



MODIFICATION COMMITTEE AGENDA

CITY OF EL MONTE
MODIFICATION COMMITTEE

TUESDAY, FEBRUARY 25, 2020

5:00 P.M.

CITY HALL WEST – CONFERENCE ROOM A
11333 VALLEY BOULEVARD

OPENING OF MEETING

CITY OF EL MONTE MODIFICATION COMMITTEE

CHAIRPERSON

ROBERTO ESTRADA CRUZ

CITY PLANNER

JASON MIKAELIAN

CHIEF BUILDING OFFICIAL

TODD MORRIS

- 1. Call Meeting to Order**
- 2. Flag Salute**
- 3. Roll Call**
- 4. Public Comments**

Citizens wishing to address the Modification Committee on land use and development matters may do so at this time. Note that the Committee 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 the record.

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

PUBLIC HEARING

5. Modification No. 36-19

Address: 2737 Cogswell Rd / APN: 8106-023-011

Request: The Applicant is requesting approval to construct a 1,322 square foot living space addition and a 2-car garage to an existing 1,524 square foot single-family residence for a total living area of approximately 2,846 square feet. Modification No. 36-19 is requested to modify the required side yard setback of ten (10) feet to five (5) feet. The subject site is 8,507 square feet in size and is located in the R-3 (Multi-Family Dwelling) zone. The Modification request is made pursuant to Chapter 17.20 (Modification–Variance) of the El Monte Municipal Code (EMMC).

CEQA Determination: Article 19. Categorical Exemptions – Section 15303 (New Construction or Conversion of Small Structures) in accordance with the requirements of the California Environmental Quality (CEQA) Act of 1970 and the CEQA Guidelines, as amended.

Recommendation: Approve subject to conditions

Case Planner: Werner Abrego, Planning Aide

NEXT SCHEDULED MODIFICATION COMMITTEE MEETING

Tuesday, March 10, 2020 at 5:00 P.M.

City Hall West – Conference Room A

TO: MODIFICATION COMMITTEE

FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKEALIAN, AICP
CITY PLANNER

BY: WERNER ABREGO
PLANNING AIDE

SUBJECT: MODIFICATION NO. 36-19

LOCATION: 2737 COGSWELL ROAD
EL MONTE, CA 91732

APPLICANT: ANH PHAN
14326 PINE ST. APT#2
WESTMINSTER, CA 92683

PROPERTY OWNER: LYNH M LUONG
2737 COGSWELL ROAD
EL MONTE, CA 91732

ENVIRONMENTAL DETERMINATION: ARTICLE 19 CATEGORICAL EXEMPTIONS-
SECTION 15303 (CLASS 3- NEW CONSTRUCTION OR
CONVERSION OF SMALL STRUCTURES) IN
ACCORDANCE WITH THE REQUIREMENTS OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970
AND THE CEQA GUIDELINES, AS AMENDED

RECOMMENDATION: ADOPT A CATEGORICAL EXEMPTION AND APPROVE
MODIFICATION NO. 36-19 SUBJECT TO CONDITIONS

REQUEST

The Applicant proposes to construct a 1,322 square foot living space addition and a 2-car garage to an existing 1,524 square foot single-family residence for a total living area of approximately 2,846 square feet. Modification No. 36-19 is requested to reduce both the side yard setbacks from the required ten (10) feet to five (5) feet. The subject site is 8,507 square feet in size and is located in the R-3 (Multi-family Dwelling) zone. The Modification request is made pursuant to Chapter 17.20 (Modification-Variance) of the El Monte Municipal Code (EMMC).

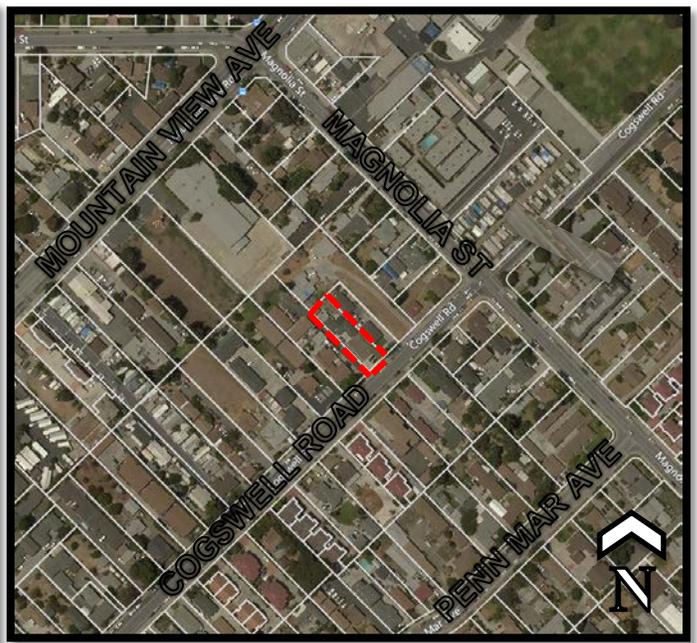
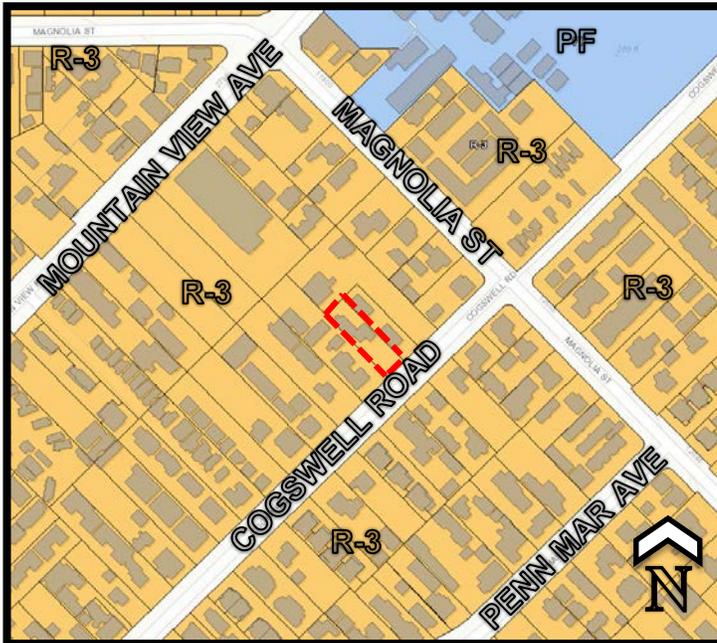
SUBJECT PROPERTY:

Location:	West of Magnolia Street & South of Cogswell Road
General Plan:	Medium Density Residential
Zone:	R-3 (Multi-Family Dwelling)
Street Frontage:	47 feet (Cogswell Rd.)
Existing Improvements:	Single family residence (1,524 SF)

SURROUNDING PROPERTIES:

	General Plan:	Zoning:	Land Use:
North:	Medium Density Residential & Public Facility	R-3 & PF	Multi-family residences & public school
South:	Medium Density Residential	R-3	Multi-family residences
West:	Medium Density Residential	R-3	Multi-family residences
East:	Medium Density Residential	R-3	Multi-family residences

AERIAL PHOTO AND ZONING:



DISCUSSION

The subject property has an existing 1,524 square foot single family dwelling. The original structure was built in 1947 with a 3 foot side yard setback from the property line. Since then, there have been minor changes to the dwelling's layout, including the garage being converted into living space in 1948 and bathroom legalization in 2012. The proposed project requests to add 1,322 square feet of living space to an existing 1,524 square foot dwelling, for a total living area of approximately 2,846 square feet. The required side yard setback is 10 feet on each side of the property. This limits the 47 foot wide parcel to only 27 feet of building width. The street frontage of the lot on which the property is located is substandard in its width, providing only 47 feet of street frontage compared to the 60 feet of street frontage that standard lots provide. This creates extraordinary circumstances that deprive the subject property of privileges enjoyed by the other surrounding properties. The building and massing will have a total length which is longer than other properties due to these circumstances. Therefore the new addition will provide visual breaks for the building by being proposed at the 5 foot setback.

PROJECT ANALYSIS

The table below lists the development features of the R-3 zone to determine if the proposed project is in compliance to the respective zoning standards.

Table 1. Development Standards

Development Feature	R-3 Zone Requirement	Proposed	Meet Requirement(s)?
Lot Coverage	45%	41%	Yes
Floor Area Ratio (FAR)	35%	33%	Yes
Building Height	3 stories/40'	1 story/16'-5"	Yes
Front Yard Setback	25'	51'-2"	Yes
Interior Side Yard Setback	10'	5'-0"	No; Modification Requested
Rear Yard Setback	15'	19'-1"	Yes
Parking	2-car garage	2-car garage	Yes

Furthermore, Staff recommends approving the requested Modification subject to the "Conditions of Approval" outlined in this report.

FINDINGS OF FACT

In order to approve the project, the Modification Committee is required to make certain findings. Section 17.20.020 of the EMMC, Necessary Conditions, outlines the four (4) required findings and conditions to be met in order to approve any Modification:

FINDING:

- 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;

FACT:

There are extraordinary circumstances and conditions applicable to the subject site as the property is an irregular sized lot. The property has 47 feet of street frontage which is considered substandard as regular sized lots have a minimum lot width of 60 feet. The irregular sized lot with the substandard lot width limits the building potential of the property because it constrains the site's potential buildable area; thus, making it much more difficult to design practical floor plans/building footprints.

FINDING:

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

FACT:

The granting of the modification to reduce the side yard setback requirement will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity in which the property is located. Because the proposed development complies with all other zoning code requirements, subject to the approval of this Modification, and maintains the integrity of a single family dwelling. Furthermore, conditions of approval requiring compliance with the Building and Safety Division's requirements will ensure that the project will not be materially detrimental to public health, welfare, injurious to the property or improvements in such zone or vicinity in which the property is located.

FINDING:

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

FACT:

There are extraordinary circumstances and conditions applicable to the subject site as the property is an irregular sized lot. The property has 47 feet of street frontage which is considered substandard as regular sized lots have a minimum lot width of 60 feet. The irregular sized lot with the substandard lot width limits the building potential of the

property because it constrains the site's potential buildable area; thus, making it much more difficult to design practical floor plans/building footprints.

FINDING:

- D. The granting of such modification/variance will not adversely affect the comprehensive general plan.

FACT:

The approval of the Modification request will not adversely affect the comprehensive General Plan and will continue to be consistent with its quality and intent. The proposed reduction to the side yard setback requirement is consistent with the General Plan's Medium Density Residential land use designation because it would retain the character of a single family residence, which is prevalent within the corresponding zone/neighborhood.

CONDITIONS OF APPROVAL

1. The project shall substantially conform to the plans on file with the City Planning Division and as presented to the Modification Committee on February 25, 2020 and as amended herein.
2. The approval of Modification No. 36-19 is valid for one (1) year from the date of approval. During this time period, the applicant is responsible for obtaining the required City permit(s) for the proposed project prior to the expiration date of: February 25, 2021.
3. The project shall be in complete compliance with all Building and Safety Division and Fire Department standards.
4. The finish materials of the addition shall match/complement the existing house.
5. The applicant shall work with the Planning Division to enhance the design of the front façade/entryway.
6. The Applicant shall submit updated landscape and irrigation plans from a Landscape Architect that comply with Chapter 17.10 (Landscape Requirements) and 17.11 (Water Efficiency) to the satisfaction of the Planning Division. An irrigation audit or supplemental information may be required pending Staff's review of installation.

RECOMMENDATION

Staff recommends that the Modification Committee evaluate the proposal and consider the following Action:

1. Adopt a Categorical Exemption under Section 15303 (Class 3- New Construction or Conversion of Small Structures) pursuant to the California Environmental Quality Act and Guidelines, as amended and;
2. Adopt the Finding of Facts to approve Modification No. 36-19, subject to the conditions of approval.

ATTACHMENTS

- A. Project Plans
- B. Public Hearing Notice
- C. Radius Map
- D. Site Posting Photo

NOTES

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM NOTES:

- Sediments from areas disturbed by construction shall be retained on site using an effective combination of erosion and sediment controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Appropriate BMPs for construction-related materials, wastes, spills or residues shall be implemented and retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.
- Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
- All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
- At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
- Construction sites shall be maintained in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Discharges of material other than stormwater only when necessary for performance and completion of construction practices and where they do not: cause or contribute to a violation of any water quality standard; cause or threaten to cause pollution, contamination, or nuisance or contain a hazardous substance in a quantity reportable under Federal Regulations 40 CFR Parts 117 and 302.
- Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, limes, pesticides, herbicides, wood preservatives and solvents asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic radiator or battery fluids; fertilizers, vehicle/equipment wash water and concrete wash water; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing and super chlorinated potable water line flushing. During construction, permittee shall dispose of such materials in a specified and controlled temporary area on-site, physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.
- Dewatering of contaminated groundwater, or discharging contaminated soils via surface erosion is prohibited. Dewatering of non-contaminated groundwater requires a National Pollutant Discharge Elimination System Permit from the respective State Regional Water Quality Control Board.
- Graded areas on the permitted area perimeter must drain away from the face of slopes at the conclusion of each working day. Drainage is to be directed toward desilting facilities.
- The permittee and contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded water creates a hazardous condition.
- The permittee and contractor shall inspect the erosion control work and insure that the work is in accordance with the approved plans.
- The permittee shall notify all general contractors, subcontractors, material suppliers, lessees, and property owners: that dumping of chemicals into the storm drain system or the watershed is prohibited.
- Equipment and workers for emergency work shall be made available at all times during the rainy season. Necessary materials shall be available on site and stockpiled at convenient locations to facilitate rapid construction of temporary devices when rain is imminent.
- All removable erosion protective devices shall be in place at the end of each working day when the 5-Day Rain Probability Forecast exceeds 40%.

A. GENERAL:

- All work shall be executed in accordance with the following Standards:
 - 2016 California Building Code
 - 2016 California Residential Code
 - 2016 California Electrical Code
 - 2016 California Mechanical Code
 - 2016 California Plumbing Code
 - 2016 California Energy Code
 - 2016 California Fire Code
 - 2016 California Green Building Standards Code
- Contractor shall verify all dimensions on site prior to start construction and notify the engineer of any discrepancies.
- Prior to framing, framing contractor shall verify rough-in dimensions required for bath tubs, showers stalls, fireplaces, window heights, door locations, etc.
- Provide approved plan box. Provide temporary sanitary facilities.
- On site verification of all dimensions and conditions shall be the responsibility of each contractor. Noted dimensions take precedent over scale.
- All work shall be performed by licensed contractors.

B. SITE WORK:

- Existing soil is assumed with a bearing value of 1,500 psf.
- All footing to bear on undisturbed natural soil.
- All footing shall have a minimum depth of 12 inch (or 18 inch if 2 stories.)
- No trenches or excavations 5' or more in depth into which a person is required to descend. Or obtain permit from State of California, Division of Occupational Safety and Health (Cal/OSHA). This permit and any other safety permit shall be obtained prior to commenced of any work.
- Grading: Grade site to required elevations. Clear all organic materials and vegetation.
- Fill: Areas to receive fill to be scarified a minimum 12 inch of earth to be watered and compacted to 90% (min) relative compaction. Fill to be clean site material.

PROJECT SCOPE

THE PROJECT SCOPE CONSISTS OF
 - ADDITION LIVING 1,322 SQ.FT.: 3 BEDROOM, 4 BATHROOM, LIVING ROOM, DINING, RELOCATE KITCHEN.
 - ADDITION 2 CAR GARAGE: 462 SQ.FT..
 - ADDITION PORCH: 70 SQ.FT.

PROJECT DATA

APN: 8106-023-011
 TRACT #: 12509 LOT 17
 OCCUPANCY GROUP: R3
 ZONING: R-3
 TYPE OF CONSTRUCTION: VB
 NUMBER OF STORIES: ONE
 FIRE SPRINKLER: NO

FLOOR AREA:
 EXISTING LIVING: 1,524 SQ.FT.
 EXISTING STORAGE: 97 SQ.FT.
 ADDITION 2 CAR GARAGE: 462 SQ.FT.
 ADDITION PORCH: 70 SQ.FT.
 ADDITION LIVING: 1,322 SQ.FT.
3,475 SQ.F.T.

LOT SIZE: **8,507 SQ.FT.**
LOT COVERAGE:
 (3,475/ 8,507) x 100 = **40.8 % < 45%**

FAR:
 EXISTING: 1,524/ 8,507 X100 = **17.9%**
 PROPOSED: (1,524 + 1,322)/ 8,507 X100 = **33.5% < 35%**

OPEN PARKING SPACE:
 (1,524 + 1,322 - 1,200)/ 300 = **6 OPEN SPC**

PROJECT TEAM

OWNER:
 LYNH M LUONG
 2737 COGSWELL RD.
 EL MONTE, CA 91732
 626-759-3902

PREPARED:
 ANH PHAN
 14326 PINE ST. APT #2
 WESTMINSTER, CA 92683
 714-487-7926

SHEET INDEX

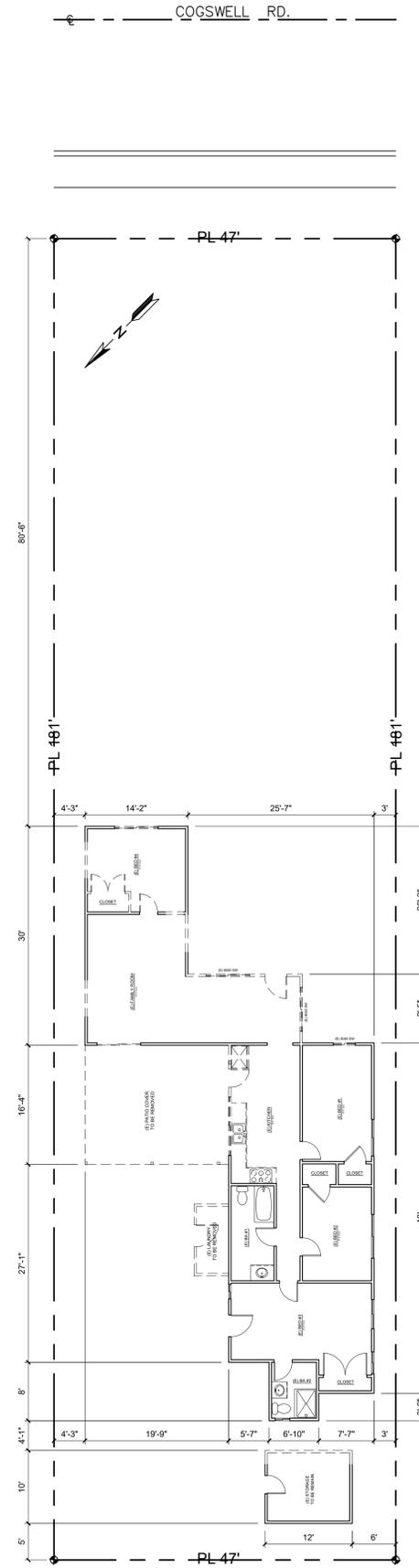
ARCHITECTURAL

A1 TITLE SHEET, SITE PLAN
 A2 DEMO FLOOR PLAN
 A3 PROPOSED FLOOR PLAN
 A4 ELEVATION
 A5 ROOF PLAN & SECTION



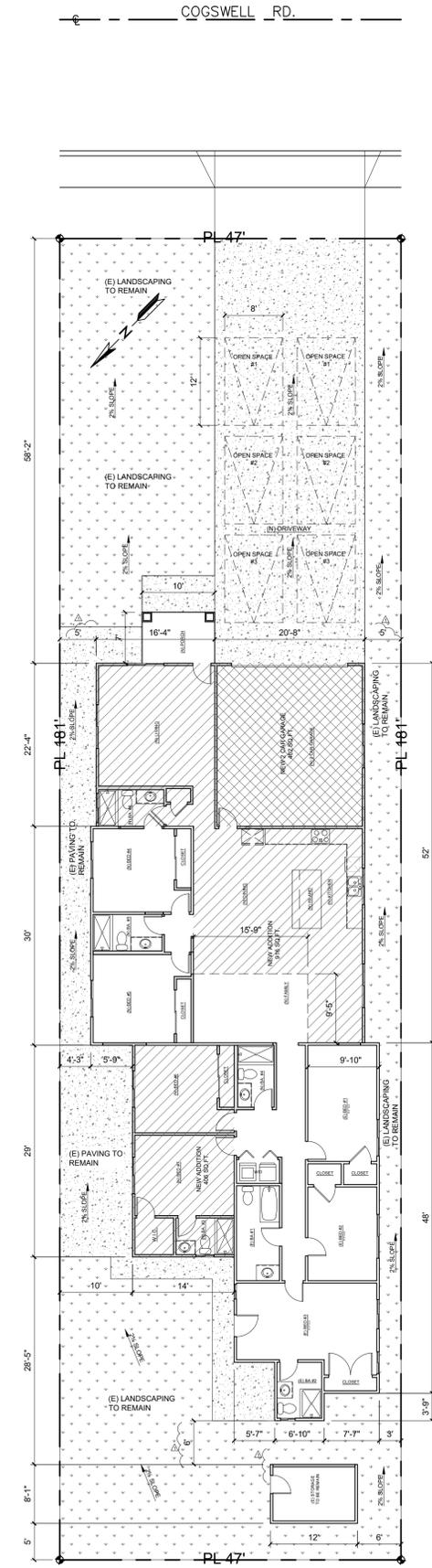
EXISTING SITE PLAN

(SCALE: 3/32"=1'-0")



PROPOSED SITE PLAN

(SCALE: 3/32"=1'-0")



Prepared:

ANH PHAN

(714) 487 - 7926

REVISIONS

NO.	DATE	REVISIONS
1	12/20/2019	PLAN CHECK

Project for:
LYNH M LUONG
2737 COGSWELL RD.
EL MONTE CA 91732

Project for:

SEAL:

SHEET DESCRIPTION:

TITLE SHEET,
 SITE PLAN

Date 12/22/19

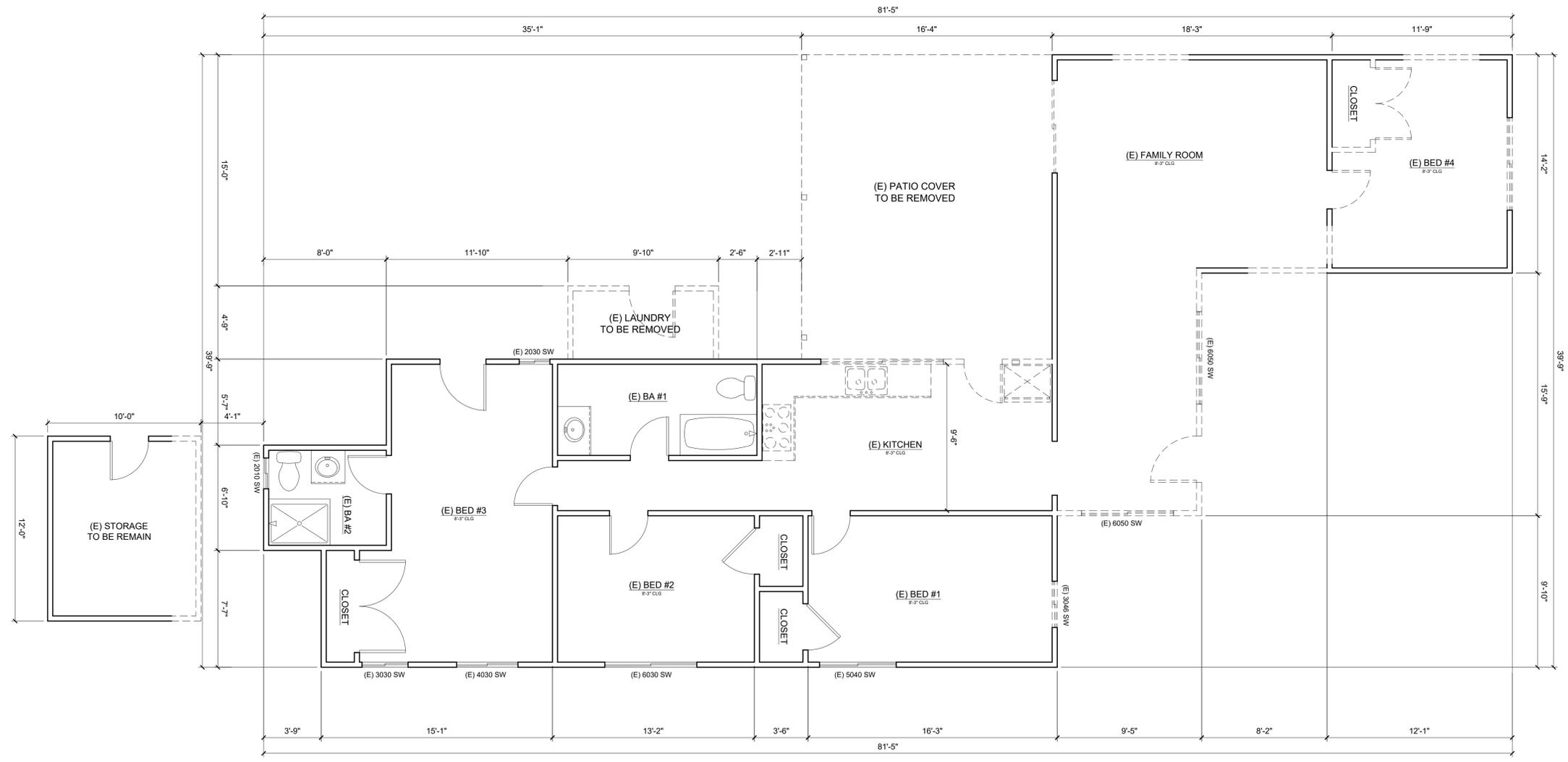
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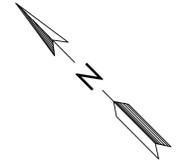
Sheet No.:

A1

Prepared:
ANH PHAN
 (714) 487 - 7926



DEMO FLOOR PLAN
 SCALE: 1/4" = 1'-0"



LEGEND:

(E) WALLS TO BE REMAIN	
(E) WALLS TO BE REMOVED	
PROPOSED WALLS	

REVISIONS		
NO.	DATE	REVISIONS
1	12/20/2019	PLAN CHECK

Project for:
 LYNH M LUONG
 2737 COGSWELL RD.
 EL MONTE CA 91732

SEAL: _____

SHEET DESCRIPTION:
 DEMO FLOOR PLAN

Date	12/22/19
Job #	A1920
Scale	

Sheet No.:

A2

REVISIONS

NO.	DATE	REVISIONS
1	12/20/2019	PLAN CHECK

LYNH M LUONG
 2737 COGSWELL RD.
 EL MONTE CA 91732

Project for:

SEAL:

SHEET DESCRIPTION:

PROPOSED FLOOR PLAN

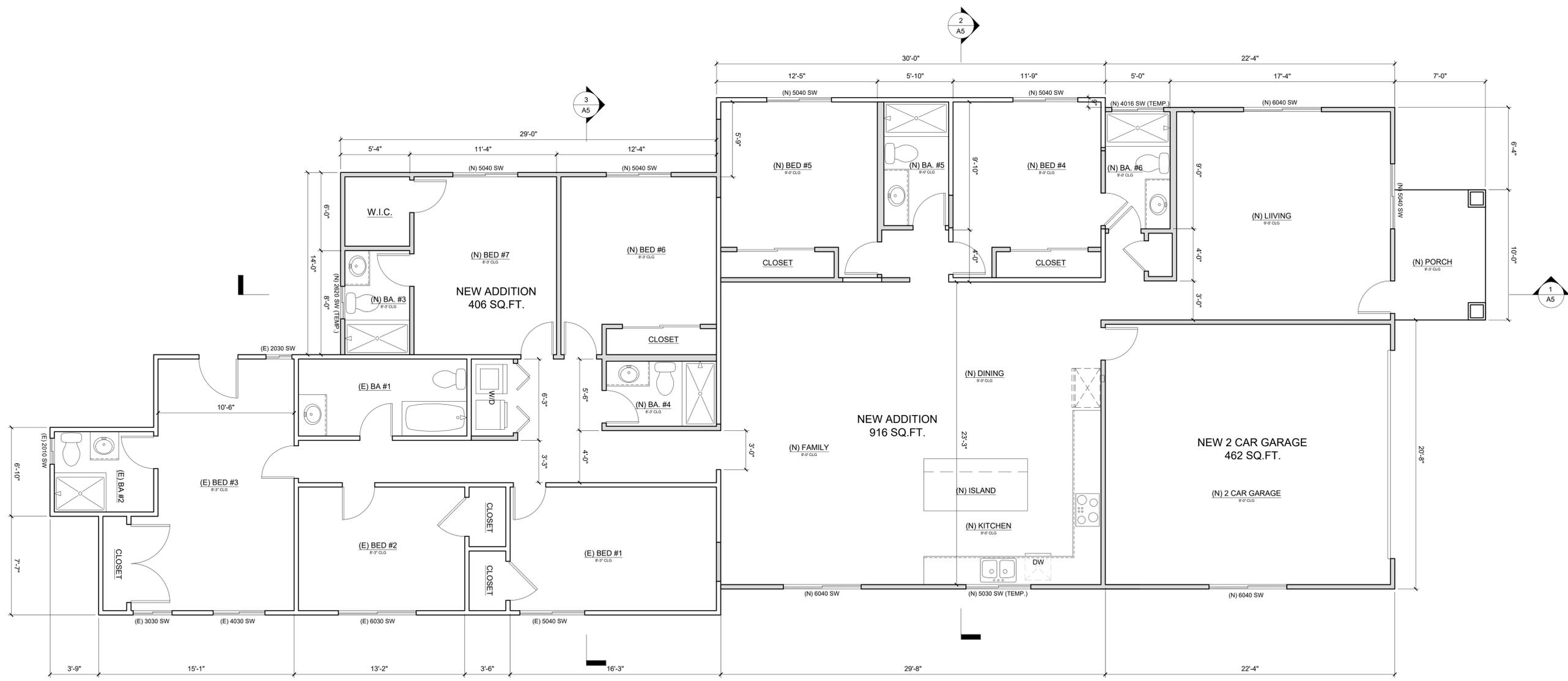
Date 12/22/19

Job # A1920

Scale

Sheet No.:

A3



PROPOSED FLOOR PLAN
 SCALE: 1/4" = 1'-0"

LEGEND:

- (E) WALLS TO BE REMAIN
- (E) WALLS TO BE REMOVED
- PROPOSED WALLS

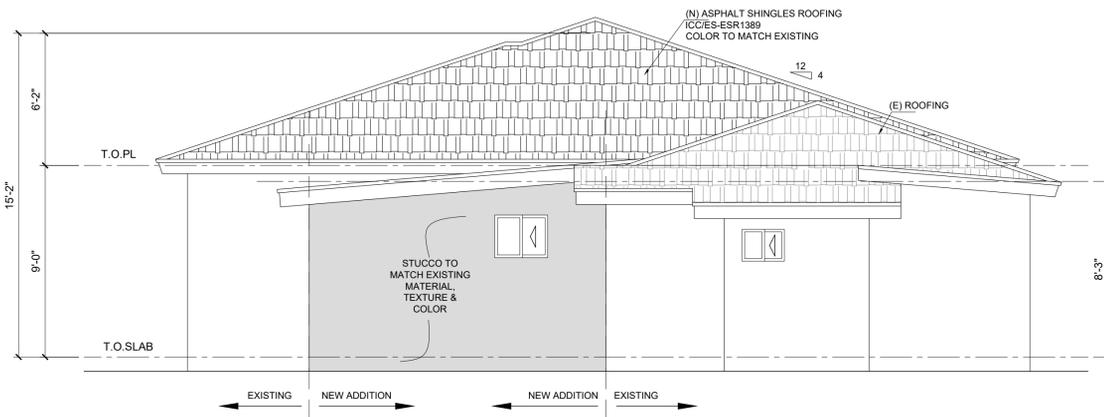
Prepared:

ANH PHAN

(714) 487 - 7926

REVISIONS

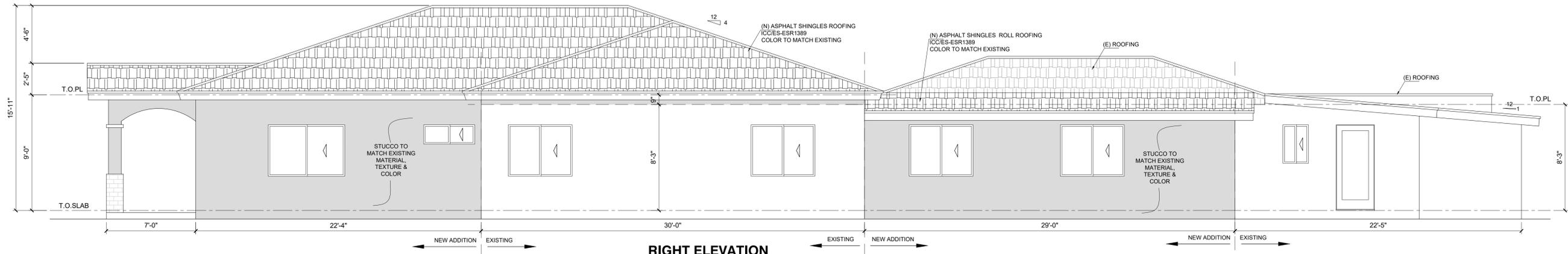
NO.	DATE	REVISIONS
1	12/20/2019	PLAN CHECK



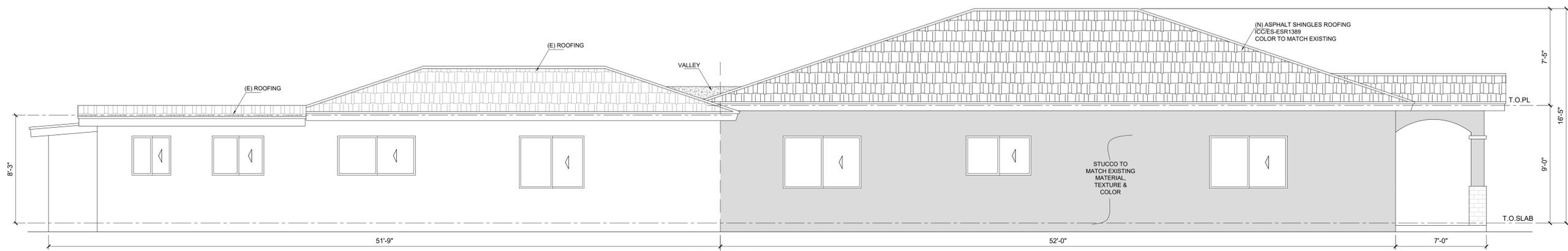
REAR ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

Project for:
LYNH M LUONG
2737 COGSWELL RD.
EL MONTE CA 91732

Project for:

SEAL:

SHEET DESCRIPTION:

ELEVATION

Date 12/22/19

Job # A1920

Scale

Sheet No.:

A4

Prepared:

ANH PHAN

(714) 487 - 7926

REVISIONS

NO.	DATE	REVISIONS
1	12/20/2019	PLAN CHECK

Project for:
LYNH M LUONG
2737 COGSWELL RD.
EL MONTE CA 91732

Project for:

SEAL:

SHEET DESCRIPTION :

PROPOSED ROOF PLAN & SECTION

Date 12/22/19

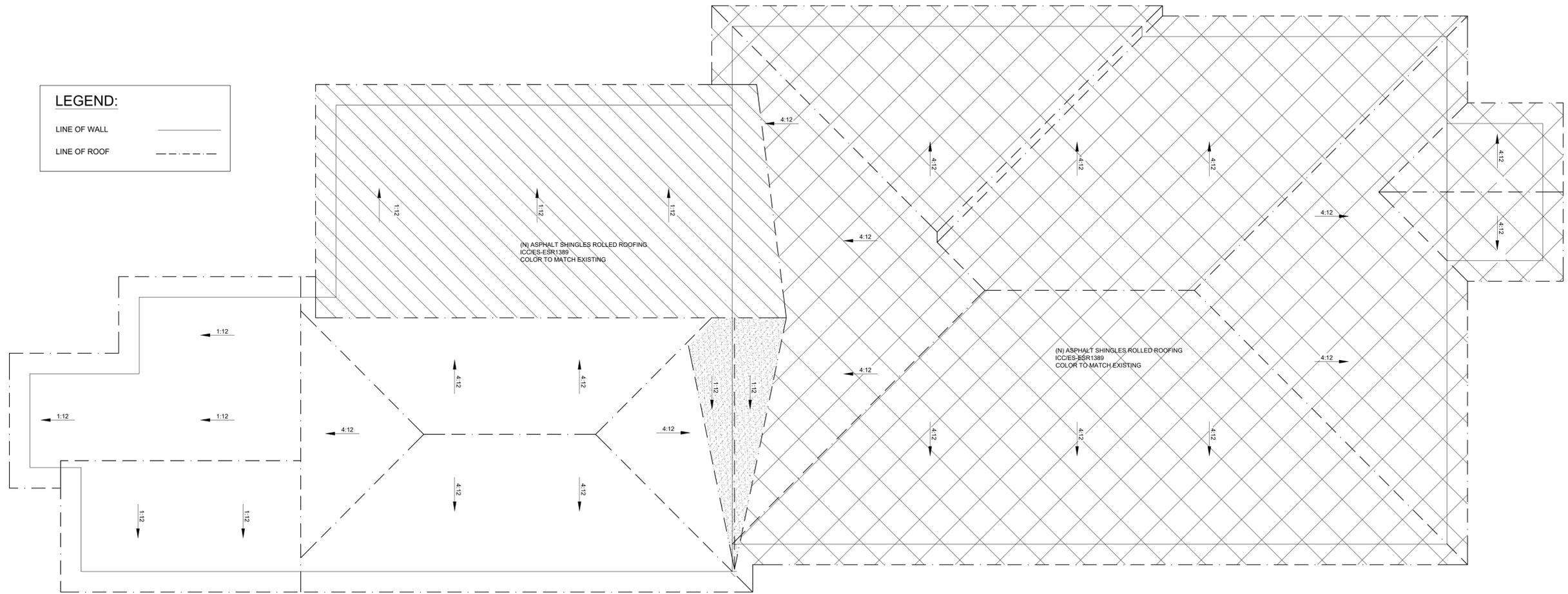
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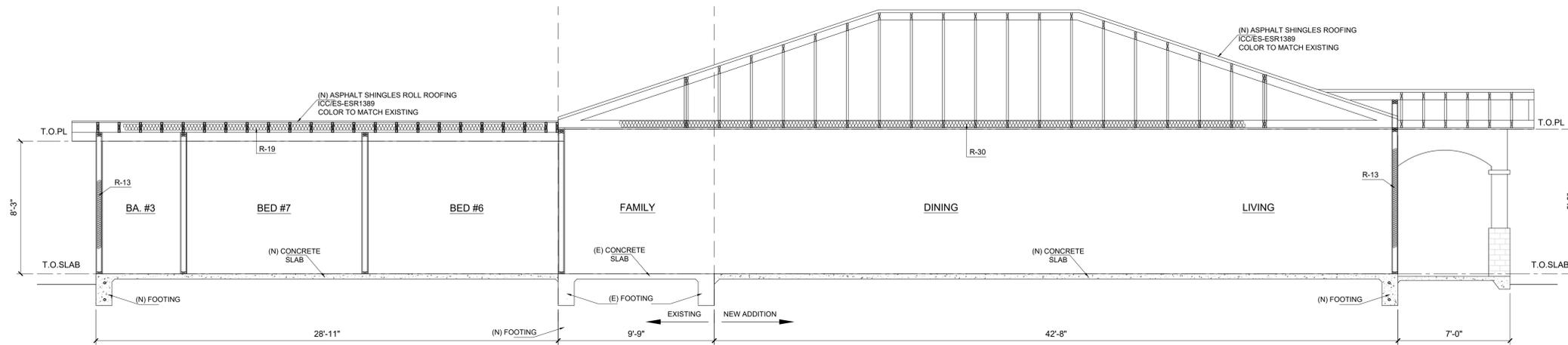
A5

LEGEND:
 LINE OF WALL ———
 LINE OF ROOF - - - - -



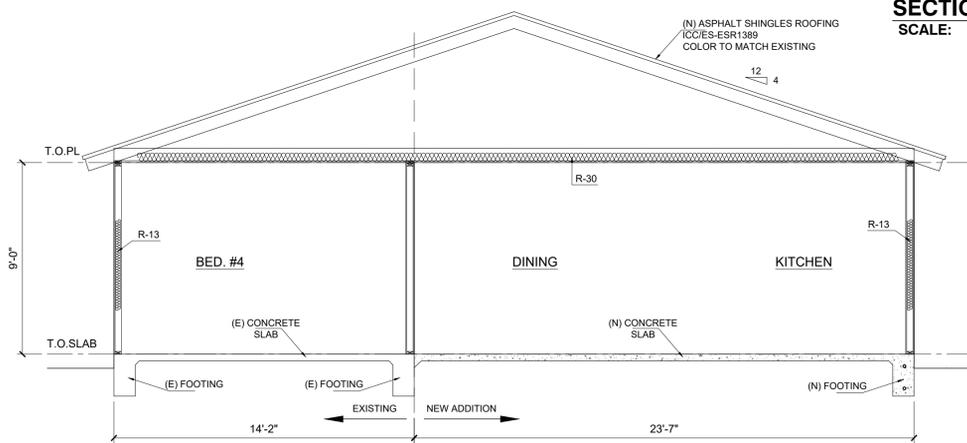
PROPOSED ROOF PLAN

SCALE: 1/4" = 1'-0"



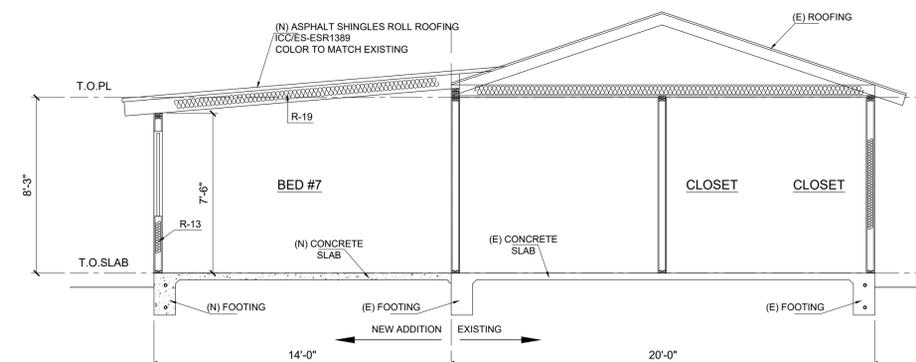
SECTION 1-1

SCALE: 1/4" = 1'-0"



SECTION 2-2

SCALE: 1/4" = 1'-0"



SECTION 3-3

SCALE: 1/4" = 1'-0"

**CITY OF EL MONTE MODIFICATION COMMITTEE
NOTICE OF PUBLIC HEARING**

**Hablamos Español favor de hablar con
Sandra Elias (626) 258-8626**

TO: All Interested Parties

FROM: City of El Monte Planning Division

PROPERTY LOCATION: 2737 Cogswell Rd / APN: 8106-023-011

APPLICATION: Modification No. 36-19

REQUEST: The Applicant is requesting approval to construct a 1,322 square foot living space addition and a 2-car garage to an existing 1,524 square foot single-family residence for a total living area of approximately 2,846 square feet. Modification No. 36-19 is requested to modify the required side yard setback of ten (10) feet to five (5) feet. The subject site is 8,507 square feet in size and is located in the R-3 (multi-family dwelling) zone. The Modification request is made pursuant to Chapter 17.20 (Modification-Variance) of the El Monte Municipal Code (EMMC).

APPLICANT: Anh Phan
14326 Pine St, Apt #2
Westminster, CA 92683

PROPERTY OWNER: Lynh M Luong
2737 Cogswell Rd
El Monte, CA 91732

ENVIRONMENTAL DOCUMENTATION: Article 19. Categorical Exemptions – Section 15301 (Class 1 – Existing Facilities) in accordance with the requirements of the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended.

PLACE OF HEARING: Pursuant to State Law, the Modification Committee will hold a public hearing to receive testimony, orally and in writing, on the proposed project. The public hearing is scheduled for:

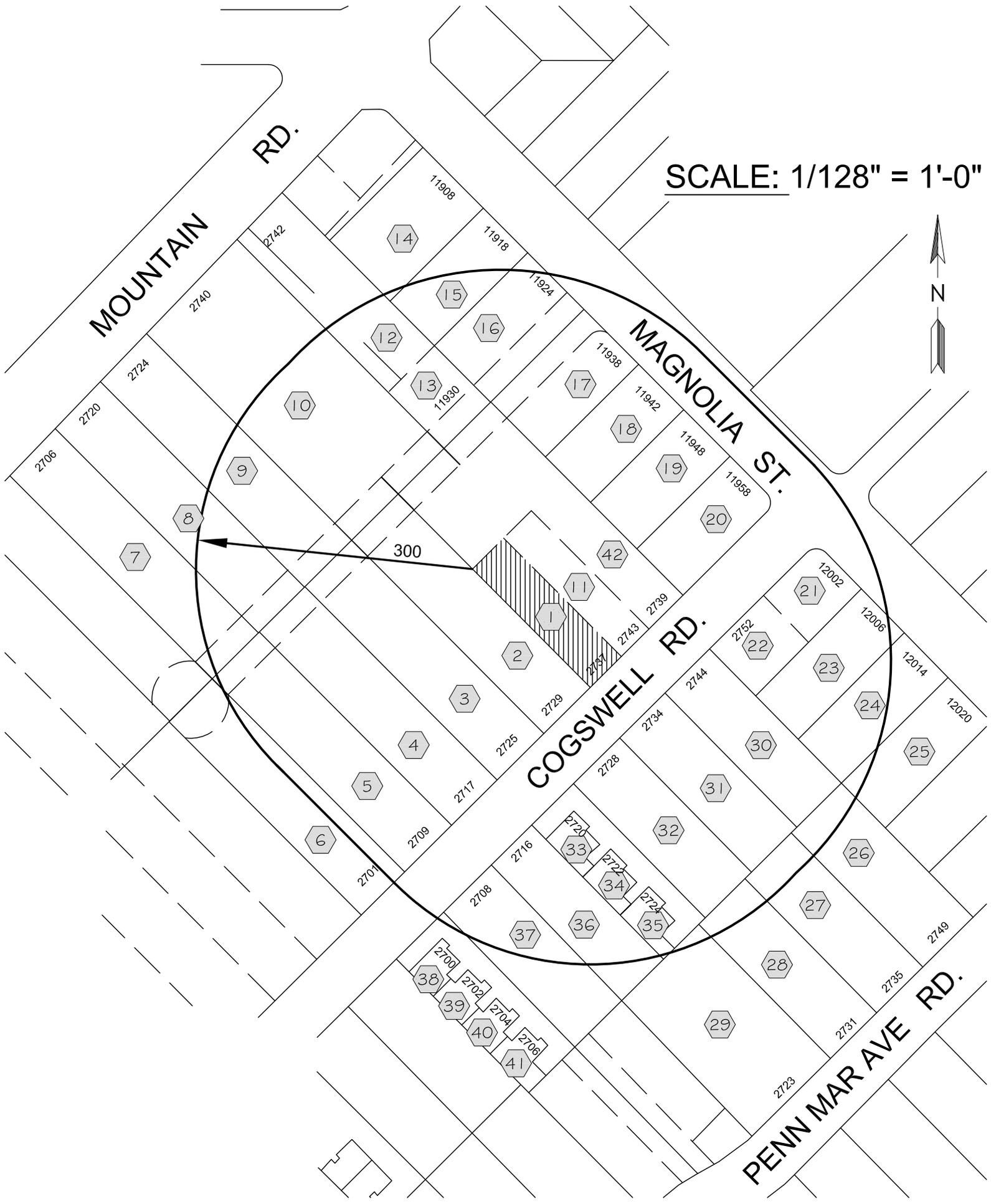
Date: Tuesday, February 25, 2020
Time: 5:00 p.m.
Place: El Monte City Hall West – Conference Room A
11333 Valley Boulevard, El Monte, California

Persons wishing to comment on the environmental documentation or proposed application may do so orally or in writing at the public hearing or in writing prior to the meeting date. Written comments shall be sent to Werner Abrego; El Monte City Hall West; 11333 Valley Boulevard; El Monte, CA 91731 or at wabrego@ElMonteCA.gov. If you challenge the decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Planning Division at, or prior to, the public hearing. For further information regarding this application please contact Werner Abrego at wabrego@ElMonteCA.gov or (626) 258-8626 Monday through Thursday, except legal holidays, between the hours of 7:00 a.m. and 5:30 p.m.

Published and
mailed on: Thursday, February 12, 2020

City of El Monte Modification Committee
Cristina Graciano, Modification Committee Secretary

SCALE: 1/128" = 1'-0"





WARNING
Barking, Biting, or Other
Dangerous Behavior

BEWARE
OF THE DOG

2737

NOTICE OF
PUBLIC HEARING
CITY OF EL MONTE ECONOMIC DEVELOPMENT DEPARTMENT
DO NOT REMOVE