliance with the California American Water Company and Los Angeles County Fire Department requirements.
  - i. Engineer shall submit water system improvement plans and calculations for the development to the City for review and approval; or
  - ii. Engineer shall submit copy of all water system improvement plans and calculations required and approved by California American Water Company for coordination and verification.
- aa. Relocate existing water meter out of existing drive approaches.

**72. Overhead Utilities:**

- bb. Developer shall underground any existing overhead utilities that are to serve the Project site. The final scope and design of the undergrounding of these overhead facilities is subject to SCE and other relevant utility provider approval.
- cc. Any utility poles conflicting with the proposed improvements shall be relocated at the applicant's expense.

**73. Parking Lot and Driveways:**

- dd. All parking lots and driveways shall be surfaced with asphaltic concrete to a minimum thickness of three (3) inches over a minimum aggregate base of six (6) inches or surfaced with Portland Cement concrete with a minimum thickness of five (5) inches over a three (3) inch aggregate base. After review of the probable vehicular traffic and the soils report for the Project, additional material may be required at the discretion of the City Engineer. EMMC 17.08.030.
- ee. All drive approaches shall be ADA compliant. Insufficient width in the parkway will require applicant to dedicate an easement at each drive approach to the City to accommodate a compliant drive approach.

#### 74. Street and Traffic:

- ff. All Streets (Valley Boulevard and Eunice Avenue) fronting the Project shall be improved to meet current General Plan requirements for Right of Way and Roadway. Use Geotechnical Engineer's Report and APWA standard plans and specifications for roadway improvements. The requirement is to repave Valley Boulevard and Eunice Avenue with a 1 1/2" overlay in front of the property, half the distance of the frontage roadway. Prepare offsite improvement plans and provide an engineer's estimate for all public improvements. All offsite improvements shall be in complete compliance with the Americans with Disabilities Act (ADA).
- gg. Repaving and restriping of Valley Boulevard and Eunice Avenue is required for the full half-width of the street. Public improvements will be designed and constructed in coordination with the approved street plan. P.C.C. pavement and asphalt-concrete (A.C.) thicknesses and strengths will be determined by the Registered Civil Engineer (project engineer of record) preparing the street plans and utility improvement plans.
- hh. All public improvements must be ADA compliant. The engineer shall provide sufficient elevations and other relevant data to determine compliance within Right of Way. Sufficient space for required compliant improvements (driveways, obstructed sidewalks, handicapped access ramps, etc.) may require the developer to dedicate an easement to the City to accommodate compliant improvements.
- ii. Traffic control plans must be signed by a licensed State of California Traffic Engineer and submitted for review and approval.
- jj. Repair, remove, and replace deficient and/or damaged sidewalk and standard curb & gutter adjacent to the development at the direction of the City Engineer/City Inspector. Use APWA standard plans and specifications.
- kk. Remove and replace existing non-compliant ADA access ramp at the northwest corner of Valley Boulevard and Eunice Avenue.
- ll. Install a new five-foot (5') wide sidewalk for the length of the property abutting Eunice Avenue, approximately one hundred (100') in length. The actual quantities and limits will be determined by the City inspector prior to construction of the improvements. Use APWA standard plans and specifications and include in the grading plan.
- mm. Remove all existing improvements no longer intended for use (drive approaches, under sidewalk drains, meter boxes, etc.) and replace with new sidewalk and full height curb and gutter as required. Use APWA standard plans and specifications.
- nn. Developer shall remove all existing curb paint and replace in kind on all curbs fronting the proposed development.
- oo. Roadway lighting on Eunice Avenue and for the intersection of Eunice Avenue and Valley Boulevard shall be evaluated for adequacy in accordance with current Illuminating Engineering Society (IES) standards. A copy of the evaluation report shall be submitted to the Public Works Department for review and approval. The applicant shall upgrade any deficient street lighting to comply with IES standards.
- pp. Parkway trees shall be installed by the applicant per the City of El Monte Tree Ordinance in the quantities and locations as directed by the City of El Monte Public Works Department.
- qq. All mitigation measures/improvements required by the approved Traffic study shall be prepared by a Registered Traffic Engineer or Civil Engineer and

submitted to the Public Works Department for review and approval prior to Certificate of Occupancy or otherwise noted in the CEQA MND documents. All fair share contributions required shall be paid prior to Certificate of Occupancy or otherwise noted in the CEQA MND documents. Mitigation measures required:

- i. Provide Fair Share contribution for improvements to Valley Blvd and Bald Avenue as stipulated in the approved Traffic Study.
  - ii. Project and plans shall comply with On-site Circulation recommendations as stipulated in the approved Traffic Study.
- rr. Enter into a public improvement agreement with the City and post a Faithful Performance bond and a Labor and Materials Bond in the amount of 150% of the estimated cost to cover the construction of the proposed offsite improvements. A Warranty Bond shall be provided in the amount of 100% of the cost of the estimated improvements and shall be in effect for one year after the date of acceptance of the project improvements. Cash deposits will be accepted in lieu of the required bonding.

#### **FIRE DEPARTMENT**

75. Fire Department Access shall be extended to within 150 feet distance of any exterior portion of all structures.
76. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
77. Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
78. Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
79. Provide water mains, fire hydrants and fire flows as required by the County of Los Angeles Fire Department, for all land shown on map which shall be recorded.
80. The required fire flow for public fire hydrants at this location is 2250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
81. All required fire hydrants shall be installed, tested and accepted or bonded prior to Final Map approval. Vehicular access must be provided and maintained serviceable throughout construction.

#### **METROPOLITAN TRANSPORTATION AUTHORITY (METRO)**

82. The applicant shall notify the Metro Bus Operations Control Special Events Coordinator at least 30 days in advance of initiating construction activities at the Project site. If any road closures occur, the applicant will be required to notify Metro's Stops and Zones Department.
83. The applicant is required to provide information to future tenants regarding the employer transit pass programs.

#### **MITIGATION MEASURES**

The applicant shall comply with all mitigation measures outlined below and in the Mitigation Monitoring and Reporting Program of the final CEQA document:

## **Aesthetics**

AES-1: An analysis of potential glare from sunlight or exterior lighting shall be conducted upon the submission of the final design for the L.A. Valley Garden to the City for review and approval. Impacts to vehicles traveling on adjacent roadways shall be included in the submittal. This analysis shall demonstrate that due to building orientation or exterior treatment, no significant glare may be caused that could negatively impact drivers on the local roadways or impact adjacent land uses. If potential glare impacts are identified, the building orientation, non-glare reflective materials or other design solutions shall be implemented to eliminate glare impacts.

## **Air Quality**

AQ-1: Fugitive Dust Control. The following measures shall be incorporated into Project plans and specifications for implementation:

- Apply soil stabilizers or moisten inactive areas.
- Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 2-3 times/day).
- Cover all stock piles with tarps at the end of each day or as needed.
- Provide water spray during loading and unloading of earthen materials.
- Minimize in-out traffic from construction zone.
- Cover all trucks hauling dirt, sand, or loose material and require all trucks to maintain at least two feet of freeboard.
- Sweep streets daily if visible soil material is carried out from the construction site.

AQ-2: Exhaust Emissions Control. The following measures shall be incorporated into Project plans and specifications for implementation:

- Utilize well-tuned off-road construction equipment.
- Require that all off-road construction equipment greater than 50 horsepower (hp) meet U.S. EPA Tier 4 emission standards. In the event that all off-road construction equipment greater than 50 hp cannot meet the Tier 4 engine certification, the contractors must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative measures may include, but would not be limited to, reduction in the number and/or hp rating of construction equipment, limiting the number of daily construction haul truck trips to and from the proposed Project site, using cleaner vehicle fuel, and/or limiting the number of individual construction Project phases occurring simultaneously.
- Enforce 5-minute idling limits for both on-road trucks and off-road equipment.

## **Biological Resources**

BR-1: The State of California prohibits the "take" of active bird nests. To avoid an illegal take of active bird nests, any grubbing, brushing or tree removal should be conducted outside of the State identified nesting season (Raptor nesting season is February 15 through July 31; and migratory bird nesting season is March 15 through September 1). Alternatively, the site shall be evaluated by a qualified biologist prior to the initiation of ground disturbance to determine the presence or absence of nesting birds. Active bird nests MUST be avoided during the nesting season. If an active nest is located in the Project construction area it will be flagged and a 300-foot avoidance buffer placed around it. No activity shall occur within the 300-foot buffer until the young have fledged the nest.

## **Cultural Resources & Tribal Resources**

CR-1: Prior to construction of the Project, the Applicant shall initiate the following in regards to the existing building on the Project site: historical background research, a field inspection and, if determined necessary through these

procedures, formal recordation and evaluation by a certified individual shall be completed prior to demolition.

CR-3: If any paleontological materials are encountered during the course of Project development, all further development activities shall halt in the area of the discovery, and the services of a paleontologist shall then be secured by contacting the Center for Public Paleontology – USC, UCLA, CSULA, CSULB, or the Los Angeles County Natural History Museum, who shall address the discovered material(s) and prepare a survey, study or report evaluating the impact. The paleontologist's survey, study, or report shall contain a recommendation or recommendations if necessary, for the preservation, conservation, or relocation of the resource. The Applicant shall comply with the recommendations of the evaluating paleontologist as contained in the survey, study, or report to the satisfaction of the Economic Development Director.

CR-4: The Project Applicant will be required to obtain the services of a qualified Native American Monitor during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrieleño Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the Project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The monitor(s) will photo-document the ground-disturbing activities.

The monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The monitoring shall end when the Project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archaeological resources.

### **Cultural Resources**

CR-2: In the event that an archaeological resource is unearthed during construction, all construction related activities must cease immediately. The applicant shall seek the advice of a qualified archaeologist approved by the Gabrieleño Band of Mission Indians – Kizh Nation tribe to determine if the resource is deemed to be significant. In the event that the archaeological resource has been determined to be significant, the provisions outlined in Title 14; Chapter 3; Article 5; Section 15064/5 of CEQA will apply.

### **Geology and Soils**

GS-1: Prior to initiating grading and as part of the mandatory Geology and Soils report, the site developer shall provide a geotechnical evaluation of the potential liquefaction hazards at the site and, the evaluation shall define design measures that will ensure the safety of any new structures in protecting human life in the event of a regional earthquake affecting the site. The developer shall implement any design measures required to protect human safety.

GS-2: Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. If covering is not feasible, then measures such as the use of straw bales or sand bags shall be used to capture and hold eroded material on the Project site for future cleanup.

GS-3: All exposed, disturbed soil (trenches, stored backfill, etc.) will be sprayed with water or soil binders twice a day or more frequently if fugitive dust is observed migrating from the site within which the L.A. Valley Garden Plaza is being installed.

### **Hazards and Hazardous Materials & Hydrology and Water Quality**

HH-1: All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the SWPPP prepared for the Project development.

### **Hazards and Hazardous Materials**

HH-2: Prior to the demolition of the structure located on the Project site, the structure shall be evaluated for the presence of ACM, lead-based paint, and PCBs prior to its demolition. The evaluation shall be conducted by a Cal-OSHA certified contractor; any hazardous materials that are identified shall be removed by a Cal-OSHA certified contractor in accordance with removal protocols and shall be transported and disposed of offsite and in accordance with regulatory requirements.

HH-3: The developer shall retain an on-call industrial hygiene firm that will respond immediately to any discovery of soil contamination during grading to determine the nature of the contamination. Before proceeding with site development, any discovered contamination shall be treated or removed from the area with residual soil concentrations being reduced to the regulatory thresholds in place at the time of construction. The contaminated material shall be managed in a manner that does not expose employees or other humans to significant health hazards and shall be either treated or removed from the site so that it no longer poses any hazard.

### **Noise**

NO-1: During construction, vehicle staging areas and stockpiling will be located as far as is practicable from existing residential dwellings.

NO-2: Construction activities are required to be limited to no more than the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturday except in the event of emergency. No exterior construction activities will be allowed on Sunday or on federal holidays, except in a declared emergency.

NO-3: All construction equipment is required to be operated with mandated noise control equipment (mufflers or silencers). Enforcement will be accomplished by random field inspections by applicant personnel during construction activities.

NO-4: A noise complaint/response program will be established and any noise complaints received for this Project will be responded to by measuring noise levels at the affected receptor. If the noise level exceeds an Ldn of 65 dBA exterior or an Ldn of 45 dBA interior at the receptor, the applicant will implement adequate measures to reduce noise levels to the greatest extent feasible, including portable noise barriers or scheduling specific construction activities to avoid conflict with adjacent sensitive receptors. In addition, signs will be posted in the parking area to limit parking area noise (car radios, horns, and car alarms).

NO-5: Any entertainment activities of the future restaurants shall be limited to the residential standard of 50 dBA at exterior property boundary of the nearest residence.

- NO-6: During future construction activities with heavy equipment within 300 feet of occupied residences, vibration field tests should be conducted at the nearest occupied residences. To the extent feasible, if vibrations exceed 72 VdB, the construction activities shall be revised to reduce vibration below this threshold.
- NO-7: Compliance with construction time limits of the City of El Monte Municipal Code that limits construction activities to 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5 p.m. Saturday except in the event of emergency. No noise generating construction activities will be allowed on Sunday or on federal holidays, except in a declared emergency. (differs from the Municipal Code).
- NO-8: For high-noise activities (dumping of ballast materials for example) taking place adjacent to existing sensitive receptors, small, portable noise barriers should be placed near the noise producing equipment, between the noise source and the receptors. These barriers may be constructed from on-site (for example) from 4-foot by 8-foot sheets of marine plywood (minimum one-inch thickness) or one and one eighth inch (1-1/8") tongue-in-groove sub-floor, backed with three and a half inch thick R-11 fiberglass insulation for sound absorption. Several such panels may be hinged together in order to be self-supporting and to provide a continuous barrier.
- NO-9: All construction equipment shall be required to minimize noise from construction activities. Equipment mufflers shall be maintained in proper operating order. All equipment shall be operated in the quietest manner feasible.
- NO-10: To the extent feasible, the noisiest operations shall be scheduled to occur simultaneously in the construction program to avoid prolonged periods of annoyance.
- NO-11: The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the Project site during all Project construction.
- NO-12: No music or electronically reinforced speech from construction workers shall be audible at noise sensitive property.
- NO-13: All Project workers exposed to noise levels above 80 dBA shall be provided with personal protective equipment for hearing protection (i.e., earplugs and/or earmuffs); areas where noise levels are routinely expected to exceed 80 dBA shall be clearly posted with signs requiring hearing protection be worn.

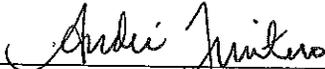
#### **Transportation / Traffic**

- TT-1: The Applicant shall participate in fair-share contribution, which is 8.03% for the mitigation of Baldwin Avenue and Valley Boulevard. The following improvements shall be implemented at this intersection:
- Restripe the eastbound and westbound approach lanes on Valley Blvd to provide three (3) thru lanes in each direction.
  - On-street parking restrictions will be required to accommodate this improvement. Approximately 20 on-street parking spaces shall be restricted during peak times of day to accommodate the additional travel lane.
- TT-2: The applicant shall implement the following circulation system measures:
- Stop controls are to be installed on the Project site for traffic from the Project site entering the public roadway.
  - Construct the on-site circulation system per the detailed site plan.
  - Install stop signs, stop bars, and stop legends at all Project access points.
  - Per County of Los Angeles and AASHTO standards, the sight distance requirement along Eunice Avenue is 310 feet. This would result in approximately 200 feet of on-street parking to be lost. However, it is unlikely that on-street parking will be removed in front of existing residential homes therefore achieving the full sight distance standard may not be feasible.

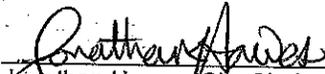
- A limited use area should be maintained at the Project access driveway, free of obstructions, in order to ensure proper driveway sight distance.

**SECTION 14.** The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 5th of December, 2017.

  
 Andre Quintero, Mayor  
 City of El Monte

ATTEST:

  
 Jonathan Hawes, City Clerk  
 City of El Monte

STATE OF CALIFORNIA        )  
 COUNTY OF LOS ANGELES    ) SS:  
 CITY OF EL MONTE         )

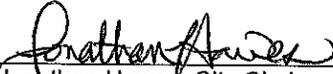
I, Jonathan Hawes, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9820 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City held on this 5th day of December 2017, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro Tem Velasco, Councilmembers Gomez and Martinez

NOES: None

ABSTAIN: None

ABSENT: Councilmember Macias

  
 Jonathan Hawes, City Clerk  
 City of El Monte

h=

February 05, 2020

RECEIVED  
FEB 06 2020  
BY: AR.....

Planning Official  
City of El Monte

**RE: TENTATIVE MAP TIME EXTENSION, TR74495  
9933 Valley Blvd, EL Monte, CA 91731**

Dear Planning Official,

Per correspondence with SCE, the existing easement on-site needs to be vacated and the existing utility line relocated. Since the Final Map recordation is contingent on the vacation of this easement, we are requesting a time extension to approve the final map.

Your grant of approval for this matter is greatly appreciated. If the request meets your approval, please kindly sign below and send back to us. Thank you so much.

Sincerely,

  
\_\_\_\_\_  
Owner/Developer

2/5/20  
Date

Approved By: \_\_\_\_\_  
Planning Official

\_\_\_\_\_  
Date

**TO:** CITY PLANNING COMMISSION

**FROM:** BETTY DONAVANIK  
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKAELIAN, AICP  
DEPUT DIRECTOR

**BY:** TONY BU  
SENIOR PLANNER

**SUBJECT:** 2019 HOUSING ELEMENT ANNUAL REPORT

**ENVIRONMENTAL DETERMINATION:** HOUSING ELEMENT ANNUAL REPORT IS NOT A PROJECT AS DEFINED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) SECTION 21065 AND THEREFORE IS EXEMPT FROM CEQA

**RECOMMENDATION:** RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE HOUSING ELEMENT ANNUAL REPORT FOR THE YEAR OF 2019 AND DIRECT STAFF TO TRANSMIT THE REPORT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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**BACKGROUND:**

The attached 2019 Housing Element Annual Report (Exhibit B of the Planning Commission Resolution) describes the City's progress in meeting the City's regional housing needs goals pursuant to Government Code Section 65584 and the City's efforts to remove governmental constraints, which may influence the maintenance, improvement and development of housing pursuant to State Law. The Housing Element Annual Report includes the calendar year of 2019. The last Annual Report submitted to HCD was for calendar 2018.

**EXECUTIVE SUMMARY:**  
**2014-2021 Housing Element (6<sup>th</sup> Cycle)**  
**(Adopted by El Monte City Council on 12/17/13)**

Per the requirements set forth by the California Department of Housing and Community Development (HCD), each jurisdiction is required to create an annual report on the status and progress in implementing the housing element of its general plan using forms and definitions adopted by HCD. Furthermore, the annual housing report must be submitted to HCD and the Governor’s Office of Planning and Research that includes data for 2019, since the last report submitted to HCD was for calendar year 2018. The table below shows the number of units that were produced for the calendar year 2019 by income category. The total Regional Housing Needs Assessment (RHNA) allocation for this Housing Element cycle (2014 through 2021) is 2,142 units. In addition, the total number is allocated to the following income categories: Very Low – 529; Low – 315; Moderate – 352; and Above Moderate – 946.

As shown in the following tables, a total of 168 housing units were completed for the year of 2019. From 2014 through 2019, a total of 1,207 housing units have been constructed. Therefore, 935 additional units will need to be produced between 2020 and 2021 in order to meet the RHNA.

Housing Units Produced from 2014 through 2019 by Income Category:

Year	Income Category			
	Very Low (Up to 50% of Area Median Income)	Low (50% - 80% of Area Median Income)	Moderate 80% - 120% of Area Median Income)	Above Moderate (More than 120% of Area Median Income)
2014	41	2	0	20
2015	96	36	0	8
2016	0	0	0	35
2017	104	0	0	191
2018	48	0	6	452
2019	28	27	0	113
<b>Total</b>	<b>317</b>	<b>65</b>	<b>6</b>	<b>819</b>
<b>Grand Total Housing Units Produced 2014 through 2019 = 1,207 housing units</b>				

Regional Housing Needs Assessment (RHNA) Allocation Progress: 2014-2021:

Income Level	RHNA Allocation 2014-2021	Total Units Produced 2014-2019	Total Remaining Units to be Produced 2020-2021
Very Low	529	317	212
Low	315	65	250
Moderate	352	6	346
Above Moderate	946	819	127
<b>Total</b>	<b>2,142</b>	<b>1,207</b>	<b>935</b>

Furthermore, the following table provides a list of local efforts, as identified in the Housing Element, to remove governmental constraints to the maintenance, improvement, and development of housing.

City's Program Implementation Status 2014-2021:

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
2. Downtown Specific Plan	Plan to allow TOD, including housing	2014-2021	Specific Plan was adopted on April 4, 2017. Allows up to 2,200 net new residential units within the 115 acre district. Densities of up to 80 units per acre are permitted in the areas closest to the El Monte Bus Depot and Metrolink Station. Two affordable housing projects (Tyler/Ramona and Valley/Center) have already been approved with a total of 103 units. Another project (Tyler/Valley) with 53 units is currently being reviewed.
3. El Monte Gateway Specific Plan	Encourage construction of housing	2014-2021	Phase 1 with 135 affordable units was completed in 2016. Phase 2 with 208 market rate rental units is currently under construction. Phase 3 for 212 units is already approved.
4. Lot Consolidation	Encourage construction of housing	2014-2021	Downtown Specific Plan and Mixed/Multi-Use (MMU) zone provides incentives for lot consolidation. Such incentives include greater densities and higher floor area ratios (FARs).
5. Mixed/Multi-Use Designation & Development Standards	Encourage construction of housing	2014-2021	Building permits issued for the following projects within the MMU zone: 1. 62-unit Union Walk Project (Valley/Ramona). Completed. 2. 114 unit Vuepointe Project (Peck/Garvey). 102 units completed. 3. 70 unit Solstice Project (Garvey/Tyler). Completed. 4. 40 unit Clementine Project (Santa Anita/Owens).

7. Green Building	Encourage sustainable development	2014-2021	Downtown Specific Plan incorporates green building requirements.
9. Financial Incentives	Provide financial incentives for affordable housing	2014-2021	Downtown Specific Plan and MMU zone provides incentives for lot consolidation.
10. Density Bonus	Inform and encourage developers to utilize the program	2014-2021	Several projects have used the density bonus provisions including two affordable housing projects approved in 2019 in the Downtown (Ramona/Tyler and Valley/Center). City has staff that is very experienced with the process and can provide any needed technical assistance.
11. Conditional Use Permit (CUP)	Continue to allow the CUP process to develop housing along commercial corridors	2014-2021	Several housing projects have been completed through the CUP process. This includes the 55-unit Baldwin/Rose affordable housing project
12. Streamline Processing	Prioritize processing of projects with affordable housing	2014-2021	3650 Center Ave Cesar Chavez Foundation Housing Project had an expedited entitlement process.
14. Housing Inspections	Continue program for at least 5 years	2014-2021	The program remains ongoing.
15. Housing Rehab Loan Program	Continue to implement a loan program for single-family residences	2014-2021	Policies and procedures have been approved by the City Council. Staff is currently working on developing loan documents. City also has a housing rehab grant program. Since January 2019, ten grants have been given.
19. First-Time Homebuyer	Provide homeownership opportunities for low-income households	2014-2021	Policies and procedures have been approved by the City Council. Marketing of the program has commenced, however, no loans have been distributed to date.
22. Fair Housing Program	Continue to contract with local fair housing providers to provide support	2014-2021	The City works in coordination with the Housing Rights Center and Neighborhood Legal Services Los Angeles. They provide a housing clinic for the public each Wednesday at El Monte City Hall.
30. Development of second units	Encourage the construction of second units	2014-2021	Approved ADUs without discretionary review throughout the City's single family zones, per the new ADU ordinance. 10 ADUs were approved

**ENVIRONMENTAL REVIEW:**

The Housing Element Annual Report is not a project as defined by CEQA (Section 21065); therefore, it is exempt from CEQA and no environmental documentation is required.

**RECOMMENDATION:**

Recommend to the City Council:

1. Receive and file the Housing Element Annual Report for 2019; and
2. Direct staff to transmit the report to OPR and HCD.

**ATTACHMENT:**

- A. Resolution No. 3565
- B. 2019 Annual Housing Report

**RESOLUTION NO. 3565**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF THE 2019 ANNUAL PROGRESS REPORT ON THE HOUSING ELEMENT OF THE GENERAL PLAN AND FORWARDING THE REPORTS TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

**WHEREAS**, the City of El Monte's current Housing Element was adopted in December 2013; and

**WHEREAS**, the Housing Element is one of seven mandatory elements of a General Plan required by the State of California; and

**WHEREAS**, the Housing Element must be updated every eight years and reviewed for consistency with the State Department of Housing and Community Development; and

**WHEREAS**, California Government Code Section 65400 mandates that cities submit an Annual Progress Report on the status of the General Plan and its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD); and

**WHEREAS**, the Annual Progress Report is required to include a) the state of the Plan and the progress of its implementation; b) the progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the

maintenance, improvement and development of housing; and c) the degree to which the General Plan complies with the Guidelines established by OPR; and

**WHEREAS**, the City's Annual Housing Element Progress Report for the calendar year of 2019 was presented to the Planning Commission at the meeting of February 25, 2020, attached hereto as Exhibit A in accordance with the Guidelines adopted by HCD; and

**WHEREAS**, the Planning Commission hereby recommends that the City Council adopt a Resolution approving the Housing Element Annual Report and direct staff to send said report to the State Office of Planning and Research and the State Department of Housing and Community Development.

**PLANNING COMMISSION APPROVAL.** The Secretary of the Planning

Commission of the City of El Monte, California, shall certify to the adoption of this resolution.

\_\_\_\_\_  
Amy Wu, Chairperson

ATTEST:

\_\_\_\_\_  
Jason C, Mikaelian, Secretary  
El Monte City Planning Commission

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE             )

I, Jason C. Mikaelian, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3565 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on February 25, 2020, by the following votes to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Jason C. Mikaelian, Secretary  
El Monte City Planning Commission

Jurisdiction	El Monte	
Reporting Year	2019	(Jan. 1 - Dec. 31)

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.  
 Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2								3	4	
Income Level		RHNA Allocation by Income Level	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	529		41	96		104	48	28			317	212
	Non-Deed Restricted												
Low	Deed Restricted	315		2	36				27			65	250
	Non-Deed Restricted												
Moderate	Deed Restricted	352										6	346
	Non-Deed Restricted							6					
Above Moderate		946		20	8	35	191	452	113			819	127
Total RHNA		2142											
Total Units				63	140	35	295	506	168			1207	935

Note: units serving extremely low-income households are included in the very low-income permitted units totals  
 Cells in grey contain auto-calculation formulas