AGENDA

CITY OF EL MONTE PLANNING COMMISSION

TUESDAY, SEPTEMBER 22, 2020

7:00 P.M.
CITY HALL EAST – COUNCIL CHAMBERS
11333 VALLEY BOULEVARD

Members of the public wishing to observe the meeting may do so in one of the following ways:

(1) Turn your TV to Channel 3;

(2) Visit the City's website at: http://www.elmonteca.gov/378/council-meeting-videos

(3) Call-in Conference (669) 900-9128; Meeting ID 923 3580 9126 and then press #. Press # again when prompted for participant ID.

Members of the public wishing to make public comment may do so via the following ways:

(1) Call-in Conference (669) 900-9128; Meeting ID 923 3580 9126 and then press #. Press # again when prompted for participant ID. Once admitted into the meeting, press *9 to request to speak.

(2) Email – All interested parties can submit questions/comments in advance to the Planning Division's general email address: planning@elmonteca.gov. All questions/comments must be received by the Planning Division no later than 3:00 pm, September 22, 2020.

Instruction regarding accommodation under the Americans with Disabilities Act can be found on the last page of this Agenda.

OPENING OF MEETING

1. **Call Meeting to Order**
2. **Flag Salute**
3. **Roll Call**
4. **Approval of Agenda**

CITY OF EL MONTE PLANNING COMMISSION

CHAIRPERSON
Amy Wong

VICE-CHAIRPERSON
Rafael Gonzalez

COMMISSIONER
Alfredo Nuño

COMMISSIONER
Cesar Peralta

COMMISSIONER
Roberto Estrada Cruz

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

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 for the record.

CONSENT CALENDAR

7. Approval of Modification Committee Minutes

None

8. Approval of Planning Commission Minutes

August 25, 2020

PUBLIC HEARING

9. General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance No. 03-19, and Modification Nos. 28-19, 29-19, 30-19, and 36-19

Address: 3630, 3640, and 3700 Cypress Avenue and 11312 Orchard Street / APN: 8568-026-002, -034, -035, and -053

Request: The applicant proposes to demolish 159,100 square feet of existing industrial development and construct 103 townhomes with attached two-car garages on a 5.24 acre property. The two-story townhomes are proposed along Orchard Street and the remainder of the townhomes would be three-stories in height. The Project proposes approximately 56,560 SF of open space, including private open space. A total of 269 off-street parking spaces are provided (206 spaces within two-car garages and 63 open stalls).

Requested Entitlements:

- General Plan Amendment to change the subject site's land use designation from Industrial/Business Park and Medium-Density Residential to High-Density Residential;
- Zone Change to change the subject site's zoning designation from M-2 and R-3 to R-4;
- Vesting Tentative Tract Map to consolidate all parcels and subdivide for 103 residential units;
- Conditional Use Permit for the construction of three or more dwelling units;
- Variance to deviate from minimum private common and private open space requirements; and
- Modifications to deviate from off-street parking requirements, front yard setbacks, wall heights, and floor area ratio.

CEQA Recommendation: Mitigated Negative Declaration

Case Planner: Nancy Lee, Senior Planner

Recommendation: Recommend City Council to adopt a Mitigated Negative Declaration and approve General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Variance No. 03-19, Conditional Use Permit No. 20-19, and Modification Nos. 28-19, 29-19, 30-19, and 36-19 with mitigation monitoring and reporting plan and Conditions of Approval

Resolution: 3581

10. Conditional Use Permit No. 32-19

Address: 2929 Durfee Avenue / APN No. 8106-010-015

Request: A Conditional Use Permit is requested to allow overflow parking at 2929 Durfee Avenue in conjunction with the operation of a passenger transportation services company located at 2140 Durfee Avenue. The subject site is 51,000 square feet in size and is located within the M-1(Light Manufacturing) zone. The request is made pursuant to Section 17.24.040 (58) of the El Monte Municipal Code (EMMC).

Case Planner: Sandra Elias, Assistant Planner

Recommendation: Continue the item to the October 13, 2020 Planning Commission meeting

Resolution: 3583

11. Tentative Tract Map No. 82682, Conditional Use Permit No. 28-19 & Conditional Use Permit No. 30-19

Address: 4526 Santa Anita Avenue / APN No. 8106-010-015

Request: The Applicant proposes to construct 14 residential townhouse units on an approximate 24,776 SF lot. The residential units will comprise of six (6) two-story units and eight (8) three-story units that will occupy five (5) detached condominium buildings. Each unit will provide a two-car garage and four (4) open guest/shared parking spaces will be provided at the site. The property is located within the C-2 (Retail-Commercial) Zone. This request is made pursuant to the requirements of Title 16 (Subdivisions) and Chapter 17.24 (Conditional Use Permit) of the El Monte Municipal Code (EMMC).

CEQA Recommendation: Adopt a Categorical Exemptions under Section 15332 (Class 32 – In-Fill Development Projects) in accordance with the requirements of the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended.

Case Planner: Tony Bu, Senior Planner

Recommendation: Continue the item to the October 13, 2020 Planning Commission meeting

Resolution: 3584

12. Director's Report

13. City Attorney's Report

14. Commissioner Comments

NEXT SCHEDULED CITY PLANNING COMMISSION MEETING

Tuesday, October 13, 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 available on the City's Home Page at www.elmonteca.gov or https://www.ci.el-monte.ca.us/AgendaCenter/Planning-Commission-2. You may also call the Planning Division at (626) 258-8626 for more 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 $2,080.96. Any individual that received notice of this meeting from the City of El Monte will receive notice of an appeal, if one is filed.

ACTION MINUTES FOR THE PLANNING COMMISSION MEETING HELD ON TUESDAY, AUGUST 25, 2020 AT CITY HALL COUNCIL CHAMBERS 11333 VALLEY BOULEVARD, EL MONTE, CALIFORNIA

1. Call Meeting to Order – Meeting was called to order by Chair Wong at 7:04 p.m.

2. Flag Salute – The Flag Salute was led by Chair Wong.

3. Roll Call – The roll call was led by Community and Economic Development Deputy Director Mikaelian.

Commissioners present: Cruz (in-person), Nuño (virtual), Wong (virtual) and Peralta (virtual).

Commissioners Absent: Gonzalez

Staff present: Community and Economic Development Director Donavanik
Community and Economic Development Deputy Director Mikaelian
Chief Building Official Morris
Deputy City Attorney Vasquez
Senior Planner Lee

4. Approval of Agenda:

Motion: By Commissioner Peralta to approve agenda; seconded by Commissioner Gonzalez.

Motion carried 4 - 0.

5. Commission Disclosures:

None

6. Public Comments:

None

CONSENT CALENDAR

7. Approval of Modification Committee Minutes:

None

8. Approval of Planning Commission Minutes:

None

PUBLIC HEARING

9. General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance No. 03-19, and Modification Nos. 28-19, 29-19, 30-19, and 36-19 – 3630, 3640, and 3700 Cypress Avenue and 11312 Orchard Street

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Requested Entitlements:

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- Conditional Use Permit for the construction of three or more dwelling units;
- Variance to deviate from minimum private common and private open space requirements; and
- Modifications to deviate from off-street parking requirements, front yard setbacks, wall heights, and floor area ratio.

Staff requested to continue item to the September 8, 2020 Planning Commission Meeting.

Motion: Commissioner Peralta motioned to open public hearing; seconded by Commissioner Nuño.

PUBLIC COMMENTS:

- None

COMMISSIONER COMMENTS:

Motion: Commissioner Peralta motioned to continue item to September 8, 2020 meeting; seconded by Commissioner Cruz.

Motion carried 4-0.

10. Development Agreement No. 01-20, Design Review No. 04-20 and Modification No. 17-20 - 3101-3109 Rosemead Boulevard

The applicant is requesting the construction of an electronic reader board billboard on a vacant triangular shaped property bounded by Rosemead Boulevard to the northeast, the Rio Hondo River Channel to the south and the Rubio Wash to the northwest. The billboard will be visible from Rosemead Boulevard, which is part of the State of California's Highway System (State Route 164, also known as State Route 19). Entitlements include a Design Review to review the aesthetics of the billboard, a Modification to install an eight (8) foot high fence at the street property line and a Development Agreement between the City of El Monte and REX Media, LLC. The subject property is zoned Office Professional (OP) and is located within Area No. 9 of the City's Freeway Overlay Zone. This request is made pursuant to Chapters 17.20 (Modifications), 17.22 (Design Reviews) and 17.84 (Development Agreements) of the El Monte Municipal Code (EMMC).

Deputy Director Mikaelian provided a presentation on this item.

PUBLIC COMMENTS:

- None

COMMISSIONER COMMENTS:

Commissioner Cruz Comments/Questions related to:

- Design
  - Commissioner Cruz requested clarity on which design was being used? The presentation had two different designs, both were very different.
    - Deputy Director Mikaelian clarified that staff is recommending the telescopic design since it was brought away from the property line. Design can be seen on page four (4) of the staff report.

Commissioner Peralta Comments/Questions related to:

- Fence Material
  - Commissioner Peralta is concerned over the material of the existing razor wire on top of the fencing. Commissioner Peralta wondered if the site will continue to have the razor wire.
    - Deputy Director Mikaelian clarified that staff has recommended to remove and replace the fencing in question. Staff is recommending to have new fencing running North, cutting across the property (towards the westerly direction), and a new gate.
- Pedestrian Safety
  - Commissioner Peralta asked, if any proposed infrastructure or future developments are planned to protect pedestrians?
    - Deputy Director Mikaelian informed the Commissioner there is a crosswalk and bus stop off Whitmore Street, which is the traffic signal to the south of this site. The property has received development interest. The thought is that the site would be developed with trees, driveway access, and

infrastructure would follow with a new development. Should this project be approved the city would have the development agreement in place to maintain and keep the site in good order.

- Design
  - Commissioner Peralta asked if the billboard was going to match the office building that is under construction in the background.
    - Deputy Director Mikaelian mentioned that the design is very modern and both could be compatible.
- Ownership
  - Commissioner Peralta asked, are property owners of across the wash the same owners of the project parcel?
    - Deputy Director Mikaelian clarified that they are not the same owner.
  - Commissioner Peralta recollected a previous project proposal of an office building to be proposed across the wash and the drive way approach would be off Rosemead Boulevard.
    - Deputy Director Mikaelian did recall the project and stated that County of Los Angeles required clearance from Rosemead Boulevard which was not feasible.

Commissioner Nuño Comments/Questions related to:

- Maintenance
  - Commissioner Nuño asked Deputy Director Mikaelian if the development agreement would cover the maintenance of the site.
    - Deputy Director Mikaelian said it would be covered.
- Design
  - Commissioner Nuño stated he visited the media center location and it had some metal cladding. Commissioner Nuño informed Commissioner Peralta that the design is similar to the building in the background should match the modern design.
- Material
  - Commissioner Nuño asked how the birds were going to be kept off the sign.
    - Scott Sheldon, City Billboard Consultant, stated the billboards typically use anti-roosting spikes to prevent birds from staying on the billboard.
    - Applicant Mohadib Ahmad stated that he would be open many different options, including an optic gel that emits UV and deter birds from landing on the billboard.
- Logo
  - Commissioner Nuño asked, would the logo be illuminated?
    - Mr. Sheldon stated logos are not typically illuminated and there seems to be enough lighting from the surrounding area and headlights from vehicles to make the logo visible.

Chairperson Wong Comments/Questions related to:

- Illegal billboard
  - Chairperson Wong asked when the illegal billboard located of South El Monte would be removed.
    - According to Mr. Sheldon, the billboard location in South El Monte received a Building Permit but never received approval from Cal Trans for that sign.

As a part of the development agreement and approval of the project the applicant would have to request to have the illegal sign removed with City of South El Monte
    - Chairperson Wong asked when is the earliest date for the illegal sign to be removed?
    - Mr. Sheldon stated the process would be requesting the billboard sign company to remove the sign, a legal process, which involves filing an unlawful detainer. Due to the pandemic, the State of California is not issuing any unlawful detainers for both residential and commercial properties. We really don't know when that would be, but it is the applicant's best interest to have the illegal sign removed and will push forward to the best of his ability illegally and otherwise
    - Deputy City Attorney Vazquez suggested City staff to reach out to City of South El Monte counterparts regarding this matter.
    - Deputy Director Mikaelian responded that the City of South El Monte has a small staff and that it is unclear what kind of priority this would be.
    - Mr. Sheldon reiterated that would be a legal process to remove the illegal sign.

- Warehouse Occupation
  - Chairperson Wong asked about a warehouse (media center) near the property, is it being occupied? If so, who is the owner and are there any plans for that?
    - Deputy Director Mikaelian mentioned it is vacant and has an active building permit.

- Advertisements
  - Chairperson Wong asked if the City has considered prohibiting certain brands, products, or messages from being allowed to be on the billboard.
    - Mr. Sheldon indicated as a part of the development agreement there is a restriction in place; however it is a balance as to how much could be restricted in terms of value to the companies paying for advertisement and what can be posted.
    - Chairperson is concerned over the advertisements of unhealthy living products within the City of El Monte.
    - Mr. Sheldon indicated as a part of the development agreement free public service announcements could be displayed on the billboard.

CLOSING THOUGHTS:

Motion: Chair Wong motioned to approve the item with the added condition; seconded by Commissioner Cruz.

Motion carried 4-0.

REGULAR AGENDA

11. Time Extension for Conditional Use Permit (CUP) No. 20-16 & Design Review (DR) No.16-16 – 12243 Garvey Avenue

On September 25, 2018, the City of El Monte Planning Commission adopted Resolution No. 3518 approving Conditional Use Permit No. 20-16 & Design Review No. 06-16, to allow the construction and operation of a one-story, 2,400 square foot auto body/repair building at the rear of the property. The applicant is now requesting a one (1) year time extension to extend the expiration date to October 5, 2020. The request is made pursuant to Chapters 17.22 (Design Review) and 17.24 (Conditional Use Permits) of the El Monte Municipal Code (EMMC)

PUBLIC COMMENTS:

- None

COMMISSIONER COMMENTS:

- None

CLOSING THOUGHTS:

Motion: Commissioner Peralta motioned to approve time extension for item; seconded by Chair Wong.

Motion carried 4-0.

12. Initiate Revocation Proceedings for Conditional Use Permit No. 24-05 – 10520 Lower Azusa Road

On September 25, 2018, the City of El Monte Planning Commission adopted Resolution No. 3518 approving Conditional Use Permit No. 20-16 & Design Review No. 06-16, to allow the construction and operation of a one-story, 2,400 square foot auto body/repair building at the rear of the property. The applicant is now requesting a one (1) year time extension to extend the expiration date to October 5, 2020. The request is made pursuant to Chapters 17.22 (Design Review) and 17.24 (Conditional Use Permits) of the El Monte Municipal Code (EMMC)

Deputy Director Mikaelian provided background.

PUBLIC COMMENTS:

- None

COMMISSIONER COMMENTS:

Commissioner Cruz Comments/Questions related to:

- Proceedings
  - Commissioner Cruz asked, would there would be a report?
    - Director Donavanik said, there would be a full report and evidence presented at a future meeting should Commissioners approve to initiate revocation.

Commissioner Peralta Comments/Questions related to:

- None

Commissioner Nuño Comments/Questions related to:

- Staff
  - Commissioner Nuño, thanked staff for bringing this item to their attention and so it can be handled accordingly.

Chairperson Wong Comments/Questions related to:

- Notification to property owner
  - Chair Wong asked, was property owner was notified prior to the meeting?
    - Deputy Director Mikaelian stated that the case planner reached out to applicant and a member of the Police Department reached out as well.
- Clarification
  - Chair Wong asked, what would trigger a revocation?
    - Deputy Director Mikaelian stated it would be dependent on how egregious the situation is. Staff became aware of this situation after there was submittal for a Conditional Use Permit requesting on-site alcohol sales. After speaking with the Police Department Staff determined there were enough concerns to initiate revocation proceedings.
    - Deputy City Attorney Vazquez clarified the threshold of revocation of a Conditional Use Permit is fairly low, but staff has made it clear this property is a nuisance property.

CLOSING THOUGHTS:

Deputy City Attorney Vazquez:

Clarified that the vote on the item tonight would allow staff to present the findings and any evidence to the Planning Commission at the following meeting that would be objectively weighed.

Motion: Commissioner Nuño motioned to initiate the revocation; seconded by Commissioner Cruz.

Motion carried 4-0.

13. Director's Report –

- Economic Development Update on item from June 30, 2020 – 3900 Arden Drive Black Creek Group
    - Senior Planner Lee presented an update for the project. It was previously stated by the applicant that revenues generated for the life of the project was estimated at $53 million, which was stated incorrectly. The applicant wanted to inform the commission that the project is projected to generate $75 million annually.

14. City Attorney's Report – None

15. Commissioner Comments –

Commissioner Cruz:

- Condolences to the Nuño family for their loss.

Commissioner Nuño:

- Wants to thank everyone for their kind words and condolences.

Chair Wong:

- Condolences to the Nuño family for their loss
- Hoping everyone is staying safe and healthy.

16. Adjournment

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

_____

Planning Commission Chairperson
Amy Wong

_____

Planning Commission Secretary
Adrian Perez

STAFF REPORT **SEPTEMBER 22, 2020**

TO:	CITY PLANNING COMMISSION
FROM:	BETTY DONAVANIK COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR JASON C. MIKAELIAN, AICP COMMUNITY AND ECONOMIC DEVELOPMENT DEPUTY
BY:	NANCY LEE SENIOR PLANNER
APPLICATION:	GENERAL PLAN AMENDMENT NO. 03-19, ZONE CHANGE NO. 01-19, VESTING TENTATIVE TRACT MAP NO. 82797, VARIANCE NO. 03-19, CONDITIONAL USE PERMIT NO. 20-19, and MODIFICATION NOS. 28-19, 29-19, 30-19, and 36-19
LOCATION:	11312 ORCHARD STREET, AND 3630, 3640, AND 3700 CYPRESS AVENUE
APPLICANT:	KB HOME GREATER LOS ANGELES, INC. 25152 SPRINGFIELD COURT, SUITE 180 VALENCIA, CA 91355
PROPERTY OWNER:	PI PROPERTIES NO. 66, LLC – C/O CHARLES ZHAO 610 N. SANTA ANITA AVE ARCADIA, CA 91006
ENVIRONMENTAL DETERMINATION:	MITIGATED NEGATIVE DECLARATION
RECOMMENDATION:	RECOMMEND THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND APPROVE GENERAL PLAN AMENDMENT NO. 03-19, ZONE CHANGE NO. 01-19, VESTING TENTATIVE TRACT MAP NO. 82797, VARIANCE NO. 03-19, CONDITIONAL USE PERMIT NO. 20-19, and MODIFICATION NOS. 28-19, 29-19, 30-19, and 36-19 WITH MITIGATION MEASURES AND CONDITIONS OF APPROVAL

PROJECT DESCRIPTION:

The applicant proposes to demolish 159,100 square feet of existing industrial development and construct 103 townhomes with attached two-car garages on a 5.24 acre property. Two-story townhomes are proposed along Orchard Street and the remainder of the townhomes would be three-stories in height. A total of 269 off-street parking spaces are provided (206 spaces within two-car garages and 63 open stalls).

SUBJECT PROPERTY:

Location:	North of Iris Lane, south of Orchard Street, and east of Cypress Avenue.
General Plan:	Industrial Business Park (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and Medium Density Residential (3700 Cypress Avenue).
Zone:	M-2 (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and R-3 (3700 Cypress Avenue)
Street Frontages:	Orchard Street (primary): approximately 200 feet Cypress Avenue (secondary): approximately 317 feet Iris Lane (secondary): Approximately 358 feet
Size:	Gross: 228,254.4± SF (5.24± acres). Net: 225,205± SF (5.17± acres).
Existing Development:	Industrial business park comprised of four buildings, surface parking, hardscapes, and landscaping. The existing onsite land uses total approximately 159,100± SF.

SURROUNDING PROPERTIES:

	Zoning:	General Plan:	Land Use:
North:	R-1A & R-3	Medium Density Residential	Multi-family apartment complex and a vacant lot.
South:	M-2 & R-3	Downtown Core	Industrial and Single-Family Residential.
East:	R-3 & C-1	Medium Density Residential	Office and Vacant Land.
West:	M-2 & R-3	Industrial Business Park and Medium Density Residential	Former City Transportation Yard and Single-Family Residential.

ZONING AND AERIAL PHOTO:

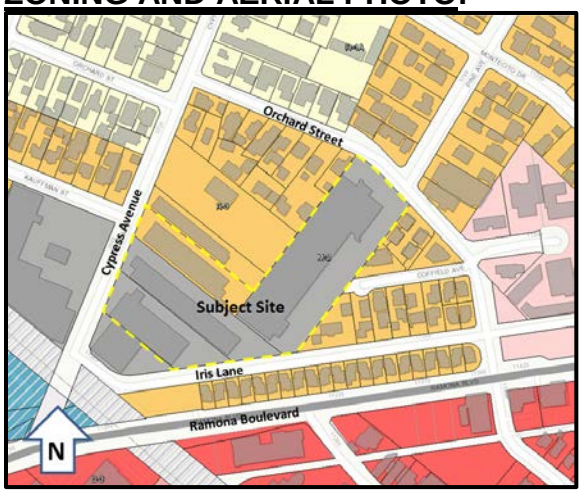


Exhibit 1: Site Plan

Exhibit 2: Elevations

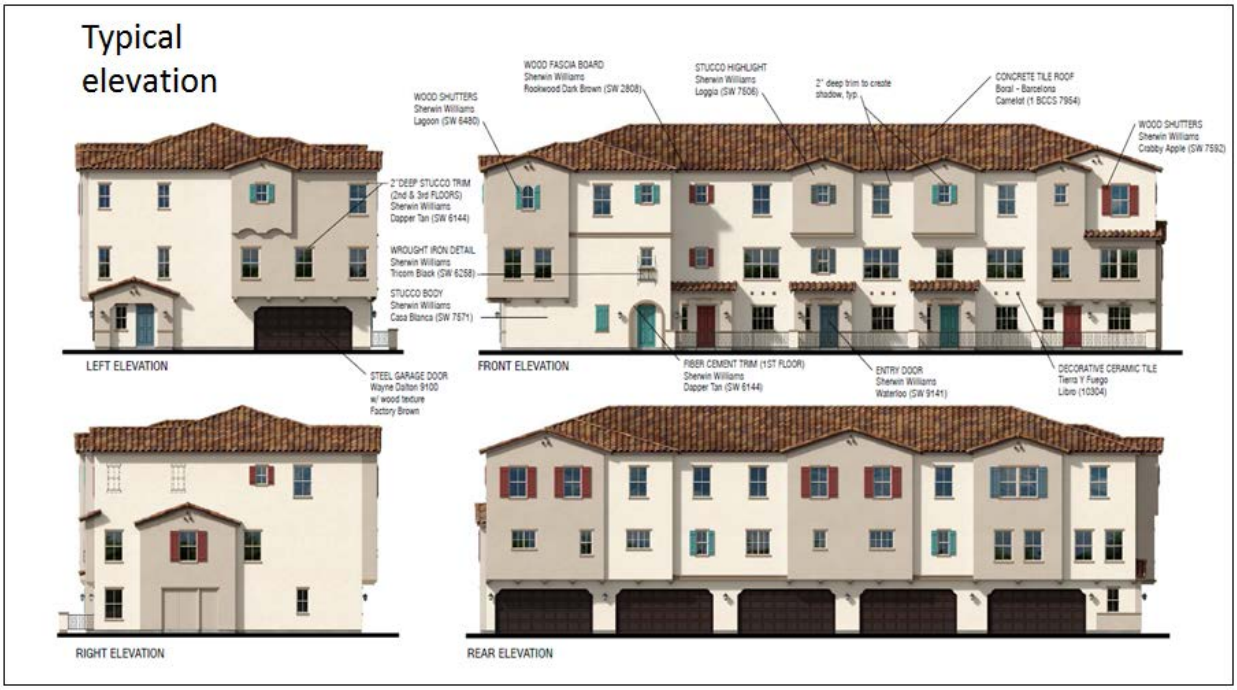


Exhibit 5 – Conceptual Landscape Plan

BACKGROUND

Existing Conditions

The 5.24 acre site is currently developed with an industrial business park and consists of four (4) buildings, surface parking, hardscape, and landscaping. According to the Los Angeles County Assessor, the year the existing buildings were built is listed as follows:

- 11312 Orchard Street – 1972
- 3700 Cypress Ave – 1959
- 3640 Cypress Ave – 1968
- 3930 Cypress Ave – 1971

Although the subject site is comprised of multiple parcels, this industrial business park is currently held under a single ownership. There are 14 tenant spaces total, with ten (10) tenant spaces currently occupied. The occupied tenant spaces include warehousing and distribution type of uses.

2008 Settlement Agreement

In 2008, a settlement agreement was finalized following the City-initiated legal proceedings against the subject site and its occupants. The settlement agreement restricted parcel use and occupancy as it relates to noise, outdoor storage, property maintenance, hours of operation for each tenant, and prohibited specific uses.

Existing Trees

Based on the arborist report submitted by the Applicant, there are 100 onsite trees consisting of 13 different species on the subject site. A complete assessment of each on-site tree determined there were many trees in a state of decline or with poor structural integrity due to lack of proper maintenance, age, or poor site location. Of the 100 trees, six (6) are classified as Heritage Trees under the Tree Protection and Preservation Ordinance (El Monte Municipal Code (EMMC) Section 14.03) and require an administrative Tree Removal Permit. The Heritage Trees proposed for removal are identified as Canary Island (*Pinus canariensis*) and Cook pines (*Araucaria columnaris*). Due to size and species, the remaining trees are not subject to protection under EMMC §14.03.

Ramona Boulevard Grade Separation Project

In this historical aerial photo (Exhibit 3), Cypress Avenue connected to Ramona Boulevard and Orchard Avenue was not accessible from Ramona Boulevard. Upon completion of the Ramona Boulevard Grade Separation Project in 2008, Orchard Avenue became accessible from Ramona Boulevard. Cypress Avenue once directly connected to Ramona Boulevard by traversing through the eastern tip of subject property; however, the street was vacated in 2008 to accommodate the Ramona railroad underpass project.

ENTITLEMENTS REQUESTED:

The following entitlements are requested pursuant to the requirements of Chapters 16.10, 17.20, 17.26, and 17.24 of the El Monte Municipal Code (EMMC):

- **General Plan Amendment (GPA No. 03-19)** to change the site's General Plan Land Use designation from Industrial Business Park (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and Medium Density Residential (3700 Cypress Avenue) to High Density Residential;
- **Zone Change (ZC No. 01-19)** to change the zoning designation from M-2 (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and R-3 (3700 Cypress Avenue) to R-4;
- **Vesting Tentative Tract Map (VTTM No. 82797)** to consolidate all parcels and subdivide for 103 condominium units;
- **Conditional Use Permit (CUP No. 20-19)** for the construction of three or more dwelling units;
- **Variance (VAR 03-19)** to deviate from common and private open space requirements; and
- **Modifications (MOD)** as follows:
    - MOD No. 28-19 to modify the off-street parking requirements by reducing the parking requirements, allowing parking stalls and no out-let driveways to encroach within the front yard setback along Orchard Street and Cypress Avenue, and for enclosed parking stalls at 19' x 20'.
    - MOD. No. 29-19 to modify the required front yard setbacks (first and second story) along Cypress Avenue and second story setback along Orchard Street. Modification to allow mechanical equipment to encroach into the required front yard setback;
    - MOD. No. 30-19 to modify the maximum allowable wall height throughout the development.
    - MOD. No. 36-19 to modify the lot size to exceed the maximum allowable FAR from 40% to 81%.

PROJECT CHARACTERISTICS:

Site Plan

The applicant initially submitted a proposal consisting of 110 three-story townhomes with a total of 271 off-street parking spaces is proposed (220 within two-car garages and 51 open stalls). After receiving comments from City staff and community members, the project was modified.

As shown in the site plan (Exhibit 1), the applicant proposes to demolish 159,100 square feet of existing industrial development and construct 103 townhomes with attached two-car garages on a 5.24 acre (5.17 acres net) irregularly "L" shaped property with three (3) diagonal street frontages along Orchard Street, Cypress Avenue, and Iris Lane. The site does not have a rear yard setback. A significant utility easement runs north to south on the entire site. The site is designed with total of 21 buildings which will contain three (3) to six (6) townhome units per building placed throughout the site.

The site has three diagonal (3) street frontages along Orchard Street, Cypress Avenue, and Iris Lane. The frontages along the Orchard Street and Cypress Avenue are designed with the front door of these units facing the street. Iris Lane is not designed with units facing the street.

The first floor setback along Cypress Avenue for Building 1 is proposed at a minimum of 18 feet with a second story overhanging approximately three (3) feet from the first floor. The second floor of Building 7 and 8 along Cypress Avenue are setback at zero feet from the first floor. Along the Orchard Street frontage, the first floor setback is at 20 feet while the second floor front yard setback for Building 14 to projects out from the first floor by approximately one (1) foot. The second story for Building 13 is set back at zero feet from the first story. The EMMC requires the first floor to be setback at 20 feet and the second floor set back an additional two (2) feet from the first floor. The applicant is requesting that mechanical equipment be located within the front yard setbacks, which is not compliant with the EMMC. A Modification is requested to deviate from EMMC requirements.

The remainder of the property will be provided with 63 open off-street parking, 26-foot fire lane/internal driveways, common open space amenities, and landscaping. Open parking stalls 1, 23, 24, and 63 are encroaching into the required front yard setbacks, which is prohibited per EMMC § 17.08.050.C. Additionally, the “C” lane driveway, which does not connect to the street encroaches into the required Cypress Avenue front yard setback, which is not compliant with EMMC § 17.10.030.A.1, which states that all required setbacks be landscaped. A Modification is requested to allow these stalls and driveway “C” to be located within the required front yard setbacks.

Floor Plan

As shown in the floor plan of the project plans (Attachment B) there are ten (10) different types of floor plans. There are 24 two (2) bedroom/2.5 bath units sizes start at 1,340-1,344 sf. The three (3) bedroom/2.5 bath unit count is 13 units and range between 1,708-1,773 sf in floor area. There are 66 four (4) bedroom/2.5 bath units range from 1,782 – 2,169 sf in floor area. Townhomes that are designed to accommodate private open space include a ground level enclosed patio area. In total, the floor area for all units is 179,916 sf. The maximum allowable floor area for this site is 90,020.

As such, the maximum allowable Floor Area Ratio (FAR) for the site is 40 percent and the applicant is proposing 80 percent. A modification is requested to modify the lot size in order to exceed the maximum allowable FAR.

Elevations

As shown on Exhibit 2, the architectural design of the proposed development is a Spanish architectural style (with three color schemes), which is an adaptation of Mission Revival architecture with additional Latin American details and elements. Elevations would be generally asymmetrical. Architectural distinction would be accomplished through tile roofs, smooth stucco walls, arched entries, and exposed rafter tails. Additionally, Juliet balconies and window shutters are incorporated to increase visual

interest. Building 14 is proposed at two-stories and approximately 26 feet in height. The remainders of the buildings are proposed at three stories and approximately 36 feet (to roof ridge) in building height.

Circulation & Off-Street Parking

The project site is located to the north of Ramona Boulevard, a secondary arterial. Regional access to the site is provided by the San Bernardino Freeway (I-10) which is located approximately one (1) mile to the south west and by the San Gabriel River Freeway (I-605) which is located approximately two (2) miles to the east. The major arterials in the vicinity of the project site are Valley Boulevard and Peck Road which connects to Ramona Boulevard from the site one-half of a mile and one-third of a mile respectively. Tyler Avenue, a secondary arterial is a quarter mile to the west of the site is connected by Kauffman Street, which is accessible from Cypress Avenue.

Primary vehicular access to the Project site is proposed via a 26 foot wide two-way private driveways, one at Orchard Street and one at Cypress Avenue. Two main private drive lanes (Lanes A and J) are proposed to provide access throughout the proposed townhome community, with multiple additional 26 foot wide private drive lanes for access to each of the proposed buildings. Pedestrian access would be provided along Cypress Avenue, Iris Lane, and Orchard Street.

Based on EMMC §17.08.090 - Parking Requirements for Specific Land Uses, the Project's parking demand would total 394 parking spaces, including 206 resident spaces within enclosed garages. The Project proposes 269 parking spaces, including 206 garage spaces and 63 open spaces (six (6) stalls reserved for guest parking). Further, all units will be provided with a two (2)-car garage. Per EMMC § 17.08.040.B, the minimum dimension of enclosed stalls is 20 feet in width by 20 feet in length. The applicant is proposing garages with approximately 19 feet in width. A Modification is requested to deviate from the minimum garage stall width and to reduce the minimum EMMC off-street parking stall requirements.

Fences and Walls

Within the front setback areas for Orchard Street and Cypress Avenue, a maximum four (4) foot high decorative solid wall is proposed. Additionally, along the shared property lines with other residential and industrial properties, the proposed plans show an eight (8) foot high combination wall (two feet retaining with a six foot high screen wall on top). An eight (8) foot high tubular steel fence and pilasters is proposed along Iris Lane.

The maximum allowable fence height is six (6) feet. The subject site sits higher than adjacent residential properties. Providing an eight (8) foot high combination wall (two feet retaining with a six foot high screen wall on top) to minimize privacy impacts for the adjacent neighbors due to the multiple-family residential use of the proposed project. Further, while Iris Lane is considered a frontage, due to the multiple-family residential use of the site, it does not functionally serve as a primary street frontage like Orchard Street and Cypress Avenue.

Open Space

Usable Open Space
A total of 61,800 square feet of total open space is required, while 54,560± square feet of total open space is proposed. The applicant has submitted a variance application to deviate from minimum open space requirements.

The private open spaces provided are in the form of enclosed, uncovered patios on the first floor. However, 24 of the 103 units are not provided with any private open space.

The common open space amenities include a tot lot, which is centrally located within the development and strategically placed fitness equipment along the walking trail throughout the site. Additionally, the applicant is proposing picnic tables, BBQ grills, decorative trash bins, and pet waste stations throughout the open space areas. Although the specific open space area and dimensions are not met for all open space areas, there are many types of amenities for occupants.

Landscaping

The proposed Conceptual Landscape Plan (Exhibit 5) proposes approximately 38,351 SF of onsite landscaping along the site perimeters and dispersed throughout. Additionally, approximately 3,827 SF of offsite open landscaping would be provided in the street dedications proposed along Iris Lane and Orchard Street. The proposed plantings would include various types of trees including Australian Willow, Desert Willow, Gold Medallion Tree, Italian Cypress, and California Sycamore, among others.

All proposed landscaping has been developed with consideration to both the proposed Spanish architectural style, as well as the state Model Water Efficient Landscape Ordinance (MWELO) requirements. This would be achieved through use of selected plant material, incorporation of climate-based irrigation control systems, and point source irrigation in all shrub areas to minimize water loss through evaporation or overspray.

The Applicant will be required to submit a full landscape plan depicting all proposed plant types/materials to the Planning Division for review and approval. The landscape plan shall be designed to comply with Sections 17.10 and 17.11 of the EMMC in regard to landscape requirements and water efficiency.

Price-Restricted Units

The applicant will be required to restrict the sale price of five (5) of the townhome units for sale to buyers with a household income that does not exceed 120% of local area median income. In cooperation with a non-profit organization, such as Habitat for Humanity, buyers of such price-restricted units would be selected. Should one or more such price-restricted units remain unsold after reasonable efforts by the applicant and its selected non-profit organization, the City would have a period of 180 days to identify income-eligible buyers for the remaining price-restricted units. If one or more the price-restricted units remain unsold after reasonable efforts by the City during the 180-day referenced above, the applicant would be able to select buyers for the sale of the remaining price-restricted units and would be authorized to sell such remaining units to one or more buyers whose household income may exceed 120% of local area median

income. If a price-restricted unit is sold to an income-eligible buyer, the affordability restriction would remain in effect in perpetuity.

PROJECT ANALYSIS:

The subject property is currently located within the M-2 (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and R-3 (3700 Cypress Avenue) zoning districts and is designated Industrial Business Park (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and Medium Density Residential (3700 Cypress Avenue) by the City's General Plan land use map.

The applicant is requesting a Zone Change to rezone the property as R-4 (High Density Multiple Family Dwelling Zone) and amending the current General Plan land use designation to High Density Residential. This land use designation is reserved for high density residential uses such as town homes, apartments, planned residential developments, and senior housing primarily in Downtown, near a mix of transportation, shopping, business, public services, and public facilities. Approved projects are sensitively designed with adequate open space, landscaping, and parking. This land use designation is implemented by the R-4 zoning district, which allows residential density of 25 units per acre. Senior housing can be built at higher densities with an approved density bonus.

2011 General Plan Consistency

The 2011 El Monte General Plan identifies high-density residential development with a density of a maximum of 25 units per acre. The proposed residential development, with a density of 19.92 units per acre, will meet the intent of the General Plan, subject to approval of GPA No. 03-19 and ZC No. 01-19.

The Land Use Element Goal LU-4 states that "…complementary balance of land uses that provide adequate opportunities for housing, economic activity, transportation, parks, and recreation to support an exemplary quality of life and a sustainable community." Further, the following land use element policies are met with the proposed General Plan Amendment:

- 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. *The proposed project would provide new market-rate housing opportunities. Additionally, the applicant intends to work with non-profit organizations (i.e. Habitat for Humanity) to provide affordable units within the proposed 103 residential unit community.*
- LU-4.2 – **Neighborhoods.** Develop strong residential neighborhoods that are distinguished by district architecture, parks and open space, public facilities and services, and public involvement in their planning and improvement. *The proposed 103 residential unit development would be distinguished in that the architecture is designed in a modern Spanish architecture style. Further, the new community proposes open space amenities such as a tot lot and walking trails with strategically placed fitness equipment throughout the trails for occupants.*

The proposed General Plan Amendment is also consistent with the 5013-2021 Housing Element of the General Plan. Specifically, it is noted that the City of El Monte's population is projected to increase. The proposed General Plan Amendment would accommodate the projected population increase by providing 103 additional residential units.

Zoning Code

The proposed zoning designation for the site is high-density multiple-family dwelling zone (R-4). The proposed project complies with the zoning classification. Table 1 below provides the development standards for the R-4 zone, and identifies whether the proposed project complies with each standard.

Table 1: R-4 Development Standards

Development Standard	R-4 Zone	Proposed	Meet Requirement(s)
Minimum/Maximum Density	25 du/ac max	103 units (19.92 du/ac)	Yes
Floor Area Ratio	40%	80% FAR	**No** (Modification)
Lot Coverage	45%	35%	Yes
Minimum Lot Area • Area per unit • Minimum lot size for multiple-family residential	1,800 sf/unit 10,000 sf	2,186 sf/unit 225,205± sf	Yes
Minimum Dwelling Unit Size	2 BR: 1,000 sf 3 BR: 1,200 sf 4 BR: 1,350 sf	2 BR: 1,340± sf 3 BR: 1,708± sf 4 BR: 1,773 – 2,169 sf	Yes
Maximum Building Height	No standard (Note:R-3 standards is max 3 stories or 40'	Front portion: 2 stories 26'-2" Rear portion: 3 Stories/35'-4"	Yes
Distance Between Buildings (Minimum)	10'	13' minimum	Yes
Front Yard Setback • Orchard St • Cypress Ave • Iris Ln	1st story - 20' 2nd story – 2' add'l from first floor	• Orchard St – 1st story 20'/2nd story 1' • Cypress Ave – 1st story 18'±/2nd story 3' • Iris Ln – 1st story 20'/2nd story 3'	**No** (Modification)
Side Yard Setback	10'(1st story); 12'(2nd story)	10' min. (1st story) 12'(2nd story)	Yes
Rear Yard Setback	20'	None	N/A
Usable Open Space	61,800 sf (600 sf/ unit)	54,600 sf	**No** (Variance)

Development Standard	R-4 Zone	Proposed	Meet Requirement(s)
Private Open Space	20,800 sf (200 sf/unit) 10 ft in any direction	13,948 sf and less than 10 ft in any direction	**No** (Variance)
Usable Common Open Space	47,853 sf and 15 ft in any direction	40,612 sf and less than 15 feet in any direction	**No** (Variance)
Off-Street Parking	206 enclosed spaces at 20' x 20' and 188 open stalls	206 enclosed spaces, some at 19' x 20' and 63 open stalls	**No** (Modification)

Existing and Proposed Easements

The proposed project includes a total of 10 existing easements that encumber the property. A total of five (5) of the easements will be quitclaimed as part of the project. The easements (shown on the VTTM No. 082797) include the following:

A. Utilities- Southern California Edison Company (to be quitclaimed)
B. Utilities - Southern California Edison Company (to be quitclaimed)
C. Road- City of El Monte
D. Sewer – Private Sewer Easement
E. Utilities - Southern California Edison Company
F. Oil and Gas Lease – Emo Industries and Standard Oil Company of California
G. Utilities- Southern California Edison Company (to be quitclaimed)
H. Sewer – City of El Monte
I. Utilities- Southern California Edison Company (to be quitclaimed)
J. Utilities- Southern California Edison Company (to be quitclaimed)

As a result of the proposed project, new easements are necessary for private driveways, fire lane easement, water and sewer, ingress and egress, undergrounding of utilities, and for adjacent property parking purposes. The proposed easements are identified as follows:

1. 20 foot wide private driveway and fire lane easement.
2. 26' wide and variable width private driveway and fire lane easement.
3. 20 foot wide easement for water and sewer, appurtenant structures and ingress/egress purposes to the City of El Monte.
4. 26 foot wide easement for water and sewer, appurtenant structures and ingress/egress purposes to the City of El Monte.
5. 20 foot wide easement for high voltage transmission lines to Southern California Edison.
6. 20 foot wide minimum and variable width private driveway easement.
7. 10 foot wide minimum and variable width private driveway easement.
8. 10 foot wide private driveway easement to the City of El Monte.
9. Easement to 3620 Cypress Avenue for parking purposes.

Specifically, easement no. 5 listed above provides challenges to the property, as this is a significant portion located centrally within the lot, running north and south, which is not developable.

ENTITLEMENTS:

General Plan Land Use Designation and Map Amendment

The subject site is currently designated Industrial Business Park (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and Medium Density Residential (3700 Cypress Avenue) by the City's General Plan land use map. The applicant is requesting a General Plan Amendment to amend the land use designation to High Density Residential.

El Monte, like many first ring suburbs of Los Angeles, businesses were located near residential neighborhoods. The existing industrial uses are an example businesses located in residential neighborhoods. Also, Cypress Avenue was once directly connected to Ramona Boulevard, which made access to the industrial properties such as the subject site feasible. It was also common for such properties industrial properties to be located along Ramona Boulevard they were near railroad tracks. Now, the site is only accessible through Orchard Avenue which primarily serves a residential neighborhood.

Therefore, the proposed General Plan Amendment is supported by staff because it would serve to restore the balance of land uses by eliminating industrial uses adjacent to sensitive residential uses and bring the site into land use balance and consistency with the surrounding residential neighborhood. The findings for this amendment are found in the draft resolution.

Zone Change and Zoning Map Amendment

The subject property is currently located within the M-2 (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and R-3 (3700 Cypress Avenue) zoning districts. The applicant is requesting a Zone Change to rezone the property as R-4 (High Density Multiple Family Dwelling Zone).

The proposed R-4 zoning designation would be more consistent, complementary, and compatible than the existing M-2 zoning designation because the subject site is surrounded by residential land uses with the exception of 3620 Cypress Avenue, which is an industrial use. The Zone Change would contribute to a complementary balance of medium density and high density residential land uses and would provide adequate opportunities for housing rather than continuing the imbalance of industrial and residential uses. The findings for this amendment are found in the draft resolution.

Vesting Tentative Tract Map

The project proposes to consolidate the four (4) parcels into one (1) new parcel and subdivide the 103 townhome units for condominium purposes. VTTM No. 82797 will comply with all provisions of the City's Subdivision Ordinance and the State's Subdivision Map Act. The findings for this Vesting Tentative Tract Map are found in the draft resolution.

Conditional Use Permit

Per Chapter 17.24 of the EMMC, residential projects with three (3) or more units in the R-4 zone require approval of a CUP. The project is proposing 103 townhome units. With the exception of the requested Variance and Modifications, the project will meet all City Codes and standards, and will have appropriate conditions of approval, that will ensure

that the project will not be detrimental to the health, safety or general welfare of the community. The findings for this Conditional Use Permit are found in the draft resolution.

Modifications
The multiple Modification requests are described as follows:

Off-street parking (Modification No. 28-19): To modify the off-street parking requirements, allow off-street parking stalls and no out-let driveways to encroach within the front yard setback along Orchard Street, Iris Lane, and Cypress Avenue, and for enclosed parking stalls at interior dimensions of approximately 19' x 20'. Each request is described as follows:

- *Off-Street parking requirements:* As previously mentioned, the proposed development is required to provide 394 total of off-street parking (188 open off-street parking stalls and 206 enclosed garage spaces, average of 3.8 spaces per unit). While the proposed project is compliant with the 206 enclosed garage spaces, the applicant proposes 63 open off-street parking stalls in lieu of the required 188 open stalls.

While the proposed project is deficient in meeting the open off-street parking stall count for a project of this size and scale, City staff conducted parking surveys for Union Walk located at the northwest corner of Valley and Ramona Boulevards and Solstice, located on Garvey Avenue between Tyler Avenue and Consel Street. These two projects are located in the Multi-Mixed Use (MMU) zone. The MMU zone has a different parking ratio, which is as follows:

- Two-Bedroom – Two spaces per unit
- Three or more bedrooms – Three spaces per unit
- Guest – Additional ¼ space per unit

If the above mentioned off-street parking standards were applied to the proposed project, a total of 289 off-street parking stalls would be required for the proposed 103 townhomes (2.8 spaces per unit). The project proposes 269 stalls (2.6 spaces per unit). City staff also conducted sample parking counts of these two projects at various times of the day on January 16, 2020 and January 25, 2020.

At Union Walk, the maximum weekday observed hourly parking demand was on January 16, 2020 (Thursday) at 7:00 P.M. with 88.1 percent utilization. The maximum weekend observed hourly parking demand was on January 25, 2020 (Saturday) at 7:00 A.M. with 66.7 percent utilization.

At Solstice, the maximum weekday observed hourly parking demand was on January 16, 2020 (Thursday) at 7:00 A.M. with 67.7 percent utilization. The maximum weekend observed hourly parking demand at Solstice was on January 25, 2020 (Saturday) at 10:00 A.M. with 77.4 percent utilization.

Additionally, the applicant's consultant, Kimley Horn conducted research on multiple-family residential off-street parking requirements for National Parking Demand Rates and

Estimates which illustrated that the average peak period parking demand ratio is .90 under the Institute of Transportation Engineers (ITE) and 1.85 under the Urban Land Institute (ULI). KB Home representative developments averaged 2.4 spaces per unit. Additionally, the surrounding cities of Arcadia, Unincorporated North El Monte (County of Los Angeles), Montebello, Monterey Park, and Rosemead were also used in the comparison and averaged 2.5 spaces per unit.

The above-mentioned data showcases that the City of El Monte does have higher than typical off-street parking requirements for this type of residential use. As such, it is staff's assessment that while the project does not meet specific EMMC requirements, the proposed supply is adequate in comparison with a wide array of comparison standards (Attachment D).

Further, for the project to meet the off-street parking requirement, the size of each unit and/or the number of units would need to be significantly reduced. Having a multi-family project designed exclusively with small studio units is inconsistent with the City's goal to provide a variety of housing options and sizes for families.

- *Off-street parking stalls and no out-let driveways to encroach within the front yard setbacks along Orchard Street, Cypress Avenue, and Iris Lane* - Due to the intended multiple-family residential use and conditions applicable to the property, the applicant is also proposing that open stall nos. 1, 23, 24, and 63 encroach into the front yard setbacks along Orchard Street, Cypress Avenue and Iris Lane respectively. Additionally, no outlet driveways are proposed to encroach into the Cypress Avenue and Iris Lane front yard setbacks.

Irregular "L" shaped lot and the lot having three (3) diagonal frontages presents exceptional circumstances that do not generally apply to multiple-family residential uses in the same zone

- *Enclosed Parking Stalls at interior dimensions of approximately 19' x 20* - Each unit is required to provide an enclosed garage with a minimum of 20' x 20' dimensioned interior clearance. However, the applicant proposes a minimum of 19' x 20' dimensioned interior clearance.

By depriving the proposed project of the reduced enclosed parking stall dimensions, there would be additional shortage of enclosed parking spaces to accommodate the project's residents. Furthermore, strict application of the zoning ordinance in regards to the enclosed garage dimensional requirement would deprive the subject property of privileged enjoyed by other properties in the vicinity (which may have a regular rectangular shaped property) and under the identical zone classification.

<u>Setbacks (Modification No. 29-19):</u> To modify the required 20 foot first story setback along Cypress Avenue to a minimum of 18± feet with a second story setback from the first floor to zero feet, so that the second story overhangs from the first story. Additionally, to modify the Orchard Street second story front yard setback to project out by approximately one (1) foot. Also, the applicant is requesting that mechanical equipment be located within the front yard setbacks. The property is restricted due to its

irregular “L” shape, with three (3) diagonal lot frontages and utility easement that runs north and south through the entire lot. Zoning setback standards assume that residential lots are rectangular in shape. As such, these factors limit the area of the lot that is developable.

Wall Height (Modification No. 30-19): To modify the maximum allowable wall height to eight (8) feet (after the applicable front yard setbacks) and to allow an eight (8) foot high tubular steel fence and pilasters along Iris Lane. The subject site sits higher than adjacent residential properties. Providing an eight (8) foot high combination wall (two feet retaining with a six foot high screen wall on top) to minimize privacy impacts for the adjacent neighbors due to the multiple-family residential use of the proposed project. Further, while Iris Lane is considered a frontage, due to the multiple-family residential use of the site, it does not functionally serve as a primary street frontage like Orchard Street and Cypress Avenue.

Lot Size (Modification No. 36-19): To modify the lot size to exceed the maximum allowable FAR from 40 percent to a maximum of 81 percent. Due to the intended multiple-family use of the property, the size of each unit and/or the number of units would need to be significantly reduced to meet the FAR requirement. Having a multi-family project designed exclusively with small studio units is inconsistent with the City’s goal to provide a variety of housing options and sizes for residents. Having the project include a range of unit sizes and at the proposed density of a density of 19.92 units per acre would be more consistent with the vision and intent of the City’s General Plan and Zoning Ordinance.

Variance

The applicant is requesting a variance to deviate from the EMMC Open Space requirements as described below:

Private Open Space – The proposed development is requesting to deviate from private open space requirements as follows:

- Provide 13,948 square feet of private open space in lieu of the 20,800 square feet minimum private open space requirement;
- 24 townhomes (units 3, 4, 5, 6, 13, 14, 15, 16, 49, 50, 68, 69, 70, 71, 80, 81, 82, 83, 92, 93, 94, 95, 102, and 103) will not be provided with private open space;
- Private open space to encroach into the front yard setbacks along Cypress Avenue and Orchard Street facing units (units 1, 2, 19, 33, 59, 60, 61, 62, and 63); and
- Units 19, 33, 51 to 59 will have less than the minimum required 10 foot dimension but will have a minimum of 200 square feet in private open space area. All other units will be provided with less than the required 10 foot linear feet in width or length and less than a total 200 square feet of minimum private open space area per unit.

The private open spaces provided are in the form of enclosed, uncovered patios on the first floor. A detailed breakdown of private open space is provided in Attachment E.

Common Open Space - The proposed development is proposing the following common open space areas:

- 14,500 SF of “other” landscaped common open space (areas not meeting the minimum dimensions)
- 18,590 SF of walkways and “community trails” (areas not meeting the minimum dimensions)
- 1,427 SF of other open space – exercise and playground equipment
- 6,095 SF of “usable” common open space

The applicant is requesting a Variance to deviate from common open space requirements as follows:

- Deviate from the minimum required 15 feet of linear feet;
- Deviate from the minimum required total common open space area (40,612 square feet of common open space provided in lieu of the required 47,853 square feet);
- Allow a tot lot to encroach into the Iris Lane front yard setback; and
- Use of pedestrian pathways as a walking path to count towards open space.

Although the specific open space area and dimensions are not met, common open space amenities such as a tot lot and walking trails with strategically placed fitness equipment throughout the trails for occupants.

The Variance can be supported because there are exceptional conditions applicable to the intended 103 townhome use of the property applicable to private and common open space requirements. The property has three (3) lot frontages (in which required open space is not allowed) and no rear yard (in which required open space would be allowed).

Open space is allowed within required rear yard setbacks and the property does not have a rear yard. This is a highly unique circumstance not found with other properties located in the vicinity or with other properties that would be typical interior lots with only one lot frontage in the same Zoning District.

Recommended Site Plan and Elevation Changes

Since the project was originally submitted for 110 townhome units, the applicant has modified the proposed project to 103 townhome units. Staff further recommends the following changes to the site plan:

- Relocate open parking stalls within front yard setback along Orchard Street by shifting Building No. 13 closer to Orchard Street and relocating open parking stalls nos. 58 and 59 behind building 13, and relocated within the project site, if feasible.
- Remove parking stall no. 1 from the front of Building no. 1.
- The maximum height for Building No. 13 shall be two (2) stories and 28 feet in height for the first 40 feet from the Orchard Street setback.
- The maximum height for Building No. 13 shall be two (2) stories and 28 feet in height for the first 50 feet from the Orchard Street setback or the first 20 feet of the building, whichever is greater.

- The street facing portion of Building No. 13 shall be redesigned to match Building No. 14.

These changes would provide for a better design layout consistent with good planning principals and compatible with the residential neighborhood. Also, the changes would aesthetically enhance the site. Further, it would eliminate a portion of the off-street parking modification requests.

CITY REVIEW PROCESS:

Planning staff and other City Departments and Divisions have reviewed the proposed project through the City's internal application review process. This review process engages the various City Departments and Divisions (i.e., Planning, Building, Public Works/ Engineering, Transportation, Police and Los Angeles County Fire Department) to thoroughly evaluate land use and development proposals for conformity with the provisions established in the El Monte Municipal Code and Zoning code. Additionally, the review process ensures that each proposal is designed to be compatible with any existing land uses and structures nearby on neighboring properties.

Based upon the review of the project, staff believes that the proposed project's architecture and site improvements for the proposed site largely conforms to the requirements of the City's General Plan and Zoning Code and is compatible with the surrounding area. Conditions of approval are applied to the project to address potential compatibility issues and enhance the project to achieve greater consistency with the intent of the General Plan and Zoning Code.

ECONOMIC DEVELOPMENT BENEFITS:

The total estimated construction jobs the proposed project will create are approximately 59. Since the current site is valued at approximately $9.1 million. After the project is built, it is estimated at a value of $61.5 million, and is anticipated to generate a significant increase in property taxes.

ENVIRONMENTAL REVIEW:

An Initial Study (IS) and Mitigated Negative Declaration (MND) in compliance with the requirements of the California Environmental Quality Act (CEQA) was prepared by Kimley Horn, a professional environmental consulting firm specializing in CEQA documentation and compliance. The IS/MND is included as Attachment C. The IS/MND assessed the short-term, long-term and cumulative environmental impacts that could result from the proposed residential project.

The IS/MND analyzed the effects of the project on the following environmental factors, as required by CEQA:

- Aesthetics
- Biological Resources
- Greenhouse Gas Emissions
- Land Use/Planning
- Population/Housing
- Transportation/Traffic
- Agricultural Resources
- Cultural Resources
- Hazards & Hazardous Materials
- Mineral Resources
- Public Services
- Utilities/Service Systems
- Air Quality
- Geology/Soils
- Hydrology/Water Quality
- Noise
- Recreation
- Mandatory Findings of Significance

Factors with Mitigation

Based on the evaluation of environmental impacts, mitigation measures were provided to reduce potential impacts related to biological resources, cultural and tribal resources, geology/soils, hazards and hazardous materials, and noise. As such, Mandatory Findings of Significance were reduced to a less than significant level. All other issue areas were found to be less than significant or resulted in no impact. Following is a description of the topic areas that required mitigation and others requiring special study.

Biological Resources

While Project site and surrounding areas are fully improved and developed with urban built-up land uses, the proposed Project would result in removal of landscaped vegetation (trees and shrubs) on a portion of the Project site with the potential to support nesting migratory birds that are protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC). A mitigation measure is included which requires that during construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible.

If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the Project site shall be conducted by a qualified biologist within three (3) days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction.

Cultural and Tribal Resources

Although the site's archaeological resources sensitivity is low, the potential exists for the discovery of archaeological resources during ground disturbing activities. To address potential impacts to archaeological resources that may be discovered during ground-disturbing activities, a mitigation measure has been incorporated which details the appropriate steps should archaeological resources be encountered during ground-disturbing activities. Additionally, the project applicant is responsible for obtaining and compensating for the services of a Tribal monitor/consultant who is approved by the Gabrieleno Band of Mission Indians – Kizh Nation Tribal Government and listed under the Native American Heritage Commissions Tribal Contact List. The monitor would be

on site during ground disturbing activities and provide daily monitoring logs. Following compliance with aforementioned mitigation measure, the Project's potential impacts concerning the significance of an archaeological resource would be less than significant.

Geology and Soils
According to the IS/MND, the City is in a seismically active region but there are no faults in the City. The fault within the region could cause moderate to intense ground shaking during the Project's lifetime. The proposed Project is required to adhere to local and state regulatory standards that address seismic hazards and building design.

Moreover, the Geotechnical Investigation evaluated various geologic and seismic hazards (i.e., seismic ground shaking, liquefaction, total and differential settlement, surface displacement, landslides, slope instabilities, seismically-induced settlement, seismically-induced flooding, seismically-induced landslides, seiche, and tsunami) based on site-specific parameters, field exploration, laboratory testing, and data analysis. The Geotechnical Investigation concludes that, based on the data collected, the Project appears feasible from a geotechnical standpoint. A mitigation measure has been included which requires that the proposed Project comply with the Geotechnical Investigation's recommendations. The City's Building and Safety Department would review construction plans to verify the Project's compliance with the EMMC and the Geotechnical Investigation's recommendations.

Hazards and Hazardous Materials
The Project site is currently developed as an Industrial Business complex. Project site was occupied by multiple commercial/light industrial business uses from 1976 through 2014. Businesses include the following: Dunhill Chair (1976); Jayar Manufacturing Co (1976-2006); Golden West Industries (1980); Electra Food Machinery (1980-1985); Teds Decorating Inc. (1985-1995); Rainbow Textile Inc. (1995); and New Generation Decorative Doors (2014). Current and historical site operations have created several Recognized Environmental Conditions (RECs) and the presence of contamination on the Project site with the potential to impact future development. Chloroform, benzene, and PCE are the primary volatile organic compounds (VOCs) of concern at the Project site.

The following studies were conducted in conjunction with the IS/MND for the proposed project:

1. Phase I Environmental Site Assessment – Determined that the project site has the potential for vapor intrusion due to various factors. The groundwater beneath the Project site is part of the San Gabriel Valley Superfund Site and is documented to be impacted with various VOCs from point sources throughout the San Gabriel area.
2. Phase II Environmental Site Assessment Memo - Laboratory results reported low levels of VOCs in all soil vapor samples. The VOCs included chloroform, benzene, and tetrachloroethene (PCE). The Phase II ESA recommended that a Vapor Intrusion Human Health Risk Assessment (VIHHRA) be performed to determine if vapor barriers with vents are required for new residential development.
3. Remedial Action Plan - The RAP discusses a proposed plan of excavation and off-site disposal of petroleum-impacted soils above residential screening levels

and presents a plan for confirmation soil sampling to verify removal of the impacted soils to levels below the approved site cleanup goals. Additionally, the RAP presents a plan to determine if implementation of soil vapor barriers beneath the proposed residential buildings is required to mitigate against soil vapor intrusion into these residential buildings.

It is also noted that the applicant has been in communication with the Los Angeles Regional Water Quality Control Board (LARWQCB), Site Cleanup Unit 5, regarding the Phase I and Phase II Environmental Site Assessment reports. LAREQCB requested that the applicant work under the oversight of the Los Angeles Regional Water Quality Control Board or the Los Angeles County Fire Waste Mitigation Unit for complete assessment that addresses the human health concern to the satisfaction of these two agencies.

Following compliance with Mitigation Measures HAZ-1 through HAZ-5 listed in the IS/MND and in the mitigation monitoring plan, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. With mitigation, a less than significant impact would occur in this regard.

Noise

Sources of Noise in the Vicinity
A noise memorandum was prepared by Ricon Consultants, LLC., which describes the vehicular traffic on local roadways and train operations on the Metrolink-San Bernardino Railroad Line as the most common source of noise and vibration in the vicinity of the project site.

Cypress Avenue, Orchard Street, and Iris Lane are two-lane roadways as they pass the project site with posted speed limits of 25 miles per hour (mph). Ramona Boulevard is a four (4) lane major arterial as it passes through the project area with a posted speed limit of 35 mph. The City does not have traffic data for Cypress Avenue, Orchard Street, and Iris Lane as these are low volume residential collector streets. Typically, these streets carry a maximum average daily traffic (ADT) of 5,000. Approximately 76 percent of the total traffic occurs during the daytime, while 12 percent occurs during the evening hours, and 12 percent occurs during the nighttime. It is not anticipated that the additional number of units would generate sufficient traffic to result in a permanent increase in traffic noise levels.

The rail line southwest of the project site is the Metrolink-San Bernardino Railroad Line and Metrolink commuter trains and Union Pacific Railroad freight trains that operate along this railroad. The project site boundary would be approximately 200 feet northeast of the centerline of the Metrolink-San Bernardino Railroad Line, while the nearest proposed dwelling units would be slightly further than 200 feet northeast of the railroad centerline. According to the Metrolink schedule, a total of two commuter trains pass the project site between 4:00 p.m. and 7:00 a.m. Freight trains predominately operate outside the timeframe of passenger trains between 10:00 p.m. and 6:00 a.m.

According to the City's General Plan Noise Element (2011), a normally acceptable exterior noise exposure for single-family residences and townhomes would be less than 60 dBA CNEL while a conditionally acceptable exterior noise exposure would be between 60 and 70 dBA CNEL. Based on both 24-hour sound measurements in the Noise Memorandum, the project site is exposed to a CNEL of up 63 dBA; therefore, proposed on-site noise-sensitive residences would be exposed to a conditionally acceptable exterior noise level, which according to the City General Plan noise compatibility guidelines, requires incorporation of noise insulation features into project design, which are incorporated as a mitigation measure in the IS/MND.

As for vibration levels within proposed residences, it is estimated that at the same distance (200 feet) would be approximately 63 VdB (0.006 in/sec ppv) for commuter trains and 58 VdB (0.003 in/sec ppv) for freight trains. Although vibration levels would exceed the Federal Transit Administration (FTA) perceptibility threshold of 65 VdB, they would not exceed 75 VdB, which is the dividing line between barely perceptible and distinctly perceptible vibration for many people. The noise memorandum concluded that the proposed dwelling units would not be exposed to substantial levels of vibration from passing trains along the Metrolink-San Bernardino Railroad Line.

Noise Generated from the Project Site/Proposed Use

The Project is bordered primarily by residential and industrial uses. The nearest noise sensitive receptors to the Project site are residential uses adjoining to the north, south, east, and west. The existing stationary noise sources (i.e., loading/unloading activities, backup beepers, trucks idling, the use of forklifts and other mobile equipment, HVAC equipment, and surface parking lots) associated with the existing industrial business park would be demolished and replaced with stationary noise sources typical of residential uses.

Noise sources typical of residential uses include group conversations, pets, and general maintenance activities. Generally, noise levels from stationary sources are anticipated to decrease with the residential uses when compared to the existing industrial uses, since the existing surface parking lot and loading/unloading activities would cease. Further, noise from residential stationary noise sources would primarily occur during the "daytime" activity hours of 7:00 AM to 10:00 PM. Additionally, the residential uses would be required to comply with General Plan and EMMC noise standards.

Nominal parking noise would occur within the on-site shared driveways and visitor parking stalls. Each proposed unit would include a two-car garage, which would attenuate parking noise. It is also noted that parking noise occurs at the adjacent properties under existing conditions. Parking and driveway noise would be consistent with the existing noise in the site's vicinity and would be partially masked by background traffic noise from motor vehicles traveling along Ramona Boulevard and Cypress Avenue/Iris Lane. Actual noise levels over time resulting from parking activities are anticipated to be far below the City's noise standards. While noise impacts associated with the Project's parking lots would be less than significant, City staff has recommended a condition of approval which requires a whisper drive belt garage door openers that are significantly quieter than standard garage door openers to be installed for the new units.

Potential stationary noise sources related to long-term Project would include mechanical equipment (e.g., HVAC equipment), which typically generates noise levels of approximately 55 dBA at three feet. The HVAC units would be located approximately 20 feet from the closest sensitive receptors. At 20 feet, HVAC noise levels would be approximately 38.5 dBA. Ground-mounted HVAC equipment is anticipated to be attenuated by a solid property wall that would reduce noise levels to approximately 35.5 dBA. As noise levels would be below the City's most stringent noise standard of 45 dBA from 10:00 PM to 7:00 AM for single-family residential uses, noise impacts associated with HVAC equipment would be less than significant.

Noise from Construction
Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect residential neighborhoods surrounding a construction site. Project construction would occur adjacent to existing residential uses north, south, east, and west of the Project site. However, it is noted that construction activities would occur throughout the Project site and would not be concentrated at a single point near sensitive receptors. Compliance with the EMMC would minimize impacts from construction noise, as construction would be restricted to daytime hours on weekdays and weekends.

Mandatory Findings of Significance
With regards to the Mandatory Findings of Significance, the Initial Study identified various mitigation measures to address impacts related to Biological Resources, Cultural Resources, Hazards and Hazardous Materials and Noise. No new mitigation measures were included in this section.

Transportation and Traffic
Data presented in the Transportation/Traffic Section of the IS/MND was prepared by the Ganddini Group (Attachment H). The trips associated with the Project site's existing industrial uses at full occupancy were taken as a trip credit to offset the new trips that would be generated by the proposed Project. Although the number of trips generated by the existing industrial business park as compared to the proposed multi-family residential project is very similar, the characteristics of the traffic generated are different, with industrial business park uses generally including a much higher percentage of truck traffic.

The Project site's existing land uses are estimated to generate approximately 526 ADT on a typical weekday, including 62 AM peak hour trips and 62 PM peak hour trips. Since trucks generally utilize more capacity than a passenger car, like various jurisdictions throughout the region, El Monte requires land uses that generate a substantial amount of truck traffic (e.g., industrial and warehouse land uses), to convert truck trips into Passenger Car Equivalent (PCE) trips. For example, a large truck may be considered the equivalent of two passenger cars.
For purposes of this trip generation analysis, the Project site's existing trip generation was not converted to PCE trips; thus, providing a conservative estimate of the net Project trip generation, since trips generated by existing uses would be subtracted from

the proposed land use's trip generation forecast. As such, the proposed Project would generate approximately 824 ADT on a typical weekday, including 60 AM peak hour trips and 81 PM peak hour trips.

After being credited with the existing trips from the industrial use, the proposed Project is forecast to generate approximately 298 net new ADT, including -2 net AM peak hour trips and 19 net new PM peak hour trips.

The proposed Project is forecast to generate approximately 354 net new ADT, including -2 net AM peak hour trips and 19 net new PM peak hour trips. Since the proposed Project is forecast to generate fewer than 50 net new peak hour trips, the result is a less than significant traffic impact and further traffic analysis is not required. Further, the Project's daily and PM peak hour increase of 19 trips is considered negligible. Impacts would be less than significant, and no mitigation is required.

Further, the Project site is located within 0.5-mile radius of the El Monte Metrolink Station, located at 10925 Railroad Street, El Monte. As such, as such, the Project is screened from VMT analysis.

Public Review/Comment Period
A draft IS/MND for 110 units was released to the public between February 11, 2020 to March 2, 2020. The following comments were received:

1. Brian Dror, CPA, Barak, Richter & Dror, CPAs, February 18, 2020
2. Gabrieleno Band of Mission Indians/Kizh Nation, February 18, 2020
3. Renee Purdy, Executive Officer, Los Angeles Regional Water Quality Control Board, March 2, 2020
4. Adriana Raza, Customer Service Specialist, Facilities Planning Department, Sanitation Districts of Los Angeles County, March 2, 2020
5. Ronald M. Durbin, Chief. Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, March 10, 2020
6. Patrick A. Hennessey, Palmieri Hennessey & Leifer, LLP
7. Community Outreach Meeting February 26, 2020 Comments
8. Community Outreach Meeting July 8, 2020 Comments

Although not required by CEQA, Kimley Horn responded the comments and revised IS/MND where applicable. Attachment F provides a copy of the letters and summarizes the main issues raised with a brief response.

As a result, the project was redesigned from 110 to 103 residential units and mitigation measures were modified to address comments received. While the revised project with seven (7) fewer units did not trigger changes to the Initial Study or required additional mitigation measures, staff did revise the IS/MND to reflect the modified 103 residential unit project description and revised mitigation measures. The IS/MND and a Notice of Intent to Adopt a Mitigated Negative Declaration were circulated for public review in accordance with CEQA as of September 18, 2020 for a 30-day review period.

Public notices for the September 22, 2020 Planning Commission meeting were separately been mailed to property owners and occupants in accordance with the radius map provided in Attachment G. The notice was also published in the newspaper, and posted at the project site.

On September 10, 2020 City staff has received one (1) letter of opposition (Attachment J), from the property owner at 3620 Cypress Avenue (Abba Properties). This same letter was originally received on March 12, 2020.

PUBLIC OUTREACH:

Applicant Outreach Meetings

Beginning in March 2019, the applicant has been active in engaging and presenting the conceptual project to interested persons and to City review bodies. Prior to application submittal, the applicant conducted community outreach meetings with the surrounding residents and with City Officials to obtain preliminary feedback. The timeline of the meetings applicant initiated meetings are listed as follows:

March 18, 2019 – City Council Ad Hoc Development Review Committee.
March 12, 2019 – Planning Commission Special Study Session.
July 8, 2019 – Community outreach with surrounding neighbors at Our Lady of Guadalupe Church.

City Staff Outreach Meetings

When the applicant submitted entitlement applications to the City on July 19, 2019, the project was proposed at 110 townhome units with 51 open parking stalls. Following formal application submittal and due to the proposed General Plan Amendment and Zone Change, City staff conducted community outreach meetings on February 26, 2020 at City Hall West

During the February 26, 2020 Community Outreach meeting, a number of concerns and comments were presented to the Applicant and City staff related to density, privacy impacts, compatibility, traffic, public safety, off-street and on-street parking, property values, impacts to existing business operations at 3620 Cypress Avenue, and exacerbating existing traffic and parking issues from the assembly uses at Our Lady of Guadalupe Church, as set forth in Attachment F.

As a result of the February 26, 2020 meeting, the Applicant modified the Project in response to comments received. This Modified Project involved removing seven (7) DUs (decreasing the total number of 110 DUs to 103 DUs), as well as increasing setbacks, common open space, and guest parking spaces. Additional Project modifications include reducing height of one building facing Orchard Street from three- to two-story, adding an island at the main entry, and introducing textured paving to create a more pedestrian-friendly community.

On July 8, 2020 at the City of El Monte Cypress Transportation Yard, City staff held another outreach meeting. While some of the surrounding neighbors in attendance

voiced the same concerns as what was received during the February 26, 2020 community outreach meeting, there were some neighbors that voiced support. To date, the City has received 23 letters of support for the project as identified in Attachment I.

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL:

The Planning Commission will make a recommendation to the City Council, with the City Council making the final decision at a future noticed public hearing. In order to approve the project, the City Council is required to make certain findings. Sections 6 through 10 of the draft resolution contain recommended findings and Section 10 contains the conditions of approval for the City Council's consideration.

RECOMMENDATION:

Staff recommends that the Planning Commission evaluate the proposal and consider adoption of Resolution No. 3581 to:

A. Recommend the City Council adopt a Mitigated Negative Declaration with the mitigation measures contained therein; and

B. Recommend City Council approval General Plan Amendment No. 03-19, Zone Change No. 01-19, Tentative Vesting Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance No. 03-19, Modification No(s). 28-19, 29-19, 30-19, and 36-19, subject to conditions of approval, pursuant to specified findings of fact.

ATTACHMENTS:

A. Resolution No. 3581 with Recommended Findings and Conditions of Approval
B. Development Plans
C. IS/MND - https://www.ci.el-monte.ca.us/499/Current-Projects
D. KB Home Orchard Parking Technical Memorandum
E. Private Open Space Breakdown
F. Comment Letters and Response to Comments
G. Public Hearing Notice, Radius Map and Site Posting Photos
H. Traffic Generation Comparison Analysis Memorandum by Ganddini Group, Inc.
I. Letters of Support
J. Letter of Objection for Abba Properties

Attachment "A"

RESOLUTION NO. 3581

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. 03-19, ZONE CHANGE NO. 01-19, VESTING TENTATIVE TRACT MAP NO. 82797, VARIANCE NO. 03-19, CONDITIONAL USE PERMIT NO. 20-19, AND MODIFICATION NOS. 28-19, 29-19, 30-19, AND 36-19 AND THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION TO DEMOLISH 159,100± SQUARE FEET OF EXISTING INDUSTRIAL DEVELOPMENT AND DEVELOP 103 TOWNHOMES WITH ATTACHED TWO-CAR GARAGES ON A 5.24 ACRE PROPERTY LOCATED AT 11312 ORCHARD STREET, AND 3630, 3640, AND 3700 CYPRESS AVENUE, IDENTIFIED AS APNS 8568-026-002, -034, -035, AND -053, 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. That on July 25, 2019, KB Home Greater Los Angeles, Inc. Attn: David Lelie, LEED AP, 25152 Springfield Court, Suite 250, Valencia, California 91355, filed an application for General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance 03-19, and Modifications 28-19, 29-19, 30-19, and 36-19, requesting approval to demolish 159,100± sf of existing industrial buildings and construct 103 townhomes on property that is 5.24± acres in size. The project also requires the adoption of Mitigated Negative Declaration.

SECTION 2. This request is made pursuant to the requirements of Chapters 16.10, 17.26, 17.24, 17.26, 17.20, and of the El Monte Municipal Code (EMMC). The property is located at 11312 Orchard Street, 3630, 3640, and 3700 Cypress Avenue, El Monte, California, and described as follows, to-wit:

APNs: 8568-026-002, -034, -035, and -053

Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance 03-19, and Modifications 28-19, 29-19, 30-19, and 36-19, requesting approval to construct 103 townhomes on property that is 5.24± acres in size, and a Mitigated Negative Declaration before this Planning Commission on September 22, 2020, at which time, all interested persons were given full opportunity to be heard and present evidence.

SECTION 3 - ZONING. That the project site encompasses four parcels and is located north of Iris Lane, south of Orchard Street and east of Cypress Avenue within the M-2 and R-3 zoning designation. The property is currently developed 159,100± sf of industrial uses. The surrounding zoning and land use of the adjacent properties are as follows:

	Zoning:	Land Use:
North:	R-1A & R-3	Multi-family apartment complex and a vacant lot.
South:	M-2 & R-3	Industrial and Single-Family Residential
East:	R-3 & C-1	Office and Vacant Land
West:	M-2 & R-3	City Transportation Yard and Single-Family Residential

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, an Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared to assess the short-term, long-term and cumulative environmental impacts that could result from the proposed project and identify any required mitigation measures to reduce environmental impacts to less than significant. Possible impacts identified in the IS/MND include issues associated with biological resources, cultural resources, geology and soils, hazards and hazardous materials, Noise, and tribal cultural resources. The IS/MND and supporting documentation were made available for public review which began on February 11, 2020 and ended on March 2, 2020 pursuant to CEQA Guidelines Section 15070 for a 110 townhome unit project. As a result, of the comments and letters receive, the project was redesigned from 110 to 103 residential units and mitigation measures were modified to address comments received.

While the revised project with seven (7) fewer units did not trigger changes to the Initial Study or required additional mitigation measures, staff did recirculate the IS/MND because of the modified 103 residential unit project description and revised mitigation measures. This “IS/MND” for the modified project was recirculated on September 18, 2020. Mitigation measures (Section 11 of this resolution) incorporated into the project, and agreed to by the applicant, will reduce the impacts to less than significant. The Planning Commission hereby recommends that the City Council adopt the IS/MND for the modified project, with the City Council making the final decision at a future noticed public hearing

SECTION 5 – GENERAL PLAN. The Planning Commission hereby recommends City Council approval of General Plan Amendment (GPA No. 03-19) to change the 2011 El Monte General Plan land use designation for the subject site from Industrial Business Park and Medium Density Residential to High Density Residential for the properties at 11312 Orchard Street, 3630, 3640, and 3700 Cypress Avenue in accordance with Attachment “A.”

El Monte, like many first ring suburbs of Los Angeles, businesses were located near residential neighborhoods. The existing industrial uses are an example businesses located in residential neighborhoods. Also, Cypress Avenue was once directly connected to Ramona Boulevard, which made access to the industrial properties such as the subject site feasible. It was also common for such properties industrial properties to be located along Ramona Boulevard they were near railroad tracks. Now, the site is only accessible through Orchard Avenue which primarily serves a residential neighborhood.

Specifically, the proposed 103 townhome community would provide a quality neighborhood and enhance the existing residential neighborhood in that it provides new housing opportunities in El Monte. The Land Use Element Goal LU-4 states that "…complementary balance of land uses that provide adequate opportunities for housing, economic activity, transportation, parks, and recreation to support an exemplary quality of life and a sustainable community." Further, the following land use element policies are met with the proposed General Plan Amendment:

- 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. *The proposed project would provide new market-rate housing opportunities. Additionally, the applicant intends to provide affordable units within the proposed 103 residential unit community.*
- LU-4.2 – **Neighborhoods.** Develop strong residential neighborhoods that are distinguished by district architecture, parks and open space, public facilities and services, and public involvement in their planning and improvement. *The proposed 103 residential unit development would be distinguished in that the architecture is designed in a modern Spanish architecture style. Further, the new community proposes open space amenities such as a tot lot and walking trails with strategically placed fitness equipment throughout the trails for occupants.*

The proposed General Plan Amendment is also consistent with the Housing Element of the 2011 General Plan. Specifically, it is noted that the City of El Monte's population is projected to increase. The proposed General Plan Amendment would accommodate the projected population increase by providing 103 residential units.

Additionally, Section 65583 of the Government Code sets forth requirements and obligations of local cities to provide their "fair share" of regional housing needs, which are approved by the California Department of Housing and Community Development (HCD). The City has been allocated a total production goal of 2,142 housing units between 2014-2021. Of the 2,242 unit production goal, 946 of those units would be allocated for above moderate household incomes. State law requires cities to facilitate the achievement of these housing goals by making available adequate sites to accommodate new housing and to encourage housing production. While the City desires to provide adequate housing opportunities for its residents and workforce, it also recognizes that through infill development, housing production can serve other goals, including physically improving neighborhoods. The proposed General Plan Amendment would contribute to the housing production goal by adding 103 residential units through

infill development, which would also enhance the site and neighborhood by eliminating an industrial development within a residential neighborhood. Further, the housing element goal to accommodate new housing policies are met with the proposed General Plan Amendment:

- 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. *The subject site is an adequate site for the proposed project in that it is an existing incompatible industrial development located within a residential neighborhood. The existing industrial development would be eliminated to provide for more housing in an appropriate location in the City.*

In summary, the Planning Commission finds that the proposed General Plan Amendment is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the 2011 El Monte General Plan.

SECTION 6 – GENERAL PLAN AND ZONING MAP AMENDMENT FINDINGS. That all necessary findings for the granting of a General Plan and Zoning Map Amendment pursuant to Chapter 17.26 of the El Monte Municipal Code can be made in a positive manner and are as follows:

A. The proposed amendments are internally consistent with the General Plan and Zoning Ordinance

Finding of Fact:
The requested General Plan and Zoning Map amendments will change the General Plan Land Use Designations from Industrial/Business Park (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and Medium-Density Residential (3700 Cypress Avenue) to High-Density Residential and the designated Zoning Districts from General Manufacturing Zone (M-2) (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and Medium-Density multiple-family residential zone (R-3) (3700 Cypress Avenue) to High-Density multiple-family dwelling zone (R-4), both of which are consistent with the current designations found in the General Plan and Zoning Ordinance in that the maximum allowable density provided for the High-Density Residential General Plan land use designation matches the maximum allowable density allowed in the R-4 zone.

B. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Finding of Fact:

As a part of the General Plan and Zoning Map amendment applications and in accordance with the California Environmental Quality Act (CEQA), a Draft Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the proposed project and released to the public on February 11, 2020 for 20-day review period. Comments received have been reviewed and responses thereto incorporated into the IS/MND. All required notifications shall be provided prior to adoption of the IS/MND pursuant to

CEQA (Public Resources Code Section 21092.5) and the CEQA Guidelines. Although not required by state law or regulation, the City shall respond to comments to the IS/MND prior to consideration of adoption by the City Council.

The IS/MND analyzes potentially significant impacts and mitigation measures are provided to lessen potential impacts related to biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, and tribal cultural resources as described in Section 11 of this resolution. With these measures, there are no significant environmental impacts associated with the project. Amending the General Plan and Zoning Map for this project, based on this analysis, will have no detrimental effects in these areas.

C. The proposed amendments would maintain the appropriate balance of land uses within the City; and

Finding of Fact:
The General Plan and Zoning Map amendments are requested in conjunction with the demolition of an existing 159,100± sf industrial development and the construction of 103 townhomes on a 5.24± acre site, which would be more consistent, complementary, and compatible than the existing industrial development within the existing surrounding residential land uses. By approving the General Plan and Zoning Map amendments, a complementary balance of medium density and high density residential land uses would provide adequate opportunities for housing would be accomplished within this neighborhood rather than continuing the imbalance of industrial and residential uses.

D. In the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation(s) and the anticipated land use development(s).

Finding of Fact:
The General Plan and Zoning Map amendments are requested in conjunction with the demolition of an existing 159,100± sf industrial development and the construction of 103 townhomes. The subject site, at 5.24± acres in size, is physically suitable for the proposed 103 townhomes and is more compatible with the adjoining land residential land uses than the existing industrial uses. Public Works Engineering staff and the City of El Monte Water Department has verified that existing utilities can accommodate the additional 103 townhomes.

SECTION 7 – VESTING TENTATIVE TRACT MAP FINDINGS. That all necessary findings for the granting of a Vesting Tentative Tract Map No. 82797 (VTTM No. 82797) to consolidate four (4) parcels and subdivide for 103 townhome condominium units pursuant to Section 16.10.103 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 proposed map is consistent with the applicable general plan in that in addition to VTTM No. 82797, the proposed development includes an application for Conditional Use Permit to allow the development of 103 townhomes. With the approved General Plan amendment, the site will have a General Plan Land Use Designation of High-Density Residential and will be zoned R-4. Multiple-Family residential development is consistent with the amended General Plan designation.

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

Finding of Fact:
The design and improvement of the proposed subdivision is consistent with the general plan in that the Community Design Element Policy (CD-9.8). Specifically, this policy requires that new multifamily residential developments be designed to convey a high level of visual and physical quality. The proposed development meets this policy in that it is designed in contemporary Spanish architectural style and includes character defining features of this style which include low-pitched hipped roofs covered in roof tiles, smooth stucco finish, and arched windows and doorways. Additionally, the gable openings are treated with decorative vent pipes consistent with the proposed architecture. Additionally, CD-9.8 specifies that architectural treatment of building elevations and modulation of mass to convey the character of separate units is accomplished because the design of the buildings have variations in roof and wall design to ensure that the appearance of separate units within the building. As designed, the proposed project will improve the appearance of the subject site from the current industrial development.

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

Finding of Fact:
The subject site, at 5.24± acres in size, is physically suitable to accommodate construction of 103 townhomes and related site improvements in that the site is relatively flat and is surrounded by residential uses. The site is 5.24± acres in size with frontage along Orchard Street, Cypress Avenue, and Iris Lane. Vehicular and pedestrian access is adequately provided from Orchard Street and Cypress Avenue. As designed, the proposed project plans have demonstrated that the site is physical suitable.

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

Finding of Fact:
The site is physically suitable for the proposed density of development in that the land use designation for the subject site is proposed to be amended to High Density Residential in conjunction with VTTM No. 82797. Per the City's 2011 General Plan land use map, this land use designation is intended for townhomes, such as the proposed development and allows 25 residential dwelling units per acre. Since the project

proposes a density of 19.92 units per acre, it falls within the established density outlined by the General Plan.

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:
In accordance with the CEQA an IS/MND was prepared for the proposed project and released to the public on February 11, 2020, for 20-day review period, received have been reviewed and responses thereto incorporated into the IS/MND as part of the project redesign from 110 to 103 residential units. Mitigation measures were also adjusted in the IS/MND to address comments received.

The IS/MND was recirculated on September 18, 2020 for a 30-day review period. Mitigation measures (Section 11 of this resolution) incorporated into the project, and agreed to by the applicant, will reduce the impacts to less than significant.

All required notifications for the IS/MND shall be provided pursuant to CEQA (Public Resources Code Section 21092.5) prior to consideration of adoption by the City Council and all comment letters to date have been incorporated into the Final IS/MND. All required notifications shall be provided prior to adoption of the Modified IS/MND pursuant to CEQA (Public Resources Code Section 21092.5) and the CEQA Guidelines. Although not required by state law or regulation, the City shall respond to comments to the IS/MND prior to consideration of adoption by the City Council. The IS/MND analyzes potentially significant impacts and mitigation measures are provided to lessen potential impacts related to cultural and tribal resources, geology/soils, hazards and hazardous materials as described in Section 11 of this resolution. With these measures, there are no significant environmental impacts associated with the project.

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 design of the subdivision and type of improvements will not cause serious public health problems in that 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 and requirements from the Building and Safety Division, Engineering Division/Public Works Department, and Fire Department.

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 Vesting Tentative Tract 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).

SECTION 8 – CONDITIONAL USE PERMIT FINDINGS. That all necessary findings for the granting of a Conditional Use Permit to construct three or more residential units 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 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 proposed development is permitted in the R-4 (High Density Multiple-Family Residential) zone, and is compatible with the adjacent residential uses, all of which are consistent within the R-4 zone. With the exception of the requested Variance and Modifications, the project will meet all City Codes and standards, and will have appropriate conditions of approval, that will ensure that the project will not be detrimental to the health, safety or general welfare of the community. As discussed in the Project Summary Table, the Zoning Ordinance Consistency section and Land Use Compatibility section, the project will have development characteristics that are compatible with and not detrimental to either existing or proposed surrounding development.

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

Finding of Fact:
Pursuant to Sections 17.24.040(40) and 17.42.010 of the El Monte Municipal Code, the proposed 103 townhomes consists of of three or more units, which would be permitted with the approval of a Conditional Use Permit with the incorporated conditions of approval.

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:
With the exception of the requested Variance and Modifications, the site for the proposed use is adequate in size and shape. The subject site for the proposed 103 townhomes is 5.24± acres in size and is irregularly shaped in that it resembles an "L" shaped lot with frontage along Orchard Street, Cypress Avenue, and Iris Lane. Additionally a utility easement runs through the middle of the lot which makes development of this size and scope challenging. However, the proposed layout takes this irregular "L" shaped lot into account and and overall the site has been designed with adequate yards, spaces, walls, fences, parking, and landscaping to enhance the subject site and surrounding area.

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 abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed 103 townhomes. Specifically, vehicular access to the site will be via new driveways located on Orchard Street and Cypress Avenue, both of which are local streets which serve residential neighborhoods. Local streets are also the primary means for residents to get around to their local neighborhood. Orchard Street connects to Ramona Boulevard, a secondary arterial, which carry traffic from one part of the community to another and are connected to major arterials. A net project trip generation was prepared, which took into consideration the trips forecasted with the proposed project minus the trips estimated to be generated by the existing industrial park land uses, which yielded 298 net average daily traffic (ADT), which did not warrant the preparation of a traffic study. Further, the Project site is located within 0.5-mile radius of the El Monte Metrolink Station, located at 10925 Railroad Street, El Monte. As such, the Project is screened from further VMT analysis.

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 proposed conditional use permit would not adversely affect the purpose, goals, and policies of the El Monte General Plan in that the design and improvement of the proposed subdivision is consistent with the general plan in that the Community Design Element Policy (CD-9.8). Specifically, this policy requires that new multifamily residential developments be designed to convey a high level of visual and physical quality.

The proposed development meets this policy in that it is designed in contemporary Spanish architectural style and includes character defining features of this style which include low-pitched hipped roofs covered in roof tiles, smooth stucco finish, and arched windows and doorways. Additionally, the gable openings are treated with decorative

vent pipes consistent with the proposed architecture. Additionally, CD-9.8 specifies that architectural treatment of building elevations and modulation of mass to convey the character of separate units is accomplished because the design of the buildings have variations in roof and wall design to ensure that the appearance of separate units within the building. As designed, the proposed project will improve the appearance of the subject site from the current industrial development.

SECTION 9 – MODIFICATION FINDINGS. That all necessary findings for the granting of a Modifications Nos. 28-19, 29-19, 30-19, and 36-19 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:
Modifications (MOD) Nos. 28-19, 29-19, 30-19, and 36-19 are being requested pursuant to Chapter 17.20 to permit design flexibility for the development. There are conditions applicable to the property involved in that the subject site that do not generally apply to properties in the same zone or vicinity for the intended use of 103 townhome units.

Staff finds that the Modification can be supported due to the intended multiple-family residential use and a variety of conditions of the property. These conditions are:

- The subject site is 5.24± acres in size and is irregularly "L" shaped;
- A significant utility easement runs north to south through the entire site renders a large portion of the lot undevelopable; and
- The lot has three (3) diagonal frontages along Orchard Street, Cypress Avenue, and Iris Avenue with no rear yard setback

The Modification requests are detailed as follows:

Off-street parking (Modification No. 28-19): To modify the off-street parking requirements by reducing the parking requirements allow off-street parking stalls and no out-let driveways to encroach within the front yard setback along Orchard Street, Iris Lane, and Cypress Avenue, and for enclosed parking stalls at interior dimensions of approximately 19' x 20'. Each request is described as follows:

Off-Street parking requirements: The proposed development is required to provide 394 total of off-street parking (188 open off-street parking stalls and 206 enclosed garage spaces). While the proposed project is compliant with the 206 enclosed garage spaces, the applicant proposes 63 open off-street parking stalls in lieu of the required 188 open stalls. Irregular "L" shaped lot and the lot having three (3) diagonal frontages presents exceptional circumstances that do not generally apply to multiple-family residential uses in the same zone.

For the project to meet the off-street parking requirement, the size of each unit and/or the number of units would need to be significantly reduced. Having a multi-family

project designed exclusively with small studio units is inconsistent with the City's goal to provide a variety of housing options and sizes for families.

Off-street parking stalls and no out-let driveways to encroach within the front yard setbacks along Orchard Street, Cypress Avenue, and Iris Lane - Due to the intended multiple-family residential use and conditions applicable to the property, the applicant is also proposing that open stall nos. 1, 23, 24, 58, and 59 encroach into the front yard setbacks along Orchard Street, Cypress Avenue and Iris Lane respectively. Additionally, no outlet driveways are proposed to encroach into the Cypress Avenue and Iris Lane front yard setbacks. Irregular "L" shaped lot and the lot having three (3) diagonal frontages presents exceptional circumstances that do not generally apply to multiple-family residential uses in the same zone

Enclosed Parking Stalls at interior dimensions of approximately 19' x 20 - Each unit is required to provide an enclosed garage with a minimum of 20' x 20' dimensioned interior clearance. However, the applicant proposes a minimum of 19' x 20' dimensioned interior clearance. By depriving the proposed project of the reduced enclosed parking stall dimensions, there would be additional shortage of enclosed parking spaces to accommodate the project's residents. Furthermore, strict application of the zoning ordinance in regards to the enclosed garage dimensional requirement would deprive the subject property of privileged enjoyed by other properties in the vicinity (which may have a regular rectangular shaped property) and under the identical zone classification.

Setbacks (Modification No. 29-19): To modify the required 20 foot first story setback along Cypress Avenue to a minimum of 18± feet with a second story setback from the first floor to zero feet, so that the second story overhangs from the first story. Additionally, to modify the Orchard Street second story front yard setback to project out by approximately 1 foot. Also, the applicant is requesting that mechanical equipment be located within the front yard setbacks. The property is restricted due to its irregular "L" shape, with three diagonal (3) lot frontages and utility easement that runs north and south through the entire lot. Zoning setback standards assume that residential lots are rectangular in shape. As such, these factors limit the area of the lot that is developable.

Wall Height (Modification No. 30-19): To modify the maximum allowable wall height to eight (8) feet (after the applicable front yard setbacks) and to allow an eight (8) foot high tubular steel fence and pilasters along Iris Lane. The subject site sits higher than adjacent residential properties. Providing an eight (8) foot high combination wall (two feet retaining with a six foot high screen wall on top) to minimize privacy impacts for the adjacent neighbors due to the multiple-family residential use of the proposed project. Further, while Iris Lane is considered a frontage, due to the multiple-family residential use of the site, it does not functionally serve as a primary street frontage like Orchard Street and Cypress Avenue.

Lot Size (Modification No. 36-19): To modify the lot size to exceed the maximum allowable FAR from 40% to a maximum of 81%. Due to the intended multiple-family use of the property, the size of each unit and/or the number of units would need to be significantly reduced to meet the FAR requirement. Having a multi-family project

designed exclusively with small studio units is inconsistent with the City's goal to provide a variety of housing options and sizes for residents. Having the project include a range of unit sizes and at the proposed density of a density of 19.92 units per acre would be more consistent with the vision and intent of the City's General Plan and Zoning Ordinance.

B. The granting of the Modifications 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 granting of the modifications 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 because conditions of approval have been incorporated into the project to ensure that the proposed project will not be materially detrimental to the vicinity in which the property is located. 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.

Further, in accordance with the CEQA an IS/MND was prepared for the proposed project and released to the public on February 11, 2020, for 20-day review period, received have been reviewed and responses thereto incorporated into the IS/MND as part of the project redesign from 110 to 103 residential units. Mitigation measures were also adjusted in the IS/MND to address comments received.

The IS/MND was recirculated on September 18, 2020 for a 30-day review period. Mitigation measures (Section 11 of this resolution) incorporated into the project, and agreed to by the applicant, will reduce the impacts to less than significant.

All required notifications for the IS/MND shall be provided pursuant to CEQA (Public Resources Code Section 21092.5) prior to consideration of adoption by the City Council and all comment letters to date have been incorporated into the Final IS/MND. All required notifications shall be provided prior to adoption of the IS/MND pursuant to CEQA (Public Resources Code Section 21092.5) and the CEQA Guidelines. Although not required by state law or regulation, the City shall respond to comments to the IS/MND prior to consideration of adoption by the City Council. The IS/MND analyzes potentially significant impacts and mitigation measures are provided to lessen potential impacts related to cultural and tribal resources, geology/soils, hazards and hazardous materials as described in Section 11 of this resolution. With these measures, there are no significant environmental impacts associated with the project.

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:
There are special circumstances applicable to the subject property in relation to size and shape which would deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications in that the lot is:

- The subject site is 5.24± acres in size and is irregularly "L" shaped;
- A significant utility easement runs north to south through the entire site renders a large portion of the lot undevelopable; and
- The lot has three (3) diagonal frontages along Orchard Street, Cypress Avenue, and Iris Avenue, with no rear yard.

In order to provide a high quality living environment for families consistent with the housing element of the General Plan, the proposed modifications are necessary.

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

Finding of Fact:
The granting of the modifications will not affect the comprehensive General Plan in that the proposed 103 townhomes would contribute to the diversity of quality housing types and prices that meets the needs of residents, support the economic development and revitalization, and provide opportunities for residents of all ages and income levels (Housing Element, Goal No. 3). Further, under the Regional Housing Needs Assessment (RHNA) the City has been allocated a total production goal of 2,142 housing units for the period of 2014-2021. As such, the proposed project would contribute to the housing production goals. Further, housing production goals allocates five (5) units for affordable household income levels. To assist the City in meeting these goals, the applicant is working with Habitat for Humanity to provide five (5) affordable units on the site. As outlined above, the granting of such modification will not adversely affect the comprehensive General Plan.

SECTION 10 – VARIANCE FINDINGS. That all necessary findings for the granting of a Variance 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: Variance (VAR) No.03-19 is being requested pursuant to Chapter 17.20 to permit design flexibility for the development. Due to the proposed multiple-family

residential development, there are conditions applicable to the property involved in that the subject site that do not generally apply to properties in the same zone or vicinity for the intended use of 103 townhome units.
Staff finds that the Variance can be supported due to the intended multiple-family residential use and a variety of factors of the property. These conditions are:

- The subject site is 5.24± acres in size and is irregularly "L" shaped;
- A significant utility easement runs north to south through the entire site renders a large portion of the lot undevelopable; and
- The lot has three (3) diagonal frontages along Orchard Street, Cypress Avenue, and Iris Avenue and no rear yard.

Per EMMC Section 17.42.020.H, the required usable open space shall be calculated at 25% of the gross living area or 600 square feet, whichever is greater for each dwelling unit. In this case, the proposed project is required 600 square feet of useable open space per unit. At least 200 square feet of the required open space shall be in private open space contiguous to each unit. The remaining usable open space shall be private or common. Contiguous private open space shall have a minimum dimension of 10 linear feet horizontally in each direction. All areas qualifying as useable open space shall have a minimum dimension of 15 linear feet horizontally in each direction. The following areas shall not be used in calculating required useable open space: required front and street side yard and pedestrian pathways.

The Variance to deviate from private and common open space requirements is described as follows:

<u>Private and Common Open Space (Variance No. 03-19)</u>: A total of 61,800 square feet of total open space is required, while 54,600± square feet of total open space is proposed. Of the required total open space amount, 20,800 square feet minimum is required to be private open space (200 minimum square feet per unit). In this case, the developer is proposing a total of 13,947 square feet of private open space, which is deficient in minimum private open space requirements. The remainder of the total open space less the private open space is calculated at 47,853 square feet. The specific deviations from the EMMC Open Space requirements are described below:

Private Open Space – The proposed development is requesting to deviate from private open space requirements as follows:

- Provide 13,947 square feet of private open space in lieu of the 20,800 square feet minimum private open space requirement;
- 24 townhomes (units 3, 4, 5, 6, 13, 14, 15, 16, 49, 50, 68, 69, 70, 71, 80, 81, 82, 83, 92, 93, 94, 95, 102, and 103) will not be provided with private open space;
- Private open space to encroach into the front yard setbacks along Cypress Avenue and Orchard Street facing units (units 1, 2, 19, 33, 59, 60, 61, 62, and 63); and
- Units 19, 33, 51 to 59 will have less than the minimum required 10 foot dimension but will have a minimum of 200 square feet in private open space area. All other units will be provided with less than the required 10 foot linear

feet in width or length and less than a total 200 square feet of minimum private open space area per unit.

The private open spaces provided are in the form of enclosed, uncovered patios on the first floor.

The restricted conditions of the property are: Irregular “L” shape, three (3) diagonal lot frontages, and a utility easement that runs north and south through the entire lot. These factors limit the area of the lot that is developable and therefore provides challenges for the multiple-family residential development to provide the minimum required private open space.

Common Open Space - The proposed development is requesting to deviate from common open space requirements as follows:

- Deviate from the minimum required 15 feet of linear feet;
- Deviate from the minimum required total common open space area (40,612 square feet of common open space provided in lieu of the required 47,853 square feet);
- Allow a tot lot to encroach into the Iris Lane front yard setback; and
- Use of pedestrian pathways as a walking path

Although the specific open space area and dimensions are not met, common open space amenities such as a tot lot and walking trails with strategically placed fitness equipment throughout the trails for occupants.

The Variance can be supported because there are exceptional conditions applicable to the intended 103 townhome use of the property applicable to private and common open space requirements. The property has three (3) lot frontages (in which required open space is not allowed) and no rear yard (in which required open space would be allowed). Open space is allowed within required rear yard setbacks and the property does not have a rear yard. This is a highly unique circumstance not found with other properties located in the vicinity or with other properties that would be typical interior lots with only one lot frontage in the same Zoning District.

B. The granting of the Variance 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 granting of the Variance would 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 because conditions of approval have been incorporated into the project to ensure that the proposed project will not be materially detrimental to the vicinity in which the property is located. 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.

Further, in accordance with the CEQA an IS/MND was prepared for the proposed project and released to the public on February 11, 2020, for 20-day review period, received have been reviewed and responses thereto incorporated into the IS/MND as part of the project redesign from 110 to 103 residential units. Mitigation measures were also adjusted in the IS/MND to address comments received.

The IS/MND was recirculated on September 18, 2020 for a 30-day review period. Mitigation measures (Section 11 of this resolution) incorporated into the project, and agreed to by the applicant, will reduce the impacts to less than significant.

All required notifications for the IS/MND shall be provided pursuant to CEQA (Public Resources Code Section 21092.5) prior to consideration of adoption by the City Council and all comment letters to date have been incorporated into the Final IS/MND. All required notifications shall be provided prior to adoption of the IS/MND pursuant to CEQA (Public Resources Code Section 21092.5) and the CEQA Guidelines. Although not required by state law or regulation, the City shall respond to comments to the IS/MND prior to consideration of adoption by the City Council. The IS/MND analyzes potentially significant impacts and mitigation measures are provided to lessen potential impacts related to cultural and tribal resources, geology/soils, hazards and hazardous materials as described in Section 11 of this resolution. With these measures, there are no significant environmental impacts associated with the project.

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:
There are special circumstances applicable to the subject property in relation to size and shape which would deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications in that the lot is:

- The subject site is 5.24± acres in size and is irregularly “L” shaped;
- A significant utility easement runs north to south through the entire site renders a large portion of the lot undevelopable; and
- The lot has three frontages along Orchard Street, Cypress Avenue, and Iris Avenue and no rear yard.

In order to provide a high quality living environment for families consistent with the housing element of the General Plan, the proposed variance is necessary.

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

Finding of Fact:
The granting of the modifications will not affect the comprehensive General Plan in that the proposed 103 townhomes would contribute to the diversity of quality housing types and prices that meets the needs of residents, support the economic development and revitalization, and provide opportunities for residents of all ages and income levels (Housing Element, Goal No. 3). Further, under the Regional Housing Needs Assessment (RHNA) the City has been allocated a total production goal of 2,142 housing units for the period of 2014-2021. As such, the proposed project would contribute to the housing production goals. Further, housing production goals allocates five (5) units) for affordable household income levels. To assist the City in meeting these goals, the applicant is working with Habitat for Humanity to provide five (5) affordable units on the site. As outlined above, the granting of such modification will not adversely affect the comprehensive General Plan.

SECTION 11 – APPROVALS AND CONDITIONS. The Planning Commission does hereby recommend the City Council approve General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance 03-19, and Modifications 28-19, 29-19, 30-19, and 36-19 and the adoption of the Mitigated Negative Declaration for this project in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines, as amended, subject to the following conditions:

GENERAL

1. The project shall substantially conform to General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance 03-19, and Modifications 28-19, 29-19, 30-19, and 36-19 and the associated plans presented Planning Commission on September 22, 2020 and to the City Council on _____.

2. The Vesting 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 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 Conditional Use Permit No. 20-19, Variance No. 03-19, and Modification Nos 28-19, 29-19, 30-19, and 36-19 shall be effective for the term of the Vesting Tentative Tract Map No. 82797 and for a period of 12 months following the date of recordation of the map; provided however, that prior to such date, building permits shall have been obtained or a time extension for Conditional Use Permit No. 20-19, Variance No. 03-19, and Modification Nos. 28-19, 29-19, 30-19, and 36-19 shall have been approved by the Planning Commission.

4. This approval is subject to a Mitigation Monitoring and Reporting Program, incorporated into this resolution as Exhibit “A” attached hereto and made a part hereof.

5. A signed copy of the approving resolution of the Planning Commission shall be incorporated into the construction plans that are to be submitted to the Building and Safety for plan check.

6. All applicable conditions shall be met or deemed to have been addressed by the Community and Economic Development Director or designee prior to final inspection and prior to either issuance of building permits or occupancy of any buildings.

7. All Planning Division, Building and Safety 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.

8. All City and Los Angeles 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 City Council Resolution within fifteen (15) days following the adoption of the City Council Resolution.

PRICE-RESTRICTED UNITS

10. Applicant hereby covenants to restrict the sale price of five (5) of the townhome units for sale to buyers with a household income that does not exceed 120% of local area median income.

11. The price-restricted units shall be selected by the developer and offered at a price of $409,000 for a two-bedroom unit and $450,000 for a three-bedroom unit, with the pricing to further increase or decrease based upon the increase or decrease in the Consumer Price Index for Los Angeles-Long Beach-Anaheim.

12. Applicant shall select income-eligible buyers for the sale of such price-restricted units through the assistance of a non-profit organization. Should one or more such price-restricted units remain unsold after reasonable efforts by the applicant and its selected non-profit organization, the City shall have a period of 180 days to identify income-eligible buyers for the remaining price-restricted units. If a price-restricted unit is sold to an income-eligible buyer, the affordability restriction shall remain in effect in perpetuity in accordance with an appropriate deed restriction.

13. Should one or more such price-restricted units remain unsold after reasonable efforts by the City efforts during the 180-day referenced above, the applicant may select buyers for the sale of the remaining price-restricted units and shall be authorized to sell such remaining units to one or more buyers whose household income may exceed 120% of local area median income.

14. Within 10 days of the close of escrow for a price-restricted unit to an income-eligible buyer, applicant shall provide the Community and Economic Development Director with a true and correct copy of applicable escrow documents evidencing the sale of such units at the price-restricted amounts, the required income eligibility for the income-eligible buyer, and the deed covenanting the perpetual income-restriction on the unit owner.

LEGAL

15. Upon 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 but not be responsible for any costs of any such defense.

16. 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 Vesting Tentative Tract Map No. 82797.

17. 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 103 condominium units 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 prior to issuance of certificate of occupancy.

    a. Parking. The CC&R's shall address and ensure that all residential and guest parking is allocated and properly marked for use. A total of 269 (206 enclosed garages 63 open stalls) parking spaces shall be provided. Each enclosed garage space shall also be kept clear and available for the parking of two vehicles.
    b. 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); and
    c. 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.
    d. Compliance with applicable portions of the Mitigation Monitoring and Reporting Program (Exhibit A).

<u>BUILDING AND SAFETY DIVISION</u>

18. The project must comply and be designed to meet the all requirements of the 2019 California Building Code. All building safety, geotechnical, mechanical, electrical, plumbing, and accessibility requirements will be reviewed for compliance during plan check review.

19. Plans submitted for plan check shall show compliance with Section 1102A.3.1 of the California Building Code for accessibility.

CONSTRUCTION

20. 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.

21. The applicant shall provide a construction management plan to the project case planner for review and approval. All construction traffic regarding the movement of heavy equipment and graded materials are limited to off peak hours. No grading or building permits shall be issued without the approval of this plan.

22. The applicant shall provide a staging and construction plan to the Planning Division for review and approval prior to issuance of demolition or grading permits. The staging areas and storage of equipment and materials shall be set back a minimum 100 feet from any residential use.

23. One waterproof sign (36" x 48") in both English and Spanish noting construction hours and a phone number for contact shall be posted along Orchard Street, Cypress Avenue, and Iris Lane frontages prior to grading or construction.

24. The applicant shall distribute a notice prior to the commencement of construction activities to tenants and property owners within 500 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.

25. 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.

26. 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 Community and 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.

27. 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. Trucking deliveries and pickups from the project site shall be prohibited during periods identified by a school within the radius and during peak hours when children are coming to or leaving school. 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 Community and Economic Development Director 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.

28. 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.

29. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.

30. Automatic gas shut off/earthquake safety valves shall be installed for each gas meter location.

31. 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.

32. 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.

33. Fire protection facilities; including access, must be provided prior to and during construction.

MULTIPLE-FAMILY RESIDENTIAL TRASH PICK UP PLAN

34. The developer shall submit a trash hauler pick-up plan showing the location of all bins/containers and route for trucks prior to issuance of certificate of occupancy.

ART IN PUBLIC PLACES

35. 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. In lieu of acquiring and installing art work, the project applicant may contribute funds to the Art in Public Places Fund equal to one percent of the total project cost in accordance with EMMC § 15.07.030.

PROJECT PLAN CONDITIONS

36. The applicant shall secure written approval of a trash hauling plan with the City's Solid Waste Service Provider prior to the issuance of building permits. Pick-up locations for the individual bins shall not encroach within driveway aprons or parking spaces. Outdoor storage of individual trash bins shall be prohibited. Storage of individual trash bins shall provide within the enclosed garages as shown on the project floor plans and shall not encroach within the approved interior garage dimensions. If approval for individual bins cannot be obtained, the applicant shall submit a design for common onsite trash enclosures as outlined in the City's Zoning Code, which shall be reviewed and approved by the Planning Division and the City's Waste Service Provider prior to the issuance of building permits.

37. The enclosed parking garages shall be provided with an automatic belt drive garage door openers that features quiet operation and lighting. A detail of the garage door opener shall be provided during the plan check process.

38. All enclosed garages shall maintain an inside "clear" dimension as illustrated on the project floor plans.

39. The applicant shall prewire each dwelling to allow for the future installation of an electrical vehicle charging station in the garage.

40. Parking along the driveway or in front of garages shall be prohibited at all times.

41. Required guest parking spaces shall be marked "Guest Parking Only."

42. The development's driveways and open parking spaces shall not be used for the repair of vehicles.

43. Outdoor storage and the parking of inoperable vehicles and recreational vehicles (RV's) on the subject property shall be prohibited.

44. Garage and surface parking areas shall not be used for storage to the exclusion of parking of vehicles.

45. Common and private open space areas shall comply with all provisions of the EMMC. Open space areas shall include decorative benches, trash containers, picnic/BBQ areas and other outdoor amenities to the satisfaction of the Community and Economic Development Director. In addition, a tot lot shall be incorporated within one of the common open space areas. During the plan check process, the applicant shall provide cut sheets of the selected decorative items.

46. The provided "Common Open Space" areas shall be available to all residents of the project and their guests.

47. Decorative pavers shall be installed at the project entrance and in other locations along the new private street to break up the paving to the satisfaction of the Community and Economic Development Director.

48. Buildings shall be “four-sided” meaning that all facades including the side and rear facades should be considered visible and treatment with an equivalent quality of articulation and materials to the satisfaction of the Community and Economic Development Director.

49. Exterior building material consisting of foam and/or vinyl material shall be prohibited on the first story of all proposed buildings.

50. Design of exterior door and garage doors shall be provided to the satisfaction of the Community and Economic Development Director.

51. Future private patio cover installations shall be prohibited.

52. The private front entry porches for the units facing Orchard Avenue and Cypress Street shall be kept free and clear of any unnecessary debris and maintained in an orderly fashion at all times.

53. The Homeowners Association shall remove any graffiti on the project site within 24 hours of discovery. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Planning Division. Original surface materials installed and designed to not accept paint material such as stone, metal, brick, faux stone, veneers, etc. shall be restored to original finish with methods accepted and agreed to by the Planning Division.

54. Placement and design of mailboxes shall be reviewed and approved by both the U.S. Postal Service and the Planning Division prior to installation.

55. Decorative Exterior lighting fixtures shall be provided and subject to the review and approval of the Planning Division.

56. Hazardous materials conditions on the site shall be remediated to the satisfaction of the Los Angeles County Fire Department or Los Angeles Regional Water Quality Board prior to the issuance of grading or building permits.

STAFF RECOMMENDED CHANGES

57. Off-street parking stalls located in front of Building 13 (Orchard Street, P58 and P59) and in front of Building No. 1 (Cypress Avenue, P1) shall be removed and relocated within the project, if feasible.

58. The applicant shall work with the Planning Division to redesign Building No. 13 to be two (2) stories and 28 feet in height for the first 50 feet from the Orchard Street setback or the first 20 feet of the building, whichever is greater. Additionally, the street facing portion of Building No. 13 shall be redesigned to match Building No. 14. This may be accomplished by incorporating porches, balconies, projections, and/or similar features.

UTILITIES AND MECHANICAL EQUIPMENT

59. All onsite utilities service lines shall be underground and not visible to the public view.

60. All utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, or other potential obstructions shall be noted on the plans with provisions for appropriate screening.

61. 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 and landscape areas or on any façade facing a public street.

62. 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 approved by 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, located out of public view or be architectural integrated into the project design.

63. Roof and ground mounted mechanical equipment shall be screened from view to the satisfaction of the Planning Division.

FENCES AND WALLS

64. 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 make reasonable efforts to coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). To the extent feasible, the applicant shall make reasonable efforts to obtain written authorization from the neighboring property owner, and shall be provided for the removal of an existing wall and construction of a new property line wall upon submittal for plan check. The Community and Economic Development Director has the authority to approve fence and wall plans in the event that the applicant is not able to obtain neighbor authorization and/or a double wall after the applicant has demonstrated that the reasonable efforts were made to obtain neighbor authorization.

65. All proposed fencing/wall shall be first reviewed and approved by the Planning Division. A scaled site plan showing the location of the wall/fencing must be provided. An elevation view of the fencing/wall will also be required.

66. Should an entry gate be proposed in the future, a decorative entry gate and keypad located along Cypress Avenue and Orchard Street at a maximum height of four (4) feet shall be required. The entry gate shall be set back a minimum of 20 feet from the street property line and provided on the plans during plan check submittal. The location of the fence and keypad is subject to Planning Division and Los Angeles County Fire Department approval.

67. All ground level private open space area enclosures shall not exceed four (4) feet in height. All proposed fences shall be shown and indicated on plans provided at building plan check submittal.

68. All fences and walls shall be decorative on both sides. Block walls shall be stucco, or other decorative finish approved by Planning Division staff, to match the proposed development.

69. 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.

70. The installation of fences and walls that were not contemplated as part of this proposal are subject to wall/fence height limitations of the EMMC.

LANDSCAPING

71. Tree removal permits shall be obtained prior to issuance of demolition permits.

72. 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 Water Efficiency Ordinance, 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.

73. 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. 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 material are encouraged.

74. All landscape and irrigation areas shall be installed prior to a certificate of occupancy.

75. Street trees shall be planted along Orchard Street, Cypress Avenue, and Iris Lane shall be selected by the City Arborist prior to the approval of landscape plans.

76. Landscape plans which include manufacturer specifications of common open space amenities shall be subject to review and approved by the Planning Division.

LIGHTING

77. The developer shall submit a photometric plan to the Building and Planning Divisions for review and it shall provide a minimum of 1 foot-candle throughout the site. Where available and deemed necessary by the City Planner or designee, 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.

78. The developer shall submit for review by the Planning Division and the Engineering Division, 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 Building Division prior to the issuance of building permits.

SIGNAGE

79. If signage for the townhomes is proposed, the Applicant shall submit a detailed sign plan prior to issuance of building permits, to be reviewed by the Planning Division at the time of plan check review. The sign plan shall be consistent with the Architectural design, and identify the location for all signage that may be located on the buildings and site, the allowable sign materials, lighting methods and sign design. In addition, temporary signs are not allowed. At no time shall the sign plan allow for signage in excess of those standards within Section 17.12 of the EMMC (Signs). “Box” signs, “canister” or “can” signs are prohibited.

MITIGATION MEASURES

80. The applicant shall comply with all mitigation measures outlined below and in the Mitigation Monitoring and Reporting Program of the CEQA document, incorporated into this resolution as Exhibit "A" attached hereto and made a part hereof.

LOS ANGELES COUNTY FIRE DEPARTMENT

81. This approval is subject to Los Angeles County Fire Department Conditions of Approval Case Number FLDU2019004702 as Exhibit "B" attached hereto and made a part hereof.

PUBLIC WORKS ENGINEERING

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.

General:

82. The estimated amount of Development Impact Fees associated with the project based upon the site plan documentation submitted as part of the Project Approvals include but are not limited to the following fees and deposits; applicable sewer fee, street fee, storm drain fee, traffic fee, park facility Impact fee, Quimby (dedication or in lieu 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 number of residential units (103 Multi-Family units proposed). EMMC 15.08 and EMMC 16.34.030

Sewer	$	144,921.00
Storm Drain	$	59,019.00
Street	$	83,945.00
Traffic	$	6,993.70
Park Facility Impact Fees	$	-
Tech Enhancement	$	6,160.02
Quimby	$	1,328,700.00
Total	**$**	**1,629,739.72**

The foregoing amounts of the various development impact fees are subject to refinement and changes based on the design plans for the project as approved by the City and/or changes in the City development impact fees.

83. Project Applicant shall obtain approval from the Los Angeles Fire Department (LACFD) for development's fire protection, fire flow requirements, emergency access circulation for development, etc. and shall construct all Fire Department required improvements. LACFD approval will be required:
    a. Prior to Tentative Map Approval (LACFD Land Development Division)
    b. Prior to Grading/Building Permits (LACFD Building Division)
    c. Prior to Final Map Approval

84. Environmental Documentation. The time limits set forth in El Monte Municipal Code (EMMC) Chapter 16.12.040 for taking action on tentative maps shall not be deemed to commence until the environmental documentation for the subdivision is completed in compliance with CEQA as required by the City

85. The Project Applicant 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 CEQA.

86. Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract maps and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.

87. 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 property 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.

88. Comply with the City's ordinances and regulations 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.

89. 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.

90. No encroachment into the City right-of-way from private property will be allowed.

91. 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.

Tract Map:

92. All Tract 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 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.

93. Project 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.

94. Streets fronting project shall be improved to meet current General Plan requirements for Right of Way and Roadway.
    a. Dedicate 7-feet of Right-of-Way as required to obtain full half-street width of 30-feet to the City of El Monte along Iris Lane for street purposes.
    b. Dedicate +10-feet (varies) of Right-of-Way as required to obtain full half-street width of 30-feet to the City of El Monte along Orchard Street for street purposes.

95. 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.

96. An easement shall be established to provide for ingress and egress as required across private property. The easement documents shall clearly delineate maintenance responsibilities for the respective property owners.

97. Easements must be provided for ingress, egress, and utilities that serve residential units being created as a result of this project.

98. The Title Company must submit to the Engineering Division a Final Subdivision Guarantee in the amount of $25,000 prior to final Tract Map approval by the City Engineer.

Grading and Drainage:

99. 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.

100. 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.

101. 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.

102. 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 proposed/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.

103. Historical drainage patterns from adjacent lands to the property shall be identified and maintained. The Project shall accept and include in the drainage design any current drainage from adjacent land.

104. 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.

105. The Storm Water Pollution Prevention Plan (SWPPP) is a document that addresses water pollution control for a construction project. The Construction General Permit (CGP) requires that all stormwater discharges associated with construction activity, where said activity results in soil disturbance of one acre or more of land area, must be permitted under the CGP and have a fully developed site SWPPP on-site prior to beginning any soil disturbing activities. The CGP requires the development of a project-specific SWPPP. The SWPPP must include the information needed to demonstrate compliance with all the requirements of the CGP. The SWPPP document must be written by a Qualified SWPPP Developer (QSD). The City requires that a Water Pollution Control Manager (WPC Manager) be responsible for the implementation of a SWPPP. The WPC Manager must have the same qualifications as a QSD. For further details pertaining to the State of California's requirement, please visit the following website:

https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp
A Waste Discharge Identification Number (WDID#) must be obtained prior to commencing any work.

106. 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.

a. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system.
b. All Infiltration systems must be a minimum of 15-feet from buildings.
c. All Infiltration systems must be a minimum of 10-feet from public right-of-way

Sewer:

107. Project Applicant / Civil Engineer shall 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.

a. Project Applicant / Civil Engineer shall submit sewer improvement plans and calculations for the development to the City for review and approval.
b. Sewer cleanouts must be positioned at 100-foot intervals on the lateral coming off the main sewer line.
c. Project Applicant must obtain Will Serve Letter from County Sanitations District of Los Angeles County in customary form prior to issuance of a grading permit for the Project.

108. A minimum ten (10) feet wide non-exclusive easement is required for sewer pipelines and facilities and incidental purposes for all water lines operated by the City of El Monte utilized in providing water to the Project.

109. All existing sewer pipelines no longer required as part of the Project shall be abandoned at the mainline.

Water:

110. It is the Project Applicants' responsibility to contact the Water Purveyor (El Monte Water Department) to obtain approval of service and that the purveyor has adequate water to provide such service. A Will Serve letter from El Monte Water Department will be required.

111. 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 El Monte Water Department and Los Angeles County Fire Department requirements.

a. Project Applicant is required to upsize existing 6-inch water main in Cypress Avenue to an 8-inch water main per the May 28, 2019

Technical Memorandum prepared by the City's Consultant (Psomas).

b. Project Applicant shall upsize existing 6-inch water main in Cypress Avenue to an 8-inch water main to Iris Lane beyond what is conveyed in the May 28, 2019 Technical Memorandum and be reimbursed by the City for the design and construction of this improvement. Estimated costs for this improvement shall be determined and agreed prior to commencement of work.

c. Project Applicant / Civil Engineer shall submit water system improvement plans and calculations (if requested) for the development to the City for review and approval.

112. A minimum ten (10) feet wide non-exclusive easement is required for water system pipelines and facilities and incidental purposes for all water lines operated by the City of El Monte utilized in providing water to the Project.

113. All existing water services no longer required as part of the Project shall be abandoned at the mainline.

114. Relocate existing water meter out of existing drive approaches.

Overhead Utilities:

115. Project Applicant shall underground any existing overhead utilities that are to serve the property in accordance with EMMC Chapter 16.28.110. The final scope and design of the undergrounding of these overhead facilities is subject to SCE and other relevant utility provider approval.

116. Any utility poles conflicting with the proposed improvements shall be relocated at the expense of the Project Applicant.

Parking Lot and Driveways:

117. All parking lots and driveways shall be 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) and/or in accordance with recommendations of the Geotechnical Engineer.

118. All drive approaches shall be in complete compliance with the Americans with Disabilities Act (ADA). Insufficient width in the parkway will require Project Applicant to dedicate an easement at each drive approach to the City to accommodate a compliant drive approach.

Street and Traffic:

119. All Streets fronting property 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. All offsite improvements shall be in complete compliance with the ADA.

120. Traffic control plans must be signed by a licensed State of California Traffic Engineer and submitted for review and approval prior to issuance of encroachments for work in the public right-of-way.

121. Work in concrete streets that requires trenching, excavations, or otherwise cutting into the street will require full concrete panel replacement for all panels affected.

122. A Type II Slurry Seal per the Standard Specifications for Public Works Construction shall be applied within the City owned portions of Orchard Street, Iris Lane, and Cypress Avenue.

123. Striping plan, if necessary must be submitted as part of the roadway improvements on Cypress Avenue and Orchard Street.

124. 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.

125. 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

126. 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.

127. Project Applicant shall remove all existing curb paint and replace in kind on all curbs fronting the proposed development.

128. Parkway trees shall be installed by the Project Applicant within the street public right-of-way segments per the City of El Monte Tree Ordinance in the quantities and locations as directed by the City of El Monte Public Works Department.

129. 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 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. Alternate security or Cash deposits will be accepted in lieu of the required bonding. EMMC 16.32.030, EMMC 16.32.040, and EMMC 16.32.045.

SECTION 12. 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.

_____
Amy Wong, Chairperson

ATTEST:

_____
Adrian Perez, Secretary
El Monte City Planning Commission

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

I, Adrian Perez, 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.3581 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on September 22, 2020, by the following votes to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

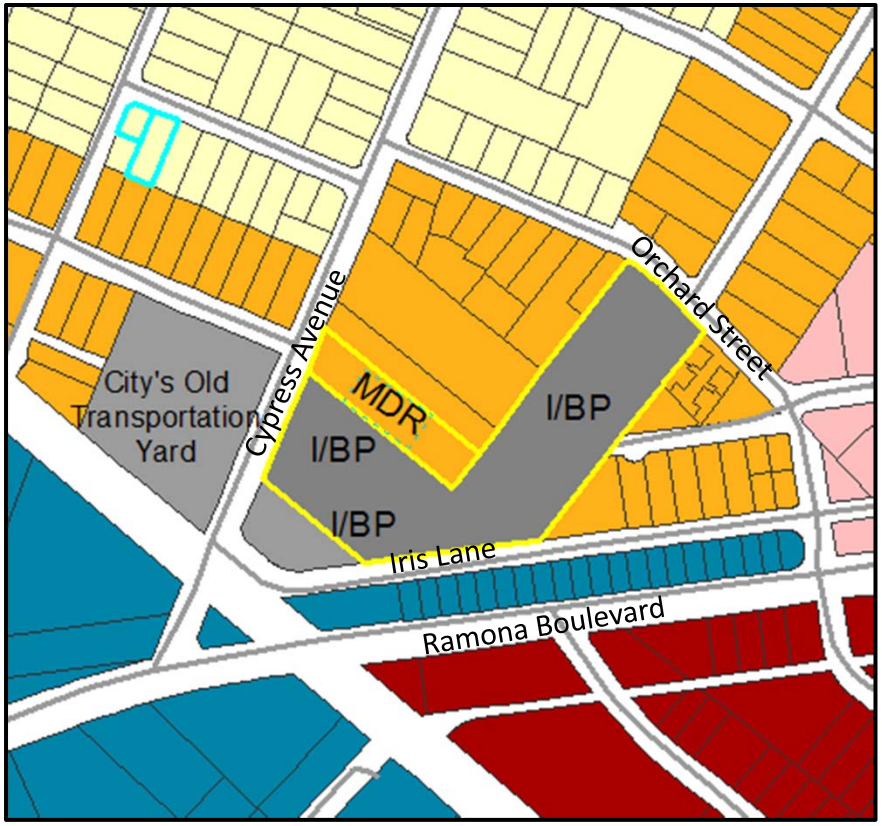
_____
Adrian Perez, Secretary
El Monte City Planning Commission

Attachment A: General Plan Amendment and and Zone Change Map
Exhibit A: Mitigation Monitoring and Reporting Program
Exhibit B: Los Angeles County Fire Department Conditions of Approval Case Number FLDU2019004702 dated November 12, 2019

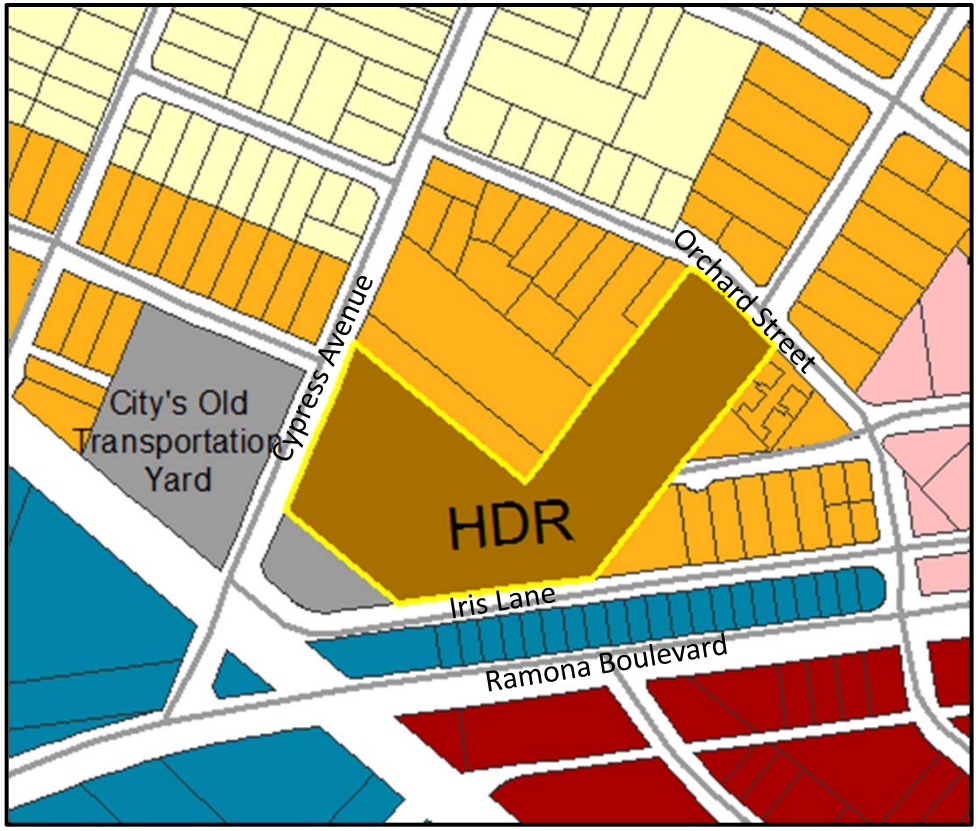
ATTACHMENT "A"

GENERAL PLAN AMENDMENT NO. 03-19
11312 Orchard Street, and 3630, 3640, and 3700 Cypress Avenue

EXISTING

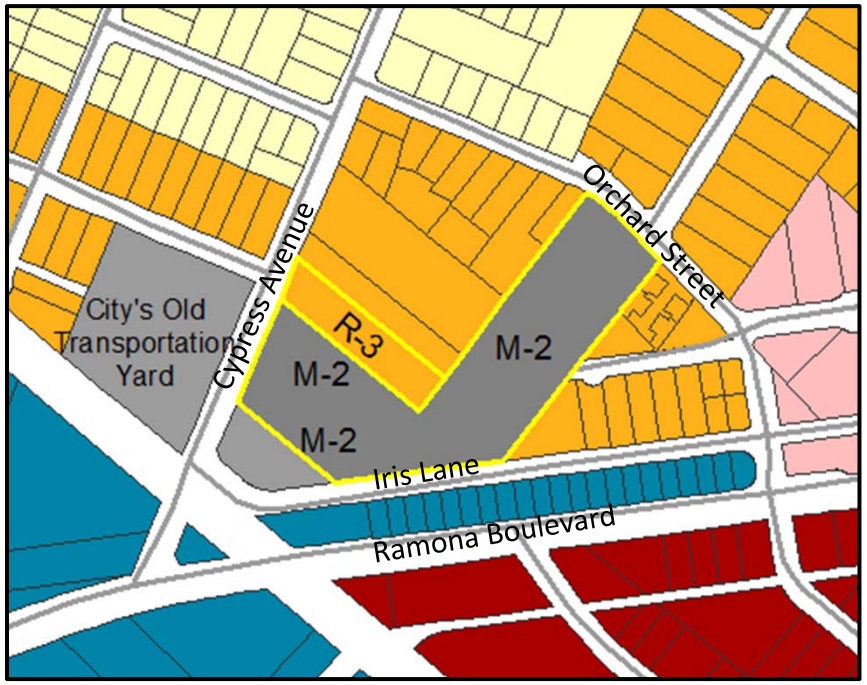


PROPOSED



ZONE CHANGE NO. 01-19
11312 Orchard Street, and 3630, 3640, and 3700 Cypress Avenue

EXISTING



PROPOSED

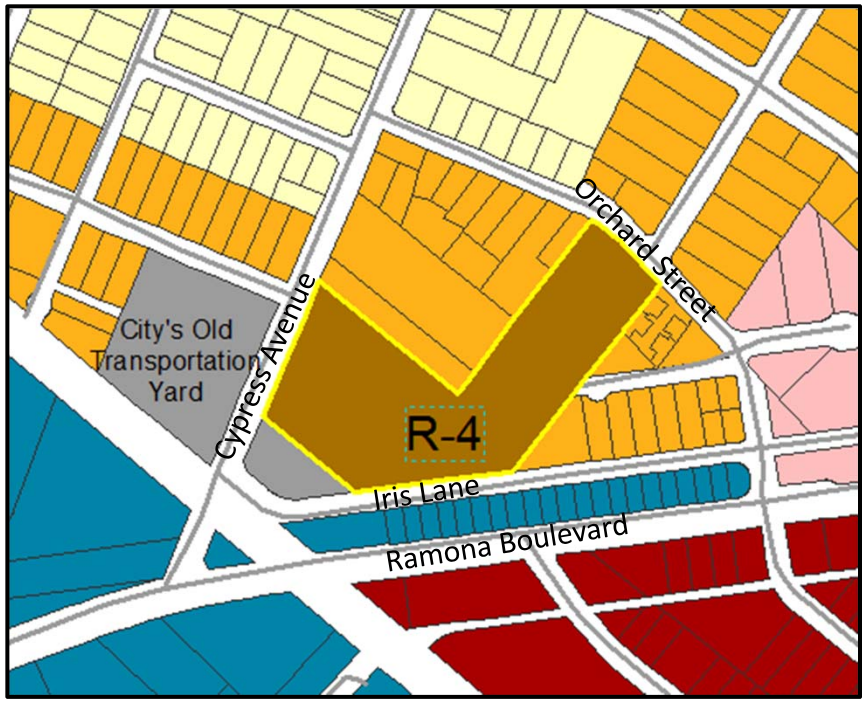


EXHIBIT "A"

KB Home Orchard Street and Cypress Avenue Modified Project

Mitigation Monitoring and Reporting Program

September 2020

Lead Agency:

City of El Monte
City Hall West
11333 Valley Boulevard
El Monte, California 91731
Nancy Lee, Senior Planner
626.580.2096

Consultant:

Kimley-Horn and Associates
765 The City Drive, Suite 200
Orange, California 92868
Rita Garcia
(714) 786-6116

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle by which to monitor mitigation measures (MMs) outlined in the KB Home Orchard Street and Cypress Avenue Modified Project Initial Study/Mitigated Negative Declaration (IS/MND). The KB Home Orchard Street and Cypress Avenue Modified Project MMRP has been prepared in conformance with Public Resources Code §21081.6 and City of El Monte (City) monitoring requirements. Specifically, Public Resources Code § 21081.6 states:

(a) *When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:*

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

State CEQA Guidelines §15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of El Monte is the Lead Agency for the KB Home Orchard Street and Cypress Avenue Modified Project and is therefore responsible for ensuring MMRP implementation. The MMRP has been drafted to meet Public Resources Code §21081.6 requirements as a fully enforceable monitoring program.

The MMRP is comprised of the Mitigation Program and includes measures to implement and monitor the Mitigation Program. The MMRP defines the following for each MM:

- **Definition of Mitigation.** The Mitigation Measure contain the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.

- **Responsible Party or Designated Representative.** Unless otherwise indicated, an applicant would be the responsible party for implementing the mitigation, and the City of El Monte or designated representative is responsible for monitoring the performance and implementation of the mitigation measures. To guarantee that the mitigation will not be inadvertently overlooked, a supervising public official acting as the Designated Representative is the official who grants the

permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.

- **Time Frame.** In each case, a time frame is provided for performance of the mitigation or the review of evidence that mitigation has taken place. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation is implemented or ensured. All activities are subject to the approval of all required permits from agencies with permitting authority over the specific activity.

The numbering system in the table corresponds with the IS/MND's numbering system. The MMRP table "Verification" column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City of El Monte will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be kept on file at the City of El Monte Community and Economic Development Department, Planning Division.

KB HOME ORCHARD STREET AND CYPRESS AVENUE MODIFIED PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
Biological Resources					
MM – BIO-1: Nesting Migratory Birds. During construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the Project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.	During ground disturbance activities Applicable during nesting bird season Preconstruction survey: No more than 14 days prior to construction	Include requirements in bid packages; show on grading and construction plans Site inspection by qualified biologist Preparation of plan for avoidance, if required	Qualified Biologist; Planning Division		
Cultural Resources					
MM CUL-1: Archaeological Resources. Prior to initiation of ground-disturbing activities, field personnel shall be alerted to the possibility of buried prehistoric or historic cultural deposits. If cultural resources are encountered during ground-disturbing activities, work within a 100-foot radius of the find shall halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service (NPS) 1983) shall be contacted immediately to evaluate the find. The archaeologist shall have the authority to stop or divert construction, as necessary. Documentation and treatment of the discovery shall occur in	Prior to grading permit issuance During demolition and ground disturbing activities	Site inspection by a Qualified Archaeologist	Qualified Archaeologist; Department of Public Works/Community and Economic Development Department		

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
accordance with NPS standards. The significance of the find shall be evaluated pursuant to State CEQA Guidelines §15064.5. If the discovery proves to be significant, before construction activities resume at the location of the find, additional work such as data recovery excavation may be warranted, as deemed necessary by the archaeologist					
Geology and Soils					
MM – GEO-1: Prior to Grading Permit issuance, the City shall review all Project plans and all other relevant construction permits to verify compliance with the Geotechnical Investigation, Orchard and Cypress (RMA GeoScience, 2019) recommendations and other applicable Code requirements.	Prior to grading permit issuance	Plan review compliance with Geotechnical Investigation	City Engineer/ Community and Economic Development Department		
MM – GEO-2: Paleontological Resources. For ground disturbances greater than 3.0 feet where sediments are known to produce significant fossil discoveries, prior to initiation of ground-disturbing activities, field personnel shall be alerted to the possibility of buried paleontological resources. If fossils or fossil bearing deposits are encountered during ground-disturbing activities, work within a 100-foot radius of the find shall halt and a professional vertebrate paleontologist shall be contacted immediately to evaluate the find. The paleontologist shall have the authority to stop or divert construction, as necessary. Documentation and treatment of the discovery shall occur in accordance with Society of Vertebrate Paleontology standards. The significance of the find shall be evaluated pursuant to the State CEQA Guidelines. If the discovery proves to be significant, before construction activities resume at the location of the find, additional work such as data recovery excavation may be warranted, as deemed necessary by the paleontologist.	Prior to ground disturbance activities	Site inspection by Qualified Paleontologist Preparation of plan for avoidance, if required	Qualified Paleontologist; Department of Public Works/ Community and Economic Development Department		
Hazards and Hazardous Materials					
MM – HAZ-1: Vapor Intrusion Human Health Risk Assessment (VIHHRA). Prior to Grading Permit issuance, under Los Angeles County Fire Department (LACFD) or California Regional Water Quality Control Board, Los Angeles	Prior to grading permit issuance	Site inspection by a Qualified	Qualified Toxicologist; Department of		

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
Region (Regional Board) oversight, a VIHHRA shall be completed by a qualified toxicologist to verify that vapor barriers with passive vents are required for the new residential development in the following three areas of the property (although the Project proposes a vapor intrusion mitigation system (VIMS) in the form of a passive barrier beneath the slabs of each dwelling): • At soil vapor sample SV-2-15' located near the sump/clarifiers and associated trenching at 11312 Orchard, Unit B. • At soil vapor sample SV-11-5' located near the storm water vault in the southern corner of the Property. • At soil vapor sample SV-6-15' located in the parking lot area of 11308 Orchard. The Homeowner's Association (HOA) shall be responsible for the VIMS. The VIHHRA shall analyze soil vapor data collected at the Project site to evaluate a reasonable maximum exposure (RME) level under the proposed future Project site, as a residential use. The VIHHRA shall determine the final recommendations for design, installation, and operation of a vapor intrusion mitigation system (VIMS), if required, and which may be in the form of vapor barriers with passive vents. A long-term soil vapor monitoring plan shall be prepared if elevated RME levels dictate the necessity for such a plan, based on VIHHRA findings. If long-term soil vapor monitoring is deemed necessary, the HOA shall be responsible.		Toxicologist	Public Works/ Community and Economic Development Department, and Regional Board or LACFD		
MM – HAZ-2: Over Excavation. During demolition at the sump/clarifier area at 11312 Orchard Street, over-excavation followed by soil sampling shall be performed to confirm the concentrations of chloroform and PCE in the soil vapor and concentrations of DRO in the soil samples are below the residential screening levels. If concentrations are above the residential screening levels, then additional investigations and characterizations shall be conducted, and such findings shall be included in a Soil Management Plan (see below).	During demolition and ground disturbing activities	Site inspection by a Qualified Toxicologist or Geologist	Department of Public Works/ Community and Economic Development Department		
MM – HAZ-3: Remedial Action Plan (RAP). (Stantec, November 15, 2019). Prior to Grading Permit issuance, a RAP consistent with standard procedures and cleanup objectives issued by regulatory agencies shall be implemented.	Prior to grading permit issuance	Completed Remedial	Department of Public Works/ Community and		

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS

The RAP's following proposed plans shall be implemented:
• Plan of excavation and off-site disposal of petroleum-impacted soils above residential screening levels,
• Plan for confirmation soil sampling to verify removal of the impacted soils to levels below the site cleanup goals for each contaminant of concern, as specified in the RAP,
• Plan to determine if implementation of soil vapor barriers beneath the proposed residential buildings is required to mitigate against soil vapor intrusion into these residential buildings.
 	
The remediation program shall not deviate from regulatory agency standard procedures and cleanup objectives. The remediation program shall also generally follow the sequence outlined below, except for implementation of more stringent measures, as environmental conditions are better understood throughout the demolition and remediation process. The required plans shall be prepared by an environmental consultant with experience in implementing RAPs.
 	
• The appropriate permits (i.e., Plumbing/Sewer Removal Permit) shall be procured from the City of El Monte Public Works and a site-specific Health and Safety Plan (HASP) shall be prepared.
• The following shall be removed by excavation:
  o The drains and clarifier along with shallow impacted soil within the clarifier excavation area.
  o The shallow impacted soil near the former flammable storage area.
• Other on-site structures shall be removed.
• Additional investigations and characterizations of an unknown source area shall be conducted, as per the Soil Management Plan (SMP) requirements, if discovered during demolition, and such findings shall be included in a Soil Excavation Report (SER) upon completion.
• Confirmation soil sampling of contaminants of concern, shall be conducted, as necessary
		Action Plan	Economic Development Department		

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
A SER shall be prepared upon completion of the remediation activities described above. The SER shall document all remediation activities completed on the site. The SER shall describe how the excavation was completed to remove the elevated concentrations of contaminants. Following SER submittal and filing the soil vapor design plans with the City of El Monte Building Department and deed notification/restriction for the vapor barrier mitigation system with the Los Angeles County Recorder, the engineer of record will recommend closure/no further action for the Project site.					
MM – HAZ-4: Asbestos Containing Materials (ACMs). Abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403.	Prior to demolition	Qualified Contractor and proof of removal	Department of Public Works/ Community and Economic Development Department		
MM – HAZ-5: Lead-Based Paints (LBPs). If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing LBP removal shall provide evidence of abatement activities to the City Engineer.	During demolition	Qualified Contractor and proof of removal	Department of Public Works/ Community and Economic Development Department		
Tribal Resources					
MM – TCR-1: Native American Monitor/Consultant: Prior to Grading Permit issuance, the Project Applicant shall retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and listed under the Native	Prior to grading permit issuance During ground	Contract for Tribal Monitor	Tribal Monitor Consultant		

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
American Heritage Commission's (NAHC) Tribal Contact list (provided by the NAHC). The monitor/consultant shall only be present onsite during the construction phases that involve the following onsite ground-disturbing activities: grading, excavation, and trenching. The Tribal Monitor/consultant shall complete daily monitoring logs that provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when the ground-disturbing activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.	disturbing activities				
MM – TCR-2: Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, construction activities shall cease in the find's immediate vicinity until the find can be assessed. All archaeological resources unearthed by ground-disturbing activities shall be evaluated by an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe requests reburial or preservation for educational purposes. Work may continue elsewhere on the Project site while evaluation and, if necessary, mitigation takes place (State CEQA Guidelines §15064.5 [f]). If the archaeologist determines that the resource constitutes a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources and Public Resources Code § 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is infeasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any	During ground disturbing activities, upon discovery of any archaeological resource	Contract for Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards and Tribal Monitor	Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards and Tribal Monitor; Planning Division		

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or local historical society for educational purposes.					

EXHIBIT "B"

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION
Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

CITY #:	El Monte	PLANNER:	Nancy Lee
PROJECT#:	TTM 82797	EPIC-LA #:	FLDU2019004702
LOCATION:	3640 Cypress Avenue (APN#: 8568-026-034)		

REVISED CONDITIONS: Supersedes Fire Department Comments Dated 08/27/2019

THE FIRE DEPARTMENT RECOMMENDS THAT THIS PROJECT TO BE APPROVED AT THIS TIME AND TO PROCEED WITH THE PUBLIC HEARING PROCESS.

CONDITIONS OF APPROVAL

FINAL MAP REQUIREMENTS

1. The submittal of the plans, and other entitlement permits if necessary, shall be submitted online to the Land Development Unit for review. Please visit epicla.lacounty.gov to register online for an online and submittal account. (To see a video with step-by-step instructions on the registration process, visit the following link: https://www.youtube.com/watch?v=S76X5fjBrUk). The applicant shall create an account in EPIC-LA, if necessary, and upload a digital copy of the Project Review Committee notice (transmittal letter), along with a digital copy of the appropriate plans. Once the account has been created, the applicant will need to apply for the following Plan Type:

   Fire–Land Development–City Request–Tract-Final Map

   The applicant shall follow the steps and upload the required digital information. When complete, an invoice for the plan check fees will be created and the plans will be assigned to the assigned FPEA to complete the review.

2. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.

3. Provide written verification stating the required public fire hydrant has been installed or bonded for in lieu of installation prior to Final Map clearance.

4. Submit a minimum of three (3) copies of the water plans indicating the new fire hydrant location to the Fire Department's Land Development Unit for review. The required public fire hydrant shall be installed prior to the completion of the Final Map.

ACCESS REQUIREMENTS

Verification for compliance of the Fire Department "Access Requirements" will be performed during the architectural plan review prior to building permit issuance.

1. All on-site Fire Apparatus Access Roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

5. For buildings 30 feet or less, provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance “clear to sky” Fire Apparatus Access Roads to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building . Fire Code 503.1.1 & 503.2.2

6. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

7. Fire Apparatus Access Roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4 & Appendix D103.5

8. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3; Appendix D102.1

9. Provide approved signs or other approved notices or markings that include the words “NO PARKING - FIRE LANE”. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

10. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 and Section 503.2.2 shall be maintained at all times. Fire Code 503.4

11. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1

12. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

13. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION
Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

CITY #:	El Monte	PLANNER:	Nancy Lee
PROJECT#:	TTM 82797	EPIC-LA #:	FLDU2019004702
LOCATION:	3640 Cypress Avenue (APN#: 8568-026-034)		

WATER SYSTEM REQUIREMENTS

1. All fire hydrants shall measure 6”x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Code.

2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

3. All required private on-site fire hydrants shall be installed, tested and approved prior to building occupancy. Fire Code 901.5.1

   a. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7

   b. All on-site fire hydrants shall be installed a minimum of 25 feet from a structure or protected by a two (2) hour rated firewall. Indicate compliance prior to project proceeding to the public hearing process. Fire Code Appendix C106.1

      Exception: For fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure.

4. The required fire flow for the public fire hydrants for this project is 1500 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

5. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

6. Install two (2) public fire hydrants as determined by the Fire Department.

7. Install four (4) on-site fire hydrants as determined by the Fire Department.

HIGH VOLTAGE TRANSMISSION LINES

1. Structures and outdoor storage underneath High Voltage Transmission Lines (66 kilovolts or greater) shall comply with Fire Code 316.6 and County of Los Angeles Fire Department Regulation 27. Any proposed construction or land use within 100 feet of the drip line of High Voltage Transmission lines shall be subject to review by the Fire Marshal.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.

Reviewed by: Wally Collins Date: November 12, 2019

GENERAL NOTES

1. EXISTING GENERAL PLAN DESIGNATION.....INDUSTRIAL BUSINESS PARK & MEDIUM DENSITY RESIDENTIAL
2. PROPOSED GENERAL PLAN DESIGNATION.....HIGH DENSITY RESIDENTIAL
3. EXISTING ZONING.....M-2 & R-3
4. PROPOSED ZONING.....R-4 HIGH-DENSITY MULTI FAMILY
5. EXISTING LAND USE.....INDUSTRIAL
6. PROPOSED LAND USE.....RESIDENTIAL CONDOMINIUMS
7. EXISTING NUMBER OF LOTS.....4
8. PROPOSED NUMBER OF LOTS.....1
9. TOTAL NUMBER OF GROSS ACRES: (TO SURROUNDING STREET C/L)..... ~~5.69 AC~~ 5.24 AC
10. TOTAL NUMBER OF NET ACRES (AFTER STREET DEDICATIONS DEDUCTED):..... ~~5.10 AC~~ 5.17 AC
11. STREET DEDICATIONS REQUIRED ALONG IRIS LANE AND ORCHARD STREET FOR 30' HALF STREET
12. TOTAL PRIVATE OPEN SPACE REQUIRED ..... 61,800 SF (600 SF/UNIT x 103 UNITS)
13. TOTAL OPEN SPACE PROVIDED ..... ~~73,316 SF~~ 54,560 SF
    PRIVATE OPEN SPACE (ENCLOSED FRONT YARDS) = 13,948 SF
    USABLE COMMON OPEN SPACE (LANDSCAPED, 15'X15' MIN)= ~~6,711 SF~~ 6,095 SF
    OTHER OPEN SPACE (LANDSCAPED) = ~~31,640 SF~~ Approximately 14,500 SF
    OTHER OPEN SPACE (HARDSCAPED) = ~~19,590 SF~~ 18,590 SF
    OTHER OPEN SPACE (TOT LOT AND EXERCISE STATIONS) = 1,427 SF
    PRIVATE OPEN SPACE REQUIREMENT IS NOT MET, ~~MODIFICATION~~ VARIANCE REQUESTED.
14. TOTAL NUMBER CONDOMINIUM UNITS.....103
15. OVERALL DENSITY FOR RESIDENTIAL LOT ..... ~~20.2 D.U./AC~~ 19.92 D.U/AC
16. PROPOSED PARKING:
    PRIVATE (ALL UNITS WILL HAVE A TWO-CAR GARAGE)..... 206 PROVIDED
    GUEST (0.61/UNIT) ..... 63 PROVIDED
    60 STANDARD PARKING STALLS 8'-6" WIDE x 18' DEEP
    2 VAN ACCESSIBLE ADA PARKING STALLS 9' WIDE x 18' DEEP
    1 CAR ACCESSIBLE ADA PARKING STALLS 9' WIDE x 18' DEEP
17. SITE ADDRESS: 3630, 3640, 3700 CYPRESS AVENUE & 11312 ORCHARD STREET, EL MONTE 91731
18. ASSESSOR PARCEL NUMBER: 8568-026-002, 8568-026-034, 8568-026-035 & 8568-026-053
19. PROPOSED HEIGHT.....30' MAX. TO EAVES
    36' TO RIDGE
20. ALL EXISTING STRUCTURES ON SITE TO BE DEMOLISHED.
21. THERE ARE 8 TREES ON SITE PROTECTED AS HERITAGE TREES PER THE TREE SURVEY & ARBORIST REPORT DATED JULY 3, 2019, REVISED SEPTEMBER 25, 2019, PREPARED BY GOLDEN STATE LAND & TREE ASSESSMENT. ALL HERITAGE TREES TO BE REMOVED AND REPLACED AT 2:1 RATIO.
22. THERE ARE NO TRASH ENCLOSURES PROPOSED ONSITE. ALL UNITS WILL BE EQUIPPED WITH REGULAR WASTE AND RECYCLING WASTE BINS. WASTE BINS WILL BE STORED IN GARAGES.

BUILDING SETBACK REQUIREMENTS

Atttachment "B"

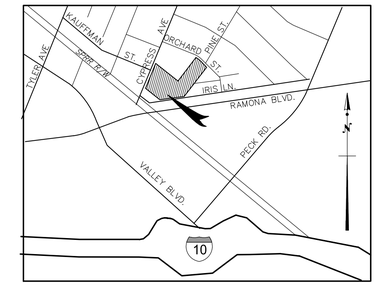
(A) FRONT YARD SETBACK:
- -20FT MINIMUM SETBACK REQUIRED FOR ALL SINGLE STORY HOUSES.
- -22FT MINIMUM SETBACK REQUIRED FOR ALL MULTI-STORY HOUSES.
- DUE TO THE UNIQUE SHAPE OF THE PROPERTY ALL SURROUNDING STREETS ARE CONSIDERED AS FRONT YARDS EVEN THOUGH ORCHARD STREET HAS THE SHORTEST FRONTAGE.
- -FRONT YARD SETBACK REQUIREMENT ALONG PERIMETER STREETS ARE NOT MET, MODIFICATION REQUESTED.

(B) REAR YARD SETBACK:
- -20FT MINIMUM SETBACK REQUIRED FOR ALL SINGLE STORY HOUSES.
- -22FT MINIMUM SETBACK REQUIRED FOR ALL MULTI-STORY HOUSES.
- ~~-SOUTHERLY PL ALONG ADJACENT INDUSTRIAL BUILDING IS THE PROJECTS REAR YARD SETBACK.~~
- PROPERTY DOES NOT HAVE REAR YARD SETBACK
- ~~-REAR YARD SET BACK PROVIDED IS 12FT.~~
- ~~REAR YARD SETBACK REQUIREMENT IS NOT MET, MODIFICATION REQUESTED~~

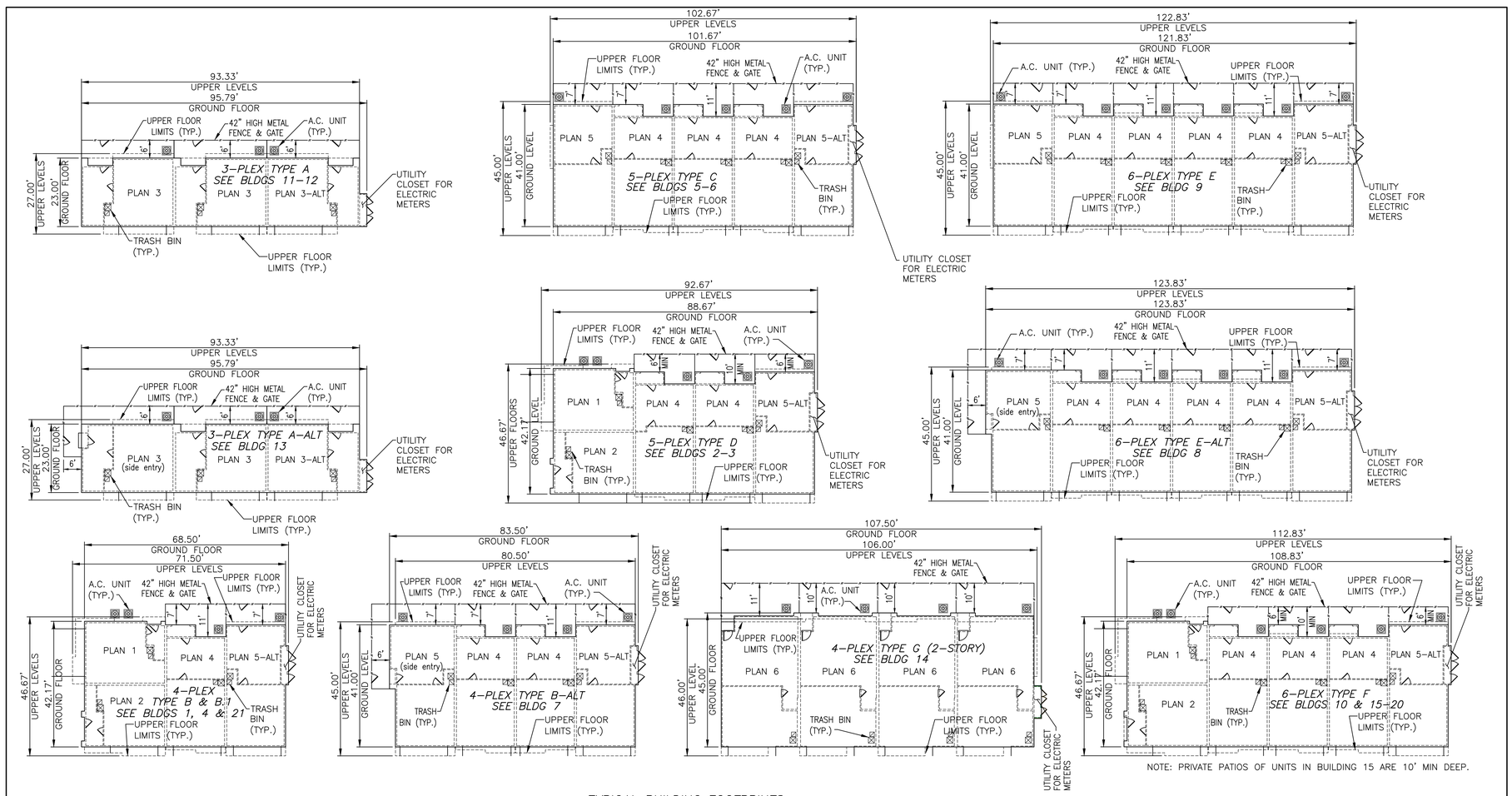
(C) SIDE YARD SETBACK:
- -10FT MINIMUM SETBACK REQUIRED FOR ALL SINGLE STORY HOUSES.
- -12FT MINIMUM SETBACK REQUIRED FOR ALL MULTI-STORY HOUSES.
- -NEIGHBORING PROPERTIES AT EAST AND WEST SIDE OF PROPERTY ARE CONSIDERED SIDE YARDS OF THE PROJECT.
- -SIDE YARD SET BACK PROVIDED IS 12FT.
- THEREFORE, REQUIRED SIDE YARD SETBACK IS PROVIDED.

BUILDING TYPE	BUILDING COVERAGE	# OF BLDGS PER PLAN TYPE (21 TOTAL)	PLAN TYPES & RESIDENTIAL FLOOR AREAS (EXCLUDING GARAGE & UTILITY CLOSET AREAS): PLAN 1 (1,340 SF) 2 BR+2.5 BA	PLAN 2 (1,344 SF) 2 BR+2.5 BA	PLAN 3 (1,708 SF) 3 BR+2.5 BA	PLAN 3-ALT* (1,708 SF) 3 BR+2.5 BA	PLAN 3 (UNIT 59) (1,718 SF) 3 BR+2.5 BA	PLAN 4 (1,782 SF) 4 BR+2.5 BA	PLAN 5 (2,138 SF) 4 BR+2.5 BA	PLAN 5-ALT* (2,122 SF) 4 BR+2.5 BA	PLAN 5 (UNITS 19 & 33) (2,169 SF) 4 BR+2.5 BA	PLAN 6 (1,773 SF) 3 BR+2.5 BA	
3-PLEX TYPE A	2,111 SF	2	X	X	4	2	X	X	X	X	X	X	
3-PLEX TYPE A ALT	2,132 SF	1	X	X	1	1	1	X	X	X	X	X	
4-PLEX TYPE B	2,771 SF	3	3	3	X	X	X	3	X	3	X	X	
4-PLEX TYPE B ALT	3,275 SF	1	X	X	X	X	X	2	X	1	1	X	
5-PLEX TYPE C	4,019 SF	2	X	X	X	X	X	6	2	2	X	X	
5-PLEX TYPE D	3,557 SF	2	2	2	X	X	X	4	X	2	X	X	
6-PLEX TYPE E	4,805 SF	1	X	X	X	X	X	4	1	1	X	X	
6-PLEX TYPE E ALT	4,848 SF	1	X	X	X	X	X	4	X	1	1	X	
6-PLEX TYPE F	4,343 SF	7	7	7	X	X	X	21	X	7	X	X	
4-PLEX TYPE G	4,651 SF	1	X	X	X	X	X	X	X	X	X	4	
TOTAL UNITS:			12	12	5	3	1	44	3	17	2	4	103 UNITS TOTAL
TOTAL FLOOR AREAS:			16,080	16,128	8,540	5,124	1,718	78,408	6,414	36,074	4,338	7,092	179,916 SF TOTAL
TOTAL NET LOT AREA:													5.1 ACRES = 222,310 SF
FLOOR AREA RATIO:													179,916 SF/222,310 SF = 0.809
TOTAL BUILDING COVERAGE:													2,111x2 + 2,132x1 + 2,771x3 + 3,275X1 + 4,019x2 + 3,557x2 + 4,805x1 + 4,848x1 + 4,343x7 + 4,651x1 = 77,799 SF
LOT COVERAGE RATIO:													77,799 SF/222,310 SF = 0.350

NOTES:
1. UNITS 19, 33 AND 59 ARE MODIFIED TO HAVE UNIT ENTRIES ON THE SIDES OF THE BUILDINGS.
2. ADA UNIT REQUIREMENT: 10% OF 94 UNITS (3-PLEX BUILDINGS EXCLUDED). 10 ADA UNITS REQUIRED. 10 ADA UNITS PROVIDED. ADA ACCESSIBLE UNIT NUMBERS ARE: 10, 18, 19, 33, 39, 45, 75, 87, 99 AND 100.
3. PLANS TYPE 3 ALT & 5-ALT HAVE UTILITY CLOSETS ON THE SIDES.
4. PRIVATE OPEN SPACES ARE PROPOSED FOR PLAN TYPES 3, 4, 5 AND 6 ONLY INCLUDING ALTERNATE PLAN TYPES.

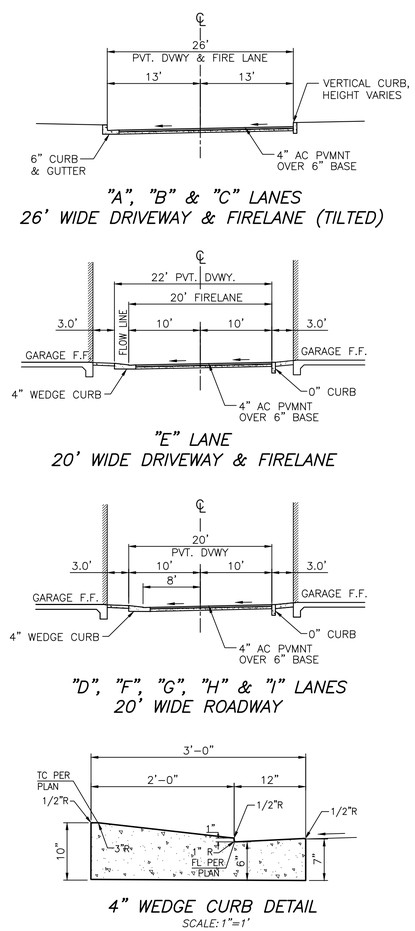


LOCATION MAP



NOTE: PRIVATE PATIOS OF UNITS IN BUILDING 15 ARE 10' MIN DEEP.

TYPICAL BUILDING FOOTPRINTS
SCALE: 1"=20'



LAND SURVEYOR
CONTACT: MIKE KENNADA
VERTEX SURVEY INC.
28348 CONSTELLATION RD.
SUITE 800,
VALENCIA, CA 91355
TEL: 661-254-1928

SOILS ENGINEER
CONTACT: MARK SWIATEK
RMA GEOSCIENCE, INC.
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ARCHITECT
CONTACT:SOPIDA KETMANEE,A.I.A.
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SUITE # 330
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TEL:424-294-3718

OWNER/DEVELOPER:
CONTACT: DAVID LELIE
KB HOME
25152 SPRINGFIELD CT.
SUITE 180
VALENCIA, CA 91355
TEL: 661-219-6852

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FORMA ENGINEERING INC.
400 San Fernando Mission Boulevard, Suite 200
San Fernando, California 91340
Phone: (818) 832-1710 · Fax: (818) 832-1740

SITE PLAN
FOR EL MONTE

VESTING TENTATIVE TRACT 082797
EL MONTE, CA 91731

DATE 8/10/2020
JOB NUMBER 19023

1
OF 3 SHEETS

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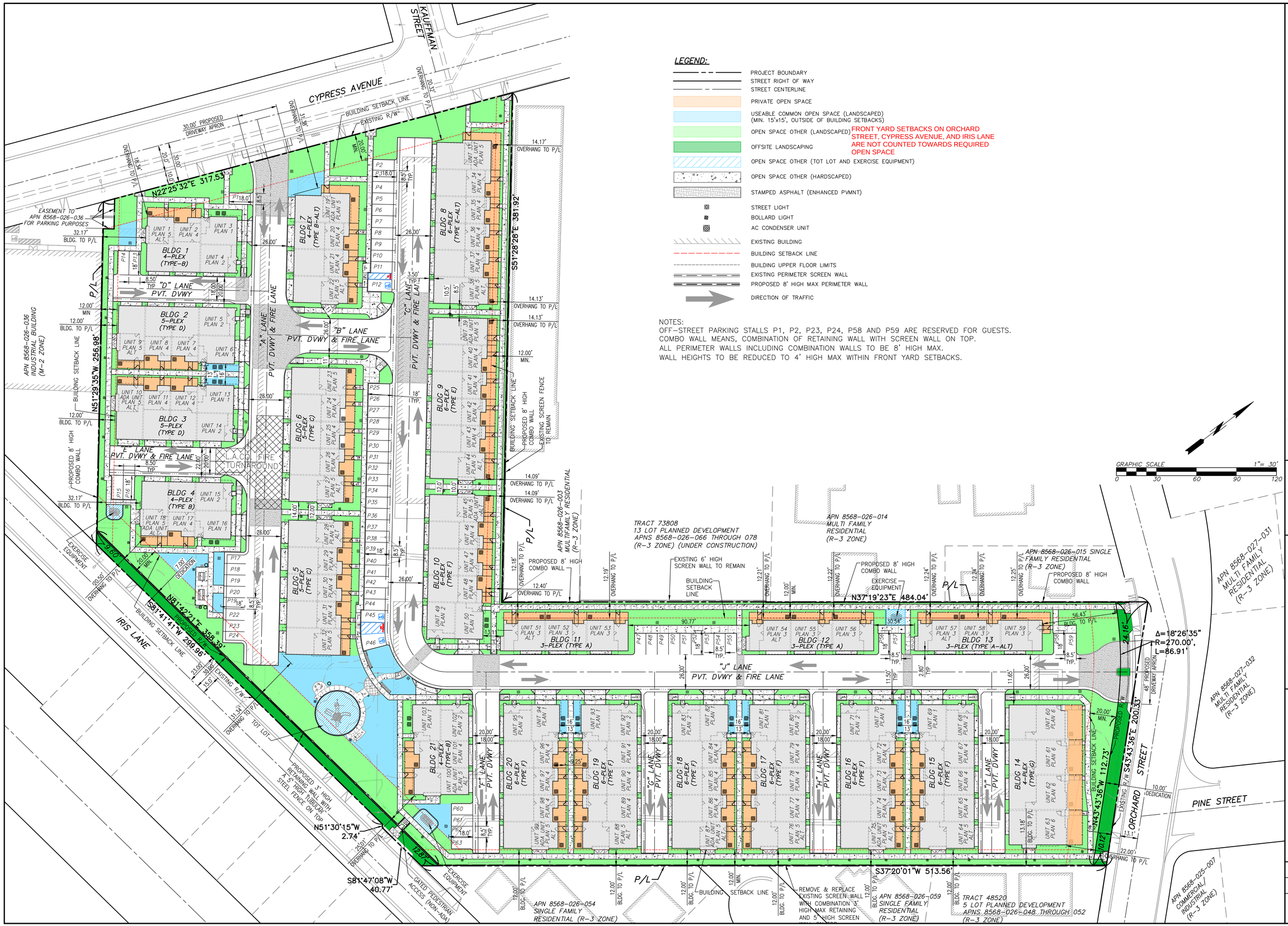
Last Opened: Aug 10, 2020 - 12:32pm by oret



LEGEND:

- PROJECT BOUNDARY
- STREET RIGHT OF WAY
- STREET CENTERLINE
- PRIVATE OPEN SPACE
- USEABLE COMMON OPEN SPACE (LANDSCAPED) (MIN. 15'x15', OUTSIDE OF BUILDING SETBACKS)
- OPEN SPACE OTHER (LANDSCAPED)
- OFFSITE LANDSCAPING
- OPEN SPACE OTHER (TOT LOT AND EXERCISE EQUIPMENT)
- OPEN SPACE OTHER (HARDSCAPED)
- STAMPED ASPHALT (ENHANCED PVMNT)
- STREET LIGHT
- BOLLARD LIGHT
- AC CONDENSER UNIT
- EXISTING BUILDING
- BUILDING SETBACK LINE
- BUILDING UPPER FLOOR LIMITS
- EXISTING PERIMETER SCREEN WALL
- PROPOSED 8' HIGH MAX PERIMETER WALL
- DIRECTION OF TRAFFIC

FRONT YARD SETBACKS ON ORCHARD STREET, CYPRESS AVENUE, AND IRIS LANE ARE NOT COUNTED TOWARDS REQUIRED OPEN SPACE

NOTES:
OFF-STREET PARKING STALLS P1, P2, P23, P24, P58 AND P59 ARE RESERVED FOR GUESTS.
COMBO WALL MEANS, COMBINATION OF RETAINING WALL WITH SCREEN WALL ON TOP.
ALL PERIMETER WALLS INCLUDING COMBINATION WALLS TO BE 8' HIGH MAX.
WALL HEIGHTS TO BE REDUCED TO 4' HIGH MAX WITHIN FRONT YARD SETBACKS.

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OWNER/DEVELOPER:
CONTACT: DAVID LELIE
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TEL: 661-219-6852

REGISTERED PROFESSIONAL ENGINEER
JOSEPH BINKLEY
No. 64448
Exp. 6/30/21
CIVIL
STATE OF CALIFORNIA

PREPARED BY:
FORMA ENGINEERING INC.
400 San Fernando Mission Boulevard, Suite 200
San Fernando, California 91340
Phone: (818) 832-1710 • Fax: (818) 832-1740

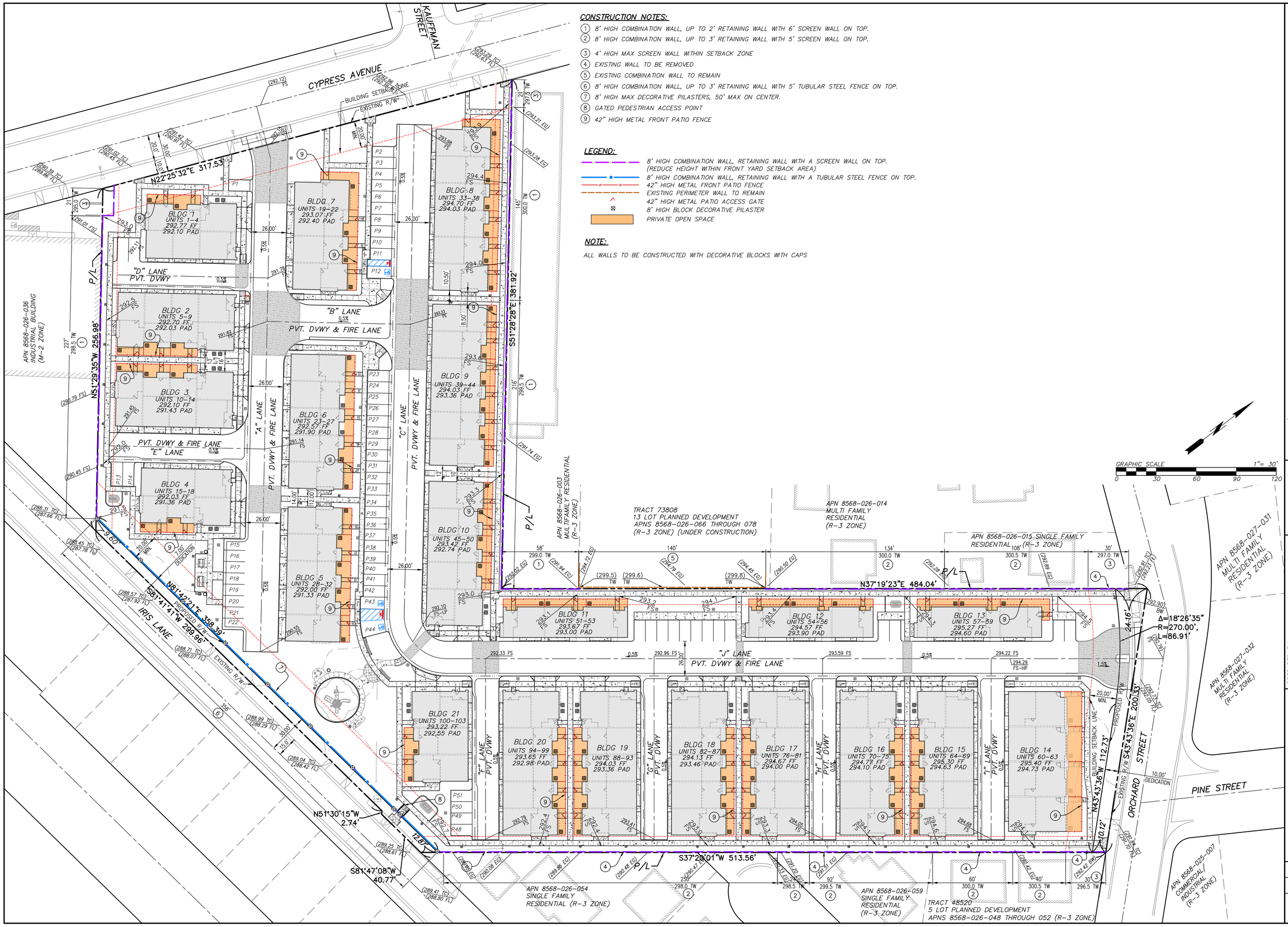
SITE PLAN FOR EL MONTE

VESTING TENTATIVE TRACT 082797 EL MONTE, CA 91731

DATE
7/22/2020

JOB NUMBER
19023

Template Number: 1.1.13.0273.1 Fnch\Final Plots\TTM\Site Plan\V02 10/07/2020\Plan.dwg



CONSTRUCTION NOTES:

1. 8' HIGH COMBINATION WALL, UP TO 2' RETAINING WALL WITH 6' SCREEN WALL ON TOP.
2. 8' HIGH COMBINATION WALL, UP TO 3' RETAINING WALL WITH 5' SCREEN WALL ON TOP.
3. 4' HIGH MAX SCREEN WALL WITHIN SETBACK ZONE
4. EXISTING WALL TO BE REMOVED
5. EXISTING COMBINATION WALL TO REMAIN
6. 8' HIGH COMBINATION WALL, UP TO 3' RETAINING WALL WITH 5' TUBULAR STEEL FENCE ON TOP.
7. 8' HIGH MAX DECORATIVE PILASTERS, 50' MAX ON CENTER.
8. GATED PEDESTRIAN ACCESS POINT
9. 42" HIGH METAL FRONT PATIO FENCE

LEGEND:

- 8' HIGH COMBINATION WALL, RETAINING WALL WITH A SCREEN WALL ON TOP. (REDUCE HEIGHT WITHIN FRONT YARD SETBACK AREA)
- 8' HIGH COMBINATION WALL, RETAINING WALL WITH A TUBULAR STEEL FENCE ON TOP.
- 42" HIGH METAL FRONT PATIO FENCE
- EXISTING PERIMETER WALL TO REMAIN
- 42" HIGH METAL PATIO ACCESS GATE
- 8' HIGH BLOCK DECORATIVE PILASTER
- PRIVATE OPEN SPACE

NOTE:

ALL WALLS TO BE CONSTRUCTED WITH DECORATIVE BLOCKS WITH CAPS

OWNER/DEVELOPER:
CONTACT: DAVID LELIE
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LAND SURVEYOR
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REGISTERED PROFESSIONAL ENGINEER — CIVIL — No. 64448 — Exp. 6/30/21 — STATE OF CALIFORNIA

SITE PLAN FOR EL MONTE WALL & FENCE EXHIBIT

VESTING TENTATIVE TRACT 082797 EL MONTE, CA 91731

DATE 7/22/2020

JOB NUMBER 19023

3 OF 3 SHEETS

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VTTM FOR TRACT 082797

(FOR CONDOMINIUM PURPOSES)

LOCATED IN THE CITY OF EL MONTE
THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

CONTACTS:

LAND SURVEYOR:
NAME: VERTEX LAND SURVEYING, INC.
REPRESENTATIVE: MIKE KENNADA
ADDRESS: 28348 CONSTELLATION ROAD. SUITE 800, VALENCIA, CA 91355
PHONE: (661) 254-1928

CIVIL ENGINEER:
NAME: FORMA ENGINEERING INC.
REPRESENTATIVE: ARET BINATLI
ADDRESS: 400 SAN FERNANDO MISSION BLVD. SUITE 200 SAN FERNANDO, CA 91340
PHONE: (818) 832-1710 x102

GEOTECHNICAL/SOILS ENGINEER
NAME: RMA GEOSCIENCE, INC.
REPRESENTATIVE: MARK SWIATEK
ADDRESS: 9854 GLENOAKS BOULEVARD, SUN VALLEY, CA 91352-1044
PHONE: (800) 762-4396

OWNER
NAME: PI PROPERTIES NO. 66, LLC
REPRESENTATIVE: CHARLES ZHAO
ADDRESS: 610 N. SANTA ANITA AVE. ARCADIA, CA 91006
PHONE: (626) 321-4960

SUBDIVIDER:
NAME: KB HOME GREATER LOS ANGELES INC.
REPRESENTATIVE: DAVID LELIE
ADDRESS: 25152 SPRINGFIELD COURT, SUITE 180, VALENCIA, CALIFORNIA 91355
PHONE: (661) 219-6852

UTILITY PURVEYORS:

WATER: CITY OF EL MONTE WATER DEPARTMENT
ADDRESS: 11,333 VALLEY BOULEVARD, EL MONTE, CA 91731
PHONE: (626) 580-2001

SEWER: CITY OF EL MONTE WATER DEPARTMENT
ADDRESS: 11,333 VALLEY BOULEVARD, EL MONTE, CA 91731
PHONE: (626) 580-2001

STORM: COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
ADDRESS: 900 SOUTH FREMONT AVENUE, ALHAMBRA, CA 91803
PHONE: (626) 458-4921

GAS: SOUTHERN CALIFORNIA GAS COMPANY
ADDRESS: 1600 CORPORATE CENTER DRIVE MONTEREY PARK, CA 91754
PHONE: (310) 987-2011

ELECTRIC: SOUTHERN CALIFORNIA EDISON COMPANY
PHONE: AT&T CALIFORNIA
ADDRESS: 600 E. GREEN STREET, ROOM 300 PASADENA, CA 91101

CABLE: CHARTER CABLE COMPANY

FIRE: LOS ANGELES COUNTY FIRE DEPARTMENT

GENERAL NOTES

1. EXISTING GENERAL PLAN DESIGNATION.....INDUSTRIAL BUSINESS PARK & MEDIUM DENSITY RESIDENTIAL
2. PROPOSED GENERAL PLAN DESIGNATION.....HIGH DENSITY RESIDENTIAL
3. EXISTING ZONING.....M-2 & R-3
4. PROPOSED ZONING.....R-4 HIGH-DENSITY MULTI FAMILY
5. EXISTING LAND USE.....INDUSTRIAL
6. PROPOSED LAND USE.....RESIDENTIAL CONDOMINIUMS
7. EXISTING NUMBER OF LOTS.....4
8. PROPOSED NUMBER OF LOTS.....1
9. TOTAL NUMBER OF GROSS ACRES: (TO SURROUNDING STREET C/L)..... 5.69 AC
10. TOTAL NUMBER OF NET ACRES (AFTER STREET DEDICATIONS DEDUCTED):..... 5.10 AC
11. STREET DEDICATIONS REQUIRED ALONG IRIS LANE AND ORCHARD STREET FOR 30' HALF STREET
12. TOTAL OPEN SPACE PROVIDED .....73,316 SF
    PRIVATE OPEN SPACE (ENCLOSED FRONT YARDS) = 13,948 SF
    USABLE COMMON OPEN SPACE (LANDSCAPED, 15'X15' MIN)= 6,711 SF
    OTHER OPEN SPACE (LANDSCAPED) = 31,640 SF
    OTHER OPEN SPACE (HARDSCAPED) = 19,590 SF
    OTHER OPEN SPACE (TOT LOT AND EXERCISE STATIONS) = 1,427 SF
    PRIVATE OPEN SPACE REQUIREMENT IS NOT MET, MODIFICATION REQUESTED
13. TOTAL NUMBER CONDOMINIUM UNITS..... 103
14. OVERALL DENSITY FOR RESIDENTIAL LOT ..... 20.2 D.U./AC
15. PROPOSED PARKING:
    PRIVATE (ALL UNITS WILL HAVE A TWO-CAR GARAGE)..... 206 PROVIDED
    GUEST (0.61/UNIT) ..... 63 PROVIDED
16. SITE ADDRESS: 3630, 3640, 3700 CYPRESS AVENUE & 11312 ORCHARD STREET, EL MONTE 91731
17. ASSESSOR PARCEL NUMBER: 8568-026-002, 8568-026-034, 8568-026-035 & 8568-026-053
18. PROPOSED HEIGHT.....30' MAX. TO EAVES
    36' TO RIDGE
19. ALL EXISTING STRUCTURES ON SITE TO BE DEMOLISHED.
20. THERE ARE 8 TREES ON SITE PROTECTED AS HERITAGE TREES PER THE TREE SURVEY & ARBORIST REPORT DATED JULY 3, 2019, REVISED SEPTEMBER 25, 2019, PREPARED BY GOLDEN STATE LAND & TREE ASSESSMENT. ALL HERITAGE TREES TO BE REMOVED AND REPLACED AT 2:1 RATIO.
21. PROPOSED METHOD OF SEWAGE DISPOSAL:
    8" VCP PUBLIC SEWER MAINS ARE PROPOSED WITHIN THE PRIVATE DRIVE AISLES. ONSITE SEWER LINES WILL EXTEND TO IRIS LANE AND CONNECT TO AN EXISTING 8" CITY OF EL MONTE SEWER PER S-133.
22. PROPOSED METHOD OF WATER SUPPLY:
    PUBLIC WATER EXTENSION IS PROPOSED WITHIN THE PRIVATE DRIVE AISLES. WATER MAIN WILL CONNECT TO AN EXISTING CITY MAINS LOCATED IN ORCHARD STREET, IRIS LANE AND CYPRESS AVENUE. EXISTING WATER MAIN UPGRADE IN CYPRESS AVENUE IS ALSO REQUIRED.
23. PROPOSED METHOD OF DRAINAGE AND LOW IMPACT DEVELOPMENT:
    ONSITE RUNOFF WILL BE COLLECTED, FILTERED AND ROUTED TO UNDERGROUND INFILTRATION BMP DEVICES. INFILTRATION DEVICES WILL RETAIN DISCHARGE PRODUCED BY MINIMUM 85TH PERCENTILE RAIN EVENT. EXCESS STORM WATER WILL WE CONVEYED TO IRIS LANE VIA PARKWAY DRAIN.
24. FEMA FLOOD ZONE:
    PROJECT LAYS WITHIN ZONE X. AREAS OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN, AREAS OF 1% ANNUAL CHANCE SHEET FLOW FLOODING WHERE AVERAGE DEPTHS ARE LESS THAN 1 FOOT, AREAS OF 1% ANNUAL CHANCE OF STREAM FLOODING WHERE CONTRIBUTING DRAINAGE AREA IS LESS THAN 1 SQUARE MILE, OR AREAS PROTECTED FROM THE 1% ANNUAL CHANCE FLOOD BY LEVEES. NO BASE FLOOD ELEVATIONS OR DEPTHS ARE SHOWN WITHIN THIS ZONE. INSURANCE PURCHASE IS NOT REQUIRED IN THIS ZONE.
    FIRM MAP NO. 06037C1675F DATED SEPTEMBER 26, 2008
    THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THIS SURVEYORS OPINION OF THE PROBABILITY OF FLOODING.
25. ALL UTILITIES WILL BE UNDERGROUND PER CITY OF EL MONTE MUNICIPAL CODE

EXISTING EASEMENTS:

EASEMENTS BASED ON FIRST AMERICAN TITLE COMPANY PRELIMINARY REPORT ORDER NO. OAS-5840318 (29) DATED MAY 21, 2019.

(A) An easement for pole lines and incidental purposes, recorded as Book 19814, Page 313 of Official Records.
In Favor of: Southern California Edison Company, Ltd.
Affects: Parcel Three
The location of the easement cannot be determined from record information. LOCATION IS APPROXIMATE ONLY – TO BE QUITCLAIMED

(B) An easement for pole lines and incidental purposes, recorded October 24, 1946 as Instrument No. 25993-0 of Official Records.
In Favor of: Southern California Edison Company, Ltd.
Affects: Parcel Three – TO BE QUITCLAIMED

(C) An easement for public road, highway and incidental purposes, recorded March 24, 1948 as Book 26783, Page 6 and July 19, 1949 as Instrument No. 13822-R of Official Records.
In Favor of: City of El Monte, a Municipal corporation
Affects: Parcel Three

(D) An easement for install and maintain a sewer line and incidental purposes in the document recorded April 10, 1963 as Instrument No. 3566 in Book D1987, Page 45 of Official Records.
The location of the easement cannot be determined from record information.
Affects: Parcels 1 and 2 of Parcel Two
PRIVATE SEWER EASEMENT FOR LOTS 10 TO 22 INCLUSIVE OF TRACT NO. 5411 LOCATED WEST OF CYPRESS AVENUE

(E) An easement for electrical system and incidental purposes, recorded December 12, 1963 as Instrument No. 5356 of Official Records.
In Favor of: Southern California Edison Company, a corporation
Affects: Parcel One

(F) A subsurface oil and gas lease, executed by Erno Industries as lessor and Standard Oil Company of California, a corporation as lessee, recorded June 10, 1964 as Instrument No. 3364 of Official Records, affecting the land lying below a depth of 500 feet from the surface thereof, without the right of surface entry.
Affects: Parcel One, Parcel 1 of Parcel Two and Parcel Three
Defects, liens, encumbrances or other matters affecting the leasehold estate, whether or not shown by the public records.

(G) An easement for public utilities and incidental purposes, recorded September 15, 1972 as Instrument No. 4537 of Official Records.
In Favor of: Southern California Edison Company
Affects: Parcel Three – TO BE QUITCLAIMED

(H) An easement for flood control, sanitary sewer, public utilities and incidental purposes, recorded June 01, 1995 as Instrument No. 95-873532 of Official Records.
In Favor of: the City of El Monte
Affects: Portion of Parcel 3 lying within vacated Iris Avenue

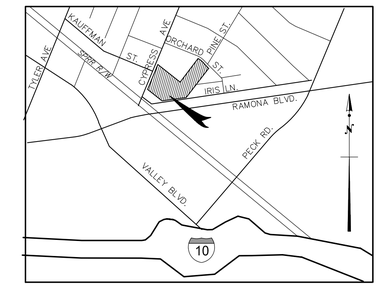
(I) An easement for public utilities and incidental purposes, recorded March 25, 1996 as Instrument No. 96-469798 of Official Records.
In Favor of: Southern California Edison Company, a corporation
Affects: Parcel Three – TO BE QUITCLAIMED

(J) An easement for public utilities and incidental purposes, recorded March 25, 1996 as Instrument No. 96-469799 of Official Records.
In Favor of: Southern California Edison Company, a corporation
Affects: Parcel 1 of Parcel Two – TO BE QUITCLAIMED

SEE SHEET 2 FOR PROPOSED EASEMENTS

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF CYPRESS AVENUE, SHOWN AS S22-26-00W ON TRACT NO. 73808 FILED IN BOOK 1405 PAGES 82 THROUGH 84, INCLUSIVE OF MAPS, RECORDS OF LOS ANGELES COUNTY, AND SHOWN AS S22-25-32W ON THIS MAP.

BENCHMARK:
LA COUNTY DEPT. OF PUBLIC WORKS BM NO. 4C2739
ELEVATION = 298.453 NAVD 1988 BASELINE QUAD 2005
L&LS 6999 TAG IN N CB 44 FT E/O BCR @ NE COR PECK RD & RAMONA BLVD.



LOCATION MAP

LEGAL DESCRIPTION:
PARCEL ONE: (APN: 8568-026-002)
THAT PORTION OF LOT 1 OF TRACT NO. 1963, IN THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 21 PAGE 99 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAID LOT DISTANT THEREON SOUTH 22°34' 30" WEST 208.97 FEET FROM THE MOST NORTHERLY CORNER OF SAID LOT; THENCE SOUTH 51°20' 32" EAST 381.98 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT DISTANT NORTH 37° 27' 30" EAST THEREON, 86.34 FEET FROM THE MOST SOUTHERLY CORNER OF SAID LOT; THENCE SOUTH 37° 27' 30" WEST, 86.34 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT; THENCE NORTH 51° 22' WEST 358.85 FEET TO THE MOST WESTERLY CORNER OF SAID LOT; THENCE NORTH 22° 34' 30" EAST 90.00 FEET TO THE POINT OF BEGINNING.
PARCEL TWO: (APN: 8568-026-034 AND 8568-026-035)
PARCELS 1 AND 2, IN THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP NO. 202, FILED IN BOOK 8 PAGE 88 OF PARCEL MAP, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
PARCEL THREE: (APN: 8568-026-053)
LOT 3 OF TRACT NO. 1963, IN THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 21 PAGE 99 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXCEPT THAT PORTION THEREOF WHICH LIES WITHIN A STRIP 50 FEET WIDE LYING NORTHERLY OF AND ADJACENT TO THE NORTHERLY LINE OF THE PACIFIC ELECTRIC RAILROAD, AS SHOWN ON THE MAP OF TRACT 1963. TOGETHER WITH THAT PORTION OF IRIS AVENUE ADJACENT TO SAID LOT 3 AS VACATED BY RESOLUTION NO. 7587 RECORDED JUNE 01, 1995 AS INSTRUMENT NO. 95-873532 OF OFFICIAL RECORDS AS IT WOULD PASS BY OPERATION OF LAW.

OPEN SPACE CALCULATIONS:

TOTAL NET LOT AREA:	222,310 SF (5.10 ACRES)
OPEN SPACE AREA:	73,316 SF
RATIO	32.98%

EARTHWORK QUANTITY TABLE:

	CUT (CY)	FILL (CY)
RAW CUT: (PRIVATE DRIVEWAY TO BE LEFT 18" LOW FOR PAVEMENT SECTION AND UTILITY SPOILS)	30	13,400
5' DEEP OVEREXCAVATION AND RECOMPACTION	39,500	39,500
ANTICIPATED SHRINKAGE		7,000
TOTAL VOLUME	39,530	59,900
TOTAL IMPORT		**20,370 CY**

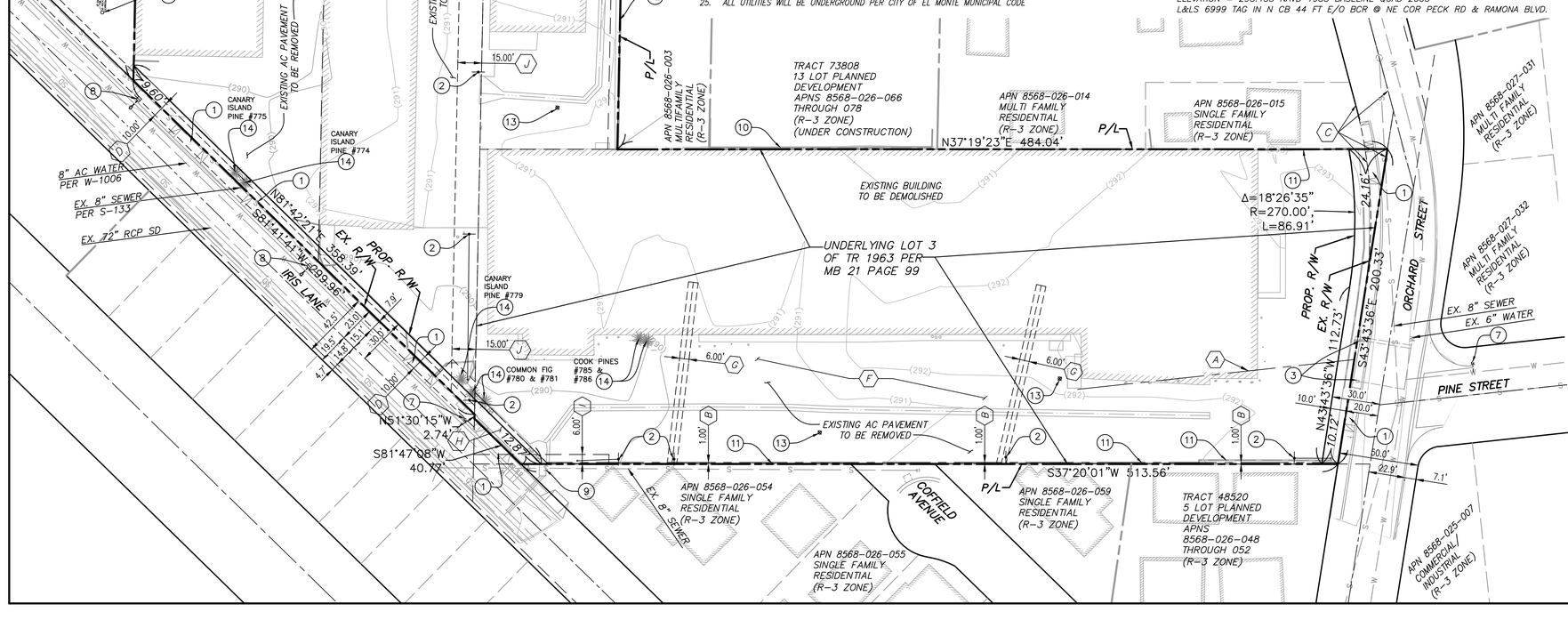
DEMOLITION NOTES:

1. EXISTING DRIVEWAY APRON TO BE REMOVED
2. EXISTING POWER POLE TO BE REMOVED AND POWER LINES TO BE UNDERGROUNDED
3. EXISTING WATER METERS TO BE REMOVED
4. EXISTING GAS METERS TO BE REMOVED
5. EXISTING POWER POLE TO BE PROTECTED IN PLACE
6. EXISTING GAS METERS TO BE REMOVED
7. EXISTING FIRE HYDRANT TO BE PROTECTED IN PLACE
8. EXISTING STREET LIGHT TO BE PROTECTED IN PLACE
9. EXISTING STORM DRAIN CATCH BASIN TO BE PROTECTED IN PLACE
10. EXISTING PERIMETER WALL TO BE PROTECTED IN PLACE
11. EXISTING PERIMETER WALL TO BE DEMOLISHED
12. EXISTING PERIMETER FENCE TO BE PROTECTED IN PLACE
13. EXISTING MONITORING WELL TO BE ABANDONED. (THERE ARE 3 MONITORING WELLS ONSITE, ALL TO BE ABANDONED)
14. PROTECTED TREE TO BE REMOVED, TREE SPECIES NOTED ON THE PLAN
    SEE THE TREE REPORT FOR ADDITIONAL INFORMATION.
15. EXISTING ABANDONED OIL WELL, FERRIS #1 ON ADJACENT PROPERTY

LEGEND OF ABBREVIATIONS:

EX, EXIST	EXISTING
TC	TOP OF CURB
FL	FLOW LINE
TOP	TOP OF SLOPE
TOE	TOE OF SLOPE
FS	FINISHED SURFACE
FF	FINISHED FLOOR
FG	FINISHED GRADE
BW	BACK OF WALK
TG	TOP OF GRATE
INV	INVERT
CL	CENTERLINE
PL	PROPERTY LINE
GB	GRADE BREAK
HP	HIGH POINT
LP	LOW POINT
EL OR ELEV	ELEVATION
DVWY	DRIVEWAY

PROJECT BOUNDARY
STREET RIGHT OF WAY
STREET CENTERLINE
EASEMENT
EXISTING STORM DRAIN
EXISTING WATER MAIN
EXISTING SEWER MAIN
(290) EXISTING CONTOURS
EXISTING STREET LIGHT
EXISTING FIRE HYDRANT
EXISTING POWER POLE
PROTECTED TREE TO BE REMOVED
TREE TO BE REMOVED



LAND SURVEYOR
CONTACT: MIKE KENNADA
VERTEX SURVEY INC.
28348 CONSTELLATION RD.
SUITE 800,
VALENCIA, CA 91355
TEL: 661-254-1928

SOILS ENGINEER
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TEL:424-294-3718

OWNER/DEVELOPER:
CONTACT: DAVID LELIE
KB HOME
25152 SPRINGFIELD CT.
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PREPARED BY:
FORMA ENGINEERING INC.
400 San Fernando Mission Boulevard, Suite 200
San Fernando, California 91340
Phone: (818) 832-1710 Fax: (818) 832-1740

VESTING TENTATIVE TRACT MAP FOR EL MONTE

VTTM FOR TRACT 082797 EL MONTE, CA 91731

DATE 8/10/2020
JOB NUMBER 19023

1 OF 3 SHEETS

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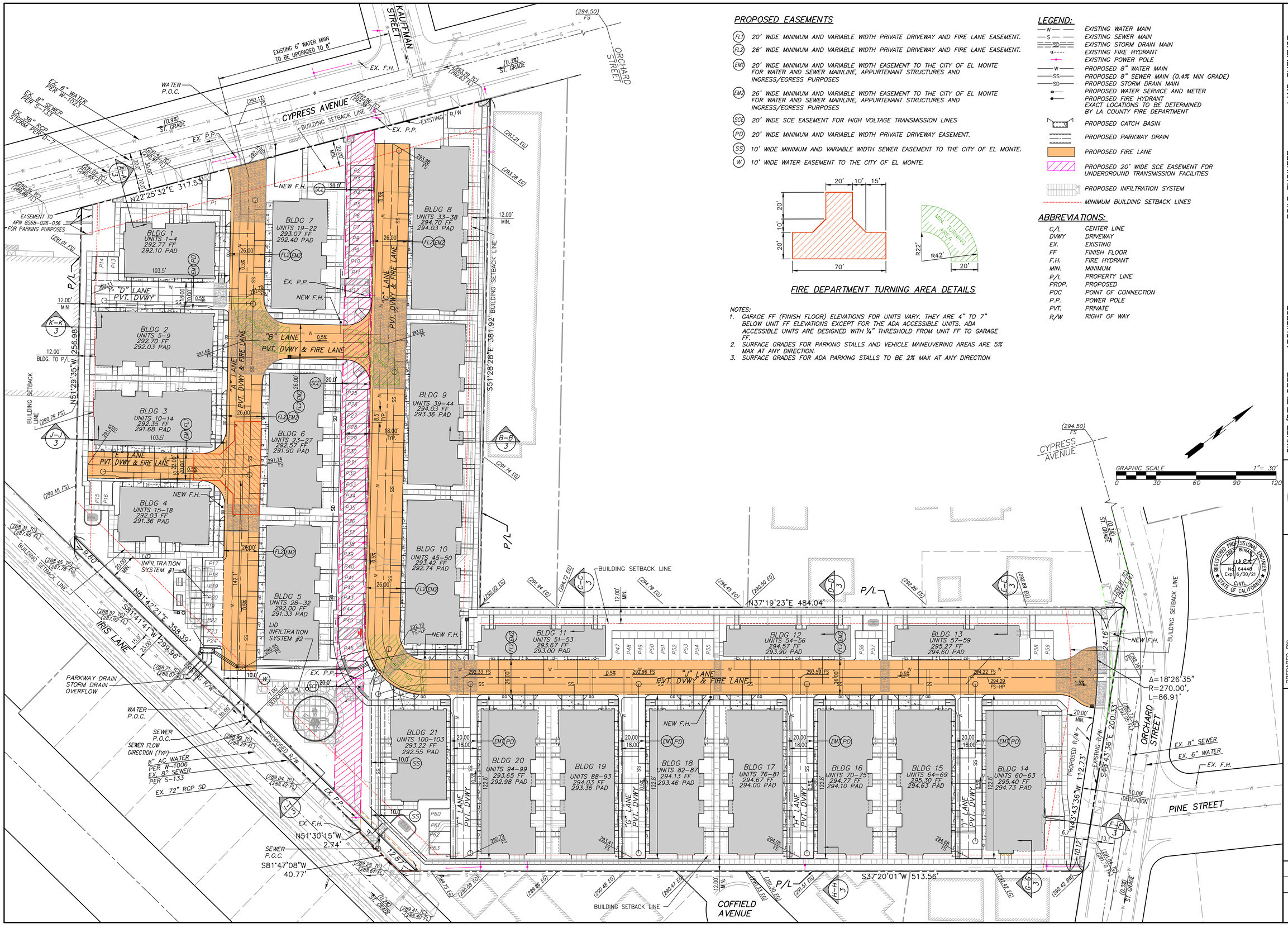

PROPOSED EASEMENTS

- (FL1) 20' WIDE MINIMUM AND VARIABLE WIDTH PRIVATE DRIVEWAY AND FIRE LANE EASEMENT.
- (FL2) 26' WIDE MINIMUM AND VARIABLE WIDTH PRIVATE DRIVEWAY AND FIRE LANE EASEMENT.
- (EM1) 20' WIDE MINIMUM AND VARIABLE WIDTH EASEMENT TO THE CITY OF EL MONTE FOR WATER AND SEWER MAINLINE, APPURTENANT STRUCTURES AND INGRESS/EGRESS PURPOSES
- (EM2) 26' WIDE MINIMUM AND VARIABLE WIDTH EASEMENT TO THE CITY OF EL MONTE FOR WATER AND SEWER MAINLINE, APPURTENANT STRUCTURES AND INGRESS/EGRESS PURPOSES
- (SCE) 20' WIDE SCE EASEMENT FOR HIGH VOLTAGE TRANSMISSION LINES
- (PD) 20' WIDE MINIMUM AND VARIABLE WIDTH PRIVATE DRIVEWAY EASEMENT.
- (SS) 10' WIDE MINIMUM AND VARIABLE WIDTH SEWER EASEMENT TO THE CITY OF EL MONTE.
- (W) 10' WIDE WATER EASEMENT TO THE CITY OF EL MONTE.

FIRE DEPARTMENT TURNING AREA DETAILS

NOTES:
1. GARAGE FF (FINISH FLOOR) ELEVATIONS FOR UNITS VARY. THEY ARE 4" TO 7" BELOW UNIT FF ELEVATIONS EXCEPT FOR THE ADA ACCESSIBLE UNITS. ADA ACCESSIBLE UNITS ARE DESIGNED WITH ¼" THRESHOLD FROM UNIT FF TO GARAGE FF.
2. SURFACE GRADES FOR PARKING STALLS AND VEHICLE MANEUVERING AREAS ARE 5% MAX AT ANY DIRECTION.
3. SURFACE GRADES FOR ADA PARKING STALLS TO BE 2% MAX AT ANY DIRECTION

LEGEND:

- EXISTING WATER MAIN
- EXISTING SEWER MAIN
- EXISTING STORM DRAIN MAIN
- EXISTING FIRE HYDRANT
- EXISTING POWER POLE
- PROPOSED 8" WATER MAIN
- PROPOSED 8" SEWER MAIN (0.4% MIN GRADE)
- PROPOSED STORM DRAIN MAIN
- PROPOSED WATER SERVICE AND METER
- PROPOSED FIRE HYDRANT EXACT LOCATIONS TO BE DETERMINED BY LA COUNTY FIRE DEPARTMENT
- PROPOSED CATCH BASIN
- PROPOSED PARKWAY DRAIN
- PROPOSED FIRE LANE
- PROPOSED 20' WIDE SCE EASEMENT FOR UNDERGROUND TRANSMISSION FACILITIES
- PROPOSED INFILTRATION SYSTEM
- MINIMUM BUILDING SETBACK LINES

ABBREVIATIONS:

C/L	CENTER LINE
DVWY	DRIVEWAY
EX.	EXISTING
FF	FINISH FLOOR
F.H.	FIRE HYDRANT
MIN.	MINIMUM
P/L	PROPERTY LINE
PROP.	PROPOSED
POC	POINT OF CONNECTION
P.P.	POWER POLE
PVT.	PRIVATE
R/W	RIGHT OF WAY

OWNER/DEVELOPER:
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400 San Fernando Mission Boulevard, Suite 200
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VESTING TENTATIVE TRACT MAP FOR EL MONTE

VTTM FOR TRACT 082797 EL MONTE, CA 91731

DATE 7/22/2020

JOB NUMBER 19023

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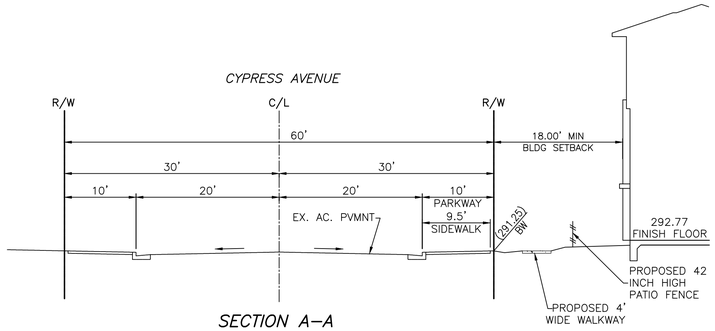

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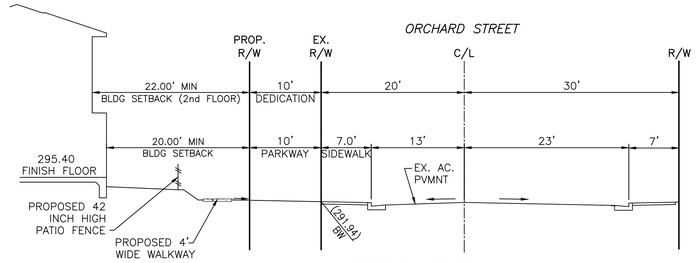

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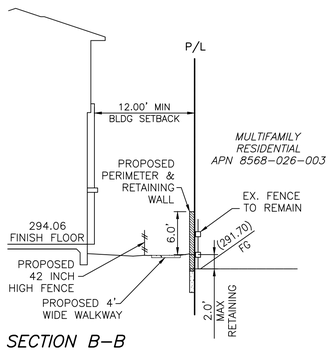

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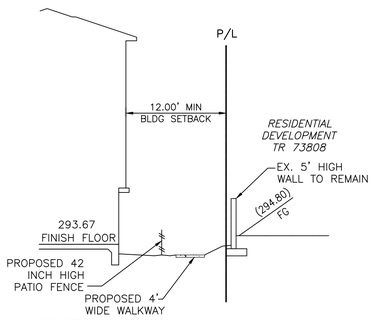

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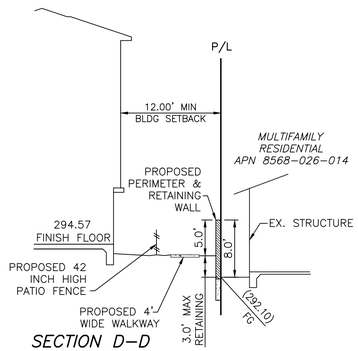

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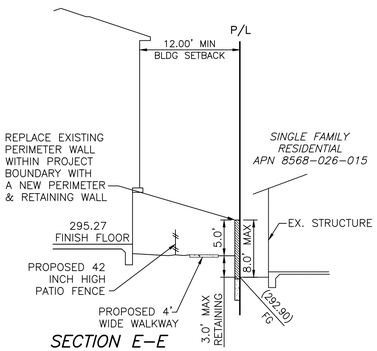

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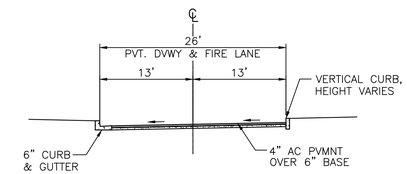
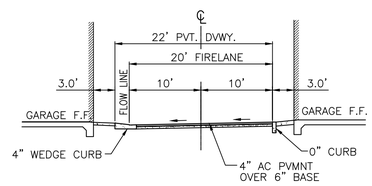
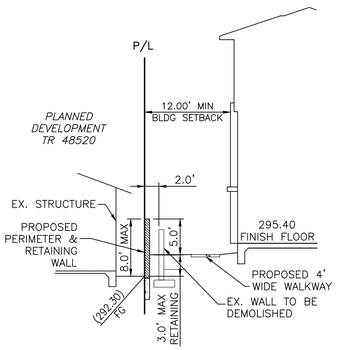


"A", "B" & "C" LANES
26' WIDE DRIVEWAY & FIRELANE (TILTED)



"E" LANE
20' WIDE DRIVEWAY & FIRELANE



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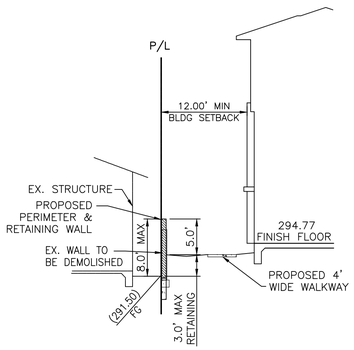

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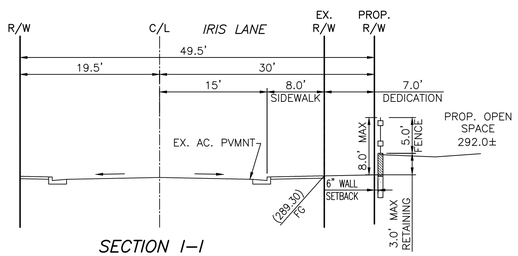

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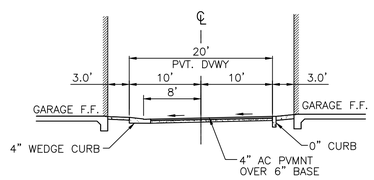
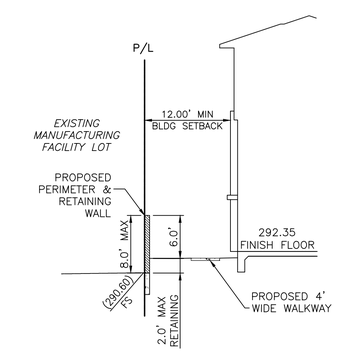


"D", "F", "G", "H" & "I" LANES
20' WIDE ROADWAY



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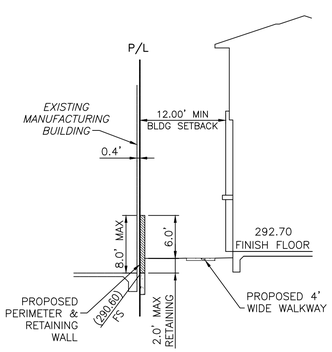

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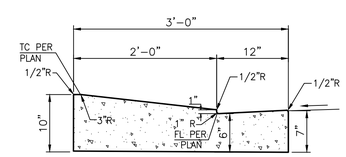

4" WEDGE CURB DETAIL
SCALE: 1"=1'

REGISTERED PROFESSIONAL ENGINEER
BINAY
No. 64449
Exp. 6/30/21
CIVIL
STATE OF CALIFORNIA

LICENSED LAND SURVEYOR
MICHAEL A. KENNADA
L.S.5642
STATE OF CALIFORNIA

LAND SURVEYOR
CONTACT: MIKE KENNADA
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VESTING TENTATIVE TRACT MAP
FOR EL MONTE

VTTM FOR TRACT 082797
EL MONTE, CA 91731

DATE
7/22/2020

JOB NUMBER
19023

Drawing Name: L:\19023\Eng\Final Plots\TTM\03_19023TM.dwg
Last Opened: Jul 22, 2020 - 9:25pm by aret

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
COUNTY OF LOS ANGELES

PLAN SUMMARY

PLAN #	# COUNT	UNIT SF	# of BEDS	# of BATHS	GARAGE SF	TOTAL NET SF
1	12	1,340	2	2.5	495	16,080
2	12	1,344	2	2.5	453	16,128
3	5	1,708	3	2.5	489	8,540
3 ALT	3	1,708	3	2.5	489	5,124
3 (Lot 59)	1	1,718	3	2.5	489	1,718
4	44	1,782	4	2.5	448	78,408
5	3	2,138	4	3.5	436	6,414
5 ALT	17	2,122	4	3.5	436	36,074
5 (Lots 19 & 33)	2	2,169	4	3.5	436	4,338
6	4	1,773	3	2.5	462	7,092
TOTAL	103	-	-	-	-	179,916

SHEET INDEX

CIVIL

1 SITE PLAN

TOWNHOMES

A0.1 SHEET INDEX / PLAN SUMMARY
A0.2 COLORED EXTERIOR ELEVATIONS 6-PLEX - TYPE F
A0.3 STREET SCENE ALONG ORCHARD STREET

A1.1 COMPOSITE FLOOR PLANS 3-PLEX - TYPE A
A1.2 COMPOSITE FLOOR PLANS 3-PLEX - TYPE A-ALT
A1.3 COMPOSITE FLOOR PLANS 4-PLEX - TYPE B & B.1
A1.4 COMPOSITE FLOOR PLANS 4-PLEX - TYPE B-ALT
A1.5 COMPOSITE FLOOR PLANS 5-PLEX - TYPE C
A1.6 COMPOSITE FLOOR PLANS 5-PLEX - TYPE D
A1.7 COMPOSITE FLOOR PLANS 6-PLEX - TYPE E
A1.8 COMPOSITE FLOOR PLANS 6-PLEX - TYPE E-ALT
A1.9 COMPOSITE FLOOR PLANS 6-PLEX - TYPE F
A1.10 COMPOSITE FLOOR PLANS 4-PLEX - TYPE G

A2.1 EXTERIOR ELEVATIONS 3-PLEX - TYPE A
A2.2 EXTERIOR ELEVATIONS 3-PLEX - TYPE A-ALT
A2.3 EXTERIOR ELEVATIONS 4-PLEX - TYPE B
A2.4 EXTERIOR ELEVATIONS 4-PLEX - TYPE B.1
A2.5 EXTERIOR ELEVATIONS 4-PLEX - TYPE B-ALT
A2.6 EXTERIOR ELEVATIONS 5-PLEX - TYPE C
A2.7 EXTERIOR ELEVATIONS 5-PLEX - TYPE D
A2.8 EXTERIOR ELEVATIONS 6-PLEX - TYPE E
A2.9 EXTERIOR ELEVATIONS 6-PLEX - TYPE E-ALT
A2.10 EXTERIOR ELEVATIONS 6-PLEX - TYPE F
A2.11 EXTERIOR ELEVATIONS 4-PLEX - TYPE G

A3.1 FLOOR PLANS - PLAN 1
A3.2 FLOOR PLANS - PLAN 2
A3.3 FLOOR PLANS - PLAN 3
A3.4 FLOOR PLANS - PLAN 3 ALT & PLAN 3 at Lot 59
A3.5 FLOOR PLANS - PLAN 4
A3.6 FLOOR PLANS - PLAN 5
A3.7 FLOOR PLANS - PLAN 5 OPT
A3.8 FLORR PLANS - PLAN 5 at Lots 19 & 33
A3.9 FLOOR PLANS - PLAN 5 ALT
A3.10 FLOOR PLANS - PLAN 5 ALT OPT
A3.11 FLOOR PLANS - PLAN 6

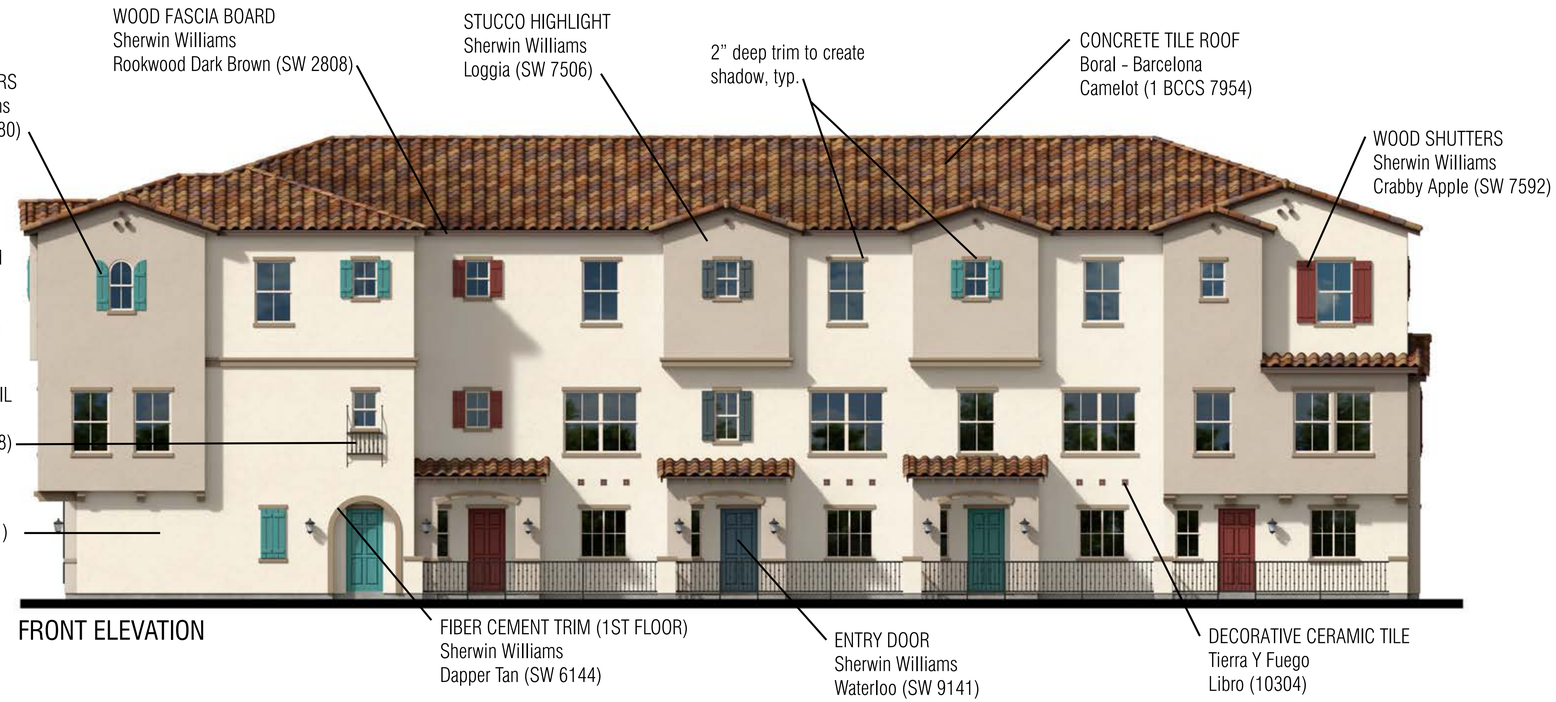
A-4.0 EXTERIOR MATERIAL PALETTE
A-4.1 COLOR SCHEMES

DEVELOPER
KB HOME -SOUTHERN CA - LOS ANGELES/VENTURA
25152 SPRINGFIELD CT, SUITE 180
VALENCIA, CA 91355
661.219.6901

CIVIL
FORMA ENGINEERING INC.
400 SAN FERNANDO MISSION BLVD. SUITE 200
SAN FERNANDO , CA 91340

LANDSCAPE
WEILAND DESIGN GROUP INC.
28924 OLDTOWN FRONT ST. SUITE 202
TEMECULA, CA 92590

LEFT ELEVATION



FRONT ELEVATION

RIGHT ELEVATION

REAR ELEVATION

0 4' 8' 16' 32'

6-PLEX - TYPE F

BUILDINGS 10, 15, 16, 17, 18, 19 & 20

KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-0.2**

DATE: REV. 07-15-2020

Existing Residential

Building 14
Type G

Building 13
Type A-ALT

Existing Residential

STREET SCENE ALONG ORCHARD STREET

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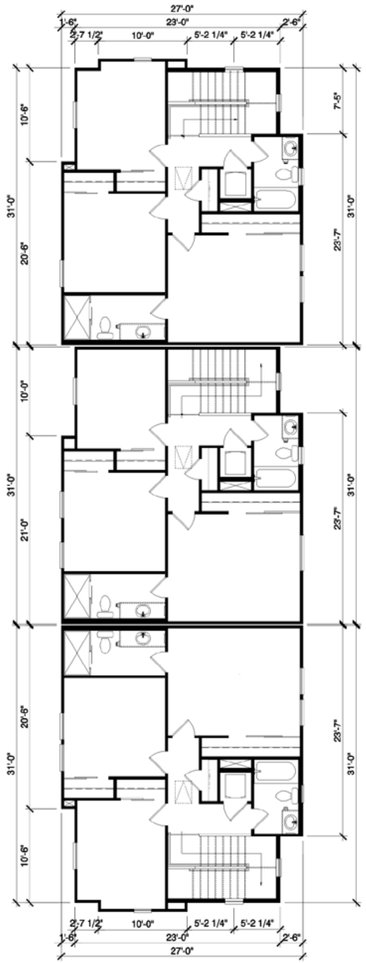
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

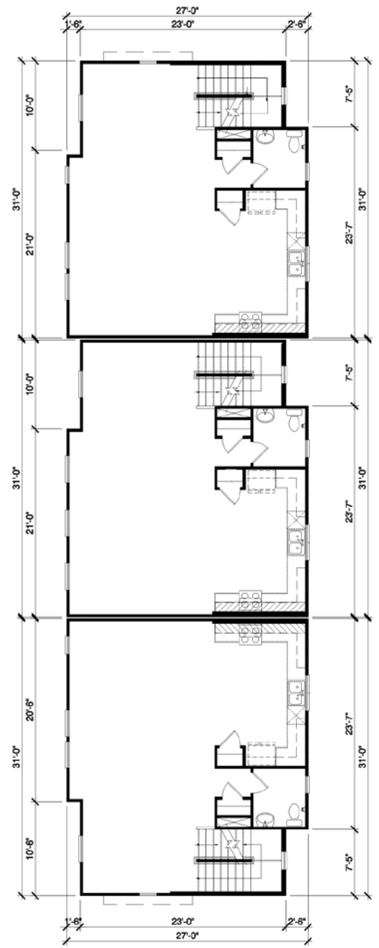
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-0.3**

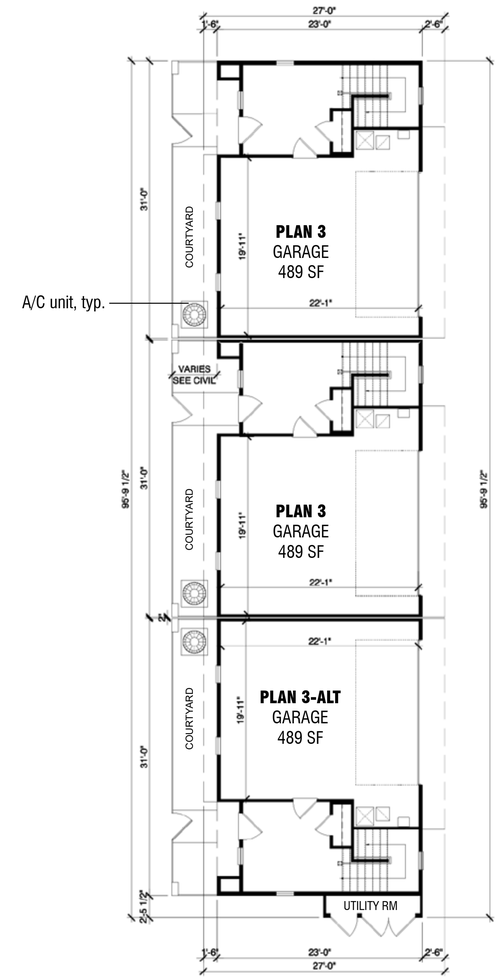
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

3-PLEX - TYPE A

BUILDINGS 11 & 12

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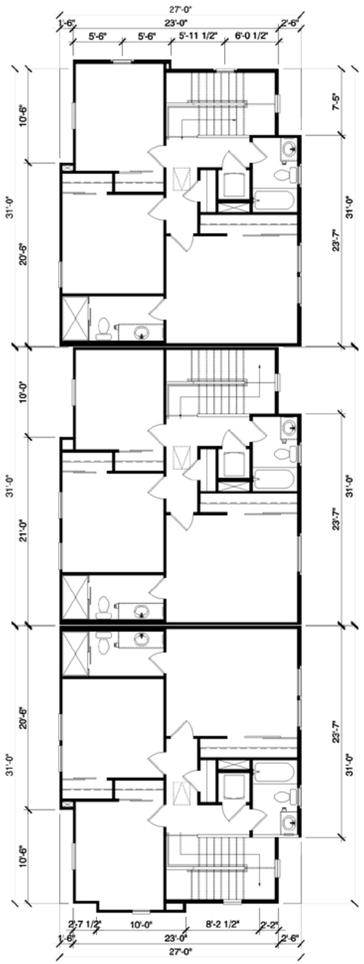
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

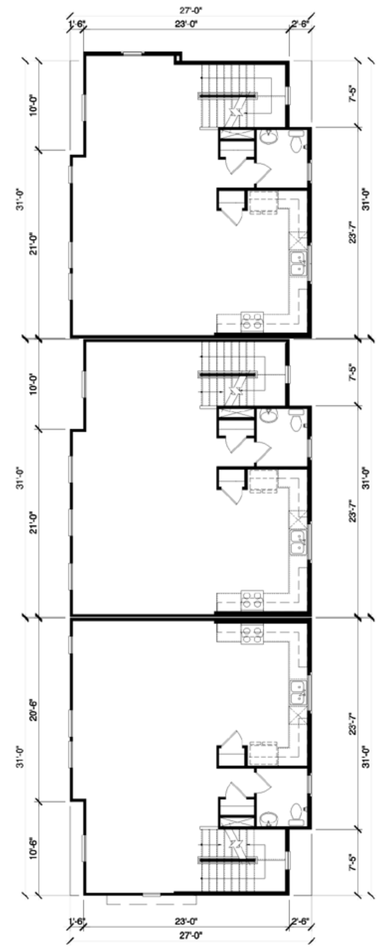
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.1**

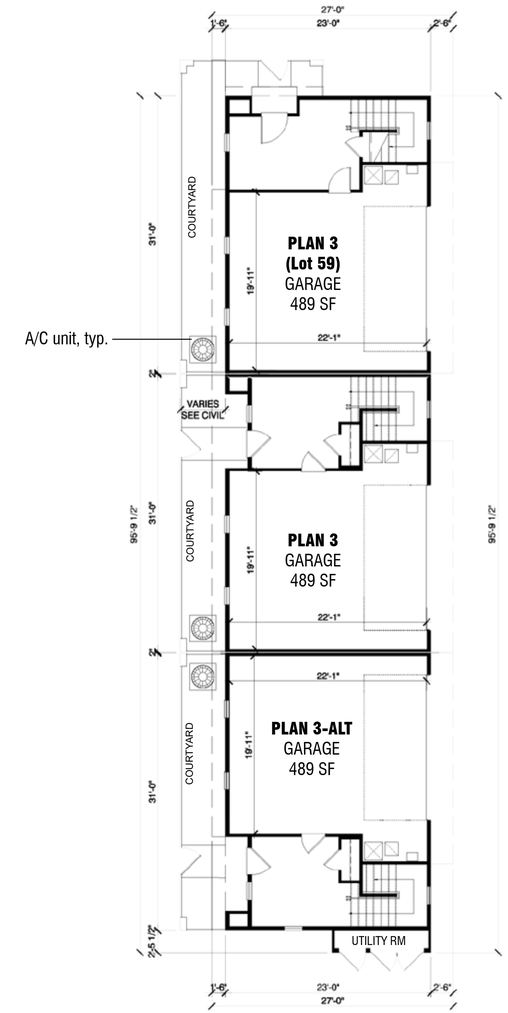
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

3-PLEX - TYPE A ALT

BUILDING 13

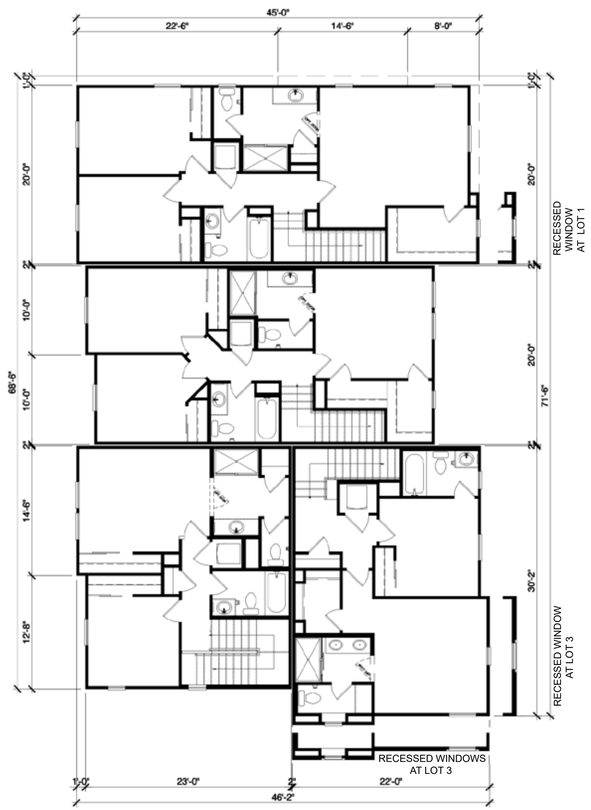
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

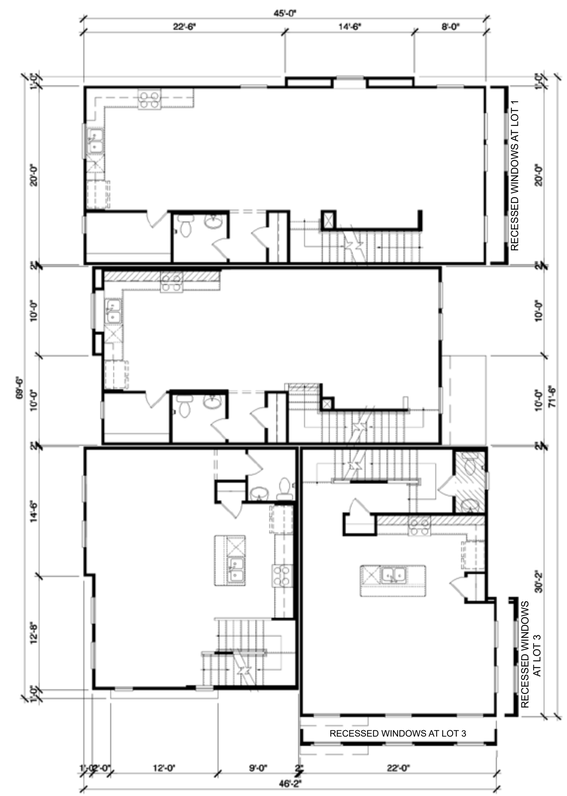
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.2**

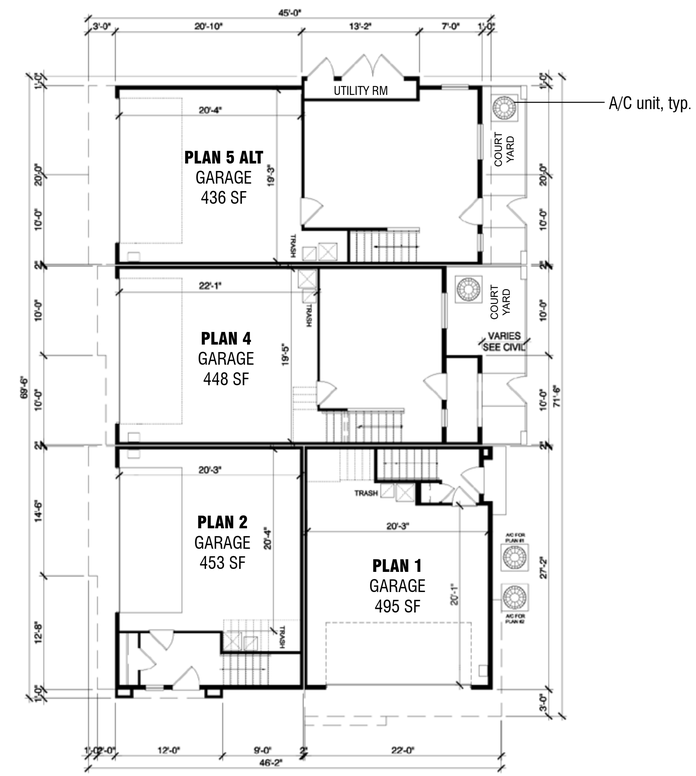
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

4-PLEX - TYPES B & B.1
BUILDINGS 1, 4 & 21

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25152 Springfield Court, Suite 180
Valencia, CA 91355
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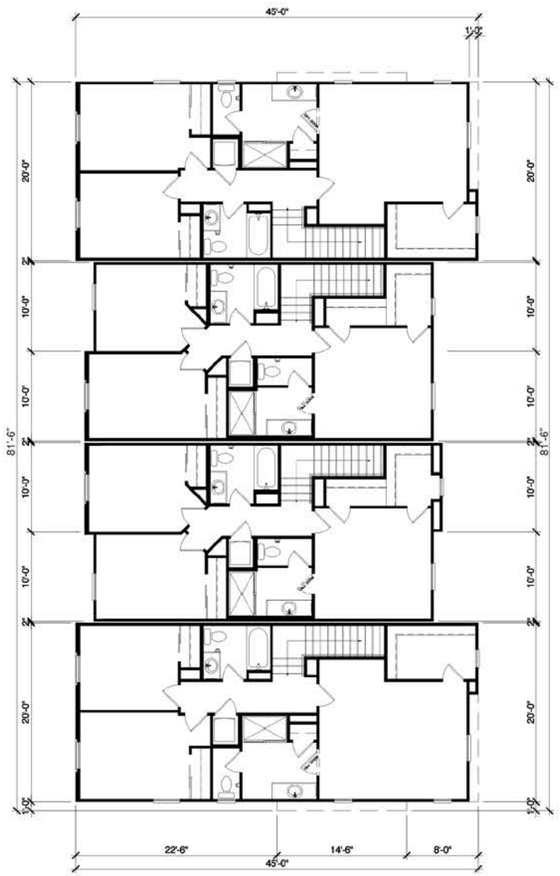
ORCHARD at EL MONTE

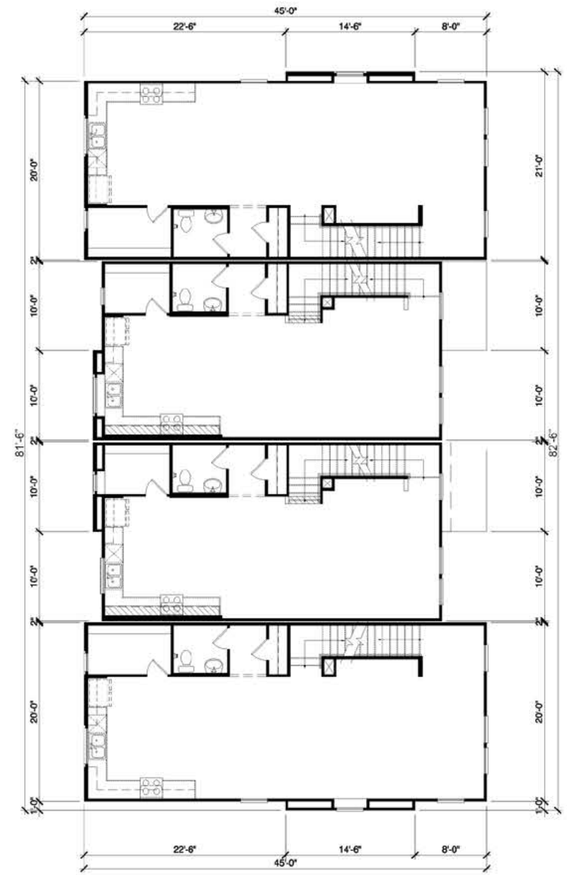
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.3**

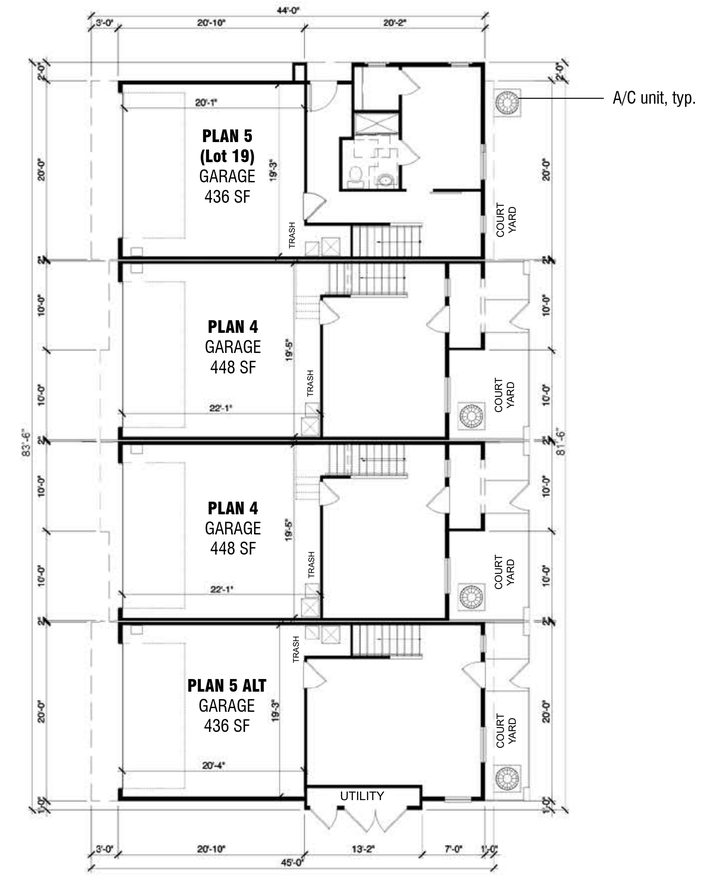
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

4-PLEX - TYPE B ALT

BUILDING 7

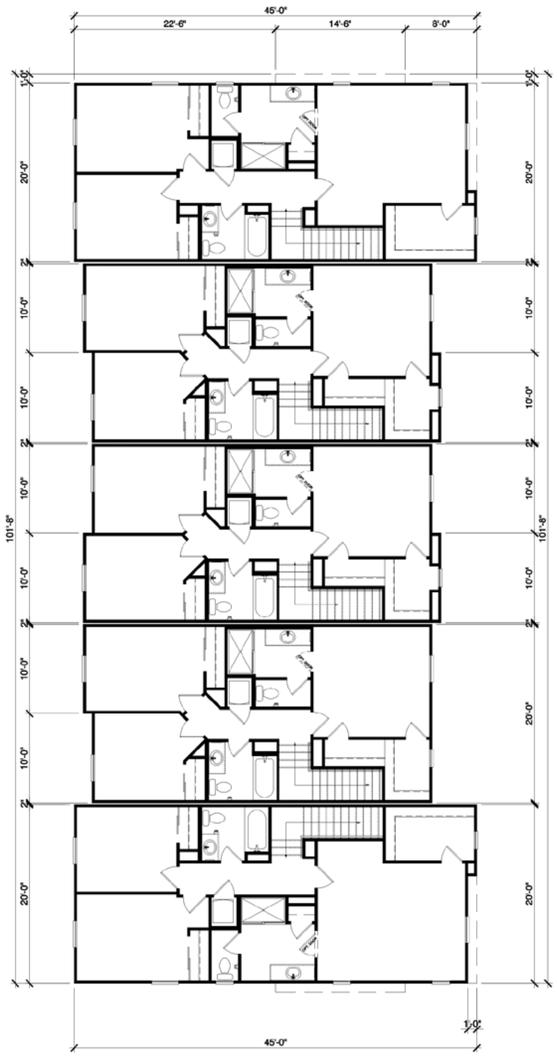
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

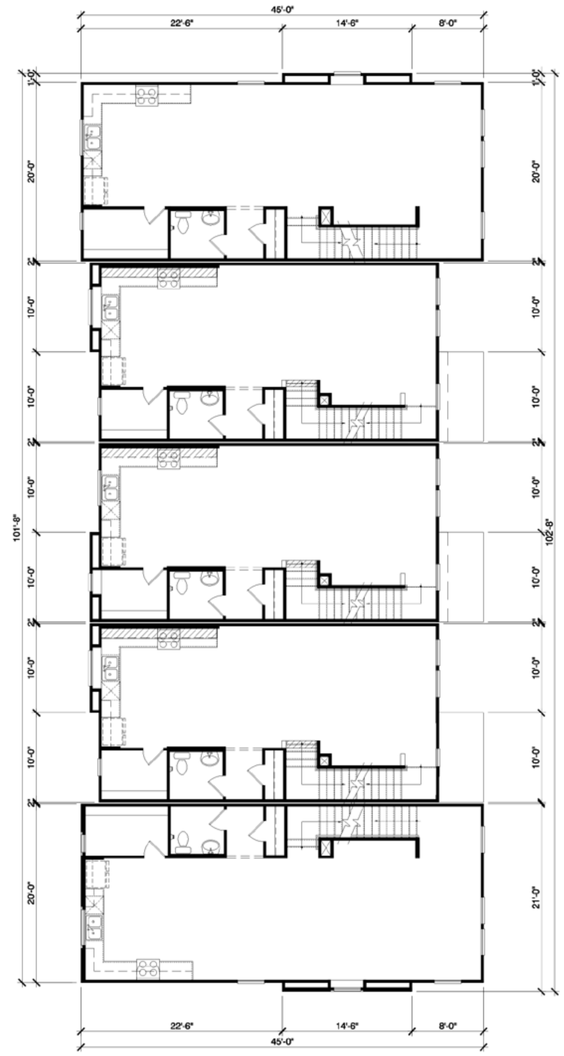
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.4**

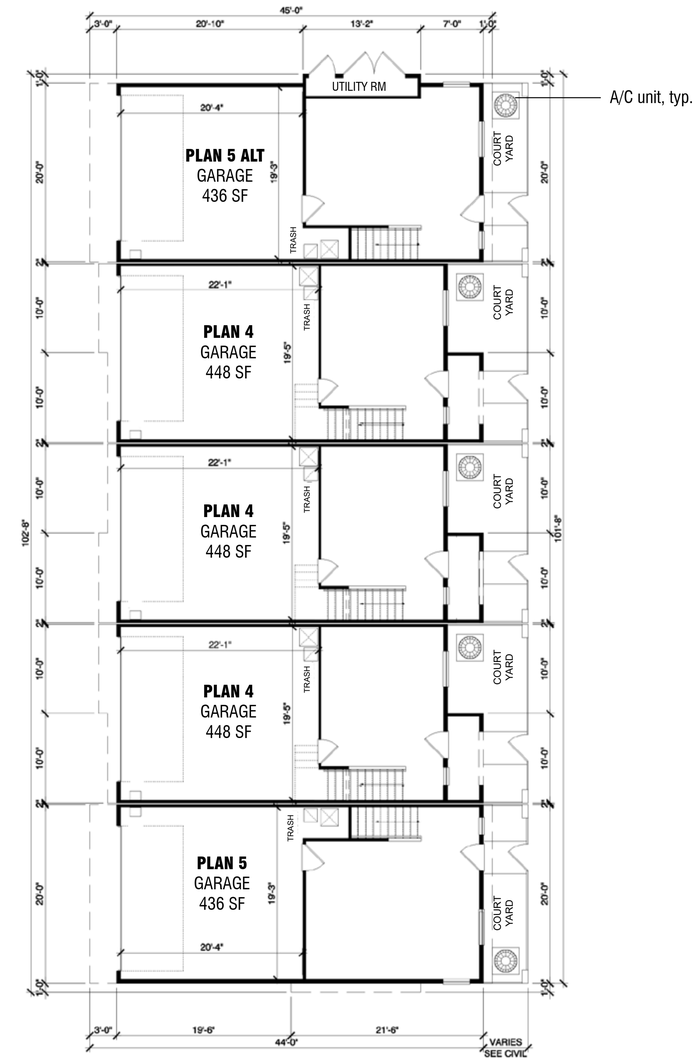
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

5-PLEX - TYPE C
BUILDINGS 5 & 6

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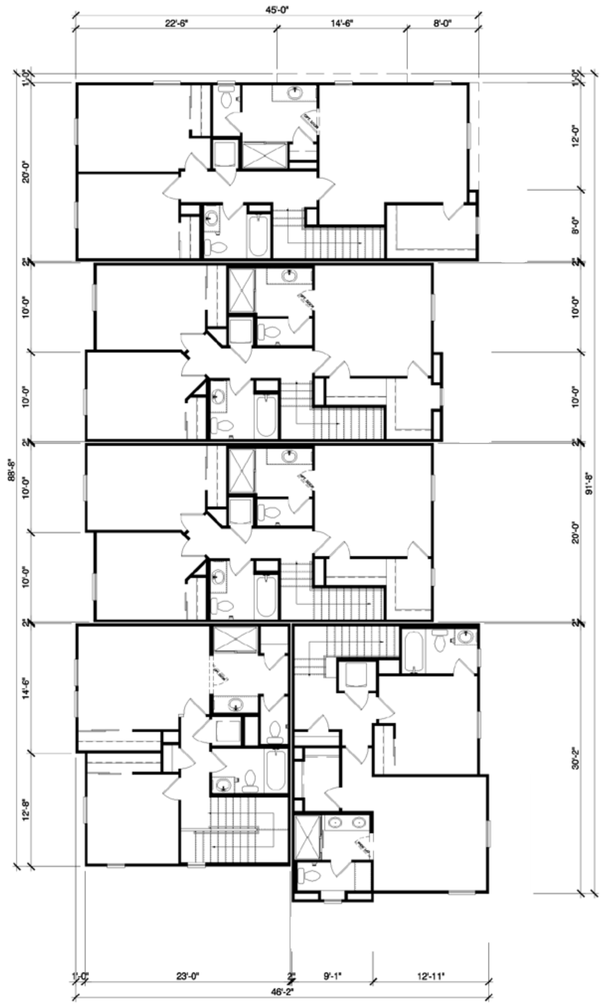
Valencia, CA 91355
661.219.6901

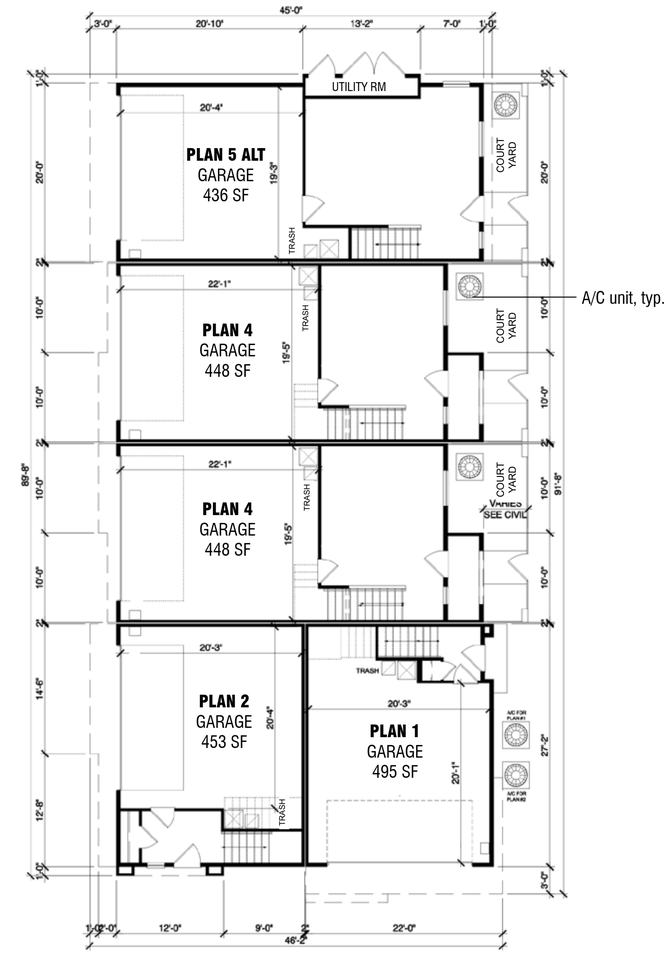
ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.5**

DATE: REV. 07-15-2020





0 4' 8' 16' 32'

5-PLEX - TYPE D

BUILDINGS 2 & 3

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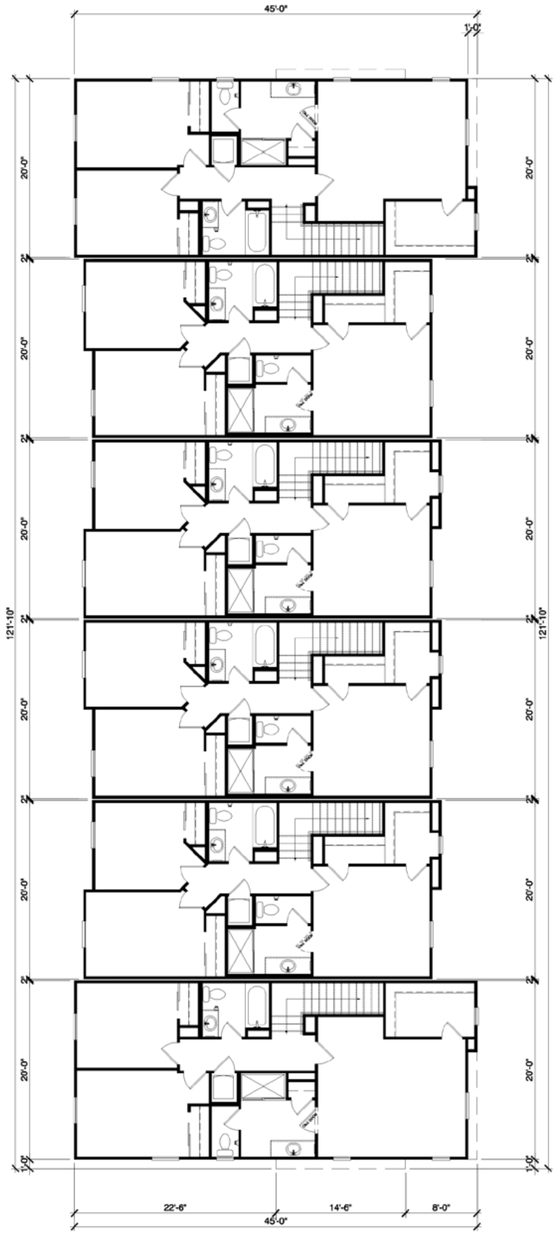
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

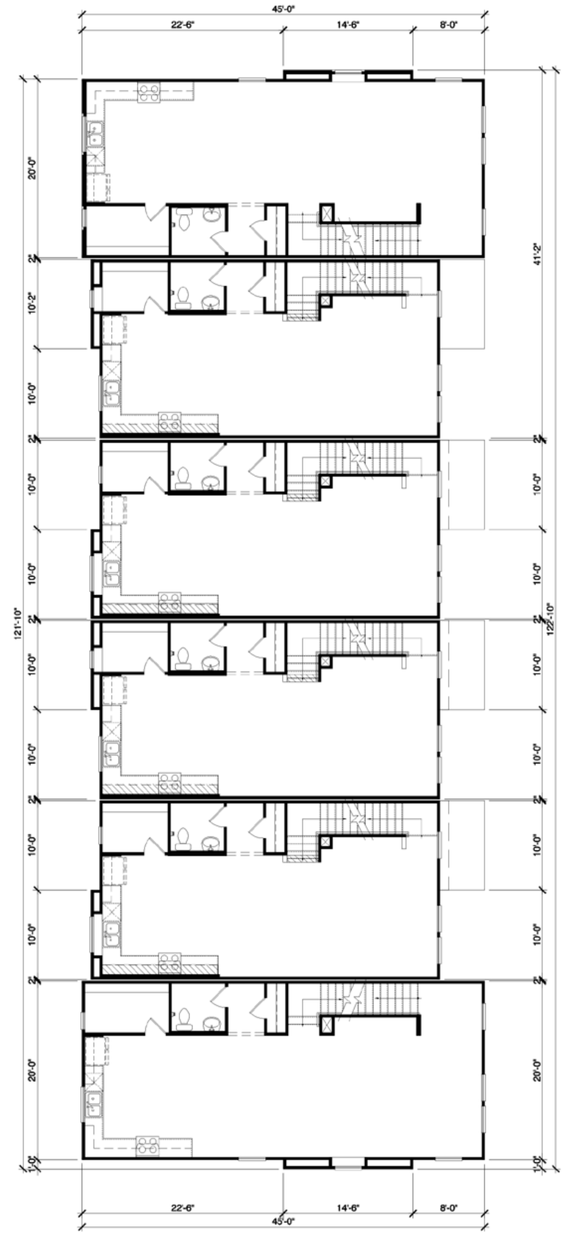
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.6**

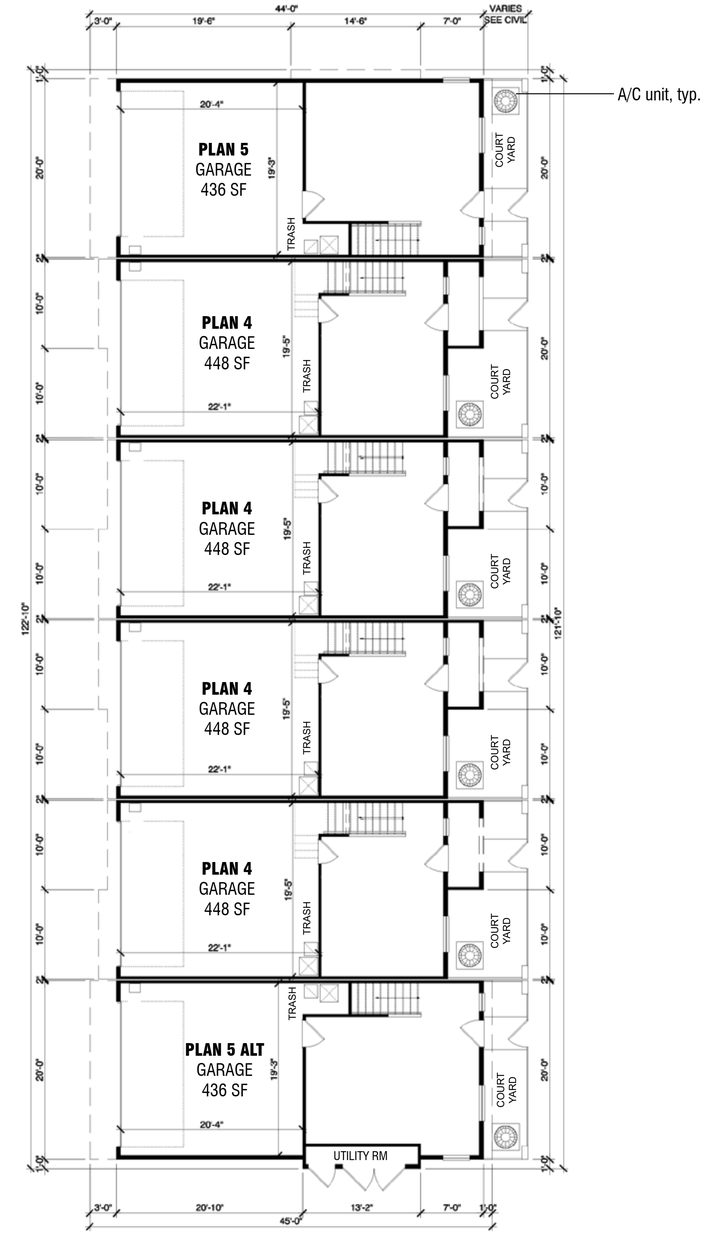
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

6-PLEX - TYPE E

BUILDING 9

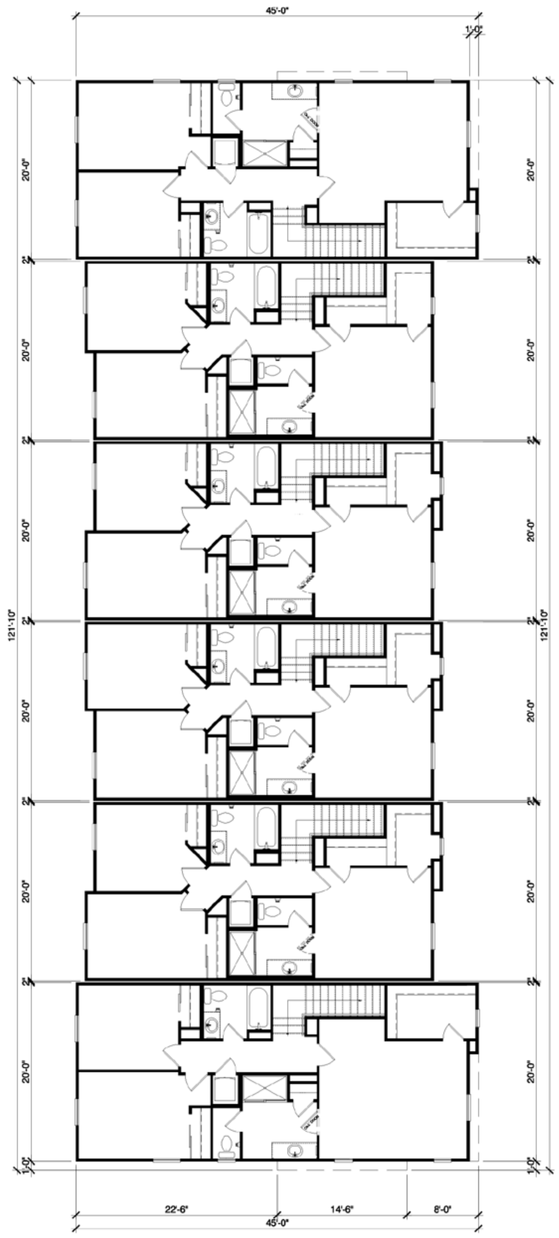
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

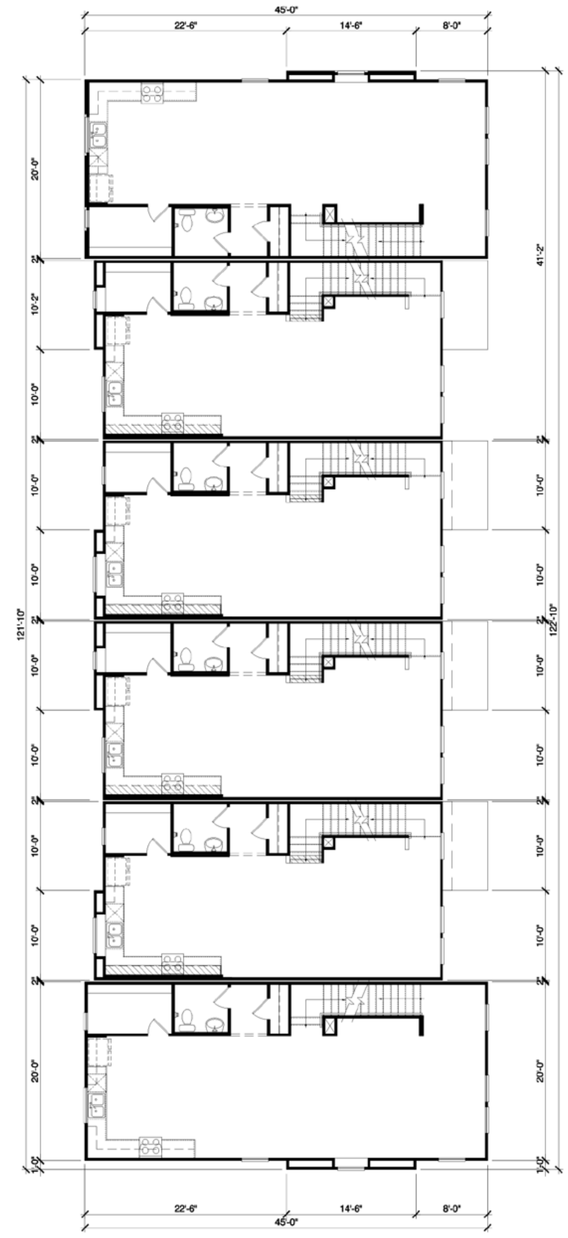
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.7**

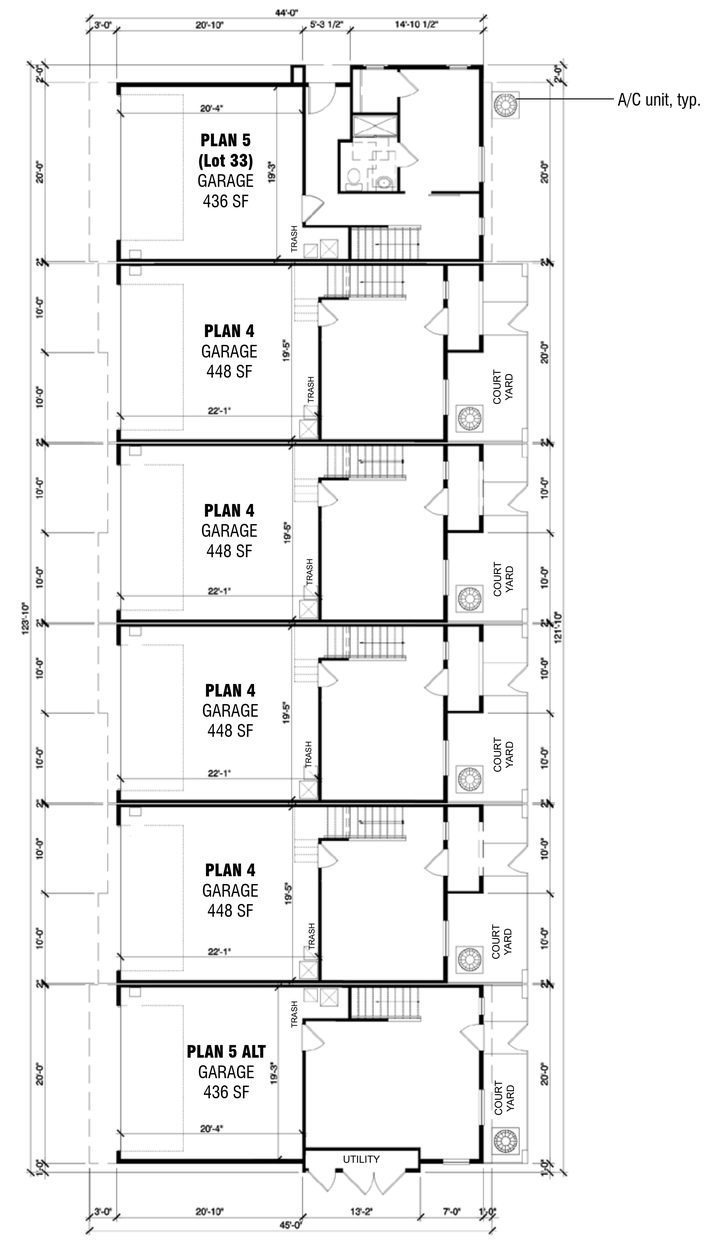
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

6-PLEX - TYPE E ALT

BUILDING 8

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Valencia, CA 91355
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ORCHARD at EL MONTE

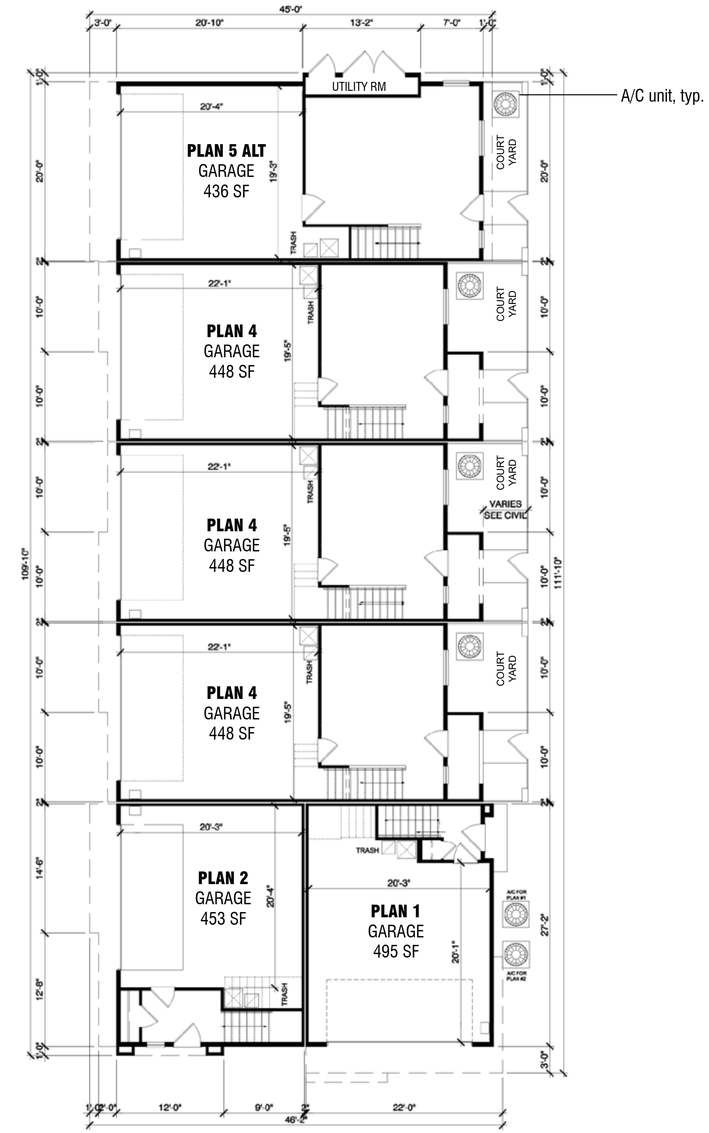
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.8**

DATE: REV. 07-15-2020

THIRD FLOOR

SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

6-PLEX - TYPE F

BUILDINGS 10, 15, 16, 17, 18, 19 & 20

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Valencia, CA 91355
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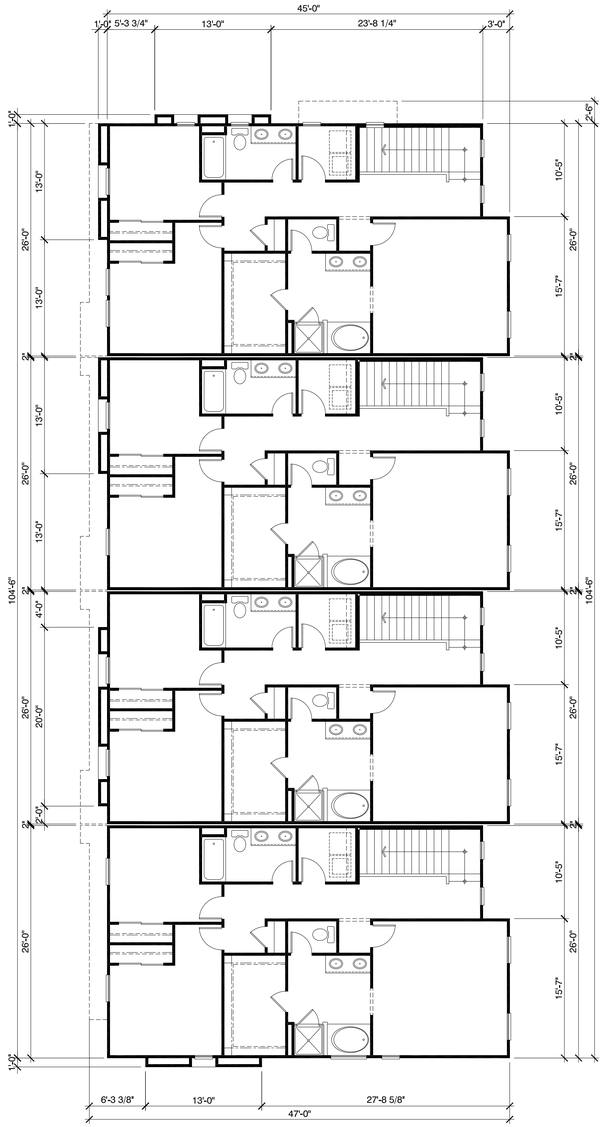
ORCHARD at EL MONTE

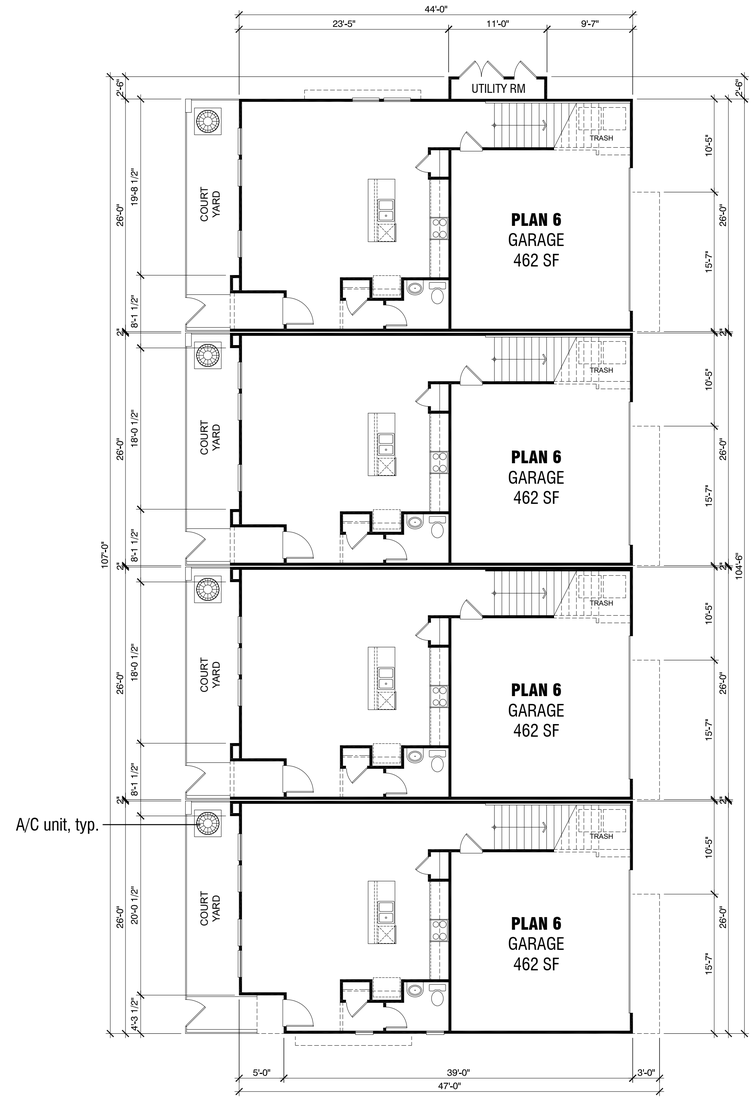
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.9**

DATE: REV. 07-15-2020



SECOND FLOOR



FIRST FLOOR

0 4' 8' 16' 32'

4-PLEX - TYPE G

BUILDING 14

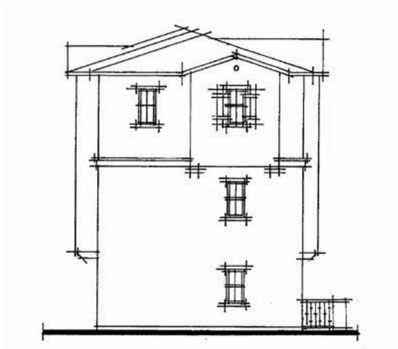
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

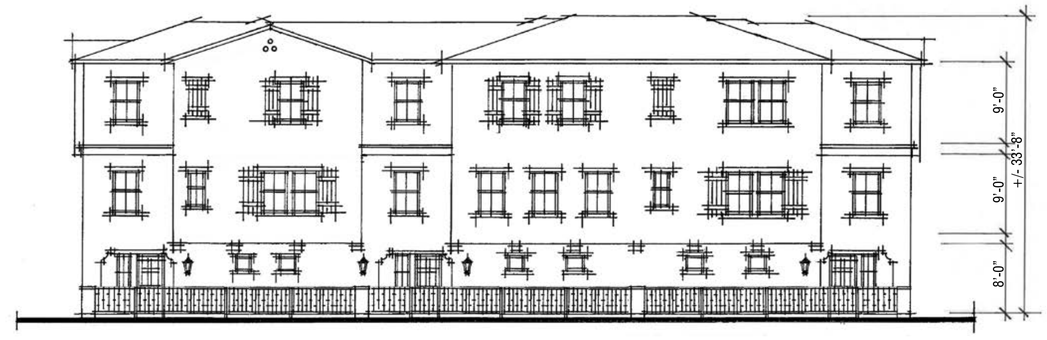
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-1.10**

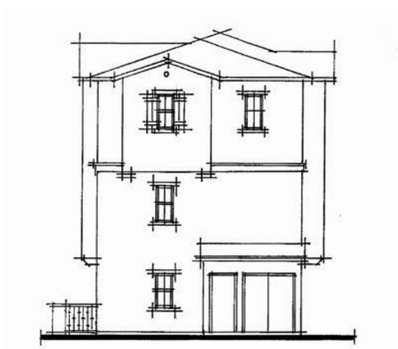
DATE: REV. 07-15-2020



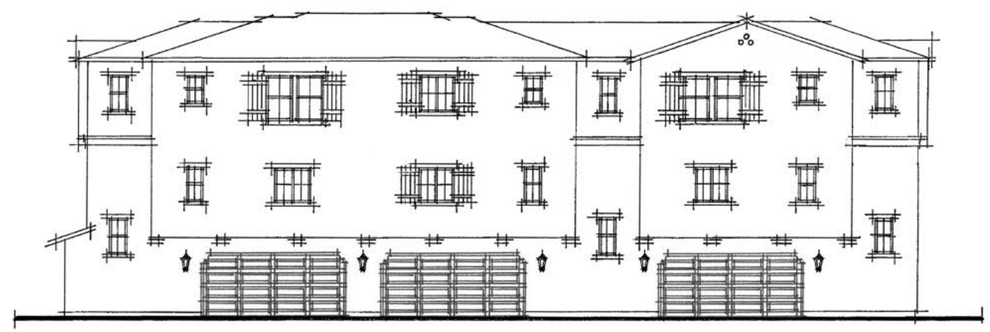
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

0 4' 8' 16' 32'

3-PLEX - TYPE A

BUILDINGS 11 & 12

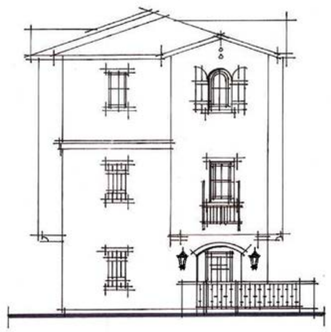
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

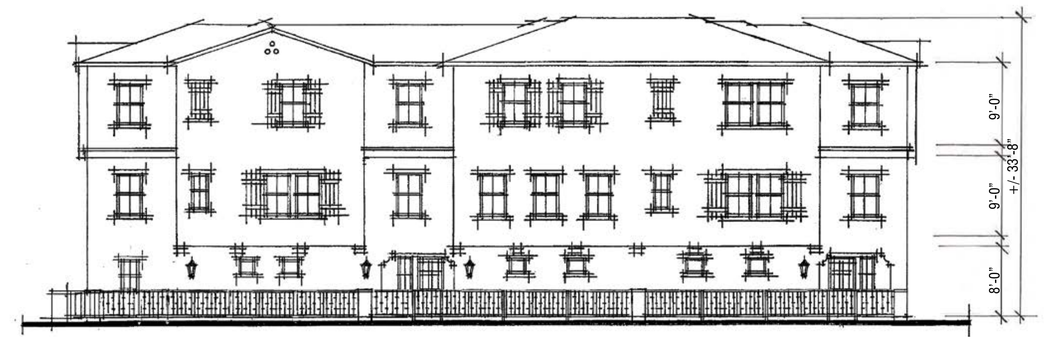
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-2.1**

DATE: REV. 07-15-2020



LEFT ELEVATION
(Orchard Street frontage)



FRONT ELEVATION

RIGHT ELEVATION

REAR ELEVATION

0 4' 8' 16' 32'

3-PLEX - TYPE A ALT

BUILDING 13

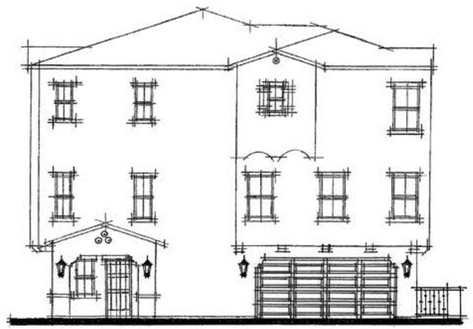
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

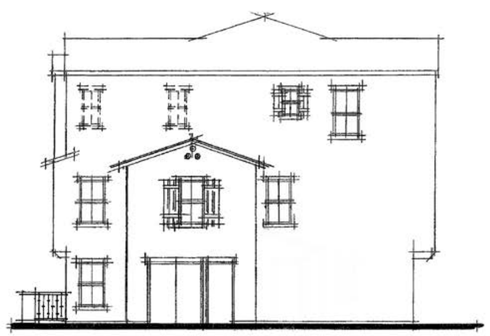
SHEET: **A-2.2**

DATE: REV. 07-15-2020

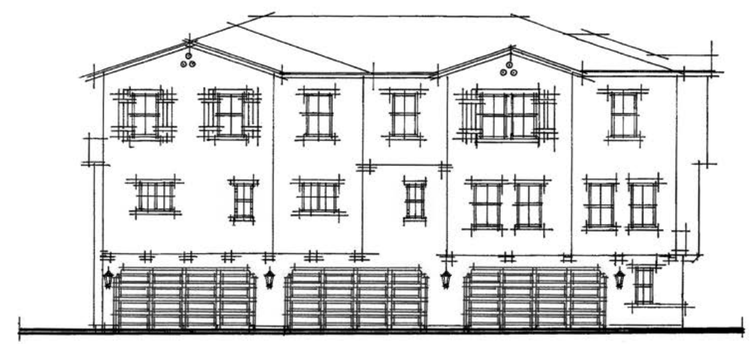


LEFT ELEVATION

FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

0 4' 8' 16' 32'

4-PLEX - TYPE B

BUILDINGS 4 & 21

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Valencia, CA 91355
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ORCHARD at EL MONTE

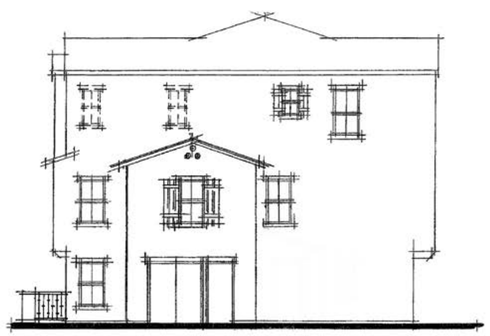
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-2.3**

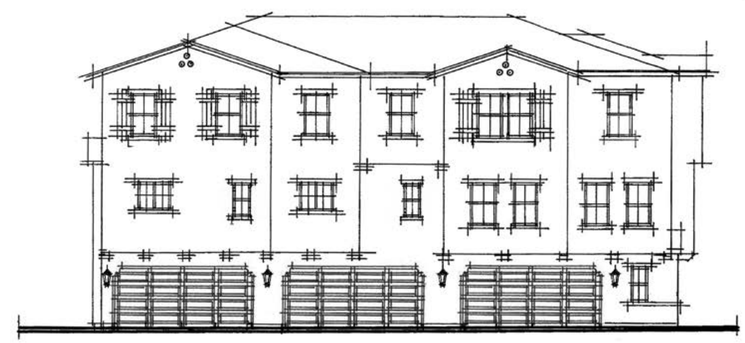
DATE: REV. 07-15-2020

LEFT ELEVATION

FRONT ELEVATION
(Cypress Avenue Frontage)



RIGHT ELEVATION



REAR ELEVATION

0 4' 8' 16' 32'

4-PLEX - TYPE B.1

BUILDING 1

KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-2.4**

DATE: REV. 07-15-2020

LEFT ELEVATION

FRONT ELEVATION

RIGHT ELEVATION
(Cypress Avenue Frontage)

REAR ELEVATION

0 4' 8' 16' 32'

4-PLEX - TYPE B ALT
BUILDING 7

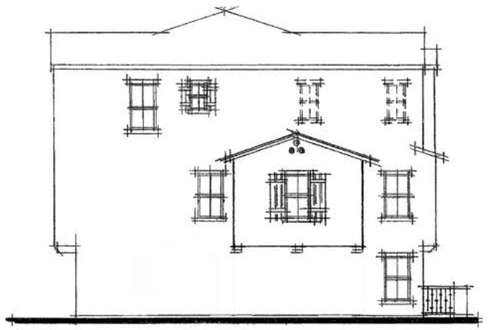
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

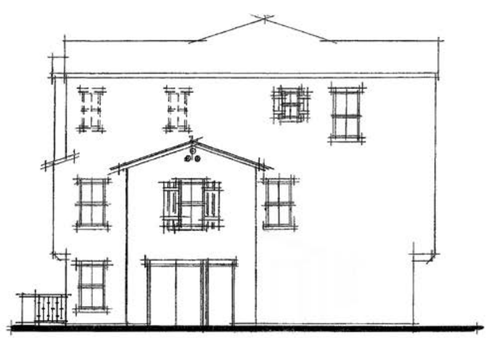
SHEET: **A-2.5**

DATE: REV. 07-15-2020



LEFT ELEVATION

FRONT ELEVATION



RIGHT ELEVATION

REAR ELEVATION

0 4' 8' 16' 32'

5-PLEX - TYPE C
BUILDINGS 5 & 6

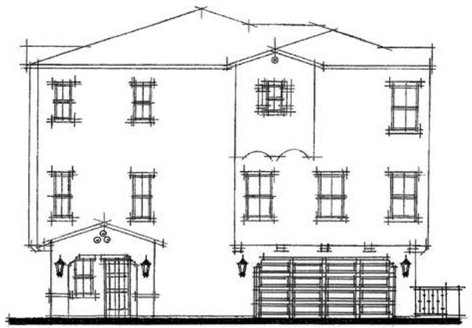
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

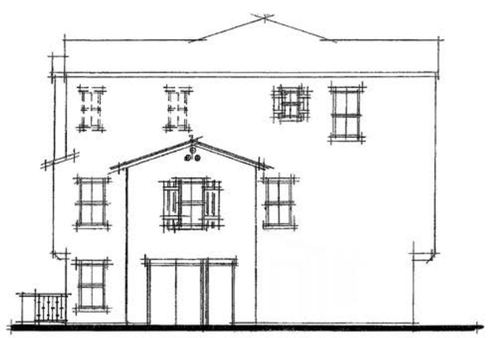
SHEET: **A-2.6**

DATE: REV. 07-15-2020

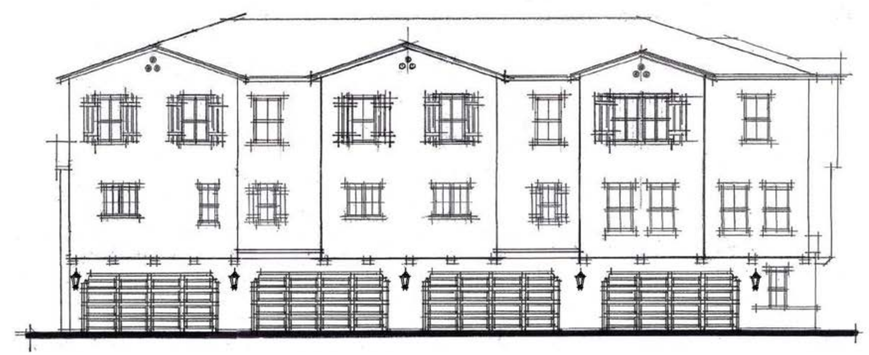


LEFT ELEVATION

FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

0 4' 8' 16' 32'

5-PLEX - TYPE D
BUILDINGS 2 & 3

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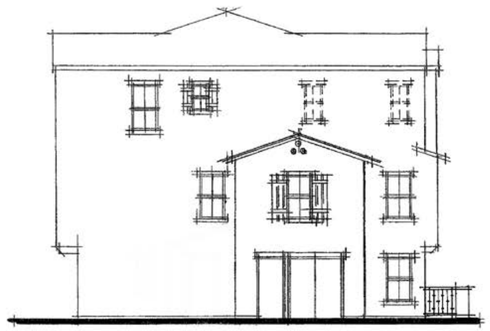
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

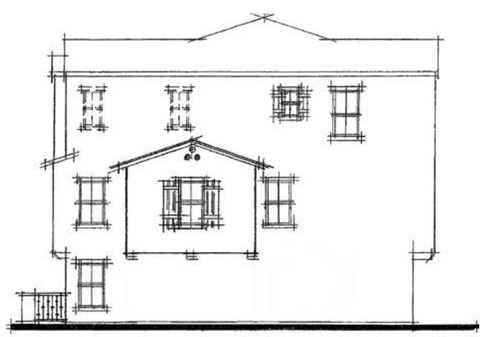
SHEET: **A-2.7**

DATE: REV. 07-15-2020



LEFT ELEVATION

FRONT ELEVATION



RIGHT ELEVATION

REAR ELEVATION

0 4' 8' 16' 32'

6-PLEX - TYPE E
BUILDING 9

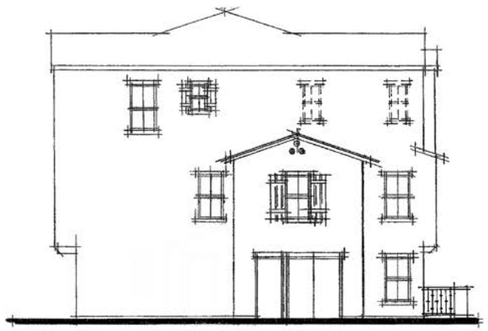
KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

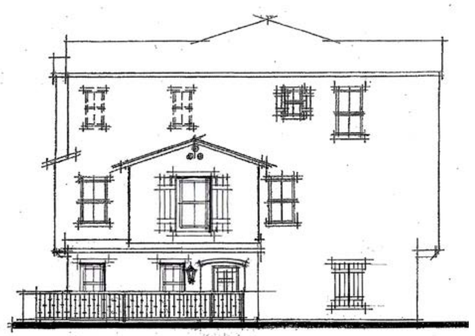
SHEET: **A-2.8**

DATE: REV. 07-15-2020



LEFT ELEVATION

FRONT ELEVATION



RIGHT ELEVATION
(Cypress Avenue Frontage)

REAR ELEVATION

0 4' 8' 16' 32'

6-PLEX - TYPE E ALT
BUILDING 8

KB Home Southern CA - Los Angeles/Ventura
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Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

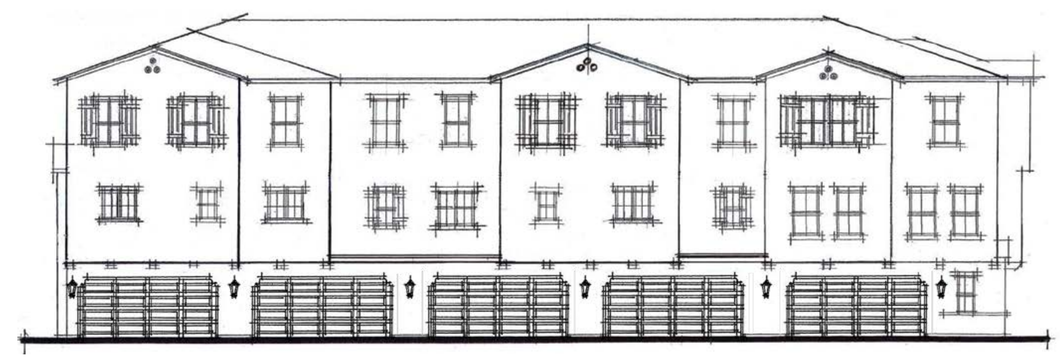
SHEET: **A-2.9**

DATE: REV. 07-15-2020

LEFT ELEVATION

FRONT ELEVATION

RIGHT ELEVATION



REAR ELEVATION

0 4' 8' 16' 32'

6-PLEX - TYPE F

BUILDINGS 10, 15, 16, 17, 18, 19, & 20

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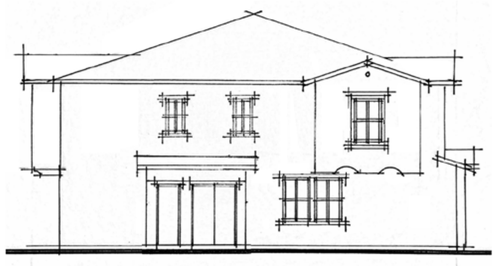
ORCHARD at EL MONTE

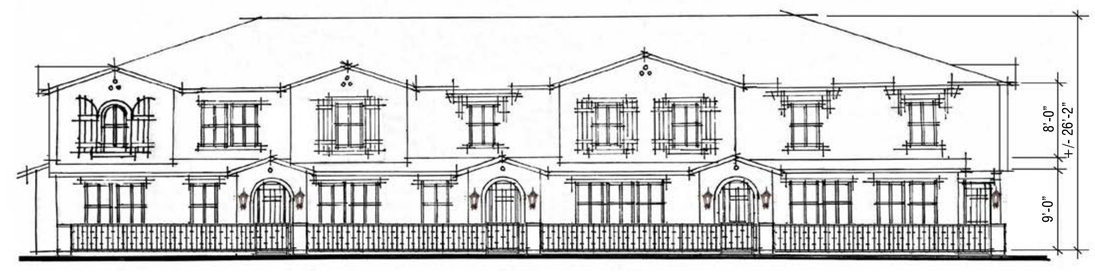
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-2.10**

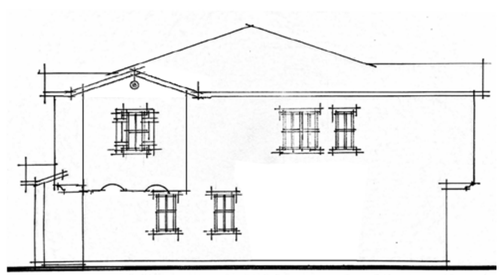
DATE: REV. 07-15-2020



LEFT ELEVATION



FRONT ELEVATION
(Orchard Street frontage)



RIGHT ELEVATION

REAR ELEVATION

0 4' 8' 16' 32'

4-PLEX - TYPE G

BUILDING 14

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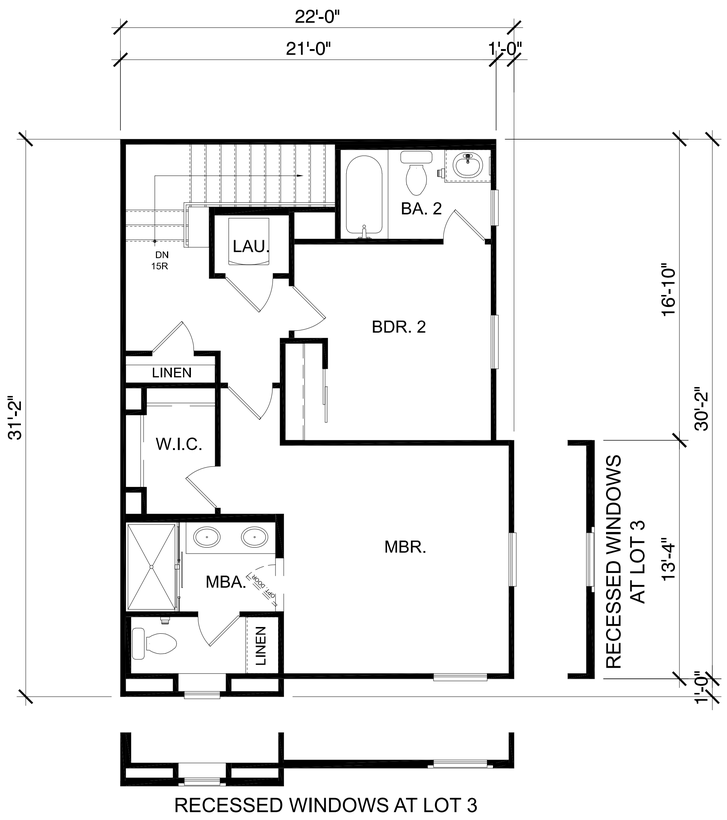
ORCHARD at EL MONTE

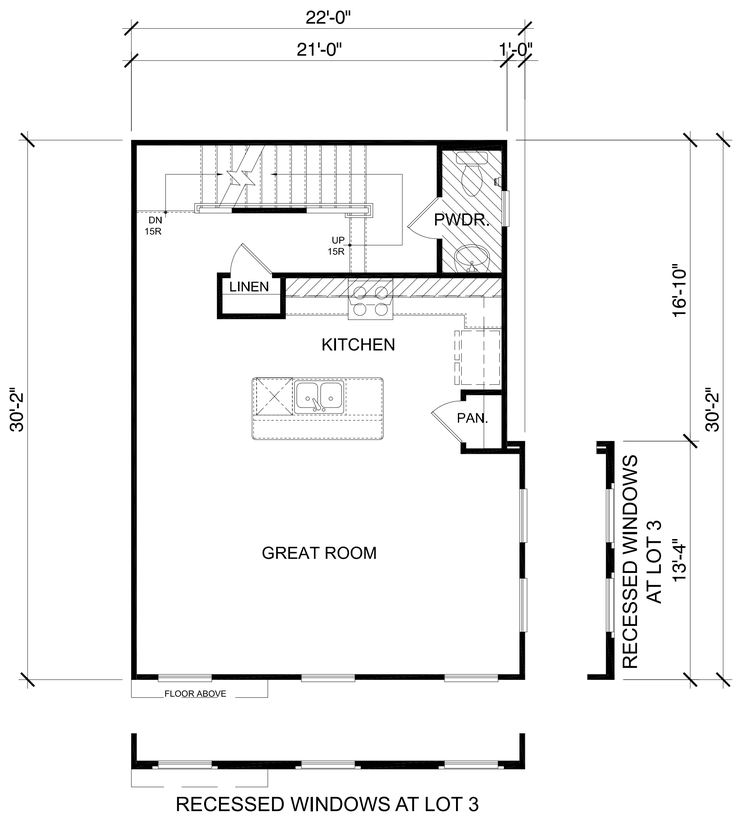
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-2.11**

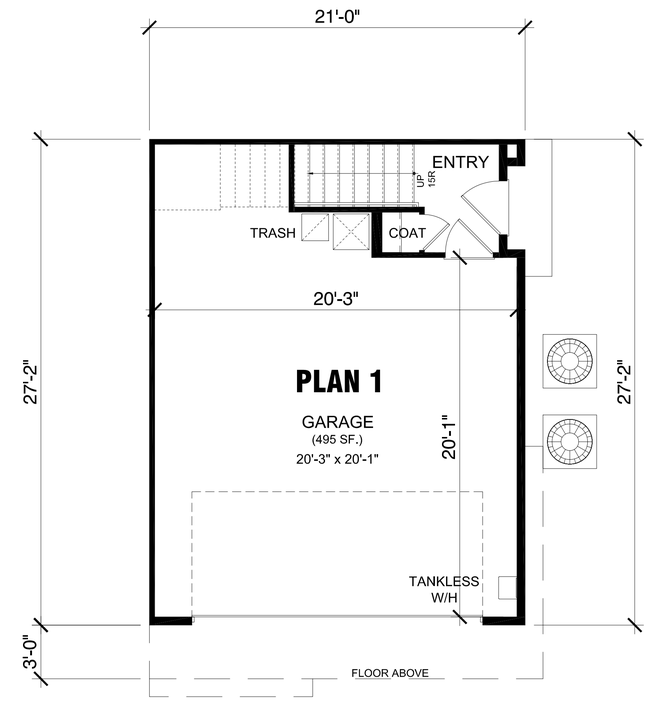
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

GROSS SF	
1st FLR	100.SF
2nd FLR	646 SF
3rd FLR	594 SF
TOTAL LIVING	1340 SF
GARAGE	495 SF

PLAN 1

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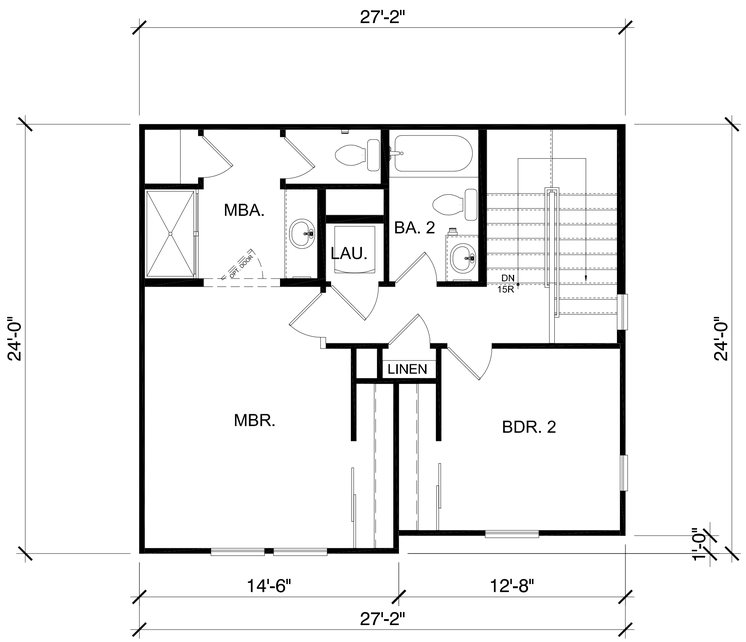
ORCHARD at EL MONTE

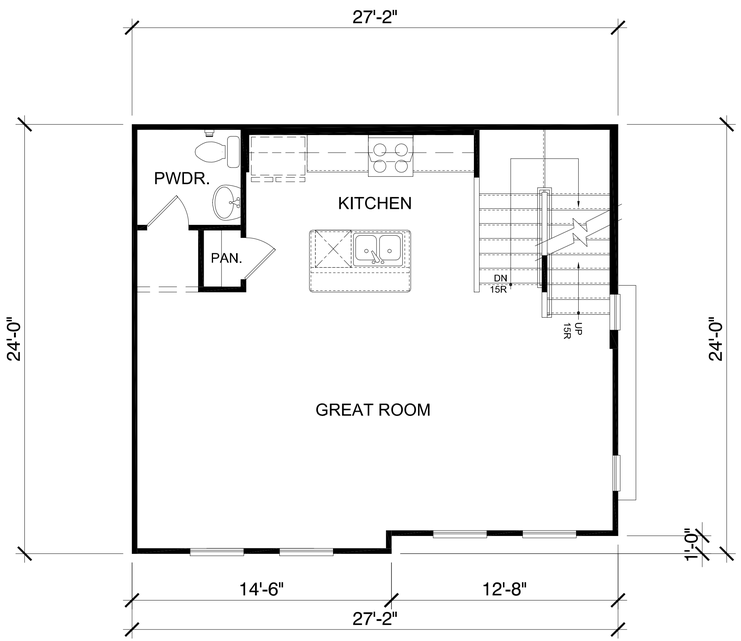
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.1**

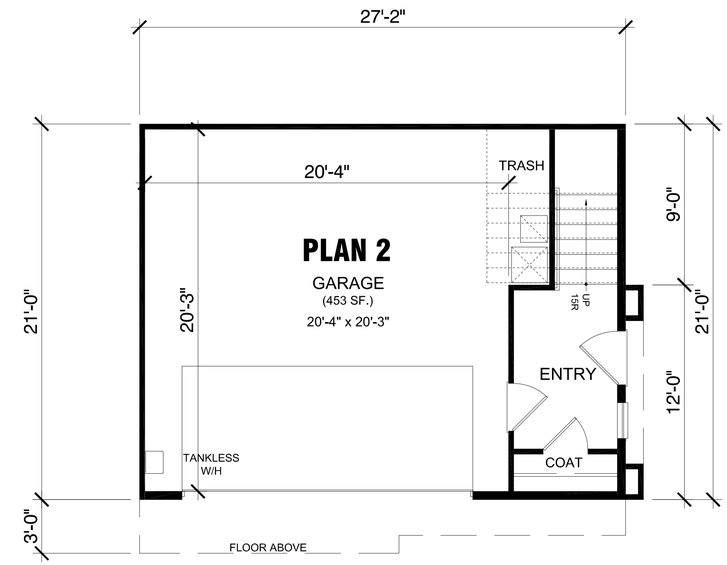
DATE: REV. 07-15-2020



THIRD FLOOR

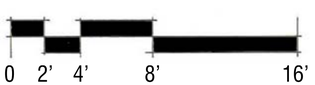


SECOND FLOOR



FIRST FLOOR

GROSS SF	
1st FLR	148 SF
2nd FLR	639 SF
3rd FLR	557 SF
TOTAL LIVING	1344 SF
GARAGE	453 SF



PLAN 2

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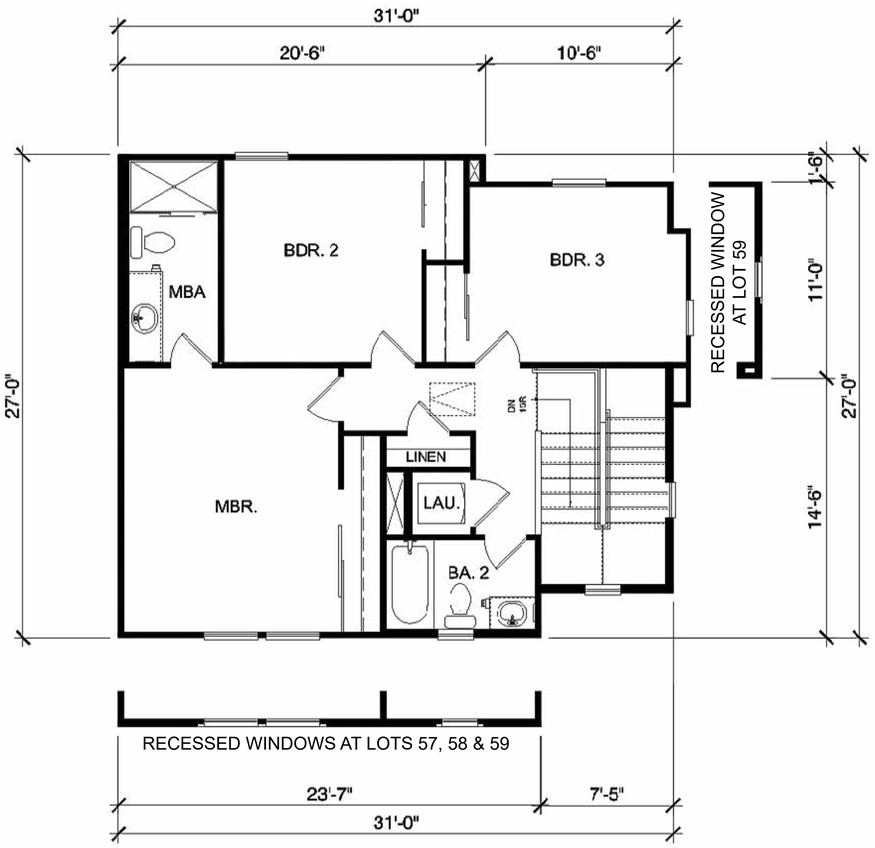
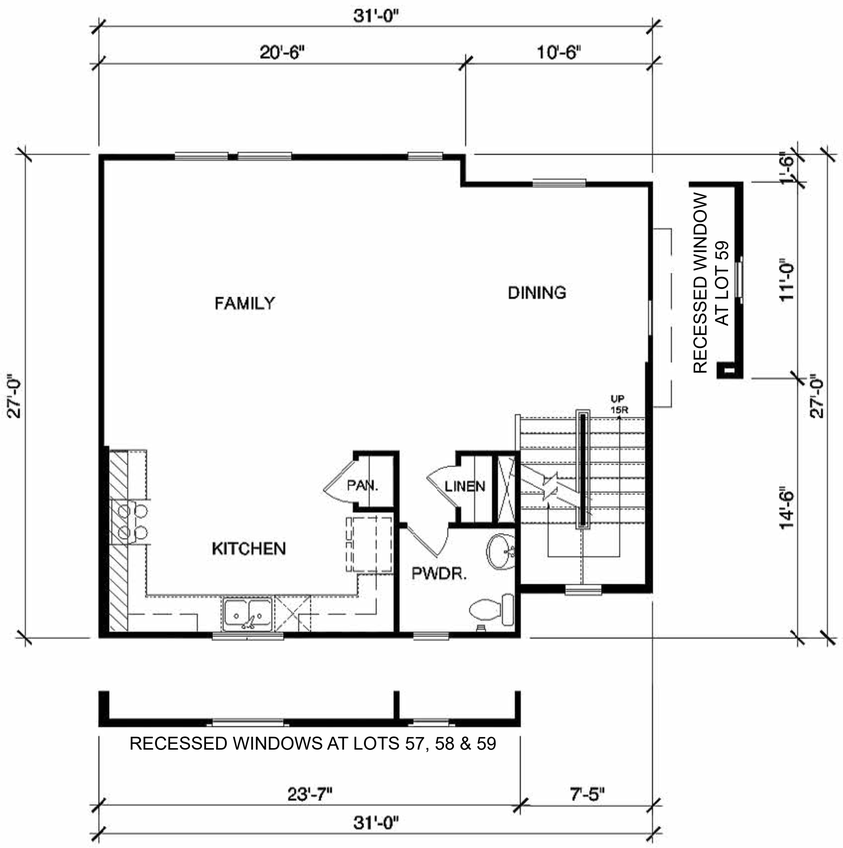
ORCHARD at EL MONTE

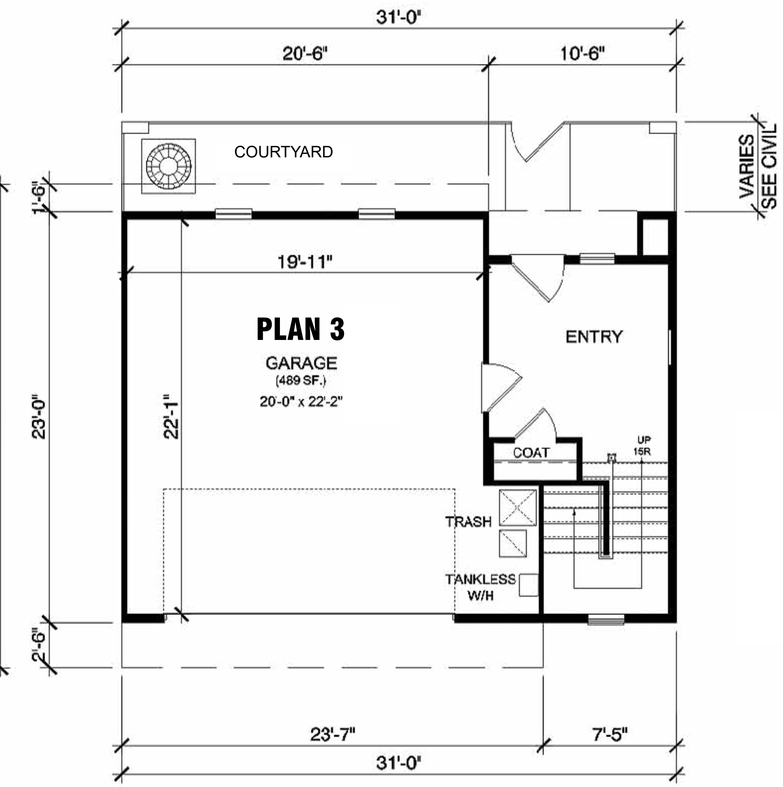
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.2**

DATE: REV. 07-15-2020







FIRST FLOOR

GROSS SF	
1st FLR	198 SF
2nd FLR	803 SF
3rd FLR	707 SF
TOTAL LIVING	1708 SF
GARAGE	489 SF

0 2' 4' 8' 16'

PLAN 3

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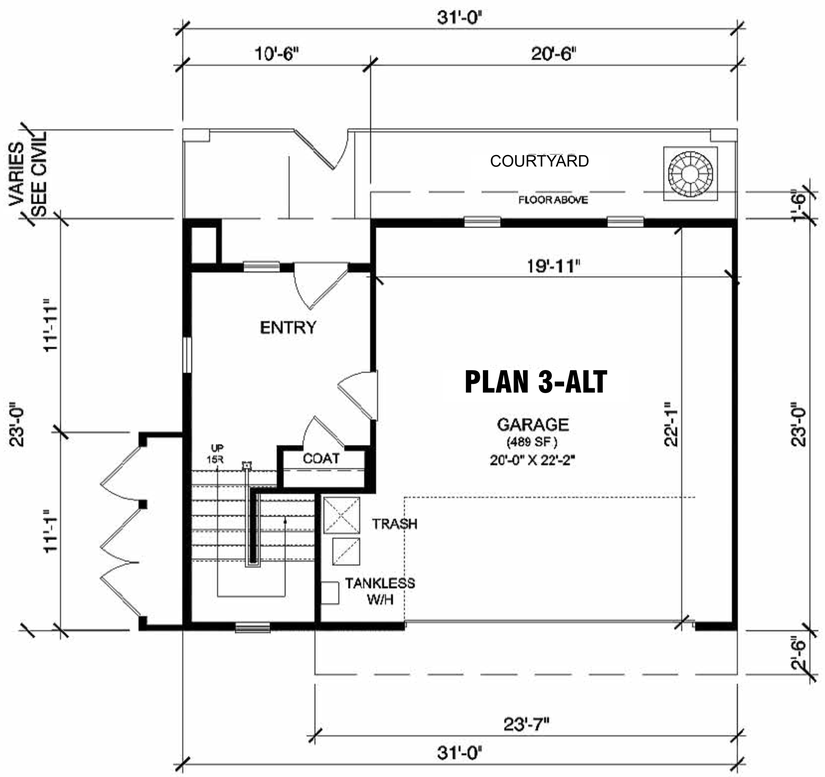
ORCHARD at EL MONTE

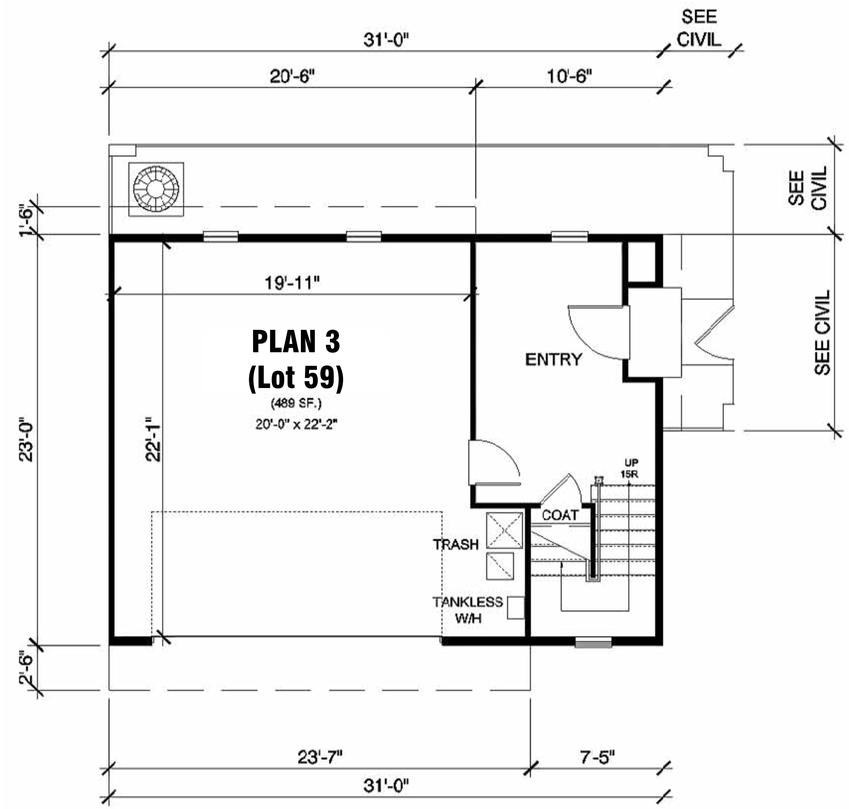
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.3**

DATE: REV. 07-15-2020



FIRST FLOOR



FIRST FLOOR

0 2' 4' 8' 16'

PLANS 3 ALT & **3** Lot 59

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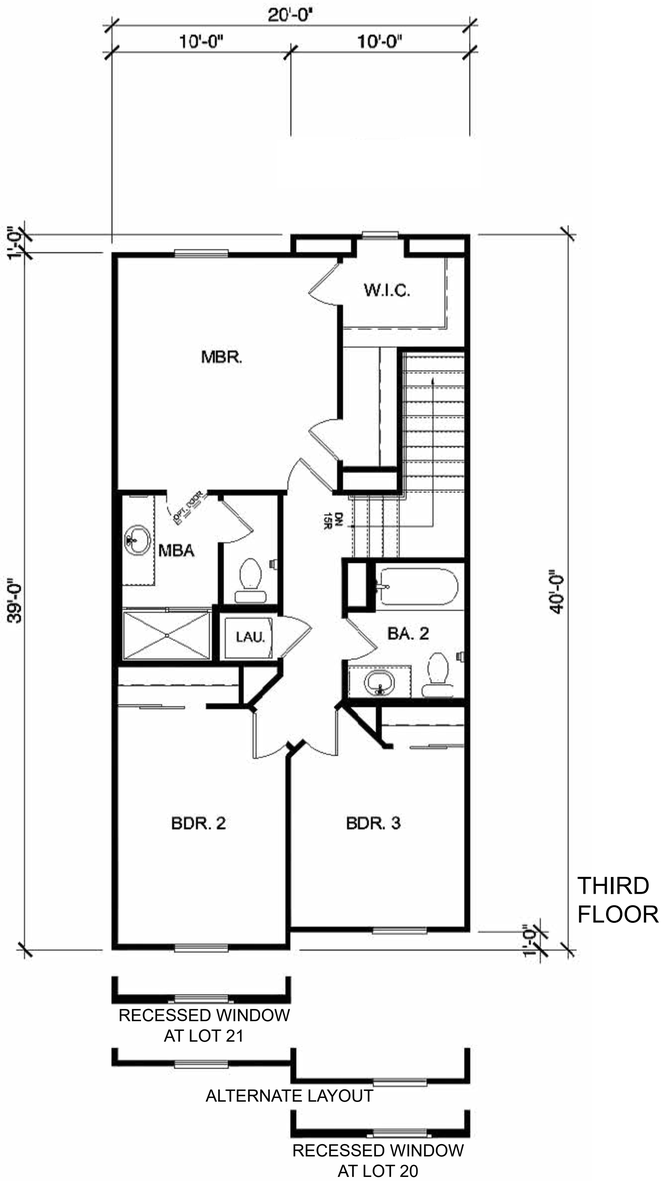
ORCHARD at EL MONTE

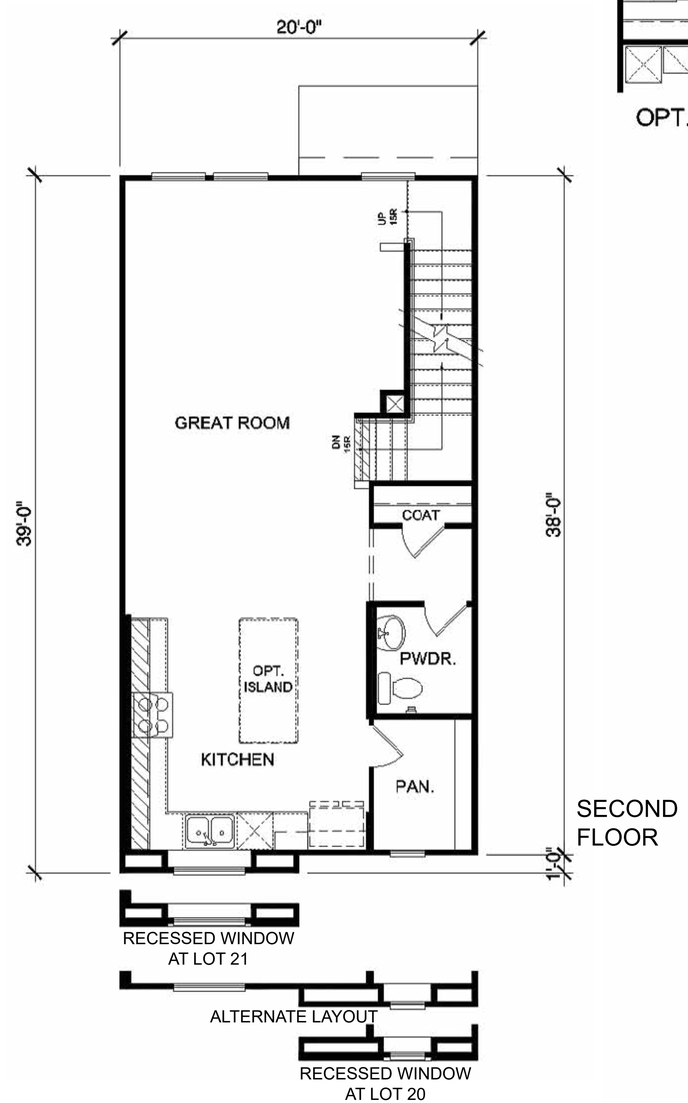
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.4**

DATE: REV. 07-15-2020

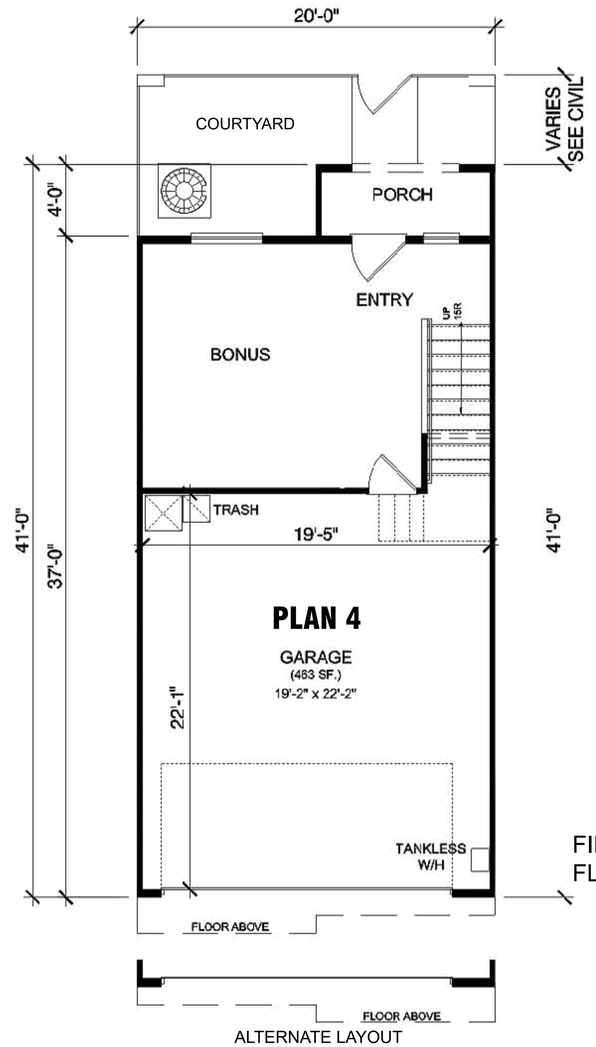
GROSS SF	
1st FLR	305 SF
2nd FLR	760 SF
3rd FLR	717 SF
TOTAL LIVING	1782 SF
GARAGE	448 SF





OPT. BEDROOM 4

OPT. DEN W/ OPT. DOORS



0 2' 4' 8' 16'

PLAN 4

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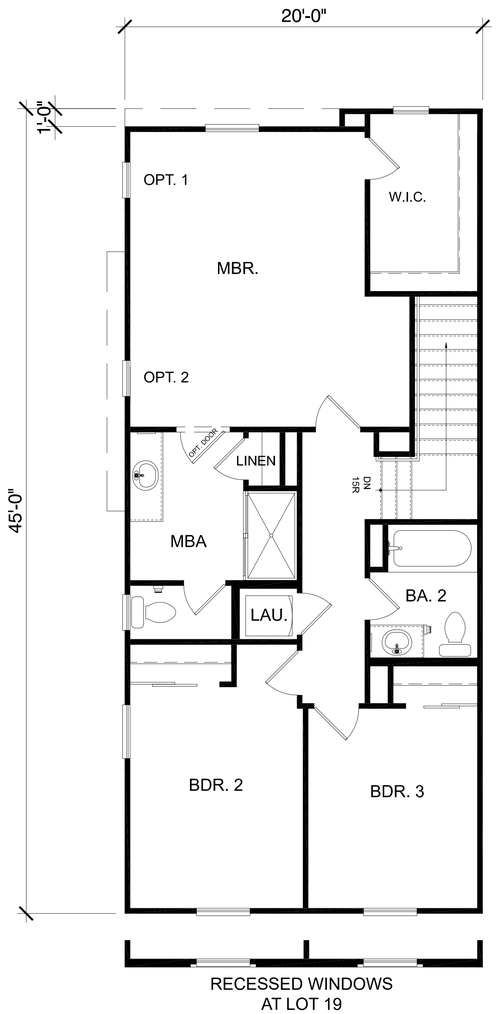
ORCHARD at EL MONTE

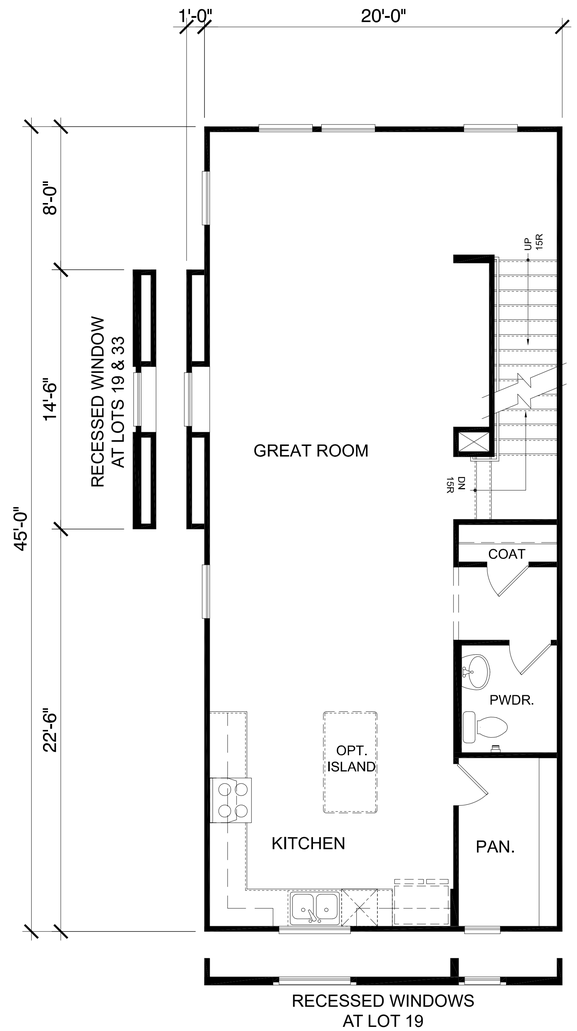
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.5**

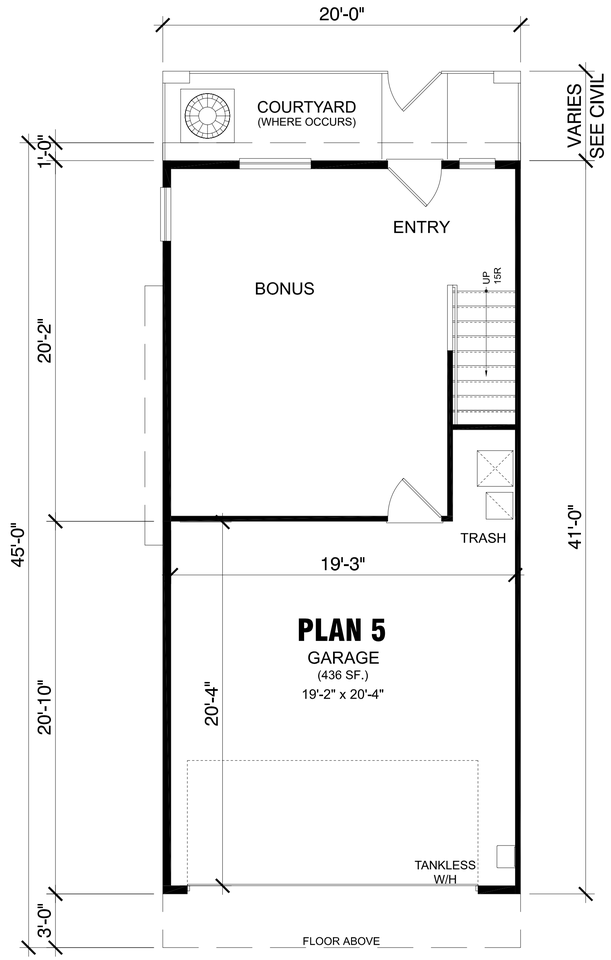
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

GROSS SF	
1st FLR	405 SF
2nd FLR	900 SF
3rd FLR	833 SF
TOTAL LIVING	2138 SF
GARAGE	436 SF

0 2' 4' 8' 16'

PLAN 5

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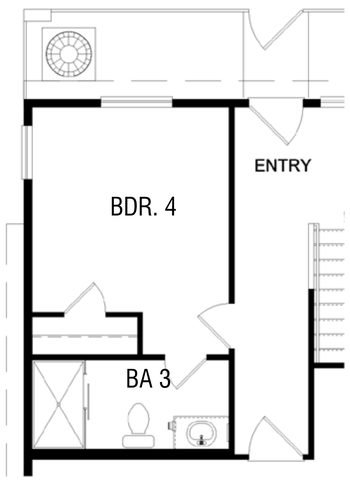
ORCHARD at EL MONTE

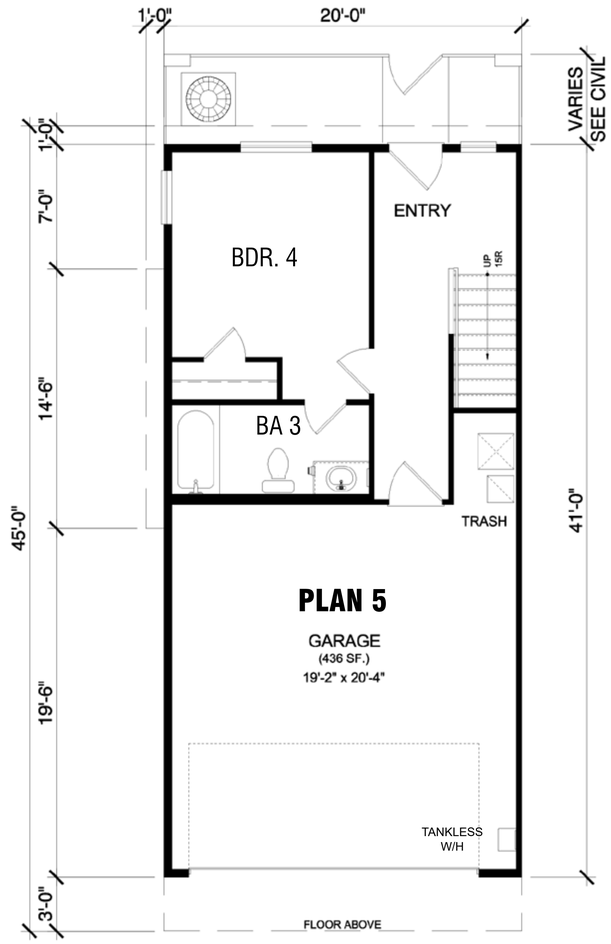
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.6**

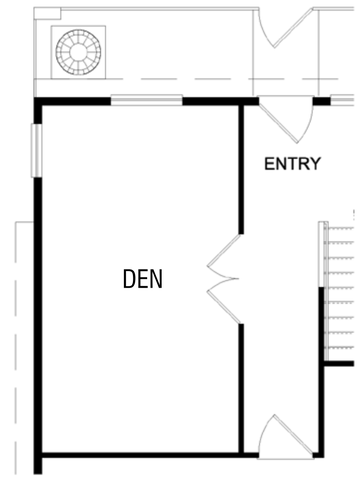
DATE: REV. 07-15-2020



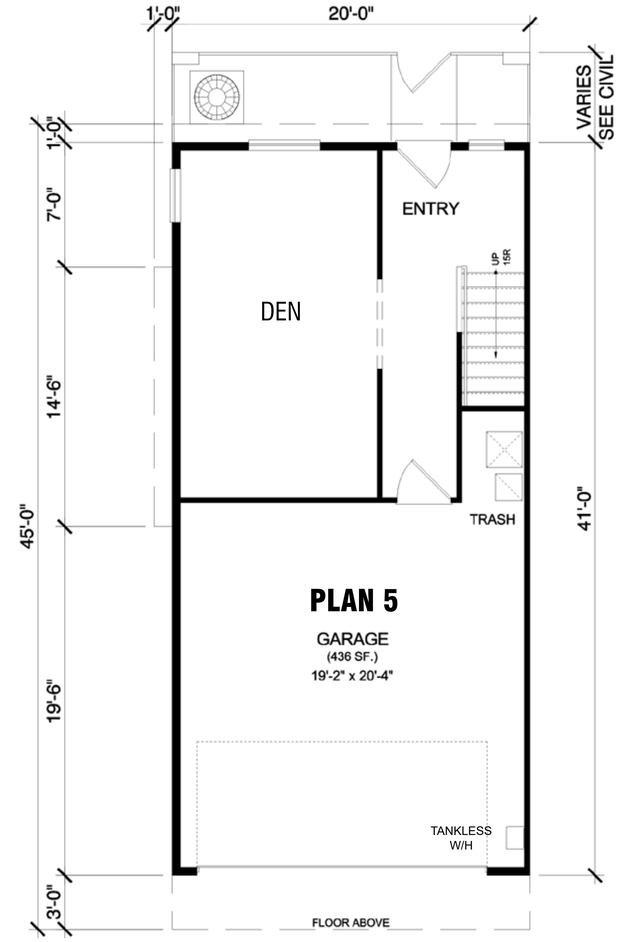
OPTIONAL BATH 3 W/ SHOWER



FIRST FLOOR - OPTIONAL BEDROOM 4 & BATH 3



OPTIONAL DEN W/ DOOR



FIRST FLOOR - OPTIONAL DEN

0 2' 4' 8' 16'

PLAN 5 OPT

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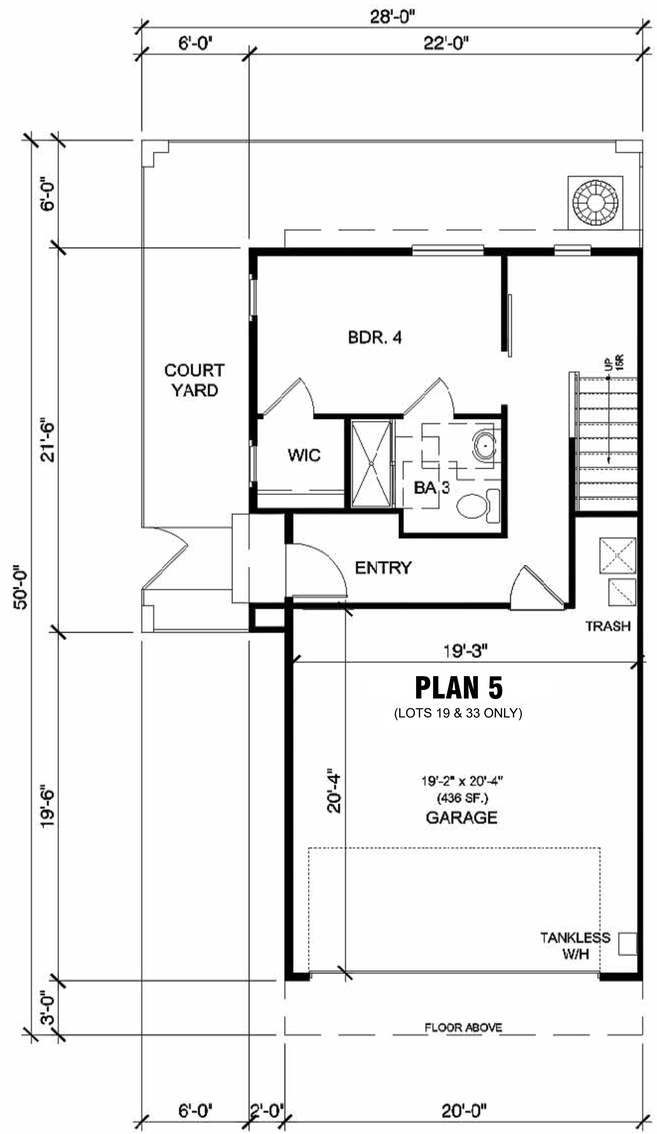
ORCHARD at EL MONTE

EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.7**

DATE: REV. 07-15-2020



FIRST FLOOR

PLAN 5 Lots 19 & 33

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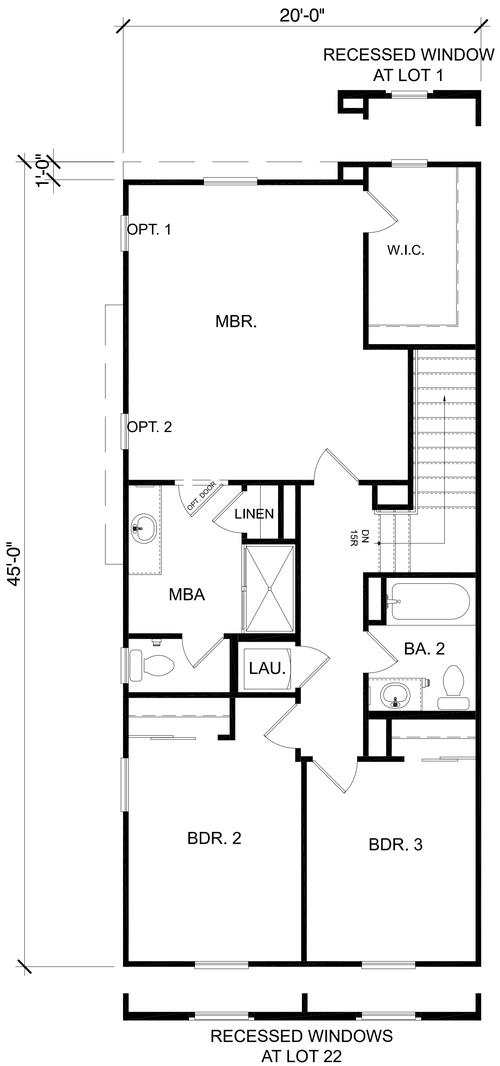
ORCHARD at EL MONTE

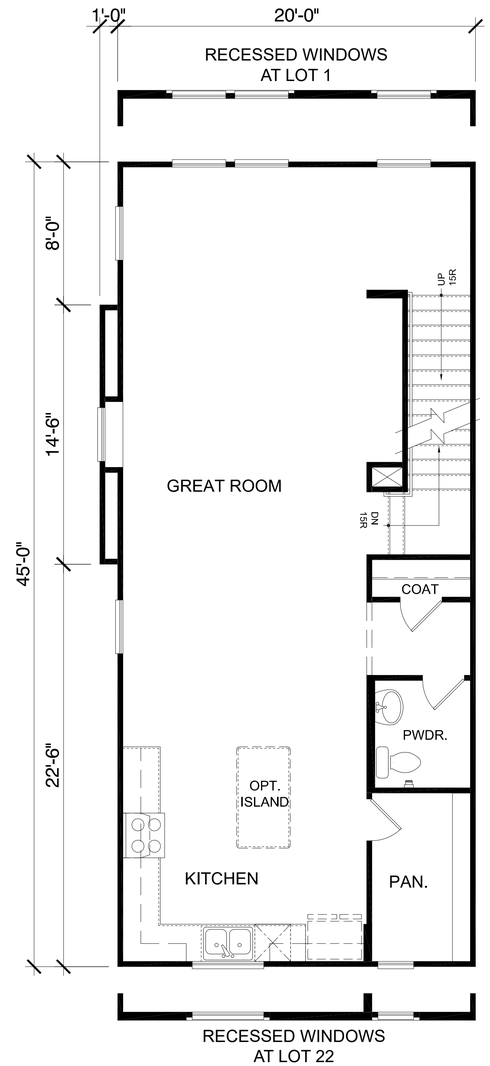
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.8**

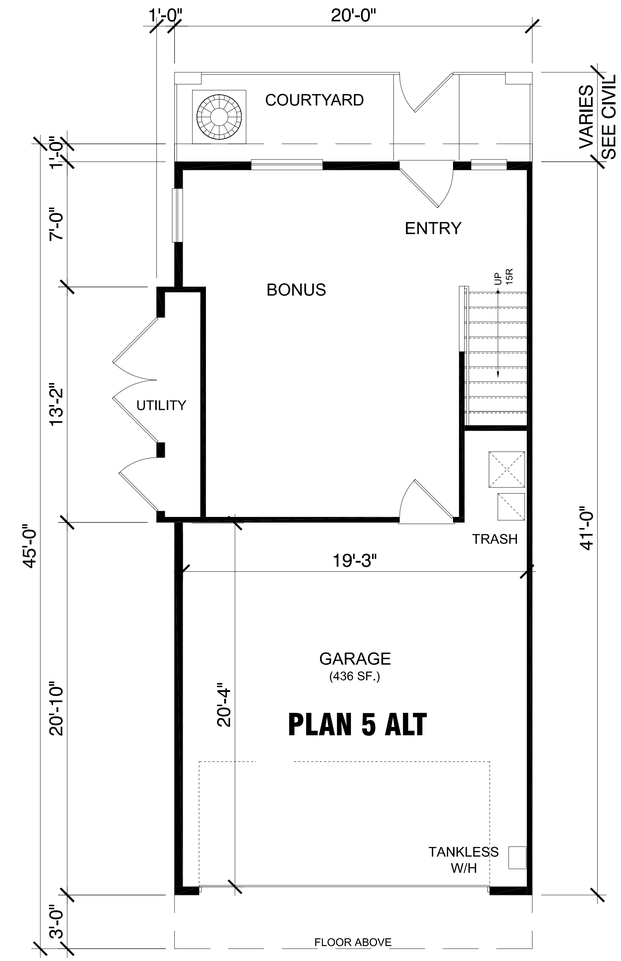
DATE: REV. 07-15-2020



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

GROSS SF	
1st FLR	389 SF
2nd FLR	900 SF
3rd FLR	833 SF
TOTAL LIVING	2122 SF
GARAGE	436 SF

0 2' 4' 8' 16'

PLAN 5 ALT

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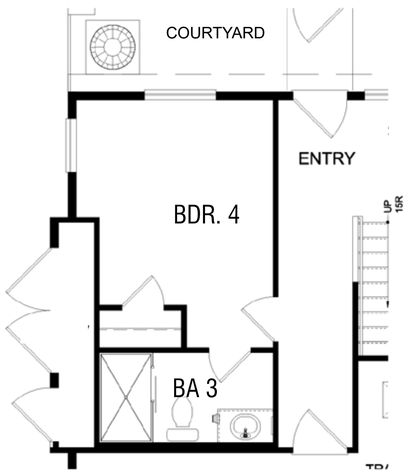
ORCHARD at EL MONTE

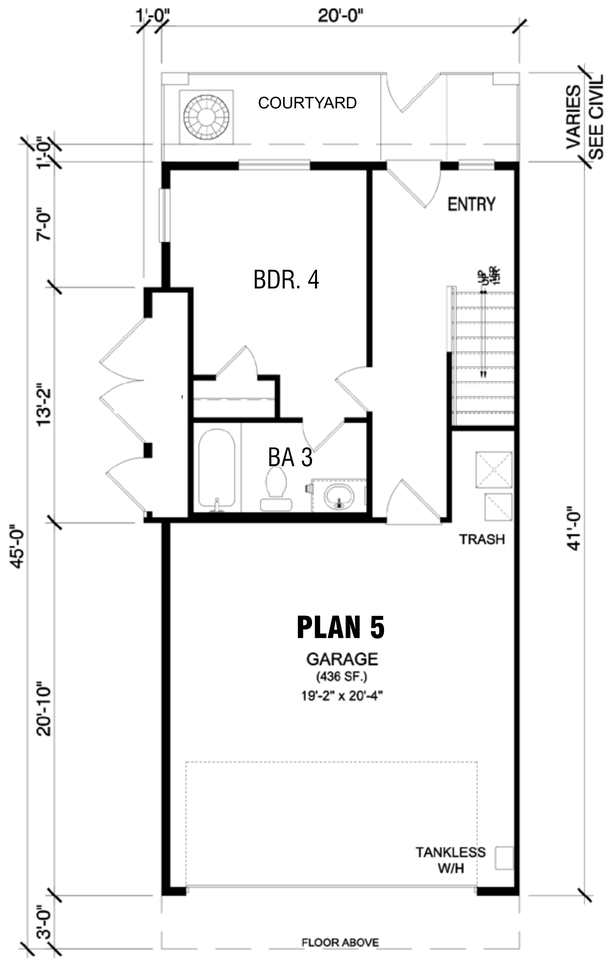
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.9**

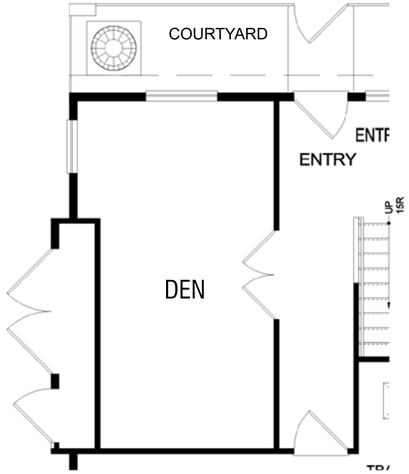
DATE: REV. 07-15-2020



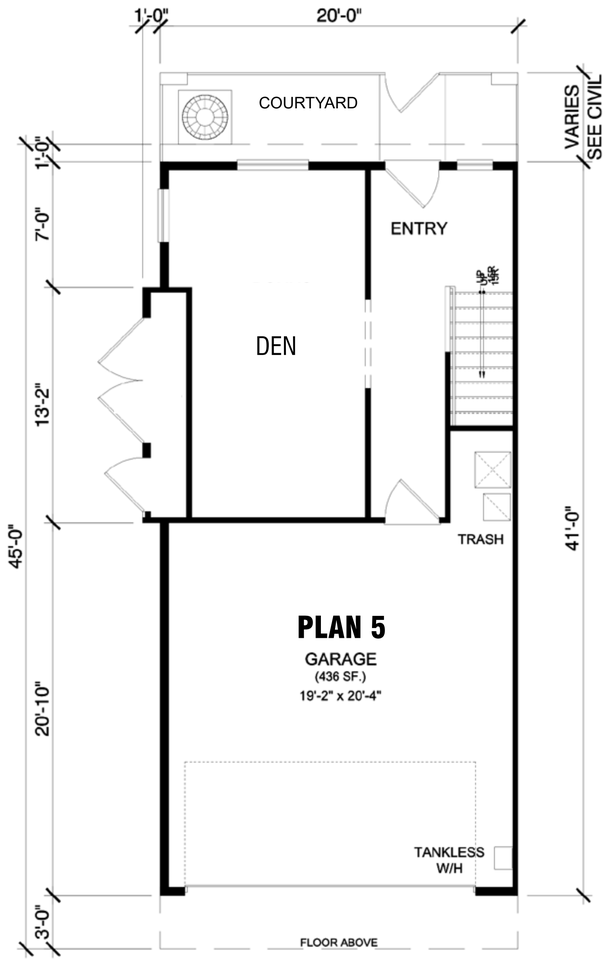
OPTIONAL BATH 3 W/ SHOWER



FIRST FLOOR - OPTIONAL BEDROOM 4 & BATH 3



OPTIONAL DEN W/ DOOR



FIRST FLOOR - OPTIONAL DEN

0 2' 4' 8' 16'

PLAN 5 ALT OPT

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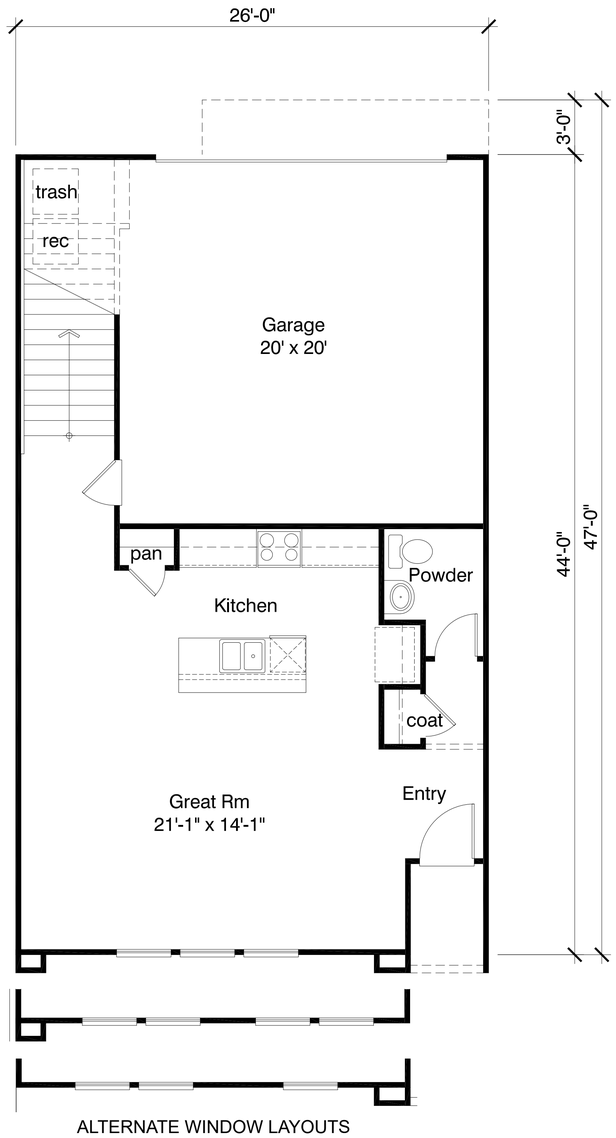
ORCHARD at EL MONTE

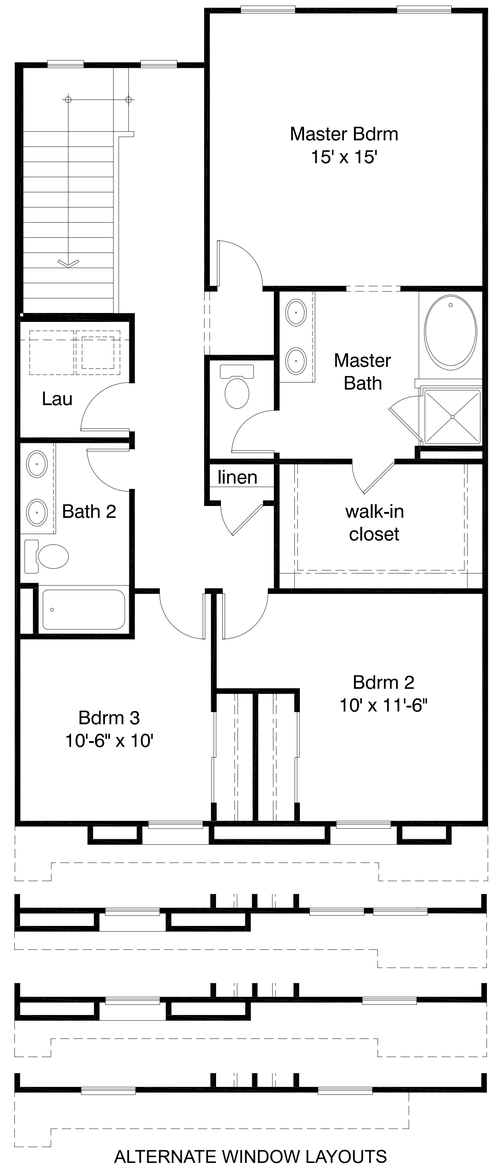
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.10**

DATE: REV. 07-15-2020



First Floor
713 sf



Second Floor
1060 sf

GROSS SF	
1st FLR	713 SF
2nd FLR	1060 SF
TOTAL LIVING	1773 SF
GARAGE	445 SF

0 2' 4' 8' 16'

PLAN 6

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ORCHARD at EL MONTE

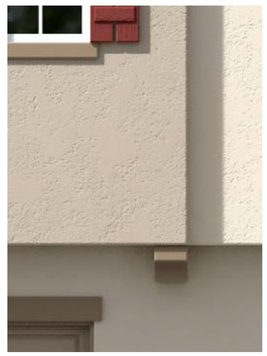
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-3.11**

DATE: REV. 07-15-2020

Exterior Material Palette

STUCCO



- OMEGA DIAMOND COAT medium sand finish stucco or approved equal. ICC-ESR-1194. EPS board to be used in this system. Minimum thickness 1" and a minimum density of 1.5 PCF

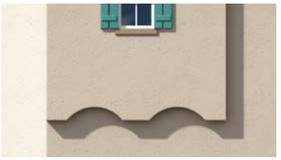
GARAGE DOOR

- WAYNE DALTON 9100 Series "Ranch" 16-panel steel garage door with wood texture
- Coach lights with photocell
- Shaped corbel corner detailing

WINDOW GRIDS / TRIM / SHUTTER

- GREEN WORLD vinyl window system with sculptured grid, color: almond
- 4" deep fiber cement trim (1st floor)
- 2x4 stucco trim top & bottom (2nd & 3rd floors)
- Wood decorative shutters
- THERMA-TRU "Fiber-Classic Oak" 6-panel fiberglass entry door w/ simulated woodgrain

GABLE END / WALL DETAILS / FENCE



- Clay pipe gable end detail
- TIERRA Y FUEGO 6"x6" Spanish decorative ceramic tile
- Shaped corbel detailing
- Arched porch openings
- Arched soffits
- Stucco band trim
- Wrought iron faux balconies
- Secondary stucco highlight colors
- Wrought iron fencing at courtyards

ROOF

- Hipped main roof with intersecting gables
- BORAL ROOFING "Barcelona" concrete S-tile or similar
- Exposed rafter tails per elevation

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ORCHARD at EL MONTE
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-4.0**

DATE: REV. 07-15-2020

SPANISH ELEVATIONS
SCHEME 1

ROOF TILE
Manufacturer: Boral
Profile: Barcelona

DECO TILE
Manufacturer: Tierra -Y-Fuego

ROOF
BARCELONA Camelot
1 BCCS 7954

DECO TILE
10304
Libro

STUCCO
Manufacturer: Omega
System: Diamond Wall One Coat System

STUCCO 1
KB 2067
Casa Blanca (SW 7571)

STUCCO 2
KB 1238
Loggia (SW 7506)

PAINT - FASCIA & TRIM
Manufacturer: Sherwin-Williams

FASCIA
Rookwood Dark Brown (SW 2808)

TRIM
Dapper Tan (SW 6144)

GARAGE DOOR
Manufacturer: Wayne-Dalton

WINDOWS
Manufacturer: Green World Windows

GARAGE
FACTORY BROWN (SW 6006)

WINDOW MULLION
FACTORY ALMOND (SW 7572)

PAINT - ARCHITECTURAL DETAIL
Manufacturer: Sherwin-Williams

WROUGHT IRON
Tricorn Black (SW 6258)

CLAY PIPE
Aurora Brown (SW 2837)

PAINT - FRONT ENTRY / SHUTTERS
Manufacturer: Sherwin-Williams

FRONT ENTRY 1 / SHUTTERS 1
Lagoon (SW 6480)

FRONT ENTRY 2 / SHUTTERS 2
Crabby Apple (SW 7592)

FRONT ENTRY 3 / SHUTTERS 3
Waterloo (SW 9141)

SPANISH ELEVATIONS
SCHEME 2

ROOF TILE
Manufacturer: Boral
Profile: Barcelona

DECO TILE
Manufacturer: Tierra -Y-Fuego

ROOF
BARCELONA Copper Mountain Blend
1 BCCS 6099

DECO TILE
20014
Junipero

STUCCO
Manufacturer: Omega
System: Diamond Wall One Coat System

STUCCO 1
KB 1290
Conservative Gray (SW 6183)

STUCCO 2
KB 1209
Escape Gray (SW 6185)

PAINT - FASCIA & TRIM
Manufacturer: Sherwin-Williams

FASCIA
Sealskin (SW 7675)

TRIM
Alabaster (SW 7008)

GARAGE DOOR
Manufacturer: Wayne-Dalton

WINDOWS
Manufacturer: Green World Windows

GARAGE
FACTORY BROWN (SW 6006)

WINDOW MULLION
FACTORY ALMOND (SW 7572)

PAINT - ARCHITECTURAL DETAIL
Manufacturer: Sherwin-Williams

WROUGHT IRON
Tricorn Black (SW 6258)

CLAY PIPE
Aurora Brown (SW 2837)

PAINT - FRONT ENTRY / SHUTTERS
Manufacturer: Sherwin-Williams

FRONT ENTRY 1 / SHUTTERS 1
Cyberspace (SW 7076)

FRONT ENTRY 2 / SHUTTERS 2
Austere Gray (SW 6184)

FRONT ENTRY 3 / SHUTTERS 3
Sun Dried Tomato (SW 7585)

SPANISH ELEVATIONS
SCHEME 3

ROOF TILE
Manufacturer: Boral
Profile: Barcelona

DECO TILE
Manufacturer: Tierra -Y-Fuego

ROOF
BARCELONA Barcelona Bronze Pearl
1 BCCS 0300

DECO TILE
20010
Malibu 1

STUCCO
Manufacturer: Omega
System: Diamond Wall One Coat System

STUCCO 1
KB 1299
Beach House (SW 7518)

STUCCO 2
KB 1326
Mexican Sand (SW 7519)

PAINT - FASCIA & TRIM
Manufacturer: Sherwin-Williams

FASCIA
Casa Blanca (SW 7571)

TRIM
Ramie (SW 6156)

GARAGE DOOR
Manufacturer: Wayne-Dalton

WINDOWS
Manufacturer: Green World Windows

GARAGE
FACTORY BROWN (SW 6006)

WINDOW MULLION
FACTORY ALMOND (SW 7572)

PAINT - ARCHITECTURAL DETAIL
Manufacturer: Sherwin-Williams

WROUGHT IRON
Tricorn Black (SW 6258)

CLAY PIPE
Aurora Brown (SW 2837)

PAINT - FRONT ENTRY / SHUTTERS
Manufacturer: Sherwin-Williams

FRONT ENTRY 1 / SHUTTERS 1
Red Cent (SW 6341)

FRONT ENTRY 2 / SHUTTERS 2
Bitter Chocolate (SW 6013)

FRONT ENTRY 3 / SHUTTERS 3
Bunglehouse Blue (SW 0048)

KB Home Southern CA - Los Angeles/Ventura
25152 Springfield Court, Suite 180
Valencia, CA 91355
661.219.6901

ORCHARD at EL MONTE
EL MONTE, CALIFORNIA
LOS ANGELES COUNTY

SHEET: **A-4.1**

DATE: REV. 07-15-2020

Orchard Street Front Yard Setback Requirement

EMMC §17.10.030(A)(4) states: a minimum of one twenty-four (24) inch box specimen tree shall be required for every twenty-four (24) linear feet of lot frontage, including driveways. Such twenty-four (24) inch box trees shall be planted in a planter having no less than ten (10) feet in width.

Length of Frontage - 108 LF
Required Trees - 5
Proposed Trees - 7

OVERALL SITE CONCEPT PLAN

SITE FEATURES KEY

1. ARCHITECTURE PER SEPARATE PLANS BY OTHERS - TYP.
2. PROJECT BOUNDARY PER CIVIL SITE PLAN - TYP. SYM.
3. 4' WIDE CONCRETE WALKWAY, COLOR TO BE GREY WITH LT. BROOM FINISH - TYP.
4. LAWN AREA WITH SHOVEL CUT LAWN EDGE - TYP. SYM.
5. 3' WIDE CONCRETE WALKWAY, NATURAL GREY WITH LIGHT BROOM FINISH - TYP. SYM.
6. PARKING STALLS PER CIVIL ENGINEER - TYP.
7. OUTDOOR FITNESS EQUIPMENT ON RUBBERIZED SURFACE - TYP.
8. 2-5 AGE PLAY STRUCTURE - TYP.
9. CLUSTER MAILBOX UNIT - TYP.
10. STAMPED, COLORED ASPHALT, HERRINGBONE PATTERN WITH SOLDIER COURSE PATTERN BANDING, COLOR TO BE TAN / BROWN - TYP.
11. MILEAGE MARKERS - TYP. SYM.
12. COLORED CONCRETE COLOR TO BE DAVIS 'KAILUA' OR APPROVED EQUAL AS SELECTED BY KB HOME - TYP. SYM.
13. DECORATIVE 6' BENCH - TYP. SYM.
14. DECORATIVE TRASH RECEPTACLE - TYP. SYM.
15. SQUARE CONCRETE HOT ASH RECEPTACLE - TYP. SYM.
16. ADA ACCESSIBLE PICNIC TABLE - TYP. SYM.
17. ADA INGROUND MOUNT PEDESTAL BBQ ITEM - TYP. SYM.
18. PROPOSED 16'HT. STREET LIGHT - TYP. SYM.
19. PROPOSED BOLLARD LIGHT - TYP. SYM.

NOTES:

1. NO TREE SHALL BE PLANTED WITHIN FIVE (5) FEET OF ANY STRUCTURE, OR UNDER ANY EAVE, OVERHANG OR BALCONY.

2. A MINIMUM 3" MULCH LAYER SHALL BE PROVIDED IN ALL LANDSCAPED AREAS.

3. ALL PROPOSED LANDSCAPING SHALL BE IRRIGATED WITH LOW VOLUME AND / OR POINT SOURCE IRRIGATION AND SHALL MEET ALL REQUIREMENTS OF THE CGBC & CITY OF EL MONTE STANDARDS FOR WATER EFFICIENT LANDSCAPING.

4.ALL TREES SHALL BE IRRIGATED WITH SEPARATE SYSTEMS FOR BUBBLERS.

5. THE HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF LANDSCAPING AND IRRIGATION SYSTEM WITHIN ALL COMMON AREAS AND PARKWAYS OF ALL LOCAL STREETS .

6. AGRONOMICAL SOIL TESTING SHALL BE PERFORMED TO ENCOURAGE HEALTHY PLANT GROWTH AND REDUCE RUN OFF.

7. FINAL LANDSCAPE PLANTING PLAN WILL COMPLY WITH

- *EMMC 17.10.030(C)(2): SHRUBS. A. A MINIMUM OF ONE SHRUB SHALL BE PROVIDED FOR EVERY TWENTY (20) SQUARE FEET OF LANDSCAPED AREA OR OTHER TURF AREAS. SEVENTY-FIVE (75) PERCENT OF THE REQUIRED SHRUBS SHALL BE A MINIMUM OF FIVE (5) GALLONS. B. THE NUMBER OF REQUIRED SHRUBS MAY BE REDUCED BY THE PLANNING SERVICES MANAGER WHEN IT IS DETERMINED THAT AN ALTERNATIVE DESIGN WILL MEET THE INTENT OF THE LANDSCAPING REQUIREMENTS. C. ALL FIVE (5) GALLON SIZE SHRUBS, WHEN PLANTED AS HIGH GROUND COVER, SHALL BE OF LOW, SPREADING TYPE EVERGREEN SHRUBS PLACED EIGHTEEN (18) INCHES ON CENTER. D. ALL ONE GALLON SIZE SHRUBS, WHEN PLANTED AS HIGH GROUND COVER, SHALL BE OF LOW, SPREADING TYPE EVERGREEN SHRUBS PLACED EIGHTEEN (18) INCHES ON CENTER.*
- *EMMC 17.10.030 (A)(1): ALL REQUIRED PRIVATE OPEN SPACE SHALL CONTAIN ONE TWENTY-FOUR (24) INCH BOX SIZE TREE FOR EVERY SIX HUNDRED (600) SQUARE FEET, OR PORTION THEREOF; AND ONE FIVE (5) GALLON SHRUB FOR EVERY FIFTY (50) SQUARE FEET OF PLANTER AREA, OR PORTION THEREOF.*

8. ALL 24" BOX TREES SHALL HAVE 2 ½" CALIPER TRUNK DIAMETER MIN., 10' HT. AND 5' HEAD DIAMETER.

PROPOSED PLANT PALETTE

SYMBOL | BOTANICAL NAME / COMMON NAME

PARKWAY TREES (24" BOX STD.)

GEIJERA PARVIFLORA / AUSTRALIAN WILLOW
KOELREUTERIA BIPINNATA / CHINESE FLAME TREE
PISTACIA CHINENSIS / CHINESE PISTACHE
QUERCUS AGRIFOLIA / COAST LIVE OAK
TRISTANIA CONFERTA / BRISBANE BOX
(SPACING AS SHOWN ON PLANS)

COMMUNITY ACCENT TREE (24" BOX MIN. STD)

CALLISTEMON VIMINALIS / WEEPING BOTTLEBRUSH
CHILOPSIS LINEARIS / DESERT WILLOW
ERIOBOTRYA DEFLEXA / BRONZE LOQUAT
PLATANUS ACERIFOLIA / LONDON PLANE
RHUS LANCEA / AFRICAN SUMAC
TRISTANIA CONFERTA / BRISBANE BOX

FRONT YARD TREE (24" BOX STD.)

ARBUTUS 'MARINA' / STRAWBERRY TREE
CERCIS CANADENSIS / EASTERN REDBUD
CHAMAEROPS HUMILIS / MEDITERRANEAN FAN PALM
LAGERSTROEMIA INDICA / CRAPE MYRTLE
LIGUSTRUM JAPONICUM 'TEXANUM' / WAXLEAF PRIVET

LARGE ACCENT / SPECIMEN TREE (36" BOX MIN. STD)

CHILOPSIS LINEARIS / DESSERT WILLOW
OLEA E. 'WILSONII' / FRUITLESS OLIVE VAR.
PLATANUS RACEMOSA / CALIFORNIA SYCAMORE
RHUS LANCEA / AFRICAN SUMAC
QUERCUS AGRIFOLIA / COAST LIVE OAK

(SPACING AS SHOWN ON PLANS)
(TREES LISTED IN THIS CATEGORY ARE PROPOSED TO BE THE PLACEMENT TREES FOR THE HERITAGE TREE REMOVED, PER CITY ORDINANCE 14.03.090 - ALL REMOVED TREES SHALL BE REPLACED WITH A TREE RATIO OF 2:1. TWO (2) THIRTY-SIX-INCH BOX TREES WITH A MINIMUM HEIGHT OF TWELVE (12) FEET SHALL BE PLANTED WITH SUITABLE SPECIES SELECTED FROM THE CITY'S RECOMMENDED TREE PALETTE AND WITH THE APPROVAL FROM THE ECONOMIC DEVELOPMENT DEPARTMENT.

VERTICAL ACCENT TREES (24" BOX MIN. STD)

CUPRESSUS SEMPERVIRENS / ITALIAN CYPRESS
PODOCARPUS MACROPHYLLUS 'MAKI' - SHRUBBY YEW PODOCARPUS
PRUNUS C. 'BRIGHT N TIGHT' / CAROLINA LAUREL CHERRY
TRACHYCARPUS FORTUNEI / WINDMILL PALM

(SPACING AS SHOWN ON PLANS)

COMMON AREA THEME TREES (24" BOX MIN. STD)

CASSIA LEPTOPHYLLA / GOLD MEDALLION TREE
CHIONANTHUS RETUSUS / CHINESE FRINGE TREE
KOELRUTERIA SPP. / FLAME TREE
HETEROMELES ARBUTIFOLIA / TOYON
RHUS LANCEA / AFRICAN SUMAC
(SPACING AS SHOWN ON PLANS)

COMMON LOT SHRUB AREAS

ALL PLANT MATERIAL WILL BE IN COMPLIANCE WITH THE CITY OF EL MONTE WATER EFFICIENT LANDSCAPE GUIDELINES
EXAMPLES INCLUDE:

BACKGROUND SHRUBS
- ARBUTUS UNEDO / COMPACT STRAWBERRY TREE
- BUXUS SPECIES / BOXWOOD
- DODONEA MICROZYGA / BRILLIANT HOP-BUSH
- GREVILLEA SPECIES / GREVILLIA
- LEPTOSPERMUM SPECIES / NEW ZEALAND TEA TREE
- LIGUSTRUM J. 'TEXANUM' / TEXAS PRIVET
- PITTOSPORUM SPECIES / PITTOSPORUM
- RHAPHIOLEPIS SPECIES / INDIAN HAWTHORNE

MIDGROUND SHRUBS
- CALLISTEMON C. 'LITTLE JOHN' / DWARF BOTTLEBRUSH VAR.
- DIANELLA SPP. / FLAX LILY VAR.
- DIETES IRIOIDES / FORTNIGHT LILY
- JUNIPERUS CHINENSIS / JUNIPER VAR.
- MUHLENBERGIA RIGENS / DEER GRASS
- MYRSINE AFRICANA / AFRICAN BOXWOOD
- MYRTUS C. 'COMPACTA' / DWARF MYRTLE
- NANDINA DOMESTICA / HEAVENLY BAMBOO
- PITTOSPORUM SPECIES / PITTOSPORUM
- RHAPHIOLEPIS SPECIES / INDIAN HAWTHORNE
- SALVIA SPECIES / SAGE VAR.

ACCENT SHRUBS
- AGAPANTHUS SPECIES / LILY OF THE NILE
- CAREX TUMULICOLA / BERKELEY SEDGE
- DIANELLA SPP. / FLAX LILY VAR.
- HEMEROCALLIS SPP. / DAY LILY
- ROSMARINUS SPECIES / SAGE VAR.
- SALVIA SPECIES / SAGE VAR.

SPREADING GROUNDCOVER
- BACCHARIS PILULARIS / DWARF COYOTE BUSH VAR.
- LONICERA JAPONICA / HONEYSUCKLE
- MYOPORUM 'PARVIFOLIUM' / MYOPORUM VAR.
- ROSMARINUS O. 'PROSTRATUS' / PROSTRATE ROSEMARY VAR.
- TRACHELOSPERMUM JASMINOIDES / STAR JASMINE

VINES
- BIGNONIA C.'TANGERINE BEAUTY' / CROSS VINE
- DISTICTIS BUCCINATORIA / BLOOD RED TRUMPET VINE
- MACFADYENA UNGUIS CATI / CAT'S CLAW
- JASMINUM POLYANTHEMUM / PINK JASMINE

* VINES SHALL BE PLANTED ALONG WALLS WITHIN THE COMMUNITY TO PROVIDE SCREENING OF WALL SURFACES.

BOLLARD LIGHT
FROM CYCLONE, MODEL# BOLLARD-CBM2112C

DECORATIVE POLE LED LIGHT
FROM CYCLONE, MODEL# DOMIA-CY55P1A

STAMPED, COLORED ASPHALT

WEILAND DESIGN GROUP, INC.
LANDSCAPE ARCHITECTURE + PLANNING + CONSTRUCTION MANAGEMENT
CORPORATE OFFICE
291 SIERRA WAVE SYMALL MEADOWS, CA 93514
P (844) WEILAND XT.701
EMAIL - KLONIGRO@W-D-G.COM

KB HOME SOUTHERN CALIFORNIA DIVISION

CITY OF EL MONTE, CA
ORCHARD

OVERALL CONCEPT PLAN

REVISIONS	DATE

LICENSED LANDSCAPE ARCHITECT
KEVIN T. LONIGRO
LA# 5508
SIGNATURE
09/30/20
EXP. DATE
04/21/2020
DATE
STATE OF CALIFORNIA

DATE: 04/21/2020	
SCALE: SEE SHEET	
JOB #: 19-011a	
DRAWN: KTL / SG	
SHEET:	L-01
1 OF 5	

06/27/19, 07/19/19, 09/12/19, 10/04/19, 11/05/19, 04/21/20

SITE FEATURES KEY

1. 4' WIDE CONCRETE WALKWAY - TYP.
2. 3' WIDE CONCRETE WALKWAY, NATURAL GREY WITH LIGHT BROOM FINISH - TYP. SYM.
3. LAWN AREA WITH SHOVEL CUT LAWN EDGE - TYP. SYM.
4. PARKING STALLS PER CIVIL ENGINEER - TYP.
5. 2-5 AGE PLAY STRUCTURE - TYP.
6. DECORATIVE 6' BENCH - TYP. SYM.
7. DECORATIVE TRASH RECEPTACLE - TYP. SYM.
8. SQUARE CONCRETE HOT ASH RECEPTACLE - TYP. SYM.
9. ADA ACCESSIBLE PICNIC TABLE - TYP. SYM.
10. ADA INGROUND MOUNT PEDESTAL BBQ ITEM - TYP. SYM.
11. DOG VALET STATION - TYP. SYM.
12. SHRUB / GROUNDCOVER PLANTER AREA - TYP.
13. PROJECT BOUNDARY PER CIVIL SITE PLAN - TYP. SYM.
14. COLORED CONCRETE COLORED 'KAILUA' OR APPROVED EQUAL AS SELECTED BY KB HOME
15. CLUSTER MAILBOX UNIT - TYP.
16. MILEAGE MARKERS - TYP. SYM.

OPEN SPACE LAWN ENLARGEMENTS

WEILAND DESIGN GROUP, INC.
LANDSCAPE ARCHITECTURE + PLANNING + CONSTRUCTION MANAGEMENT
CORPORATE OFFICE
291 SIERRA WAVE SWALL MEADOWS, CA 93514
P (844) WEILAND XT.701
EMAIL - KLONIGRO@W-D-G.COM

KB HOME SOUTHERN CALIFORNIA DIVISION

CITY OF EL MONTE, CA
ORCHARD

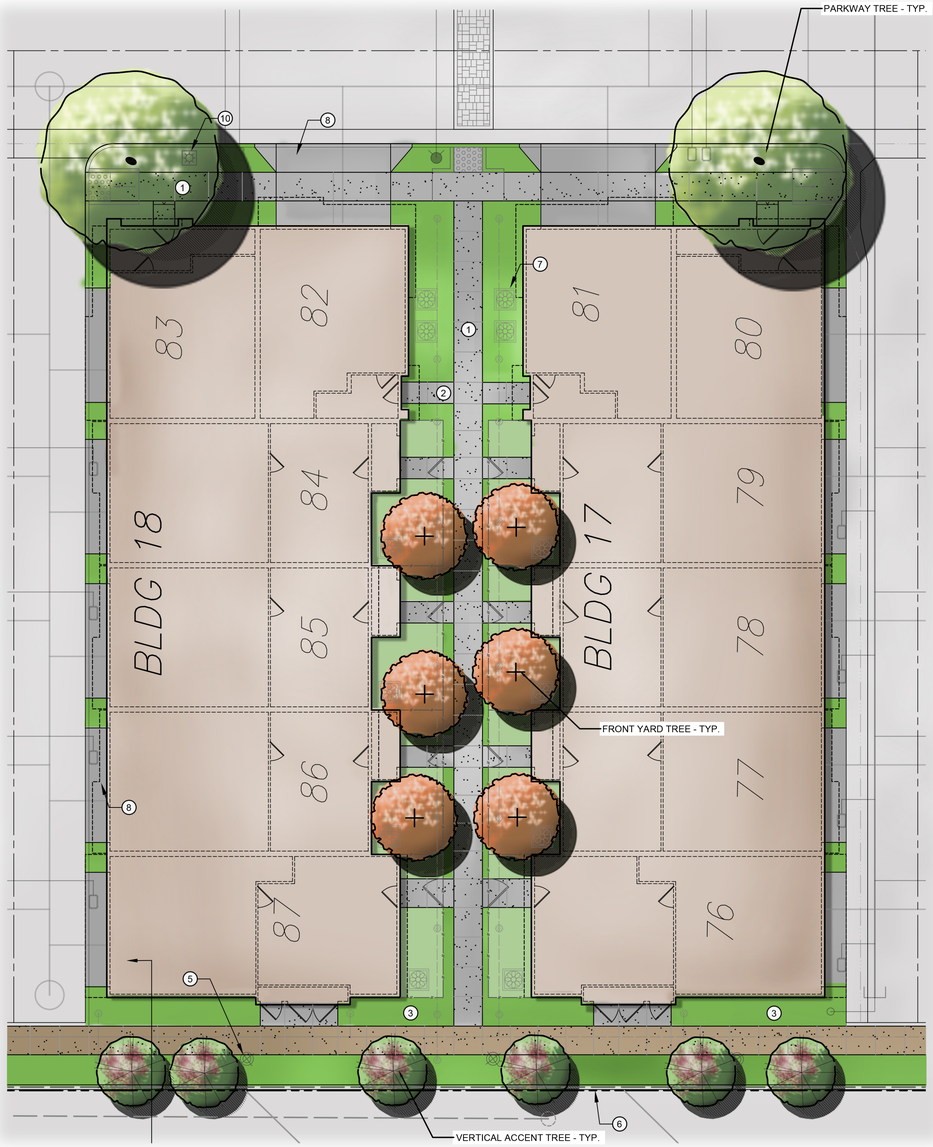
OVERALL CONCEPT PLAN

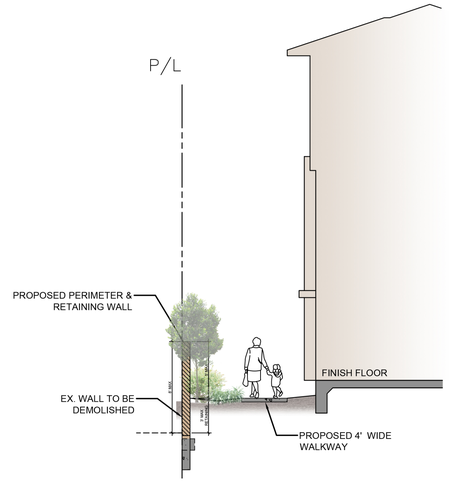
REVISIONS	DATE

LICENSED LANDSCAPE ARCHITECT
KIM T. LONIGRO
LA# 5548
SIGNATURE
09/30/20
EXP. DATE
04/21/2020
DATE
STATE OF CALIFORNIA

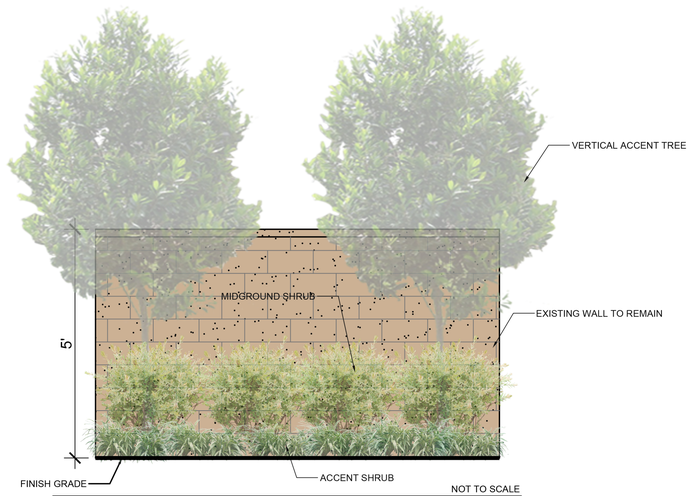
DATE: 04/21/2020
SCALE: SEE SHEET
JOB #: 19-011a
DRAWN: KTL / SG
SHEET: L-02
2 OF 5

06/27/19, 07/19/19, 09/12/19, 10/04/19, 11/05/19, 04/21/20

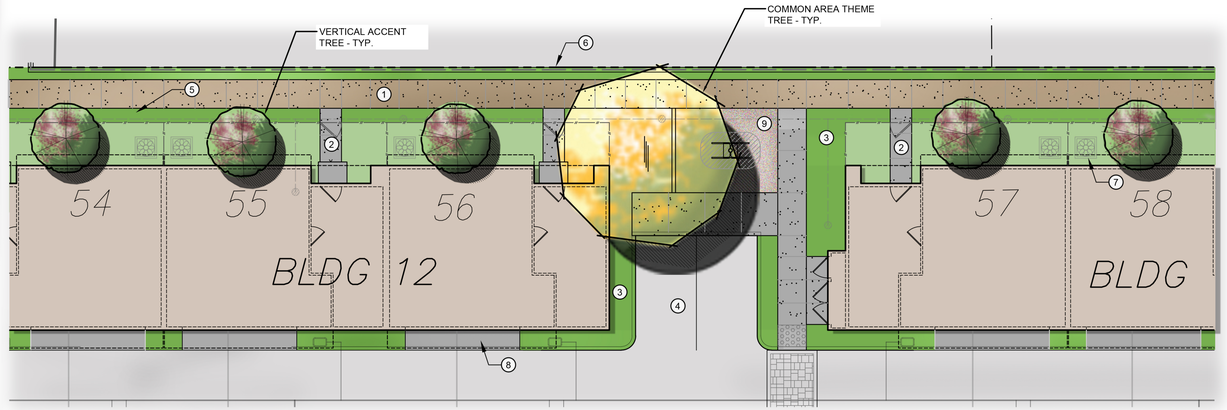


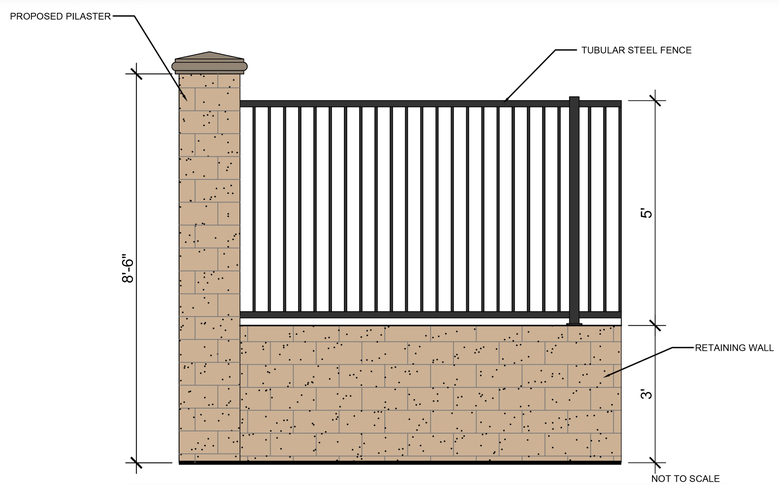


SECTION H-H



PROPOSED PERIMETER RETAINING WALL ELEVATION





ELEVATION ON IRIS LANE

SITE FEATURES KEY

1. 4' WIDE CONCRETE WALKWAY - TYP.
2. 3' WIDE CONCRETE WALKWAY, NATURAL GREY WITH LIGHT BROOM FINISH - TYP. SYM.
3. SHRUB / GROUNDCOVER PLANTER AREA - TYP.
4. PARKING STALLS PER CIVIL ENGINEER - TYP.
5. PROPOSED BOLLARD LIGHT - TYP. SYM.
6. PROPERTY LINE PER CIVIL PLANS - TYP.
7. AC UNIT PER ARCHITECTURE PLANS - TYP.
8. DRIVEWAY PER CIVIL PLANS - TYP.
9. OUTDOOR FITNESS EQUIPMENT ON RUBBERIZED SURFACE - TYP.
10. PROPOSED 16'HT. STREET LIGHT - TYP. SYM.

SCALE - 1" = 10'-0"

0 5' 10' 20' 30'

TYPICAL UNIT ENLARGEMENTS

WEILAND DESIGN GROUP, INC.
LANDSCAPE ARCHITECTURE + PLANNING + CONSTRUCTION MANAGEMENT
CORPORATE OFFICE
291 SIERRA WAVE SWALL MEADOWS, CA 93514
P (844) WEILAND XT.701
EMAIL - KLONIGRO@W-D-G.COM

KB HOME SOUTHERN CALIFORNIA DIVISION

CITY OF EL MONTE, CA
ORCHARD

TYPICAL UNIT ENLARGEMENTS

REVISIONS	DATE

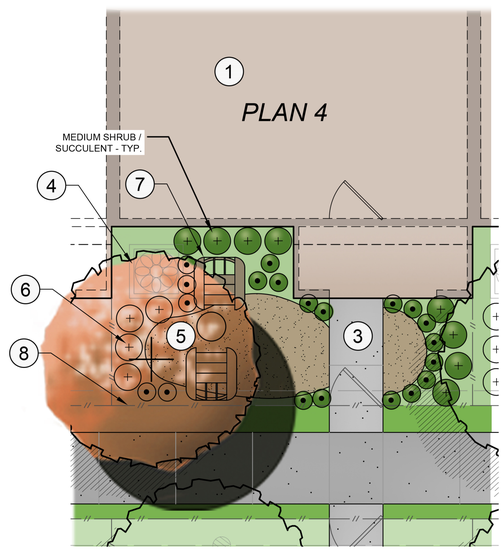
LICENSED LANDSCAPE ARCHITECT
KRIM T. LONIGRO
LA# 5500
SIGNATURE
09/30/20
EXP. DATE
04/21/2020
DATE
STATE OF CALIFORNIA

DATE: 04/21/2020
SCALE: SEE SHEET
JOB #: 19-011a
DRAWN: KTL / SG
SHEET: L-03
3 OF 5

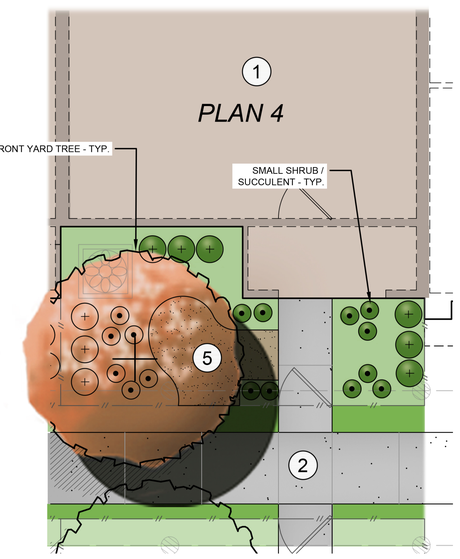
06/27/19, 07/19/19, 09/12/19, 10/04/19, 11/05/19, 04/21/20

SITE FEATURES KEY

1. ARCHITECTURE PER SEPARATE PLANS BY OTHERS - TYP.
2. 4' WIDE CONCRETE WALKWAY, COLOR TO BE GREY WITH LT. BROOM FINISH - TYP.
3. 3' WIDE CONCRETE WALKWAY, NATURAL GREY WITH LIGHT BROOM FINISH - TYP. SYM.
4. AC UNIT PER ARCHITECTURE PLANS - TYP.
5. DECOMPOSED GRANITE - TYP. SYM.
6. PEBBLE GROUND COVER - TYP.
7. FRONT YARD PATIO FURNITURE, NOT INCLUDED AND SHOWN FOR REFERENCE PURPOSES ONLY - TYP. SYM.
8. FRONT YARD PATIO FENCE WITH GATE - TYP.



ENHANCED PRIVATE COURT YARD



STANDARD PRIVATE COURT YARD

SCALE 1" = 4'-0"

SAMPLE PRIVATE COURT YARD LANDSCAPE

WEILAND DESIGN GROUP, INC.
LANDSCAPE ARCHITECTURE + PLANNING + CONSTRUCTION MANAGEMENT
CORPORATE OFFICE
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P (844) WEILAND XT.701
EMAIL : KLONIGRO@W-D-G.COM

KB HOME SOUTHERN CALIFORNIA DIVISION

CITY OF EL MONTE, CA
ORCHARD

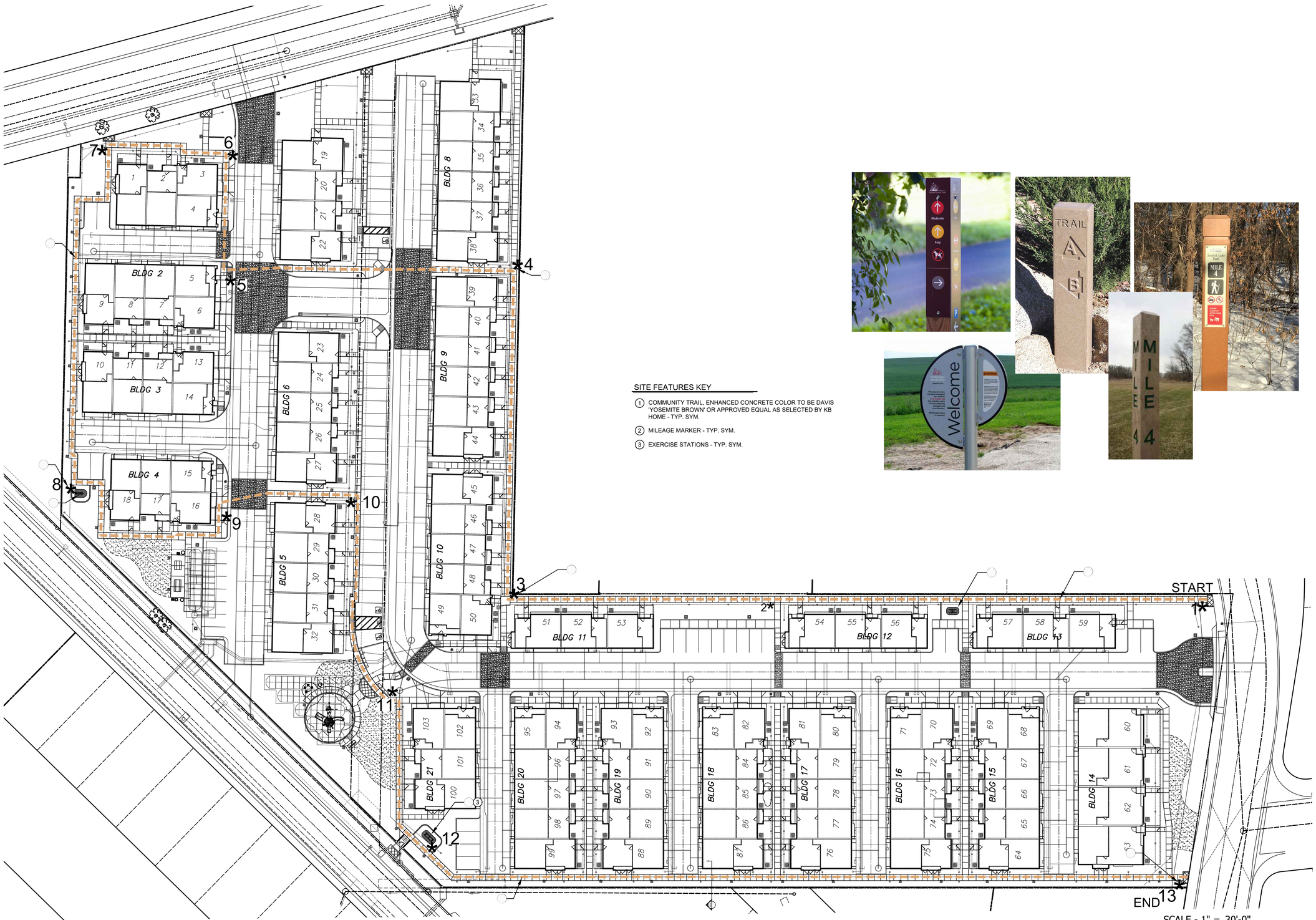
PRIVATE COURT YARD LANDSCAPE

REVISIONS	DATE

LICENSED LANDSCAPE ARCHITECT
KEIM T. LONIGRO
LA# 5586
SIGNATURE
09/30/20
EXP. DATE
04/21/2020
DATE
STATE OF CALIFORNIA

DATE: 04/21/2020
SCALE: SEE SHEET
JOB #: 19-011a
DRAWN: KTL / SG
SHEET: L-04
4 OF 5

06/27/19, 07/19/19, 09/12/19, 10/04/19, 11/05/19, 04/21/20



SITE FEATURES KEY

1. COMMUNITY TRAIL, ENHANCED CONCRETE COLOR TO BE DAVIS 'YOSEMITE BROWN' OR APPROVED EQUAL AS SELECTED BY KB HOME - TYP. SYM.
2. MILEAGE MARKER - TYP. SYM.
3. EXERCISE STATIONS - TYP. SYM.

SCALE - 1" = 30'-0"

NORTH

0 15' 30' 60' 90'

OVERALL COMMUNITY TRAIL EXHIBIT

WEILAND DESIGN GROUP, INC.
LANDSCAPE ARCHITECTURE + PLANNING + CONSTRUCTION MANAGEMENT
CORPORATE OFFICE
291 SIERRA WAVE SWALL MEADOWS, CA 93514
P (844) WEILAND XT.701
EMAIL - KLONIGRO@W-D-G.COM

KB HOME SOUTHERN CALIFORNIA DIVISION

CITY OF EL MONTE, CA
ORCHARD

COMMUNITY TRAIL EXHIBIT

REVISIONS	DATE

LICENSED LANDSCAPE ARCHITECT
KENT T. LONIGRO
LA# 5504
SIGNATURE
09/30/20
EXP. DATE
04/21/2020
DATE
STATE OF CALIFORNIA

DATE: 04/21/2020

SCALE: SEE SHEET

JOB #: 19-011a

DRAWN: KTL / SG

SHEET: L-05

5 OF 5

06/27/19, 07/19/19, 09/12/19, 10/04/19, 11/05/19, 04/21/20

Attachment "D"

Kimley»Horn

DRAFT TECHNICAL MEMORANDUM

To: Mr. Jason Mikaelian & Ms. Nancy Lee, City of El Monte

From: Rita Garcia
Sowmya Chandrasekhar, PE, TE, PTOE

Date: March 9, 2020

Subject: KB Home Orchard Street and Cypress Avenue Project – Parking Requirements

---

INTRODUCTION

The KB Home Orchard Street and Cypress Avenue Project (Project) site is in the City of El Monte (City) in the County of Los Angeles (County). Kimley-Horn and Associates, Inc. (Kimley-Horn) has prepared this Technical Memorandum to summarize the results of the parking space requirements study performed for this proposed multi-family residential Project. The Project proposes a residential community consisting of 110 three-story townhomes.

The Project site is located within approximately 500 feet of Foothill Transit and LA Metro bus stops along Ramona Boulevard, and within 0.50-mile of educational, commercial, and institutional uses. Additionally, the El Monte Metrolink Station, is less than one mile from the Project site.

Based on the City of El Monte Municipal Code (EMMC) §17.08.090 - Parking Requirements for Specific Land Uses, the Project's parking demand would total 437 parking spaces, including 220 resident spaces within garages and 217 additional spaces, of which 173 spaces would be required for resident parking and 44 required for guest parking. The Project proposes 271 parking spaces, including 220 resident spaces within garages and 51 additional spaces, of which 7 would be for resident parking and 44 spaces for guest parking. The proposed parking does not meet the EMMC parking requirement with this 166-space deficit; therefore, the Project Applicant has requested approval of a Modification to reduce EMMC parking requirements. The Project does not propose off-street parking.

For a comparative analysis, national parking generation rates published by the Institute of Transportation Engineers (ITE) and Urban Land Institute (ULI) are presented, as well as parking standards of neighboring cities, the County, and KB Home representative developments. Parking data collected at two representative El Monte residential developments are also presented.

NATIONAL PARKING DEMAND RATES AND ESTIMATES

The Project's parking demand was estimated using national data obtained from *ITE Parking Generation Manual, 5th Edition*, and *ULI Shared Parking, 2nd Edition*. **Table 1** shows the Project's estimated parking demand based on ITE and ULI rates for residential condominiums.

Table 1. National Parking Demand Rates & Estimates

Land Use	Setting	Dwelling Units	Average Peak Period Parking Demand Ratio	Estimated Peak Parking Demand
Institute of Transportation Engineers (ITE)				
Multifamily Housing (Mid-Rise)	Dense Multi-Use Urban; Not within ½ mile of rail transit	110	0.90 per DU	99
Urban Land Institute (ULI)				
Residential, Owned	1.0 space reserved for residents' sole use, 24 hours a day; remainder shared with visitors and other uses	110	1.85 per DU	203.5
Note: DU = dwelling unit				

EL MONTE AND OTHER PARKING DEMAND RATES AND ESTIMATES

The City's parking requirements were compared with those of four (4) neighboring cities (i.e., Arcadia, Montebello, Monterey Park, and Rosemead), the County (North El Monte), and representative KB Home developments. **Table 2** shows the Project's estimated parking demand based on parking demand rates of the respective cities and County.

Table 2: Comparative Parking Standards

JURISDICTION	ZONE	CODE REFERENCE	DENSITY	RESIDENT SPACES	GUEST SPACES	PARKING DEMAND (ASSUMING 110 DU)				COMPARED TO EMMC		
						RESIDENT SPACES	GUEST SPACES	TOTAL SPACES	OVERALL PARKING PER DU	LESS OR GREATER THAN EMMC	DIFFERENCE	% DIFFERENCE
El Monte	**R-4 High-Density Multiple-Family Dwelling Zone**	**EMMC Zone: §17.30.010 - Establishment of Zones - Zone Classifications Density: §17.45.030 - Regulations Parking: §17.08.090 - Parking Requirements for Specific Land Uses**	**25 DU/NAC**	**2 parking spaces within a fully enclosed garage for the first 1,200 SF of gross floor area. Additional parking spaces are required at a rate of 1 space per each additional 300 SF of gross floor area or portion thereof.**	**Multi-family developments of 10 or more: 10% of the total required parking shall be reserved for guest parking.**	**393**	**44**	**437**	**4.0**			
Arcadia	R-3 High-Density Multiple-Family Residential Zone	AMC Zone: §9102.01.010 - Purpose and Intent Density: §9102.01.010 - Purpose and Intent Parking: §9103.07.050 - Off-Street Parking for Residential Uses	12-30 DU/AC	2 covered spaces per DU	1 guest parking space per 2 DU	220	55	275	2.5	**Less**	-162	-37%
County of Los Angeles (North El Monte)	R-3 Limited Density Multiple Residence	LACMC Zone: §22.18.020 - Residential Zones Designated Density: §22.46.1220 - Residential III - Intent Parking: §22.112.070 - Required Parking Spaces	35 DU/NAC	Apartments 2 or more bedrooms[2]: 1.5 covered standard space per DU and 0.5 covered or uncovered standard spaces per DU	Guest parking for apartment houses with at least 10 units: 1 standard space for guests per 4 DU	220	28	248	2.3	**Less**	-190	-43%
Montebello	R-3-D-27 Multiple Family Residential, Planned Development	MMC Zone: §17.10.020 - Development Standards - Generally or Appendix A - Ordinance List and Disposition Table Density: Appendix A - Ordinance List and Disposition Table Parking: §17.52.050 - Parking Space Requirements	27 DU/AC	2 enclosed spaces per DU	1 visitor space per 3 DU	220	37	257	2.3	**Less**	-180	-3%
Monterey Park	R-3 High-Density Residential Zone	MPMC Zone: §21.08.020 - Residential Zones Density: §21.08.020 - Residential Zones Parking: §21.22.050 - Minimum Parking Spaces Required	25 DU/AC	3 or fewer bedrooms[1]: 2 enclosed garage spaces	3 or fewer bedrooms[1]: 1 guest parking per 2 DU	76	19	311	2.8	**Less**	-126	-29%
				4 bedrooms[1]: 2 enclosed garage spaces	4 bedrooms[1]: 1 guest parking space per 1 DU	144	72					
Rosemead	R-3 Medium Multiple Residential Zone	RMC Zone: §17.12.010 - Purpose Density: §17.21.030 - Garvey Avenue Specific Plan District Development Standards - Maximum Density with Provision of Community Benefits Parking: §17.112.040 - Number of Spaces Required	25 DU/AC	2 spaces per DU	1 parking space per 2 DU	220	55	275	2.5	**Less**	-162	-37%
					AVERAGE (EXCLUDES EL MONTE)			***273***	***2.5***		***-164***	***-38%***

KB Home New Field 96[3]	Pending	Pending	20.47 DU/AC	1.5 spaces/DU	0.5 parking space/DU	165	55	220	2.00	**Less**	-91	-21%
KB Home Harbor Point 120[4]	RPD-DP Limited Density Multiple Residence	LACMC Zone: §22.18.020 - Residential Zones Designated Density: §22.46.1220 - Residential III - Intent Parking: §22.112.070 - Required Parking Spaces	12.79 DU/AC	Apartments 2 or more bedrooms[2]: 1.5 covered standard space per DU and 0.5 covered or uncovered standard spaces per DU	Guest parking for apartment houses with at least 10 units: 1 standard space for guests per 4 DU	220	28	248	2.25	**Less**	-64	-15%
KB Home - Project in Feasibility: Live Oaks 865[5]	R-3 Limited Density Multiple Residence	LACMC Zone: §22.18.020 - Residential Zones Designated Density: §22.46.1220 - Residential III - Intent Parking: §22.112.070 - Required Parking Spaces	24.5 DU/AC	Apartments 2 or more bedrooms[2]: 1.5 covered standard space per DU and 0.5 covered or uncovered standard spaces per DU	Guest parking for apartment houses with at least 10 units: 1 standard space for guests per 4 DU	220	28	248	2.25	**Less**	-64	-15%
KB Home - Project in Feasibility - River Gate 80[6]	R-3-PD-SP-D-32 High Density Residential, Planned Development	MMC Zone: §17.10.020 - Development Standards - Generally or Appendix A - Ordinance List and Disposition Table Density: Appendix A - Ordinance List and Disposition Table Parking: §17.52.050 - Parking Space Requirements	25.64 DU/AC	2 enclosed spaces per DU	1 space per 3 DU	220	37	257	2.33	**Less**	-54	-12%
					AVERAGE (EXCLUDES EL MONTE, INCLUDES KB HOME PROJECTS)			***260***	***2.4***		***-121***	***-28%***

Notes: DU = Dwelling Units; MC = Municipal Code.

1. A den, library, study or similar habitable room which in the determination of the City Planner could be used as a bedroom will be considered a bedroom for purposes of determining required parking.
2. Parking spaces shall be standard in size unless compact size spaces are granted pursuant to Chapter 22.178 (Parking Permits). At least one parking space shall be assigned to each DU.
3. City of Garden approved VTTM on 04/23//15, 96 units on 4.69 AC.
4. LA County approved VTTM on 11/20/19, 120 units on 9.38 AC.
5. LA County approved VTTM on 11/20/19, 86 units on 3.51 AC.
6. City of Montebello approved TTM 11/15/16, 80 units on 3.12 AC.

SAMPLE PARKING DATA FOR EXISTING EL MONTE MIXED/MULTIUSE ZONE PROJECTS

To evaluate the Project's parking demand, the City identified two existing Mixed/Multiuse Zone (MMU) projects to conduct sample parking demand counts. The sites were selected based on various factors including similarity to the proposed Project, among others. The City collected existing parking data at the following two existing MMU projects:

- Union Walk (northwest of Valley Boulevard at Ramona Boulevard intersection): 62 units (including 4 live-work units), with two-car garage for each unit and no street parking available.
- Solstice (Garvey Avenue between Tyler Avenue and Consol Avenue): 70 units (including 3 live-work) with 2-car garage for each unit and approximately 30 street parking spaces available.

To determine existing weekday and weekend conditions parking demand at the two sample sites, hourly parking demand counts were conducted at various hours (i.e., 7:00 AM, 10:00 AM, 1:00 PM, 4:00 PM, 7:00 PM, and 10:00 PM), on a typical weekday and weekend (i.e., Thursday January 16, 2020 and Saturday January 25, 2020). **Table 3** summarizes the results of the observed hourly parking demand counts and utilization at the two sample sites for the two observed days.

Table 3. Sample Paring Data for Existing El Monte MMU Projects

Description	Times & Counts					
	7:00 AM	10:00 AM	1:00 PM	4:00 PM	7:00 PM	10:00 PM
Union Walk						
Thursday, 01/16/20[1]						
Number of Spaces	42	42	42	42	42	42
Number Utilized	27	19	19	29	37	33
% Utilized	64.3%	45.2%	45.2%	69.0%	88.1%[2]	78.6%
Saturday, 01/25/20						
Number of Spaces	42	42	42	42	42	42
Number Utilized	28	22	22	19	22	NA
% Utilized	66.7%	52.4%	52.4%	45.2%	52.4%	NA
Solstice						
Thursday, 01/16/2020[1]						
Number of Spaces	31	31	31	31	31	31
Number Utilized	21	12	12	14	16	19
% Utilized	67.7%	38.7%	38.7%	45.2%	51.6%	61.3%
Saturday, 01/25/2020[3]						
Number of Spaces	31	31	31	31	31	31
Number Utilized	22	24	22	17	18	NA
% Utilized	71.0%	77.4%	71.0%	54.8%	58.1%	NA

Notes:
1. Raining at 7:00 PM and 1:00 PM (possibly resulting in more cars being parked in garages).
2. "Text" denotes highest utilization.
3. Chinese New Year Celebration for property to the south. Appeared some people visiting the temple parked in guest spaces at the Solstice.

Union Walk. As shown in **Table 3**, the maximum weekday observed hourly parking demand at Union Walk occurred on January 16, 2020 at 7:00 PM with a total of 37 parked vehicles (88.1% utilization). As also shown in **Table 3**, the maximum weekend observed hourly parking demand at Union Walk occurred on Saturday, January 25, 2020 at 7:00 AM with a total of 28 parked vehicles (66.7% utilization).

Solstice. As shown in **Table 3**, the maximum weekday observed hourly parking demand at Solstice occurred on January 16, 2020 at 7:00 AM with a total of 21 parked vehicles (67.7% utilization). As also shown in **Table 3**, the maximum weekend observed hourly parking demand at Solstice occurred on Saturday, January 25, 2020 at 10:00 AM with a total of 24 parked vehicles (77.4% utilization).

CONCLUSIONS

The Project's parking demand based on the City's standard is 437 spaces, which equates to a parking ratio of approximately 4.0 spaces per DU.

The City's required parking ratio is approximately four times the average ITE rate of 0.90 spaces per DU, and approximately two times the average ULI rate of 1.85 spaces per DU.

The average of parking ratio of neighboring cities and the County (excluding KB Home developments) is 2.5 spaces per DU. The City's required parking ratio (excluding KB Home developments) is on average 38% greater than that of neighboring cities and the County. The average of parking ratio of neighboring cities, the County, and KB Home developments is 2.4 spaces per DU. The City's required parking ratio is on average 28% greater than that of neighboring cities, the County, and KB Home developments.

Since two sites were surveyed as part of this analysis, this analysis conservatively assumes the highest observed parking demand of the two sites for each hour (i.e., the observed hourly parking demand at Union Walk, which occurred on Thursday January 16, 2020 at 7:00 PM with 88.1% utilization). Thus, at none of the surveyed times was the parking on the observed sites 100% utilized.

Based on these findings, it is concluded that reductions in parking requirements could be applied for the proposed Orchard Project development and the proposed 271 parking spaces would sufficiently satisfy the parking demand.

Attachment "E"

PROPOSED PRIVATE OPEN SPACE BREAKDOWN

Unit No.	Private Open Space Area (square feet)	Dimensions (feet)	Other Notes
1	140	20 x 7	Located within Cypress Ave Front Yard Setback
2	183	20 x 9.2	Located within Cypress Ave Front Yard Setback
3	None		
4	None		
5	None		
6	None		
7	162	20 x 8.1	
8	161	20 x 8.1	
9	120	20x 6	
10	120	20 x 6	
11	161	20 x 8.1	
12	162	20 x 8.1	
13	None		
14	None		
15	None		
16	None		
17	182	20 x 9.1	
18	140	20 x 7	Located within Iris Lane Front Yard Setback
19	325	56 x 5.8	Located within Cypress Ave Front Yard Setback
20	182	20 x 9.1	
21	182	20 x 9.1	
22	140	20 x 7	
23	140	20 x 7	
24	183	20 x 9.2	
25	183	20 x 9.2	
26	183	20 x 9.2	
27	140	20 x 7	
28	140	20 x 7	
29	182	20 x 9.1	
30	182	20 x 9.1	
31	181	20 x 9.1	
32	140	20 x 7	
33	325	56 x 5.8	Located within Cypress Ave Front Yard Setback
34	183	20 x 9.2	
35	183	20 x 9.2	
36	183	20 x 9.2	
37	183	20 x 9.2	
38	140	20 x 7	
39	140	20 x 7	

40	183	20 x 9.2	
41	183	20 x 9.2	
42	183	20 x 9.2	
43	183	20 x 9.2	
44	140	20 x 7	
45	140	20 x 7	
46	183	20 x 9.2	
47	183	20 x 9.2	
48	183	20 x 9.2	
49	None		
50	None		
51	207	31 x 6.7	
52	207	31 x 6.7	
53	207	31 x 6.7	
54	207	31 x 6.7	
55	207	31 x 6.7	
56	207	31 x 6.7	
57	207	31 x 6.7	
58	207	31 x 6.7	
59	282	41 x 6.9	Located within Orchard Street Front Yard Setback
60	294	26 x 11.3	Located within Orchard Street Front Yard Setback
61	281	26 x 10.8	Located within Orchard Street Front Yard Setback
62	281	26 x 10.8	Located within Orchard Street Front Yard Setback
63	281	26 x 10.8	Located within Orchard Street Front Yard Setback
64	120	20 x 6	
65	162	20 x 8.1	
66	162	20 x 8.1	
67	162	20 x 8.1	
68	None		
69	None		
70	None		
71	None		
72	162	20 x 8.1	
73	162	20 x 8.1	
74	162	20 x 8.1	
75	120	20 x 6	
76	120	20 x 6	
77	162	20 x 8.1	
78	162	20 x 8.1	
79	162	20 x 8.1	
80	None		

81	None		
82	None		
83	None		
84	162	20 x 8.1	
85	162	20 x 8.1	
86	162	20 x 8.1	
87	120	20 x 6	
88	120	20 x 6	
89	162	20 x 8.1	
90	162	20 x 8.1	
91	162	20 x 8.1	
92	None		
93	None		
94	None		
95	None		
96	162	20 x 8.1	
97	162	20 x 8.1	
98	162	20 x 8.1	
99	120	20 x 6	
100	140	20 x 7	
101	183	20 x 9.2	
102	None		
103	None		

Attachment "F"

Kimley»Horn

MEMORANDUM

To: Nancy Lee
Senior Planner, City of El Monte

From: Rita Garcia
Project Manager

Date: September 16, 2020

Subject: **KB Home Orchard Street and Cypress Avenue Project (Project)**
Initial Study/Mitigated Negative Declaration
Responses to Comments Raised During Public Review

1.0 INTRODUCTION

The Project's Initial Study/Mitigated Negative Declaration (IS/MND) was prepared in February 2020 pursuant to California Environmental Quality Act (CEQA) (Public Resources Code §§21000-21177) and State CEQA Guidelines §15063 requirements. The February 2020 IS/MND and supporting documentation were made available for public review pursuant to State CEQA Guidelines §15070. The public review period began on February 11, 2020 and ended on March 2, 2020; see discussion below concerning a second public review period. The February 2020 IS/MND and supporting documentation were made available for public review at the following locations:

- City of El Monte Website: https://www.ci.el-monte.ca.us/262/Planning, and
- City of El Monte, Planning Division, City Hall West, 11333 Valley Boulevard, El Monte, California 91731.

Since the Project Applicant's initial development application submittal to the City of El Monte (City) for the Project and the February 2020 IS/MND, the Project Applicant has met with City Staff and nearby residents, and has subsequently modified the project ("Project" or "Original Project") in response to their comments. The Project, as updated with such modifications (hereinafter referred to as "Modified Project"), involved removing seven (7) dwelling units (DUs) (decreasing the total number of DUs to 103 DU), as well as increasing setbacks, common open space, and open parking spaces. Additional Modified Project modifications include reducing the height of one building facing Orchard Street from three- to two-stories, adding an island at the main entry, and introducing textured paving to create a more pedestrian-friendly community. **Attachment A: Modified Project Description**, discusses the

Modified Project in greater detail and includes **Exhibit 1: Site Plan – Modified Project**, which depicts the Modified Project.

An IS/MND was prepared for the Modified Project (Kimley-Horn, September 17, 2020) pursuant to CEQA (Public Resources Code §§21000-21177) and State CEQA Guidelines §15063 requirements.

The Modified Project IS/MND and supporting documentation were made available for public review pursuant to State CEQA Guidelines §15070. The Modified Project's public review period will begin September 18, 2020 and end on October 7, 2020. The Modified Project IS/MND and supporting documentation were made available for public review at the following locations:

- City of El Monte Website: https://www.ci.el-monte.ca.us/262/Planning, and
- City of El Monte, Planning Division, City Hall West, 11333 Valley Boulevard, El Monte, California 91731.

The comment letters received during the initial public review period (i.e., February 11, 2020 and ended on March 2, 2020) are listed below and provided at the end of this Memorandum.

Letter No / Author / Date

1. Brian Dror, CPA, Barak, Richter & Dror, CPAs, February 18, 2020
2. Gabrieleno Band of Mission Indians/Kizh Nation, February 18, 2020
3. Renee Purdy, Executive Officer, Los Angeles Regional Water Quality Control Board, March 2, 2020
4. Adriana Raza, Customer Service Specialist, Facilities Planning Department, Sanitation Districts of Los Angeles County, March 2, 2020
5. Ronald M. Durbin, Chief. Forestry Division, Prevention Services Bureau, County of Los Angeles Fire Department, March 10, 2020
6. Patrick A. Hennessey, Palmieri Hennessey & Leifer, LLP, March 12, 2020 (submitted again September 10, 2020)
7. Community Outreach Meeting February 26, 2020 Comments
8. Community Outreach Meeting July 8, 2020 Comments

Although CEQA and the State CEQA Guidelines do not require a Lead Agency to prepare responses to comments raised regarding an IS/MND, as contrasted with the requirement to prepare responses to comments on a Draft Environmental Impact Report (State CEQA Guidelines §15088), the City has elected to prepare the following written responses in the

spirit and with the intent of conducting a comprehensive and meaningful evaluation of the proposed Project. The number designations in the responses correlate with the comment letters.

Comments received by the City prior to the commencement of the public review period indicated above pertain to the City's elective public circulation of information pertaining to the Original Project. The City has also elected to respond to such comments as the Modified Project proposes the same footprint (i.e., Project site limits) and land use, as the Original Project. Therefore, the responses presented below remain relevant to the Modified Project, and include Modified Project-specific data only where necessary. It is also noted, a comparative analysis was conducted to analyze whether the Modified Project would result in any new or substantially greater impacts, as compared to those identified in the IS/MND for the Original Project; see **Attachment B: KB Home Orchard Street and Cypress Avenue Modified Project Environmental Analysis** (Environmental Analysis). As concluded in the Environmental Analysis, the Modified Project would lessen environmental impacts, as compared to the Original Project. Further, the Modified Project would not result in any new or substantially greater impacts, as compared to those identified in the IS/MND for the Original Project.

Text changes in the responses presented below are intended to clarify or correct information in the IS/MND as initiated by the Lead Agency staff or due to comments raised during the prior to or during the public review period. Revisions to the IS/MND are presented as excerpts, with deleted text indicated as strikeout (~~example~~) and added/modified text indicated as double underline (example).

~~Deleted IS/MND text~~ Added IS/MND text

It is noted, none of the corrections or clarifications to the IS/MND identified in this document constitute "significant new information" pursuant to State CEQA Guidelines §15088.5. They do not involve changes in the Project or environmental setting, or significant additional data. They do not result in any new or substantially greater environmental impacts, as compared to those identified in the IS/MND. Moreover, the revisions do not affect the IS/MND's overall conclusions.

2.0 RESPONSES TO COMMENTS

RESPONSE TO COMMENT LETTER 1
Brian Dror, CPA
Barak, Richter & Dror, CPAs
February 18, 2020

1-1 This comment is introductory and communicates the author's role as representatives of a neighboring property owner (Client). This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

1-2 This comment outlines the concerns of the property owner at 3620 Cypress Avenue, El Monte, as presented by their accountants and representatives. The property owner is concerned that Project implementation would result in adverse effects on their property including the following:

- Negative impact on operations and business;
- Undue burden on the Commenter's right to park on the Project site; and
- Inadequate consideration of potential significant environmental effects.

The "right to park on the Project site" is not a CEQA issue. As such, no further response is necessary. However, the Project Applicant has redesigned the Project such that the commenter's two affected off-street parking spaces along the shared property line would not impacted. The Project Applicant is also proposing to grant an easement to allow the aforementioned parking spaces to encroach onto the property line.

While the comments that the Project would have a "negative impact on operations and business" and that the IS/MND included "inadequate consideration of potential significant environmental effects" lack specificity, the IS/MND does evaluate the Project's short-term construction and long-term operational environmental impacts, including on adjacent properties. A summary of relevant findings is presented below. Concerning the Modified Project, as concluded in the Environmental Analysis, the Modified Project would lessen environmental impacts, as compared to the Original Project.

Air Quality: The Project's potential impacts concerning air quality are addressed in IS/MND **Section 4.3**.

The nearest sensitive receptors to the Project site are the multi-family residential dwellings located approximately 20 feet (6.1 meters) north of the Project site along Cypress Avenue. An industrial use occupies the property subject of this comment letter- industrial uses are not considered sensitive receptors.

As concluded in the IS/MND, the Project would result in less than significant air quality impacts for the following thresholds:

- Conflict with or obstruct implementation of the applicable air quality plan; see IS/MND Response 4.3a, page 40.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard; see IS/MND Response 4.3b, page 42.
- Expose sensitive receptors to substantial pollutant concentrations; see IS/MND Response 4.3c, page 46.
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people; see IS/MND Response 4.3d, page 54.

Additionally, it is noted that the proposed Project would replace an existing industrial business park, which currently uses diesel vehicles (toxic air contaminant (TAC) sources) that idle on-site. With Project implementation, TAC emissions from the existing industrial business park would cease.

Greenhouse Gas Emissions: The Project's potential impacts concerning greenhouse gas emissions are addressed in IS/MND **Section 4.8**.

As concluded in the IS/MND, the Project would result in less than significant impacts concerning greenhouse gas emissions for the following thresholds:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; see IS/MND Response 4.8a, page 74.
- Conflict with applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases; see IS/MND Response 4.8b, page 77.

Noise: The Project's potential noise impacts are addressed in IS/MND **Section 4.13**.

The nearest noise-sensitive receptors to the Project site are residential uses: single-family residences adjoining the site to the north, south, east, and west; and multi-family residences adjoining the site to the north and east. An industrial use occupies the property subject of this comment letter- industrial uses are not considered noise sensitive receptors.

As concluded in the IS/MND, the Project would result in less than significant noise impacts with mitigation incorporated for the following thresholds:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; see IS/MND Response 4.13a, page 121.
- Generation of excessive ground borne vibration or groundborne noise levels; see IS/MND Response 4.13b, page 126.

It is also noted the Project proposes to replace the existing industrial business park with townhomes. Thus, the operational noise (stationary and traffic) associated with the existing industrial uses would cease and would be replaced with operational noise typical of residential uses.

Transportation: The Project's potential transportation impacts are addressed in IS/MND **Section 4.17**.

As concluded in the IS/MND, the Project would result in less than significant impacts concerning transportation for the following thresholds:

- Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycles, and pedestrian facilities; see IS/MND Response 4.17a, page 135.
- Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b); see IS/MND Response 4.17b, page 140.
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment); see IS/MND Response 4.17c, page 140.
- Result in inadequate emergency access; see IS/MND Response 4.17d, page 140.

Concerning the Modified Project, as concluded in the Environmental Analysis, the Modified Project would generate 16% fewer average daily trips.

Adverse impacts concerning the above resource areas could collectively generate incompatibilities with adjacent uses. However, as concluded above, the Project would result in less than significant impacts concerning air quality, greenhouse gas emissions, noise, and transportation. Thus, land use incompatibilities would not be generated. Further, the proposed Project would be subject to review through the City's entitlement review process to ensure compliance with all relevant El Monte Municipal Code (EMMC) standards.

The commenter also requested a meeting with the City to discuss these concerns. The meeting was held on February 24, 2020.

RESPONSE TO COMMENT LETTER 2
Gabrieleno Band of Mission Indians – Kizh Nation
February 18, 2020

2-1 This comment states that the tribe requests the retention of a Native American Tribal Consultant to monitor all ground disturbing activities conducted for the proposed Project. Mitigation Measure TCR-1 requires that the Project Applicant retain a Tribal monitor and that they be present on the site during the construction phases that involve the following on-site ground-disturbing activities: grading, excavation, and trenching; see IS/MND page 143. As such, no further response is necessary.

RESPONSE TO COMMENT LETTER 3
Renee Purdy, Executive Officer
Los Angeles Regional Water Quality Control Board
March 2, 2020

3-1 This comment introduces the California Regional Water Quality Control Board, Los Angeles Region's (Regional Board) comment to the Original Project's Notice of Intent and summarizes the proposed Project. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary. However, it is noted that in addition to demolition of existing onsite structures and construction of new townhomes, the Project also includes remediation of existing environmental conditions and a Project design feature (i.e., vapor barriers beneath the proposed residential) to proactively mitigate any potential vapor intrusion.

3-2 This comment states that properties located within the Project area were under Regional Board oversight for assessment and cleanup of contamination from historical industrial operations. The author provides details of five sites that were closed between 1990 and 1997, and notes that since then, additional information regarding potential threats posed by vapor intrusion from contaminants present at this site has become available.

The IS/MND (page 89) acknowledges the Project site has been assessed under the Regional Board's previous oversight. Those assessments resulted in Jayar Manufacturing Company (3700 Cypress Avenue) obtaining a no further action (NFA) letter from the Regional Board dated November 16, 1990 with an additional NFA letter dated February 21, 1997.

3-3 The comment notes that the site is contaminated with VOCs due to waste discharges from historical industrial operations. The IS/MND (pages 89-91) acknowledges this contamination. It is also noted that historical remedial activities indicate that VOC impacted soil was removed and the Regional Board submitted an NFA letter to the property.

3-4 This comment notes that the Project site is contaminated with VOCs, Chloroform, and petroleum hydrocarbons. The IS/MND (pages 89-91) acknowledges this contamination. The Project would include remediation of this limited contamination, and would include the design, installation, and operation of a vapor intrusion mitigation system (VIMS); see MM HAZ-1.

3-5 The comment notes that soil vapor data collected from the properties indicate the VOC vapor plume beneath the property poses a potential risk to future residents via a vapor intrusion pathway. The IS/MND acknowledges the presence of VOCs in soil vapor, which are the result of shallow soil contamination and not a regional vapor plume. Subsequent to remediation of the contaminated soils, the Project would include a post remediation soil vapor assessment (i.e., a Vapor Intrusion Human Health Risk Assessment (VIHHRA)), and VIMS design, installation, and operation to mitigate potential vapor intrusion.

3-6 This comment reiterates the IS/MNDs findings (page 89) that laboratory results found VOC concentrations that exceed the San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (ESLs).

3-7 This comment relates to the IS/MND's proposed mitigation to install vapor barriers beneath the proposed residential to mitigate potential vapor intrusion. This comment also notes that vapor barriers can be susceptible to accidental damage and therefore may require long-term soil vapor and indoor air monitoring under agency oversight to evaluate their effectiveness.

MM HAZ-1 requires that a VIHHRA be performed to verify that vapor barriers with passive vents are necessary for the new residential development; see MM HAZ-1. The VIHHRA would analyze soil vapor data collected at the Project site to determine the reasonable maximum exposure (RME) levels based on the site's future residential use. Although the VIHHRA would provide the final recommendations indicating whether vapor barriers are necessary, as a precautionary measure, the Project proposes a VIMS system in the form of a passive barrier beneath the slabs of each dwelling. A long-term soil vapor monitoring plan would be prepared if elevated RME levels dictate the necessity for such plan based on VIHHRA findings. The Los Angeles County Fire Department (LACFD) or Regional Board will provide the necessary oversight during the site remediation process. Measures would be implemented, as necessary, based on the property's condition after the soils have been remediated.

To clarify agency oversight and VIHHRA requirements, IS/MND MM HAZ-1 (IS/MND page 93) is revised as follows:

MM HAZ-1 Vapor Intrusion Human Health Risk Assessment (VIHHRA). Prior to Grading Permit issuance, under Los Angeles County Fire Department (LACFD) or California Regional Water Quality Control Board, Los Angeles Region (Regional

Board) oversight, a VIHHRA shall be completed by a qualified toxicologist to ~~determine if~~ verify that vapor barriers with passive vents are required for the new residential development in the following three areas of the property (although the Project proposes a vapor intrusion mitigation system (VIMS) in the form of a passive barrier beneath the slabs of each dwelling):

- At soil vapor sample SV-2-15' located near the sump/clarifiers and associated trenching at 11312 Orchard, Unit B.
- At soil vapor sample SV-11-5' located near the storm water vault in the southern corner of the Property.
- At soil vapor sample SV-6-15' located in the parking lot area of 11308 Orchard.

The Homeowner's Association (HOA) shall be responsible for the VIMS. The VIHHRA shall analyze soil vapor data collected at the Project site to evaluate a reasonable maximum exposure (RME) level ~~scenario on a point-by-point bases~~ under the proposed future Project site, as a residential use. The VIHHRA shall determine the ~~F~~final recommendations for design, installation, and operation of a vapor intrusion mitigation system (VIMS), if required, and which may be in the form of vapor barriers with passive vents ~~shall be determined by the VIHHRA~~. A long-term soil vapor monitoring plan shall be prepared if elevated RME levels dictate the necessity for such a plan, based on VIHHRA findings. If long-term soil vapor monitoring is deemed necessary, the HOA shall be responsible.

3-8 This comment asserts that the IS/MND is internally inconsistent concerning the following threshold:

> *Does the project have environmental effects, which will cause substantial adverse effects on human beings, directly or indirectly?*

This comment also suggests that the IS/MND be revised (that the "less than significant with mitigation incorporated" box be checked) to reflect that the proposed Project would cause substantial adverse effects on human beings because of the presence of VOCs beneath the property. However, the commenter's assertion is incorrect and reflects a misunderstanding of this threshold's objective, which is to communicate the need for preparation of an Environmental Impact Report (EIR). This is evidenced by State CEQA Guidelines §15065 - Mandatory Findings of Significance, which states the following:

> *(a) A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: ……..*
>
> *(4) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.*

Thus, "substantial" in this context is a significant effect on the environment such that it would require preparation of an EIR. Moreover, under the above threshold, the question asked is whether a project would affect the environment, in contrast with the environment affecting a project (i.e., humans). The presence of VOCs beneath the property is an existing environmental baseline condition. Agencies subject to CEQA are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project exacerbates those existing environmental hazards/conditions, an agency must analyze the potential impact of such hazards/conditions on future residents or users. The proposed Project would not increase onsite contamination or exacerbate existing conditions concerning the presence of VOCs beneath the property. Notwithstanding, IS/MND **Section 4.9: Hazards and Hazardous Materials**, addresses potential vapor intrusion and recommends mitigation (see MM HAZ-1) to reduce potential impacts to less than significant.

To clarify any potential inconsistency, IS/MND page 154 is revised, as follows:

> **Less Than Significant Impact.** Concerning Mandatory Findings of Significance, State CEQA Guidelines §15065 states that "a lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR [Environmental Impact Report] to be prepared for the project where there is substantial evidence, in light of the whole record, that …… the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly." Thus, "substantial" in this context is a significant effect on the environment such that preparation of an EIR would be required.
>
> As discussed in this Initial Study, the proposed Project ~~would have no potentially significant impacts. Mitigation measures would be imposed upon the Project. The Project~~ would not cause a significant effect on the environment that would result in substantial adverse effects on human beings directly or indirectly, such that

preparation of an EIR would be required. Therefore, impacts concerning adverse effects on human beings would be less than significant~~, and no mitigation is required~~.

See **Sections 4.7**, **4.9**, and **4.13**, which address potential impacts to humans concerning geology and soils, hazardous materials, and noise, respectively.

3-9 In this comment, the Regional Board requests that the proposed mitigation measures include requirements to ensure protection of human health. As discussed in Response to Comment 3-7 above, the IS/MND includes MM HAZ-1, which requires Regional Board or LACFD oversight, a VIHHRA, and a VIMS.

3-10 This comment notes that Project review through the City's permit approval process should ensure that the Project Proponent addresses each of the concerns raised in the comment letter. Comment is so noted. As discussed in Response to Comment 3-7 above, the IS/MND includes MM HAZ-1, which addresses the comment letter's concerns, and also requires Regional Board or LACFD oversight. Additionally, CEQA requires that all public agencies establish monitoring and/or reporting procedures for mitigation adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. A Mitigation Monitoring and Reporting Program (MMRP) has been developed for the Project to provide a vehicle by which to monitor mitigation measures (MMs) outlined in the IS/MND.

RESPONSE TO COMMENT LETTER 4
Adriana Raza, Customer Service Specialist
Sanitation Districts of Los Angeles County, Facilities Planning Department
March 2, 2020

4-1 This comment introduces the Sanitation Districts of Los Angeles County's (LACSD) response to the Project's Notice of Intent. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

4-2 This comment corrects the Project's wastewater generation. To clarify the Modified Project's wastewater generation, IS/MND page 148 is revised as follows:

> The Project's wastewater would discharge to the City's local sanitary sewer line for conveyance to LACSD's 18.0-inch diameter Potrero Avenue Trunk Sewer, located in Marybeth Avenue at Whitmore Street. The Project proposes two sewer connections at the Project site's southern portion along Iris Lane. No off-site wastewater improvements are proposed/required. The Project's wastewater flow is estimated at ~~156~~ 195 GPD/DU, for a total of ~~17,760~~ 20,085 GPD (0.03 cfs).

4-3 This comment corrects the Project's wastewater treatment. To clarify the Project's wastewater treatment, IS/MND page 149 is revised as follows:

> The wastewater generated by the proposed Project would be treated at ~~LACSD's Joint Water Pollution Control Plant located in the City of Carson. The Plant has a capacity of 400 mgd and currently produces an average recycled water flow of 254.6 mgd. The Project would generate approximately 0.027 cfs (17,760 GPD).~~ the Whittier Narrows Water Reclamation Plant (WNRP) located in the City of South El Monte. The WNRP has a capacity of 15 million gallons per day (mgd) and currently processes an average flow of 9.1 mgd. The Project would generate approximately 0.03 cfs (20,085 GPD).

4-4 This comment states that all other information in the IS/MND regarding LACSD's facilities and services is correct and provides contact information for the comment author. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

RESPONSE TO COMMENT LETTER 5
Ronald M. Durbin, Chief
Forestry Division, Prevention Services Bureau
County of Los Angeles Fire Department
March 10, 2020

5-1 This comment introduces the County of Los Angeles Fire Department's response to the Project's Notice of Intent and identifies which Divisions reviewed the IS/MND. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

5-2 This comment states that the Planning Division has no comments on the IS/MND and provides contact information for further communication. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

5-3 This comment provides the Land Development Unit's comments on the IS/MND and Tentative Tract Map 82797. The comment outlines requirements pertaining to the Final Map, Fire Department Access, Water Systems, and High Village Transmission Lines that serve as "Conditions of Approval" for the project. The comment provides contact information for further communication. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

5-4 This comment provides the Forestry Division's comments on the IS/MND and details the Division's responsibilities within the County of Los Angeles Fire Department. The comment summarizes the County's Oak Tree Ordinance and details that a permit is required for any impacts on any tree of the Oak genus, which is 25 inches or more in circumference. The comment notes that field studies should be conducted if Oak trees are known to exist in the project area and provides contact information for further communication. It is noted, no Oak tree exists within the Project site. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

5-5 This comment provides the Health and Hazardous Materials Division's (HHMD) comments on the IS/MND and details the Division's responsibilities within the County of Los Angeles Fire Department. The comment identifies HHMD as the lead environmental agency responsible for overseeing environmental concerns at the Project site, if applicable. The comment provides contact information for further communication with HHMD. This comment does not address the IS/MND's adequacy

or raise a significant environmental issue. Moreover, as noted in Responses to Comment Letter 3 above, LACFD or Regional Board will provide the necessary oversight.

RESPONSE TO COMMENT LETTER 6
Patrick A. Hennessey
Palmieri Hennessey & Leifer, LLP
March 12, 2020 (submitted again September 10, 2020)

6-1 The commenter's opinions are noted. Responses to specific comments are provided below.

6-2 "There is a 'Fair Argument' that the Proposed Project May Result in Significant Environmental Impacts Such That an EIR Should be Prepared"

CEQA requires that a fair argument be based on substantial evidence. Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion support by facts. The commenter's letter does not present any substantial evidence to dispute the IS/MND findings. "Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence" (State CEQA Guidelines §15384). The arguments set forth in the commenter's letter are not based on substantial evidence and are speculative. Speculation does not support a fair argument finding.

As addressed below in responses to the commenter's subsequent comments, the IS/MND analysis is based on substantial evidence supported by fact. Each Environmental Checklist environmental topic has been addressed, the methodology and references to support the findings provided, and Project-specific measures provided, where needed, to mitigate impacts to a less than significant level.

6-3 "The Proposed City Actions Constitute Bad Land Use and Planning"

The commenter's assertion that City's consideration of a zone change on the Project site is spot zoning is incorrect and reflects a misunderstanding of the concept of spot zoning. "Spot zoning" rezones a parcel to give it "fewer or greater rights" than surrounding parcels. There is no evidence in the comment or record that any neighboring parcels sought and were denied the same intensity of use proposed by the Project. Spot zoning is irrelevant to the Project. The Project Applicant is requesting an El Monte General Plan (EMGP) amendment changing the Project site's land use designation. El Monte is not a charter city and therefore consistency between the General Plan and Zoning ordinance is required (Government Code §65860). Therefore, the City will consider both a General Plan amendment and zone change for the Project.

Concerning the commenter's assertions regarding land use compatibility, the commenter speculates that future residents will complain about existing manufacturing uses. The commenter provides no evidence to support this opinion. "Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts" (CEQA §21082.2(c)).

The commenter makes three references to the Project site being in City's "historically heavy industrial/manufacturing district" and "historic industrial use areas." The commenter is referred to IS/MND pages 15-17 and **Exhibit 2-4**, which indicate the Project site is currently developed with warehouse/light industrial, office, and commercial uses, and that warehouse/manufacturing uses are adjacent and proximate to the L-shaped Project site. However, the commenter fails to note that the Project site is bordered by single-family residences to the east and south. The Project site's northern portion (long leg of the "L") is bordered by single-family residences to the west along Orchard Street. The Project site's northern portion (short leg of the "L") is bordered by a multi-family apartment building. Further, there are existing single-family residences west of Cypress Avenue (north of Kauffman Street). Therefore, except the property at 3620 Cypress Avenue and the City of El Monte Transportation Services Yard at 3629 Cypress Avenue, the proposed residential development would be bordered by existing single- and multi-family residential uses. It is also noted that the City is proposing to construct a 2.3-acre neighborhood park (Cypress Park) on the City's Transportation Services Yard property. While the area may have been historically industrial, it is not an accurate characterization of the current area.

Concerning the comment that the influx of an estimated 423[1] new residents into a historically heavy industrial district of the City with little to no open space and common areas is noted and addressed in the IS/MND. As discussed in IS/MND **Section 4.16: Recreation**, the Project would create a demand for approximately 1.3 acres of parkland. Additionally, the Project's forecast population growth could also incrementally increase the use of existing recreational facilities, potentially accelerating their deterioration. EMMC Chapter 16.34 requires dedication of land, pay fees in lieu thereof, or pay and dedicate a combination of both for park and/or recreational purposes. City Council Ordinance No. 2663 establishes the standards for land dedication or in lieu fees. Following compliance with EMMC Chapter 16.34 and

[1] The Modified Project's forecast population growth would be approximately 423 persons.

City Council Ordinance No. 2663, the Project would result in a less than significant impact to recreational facilities, and no mitigation is required..

Concerning open space and recreational opportunities, the Project proposes approximately 54,600 SF of onsite open space, including private and common open space, usable common open space, landscaped common open space, walkways, community trails, a tot lot, and exercise equipment. Concerning the Modified Project, 54,600 SF of open space are proposed. As a part of the Project Applicant's requested discretionary approvals and as addressed in the IS/MND, the Project Applicant has requested a Variance because the Project does not meet the private and common open space requirements. EMMC Chapter 16.34 and City Council Ordinance No. 2663 establish the standards and requirements for dedication of land, payment of in-lieu fees, and a combination thereof for park and recreational purposes. The Project would comply with these requirements, which are intended to address the provision of parkland commensurate with demands generated by new developments. As concluded in IS/MND page 134, following compliance with EMMC Chapter 16.34 and City Council Ordinance No. 2663, the Project would result in a less than significant impact to recreational facilities, and no mitigation is required.

Additionally, as noted in the IS/MND, the City is proposing a 2.3-acre neighborhood park (Cypress Park) at the City of El Monte Transportation Yard property, immediately west of the Project site. As of this writing, park construction is contingent upon funding and compressed natural gas (CNG) fueling replacement factors, and park completion is estimated to occur in approximately two years (i.e., 2022),[2] prior to Project completion (i.e., 2024).

6-4 Project Alternatives

The comment incorrectly references the State CEQA Guidelines. State CEQA Guidelines §15126(a-f) applies to Environmental Impact Reports (EIRs) not to the Negative Declaration process. Because the comment is not relevant to the Project, no further response is required.

[2] Nancy Lee, Personal Communication - Email, March 24, 2020.

6-5 Transportation/Traffic

The commenter alleges that the traffic analysis relies on a flawed methodology, is incomplete because it does not analyze area intersections, and defers mitigation. The comment provides no evidence to support any of these speculative statements. In contrast, the IS/MND (pages 135-137) clearly and concisely describes the traffic analysis assumptions and methodology and details the trip generation assumptions, which are based on the Institute of Transportation Engineers (ITE) 10th Edition and the Los Angeles County Traffic Impact Analysis Report Guidelines (LAC Guidelines). The LAC Guidelines identify a higher trip generation rate than the ITE rate for condominiums/townhomes. Therefore, ITE was used for non-residential existing land uses and the LAC Guidelines were used for the proposed Project. As addressed in the IS/MND, in accordance with the Los Angeles County Congestion Management Program, El Monte generally uses a project trip contribution threshold of 50 peak hour trips for determining the need to prepare a full traffic impact analysis and identify study area intersections. Because the Project is forecast to generate fewer than 50 net new peak hour trips, based on the City's guidance, further traffic analysis was not required. Further, as noted in the IS/MND, the City conducted a third-party review of the Project's traffic analysis. The third-party review concluded the traffic analysis "presents a fair and reasonable comparison of the existing land use trip generation versus the trip generation for the proposed use" and "unless there are other extenuating circumstances that would warrant further analysis, it is recommended that the technical memorandum be accepted as presented and the Project be allowed to proceed without further traffic analysis."

Concerning vehicle miles travelled (VMT), State CEQA Guidelines §15064.3 codifies the change from Level of Service to VMT as a metric for transportation impact analysis. Pursuant to Senate Bill (SB) 743, VMT analysis is the primary method for determining CEQA impacts. Jurisdictions were not required to adopt VMT as a significant impact determination until July 1, 2020. The City of El Monte adopted Resolution No. 10172, which adopted a VMT baseline and thresholds of significance for purposes of analyzing transportation impacts under CEQA.

Resolution No. 10172 Exhibit B includes three screening options (i.e., "screening thresholds") to quickly identify when a project should be expected to cause a less than significant impact without conducting a detailed study. Thus, a project could screen out VMT impacts by land use and size, whether a project site is in a low VMT area, and by proximity to a transit priority area ("TPA"). The proposed Project is analyzed below concerning these three screening options.

By Use. The Modified Project would generate approximately 298 ADT (see IS/MND Table 4.17-3), which would exceed the 110 daily trip screening threshold. As such, the Project was not screened under this criterion from conducting further VMT analysis.

By VMT Area. The City's Residential Home-Based VMT per Capita Map depicts areas in the City that have a VMT of at least 15 percent below the baseline, thus, are presumed to have a less than significant impact. The Project site is located in such an area; therefore, the Project is screened from further VMT analysis.

By Proximity to Transit. Areas within 0.5-mile radius of existing or planned major transit stops or existing stops along a high quality transit corridor are presumed to have a less than significant impact. For El Monte, such Transit Priority Areas (TPAs) currently include the El Monte Bus Station, El Monte Metrolink Station, and most of the Garvey Avenue Corridor. The City's Transit Priority Area Map depicts the City's TPAs and indicates the Project site is located within 0.5-mile radius of the El Monte Metrolink Station, located at 10925 Railroad Street, El Monte. As such, the Project is screened from further VMT analysis. It is also noted, the Project site is located within approximately 500 feet of Foothill Transit and LA Metro bus stops along Ramona Boulevard.

Based on VMT Area and Proximity to Transit screening, the Project would result in a less than significant transportation impact concerning VMT. Therefore, the Project would not conflict with State CEQA Guidelines §15064.3(b). A less than significant impact would occur in this regard, and no mitigation is required.Concerning pedestrian and bicycle movement, the commenter does not state how the Project would purportedly impact pedestrian or bicycle traffic. There are sidewalks along Orchard Street, Cypress Avenue, and Iris Lane. As addressed in IS/MND pages 139 and 140, sidewalks on Iris Lane and Orchard Street would be realigned but would continue to be provided. Concerning bicycle facilities, there are no designated bike lanes adjacent to the Project site. As noted in the Initial Study, Ramona Boulevard is a designated Class III bike route. The Project would not preclude the continued use of this bike route. Therefore, the commenter's opinions are not based on substantial evidence.

The commenter provides no evidence that the Project would cause significant traffic delays during construction. As addressed in the IS/MND, the Project does not require the full lane closure of any public or private roads during construction. Access to existing roadways would not be impeded.

Further, the proposed Project would be required to comply with the following City requirements pertaining to traffic construction management:

- 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.

- 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.

- 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 Community and Economic Development Director 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.

- 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.

6-6 Parking

The commenter has not provided evidence as to how the Project would cause impacts associated with the requested reduction in the number of parking spaces per residential unit. No substantial evidence has been provided that the reduction would cause traffic congestion.

6-7 Noise and Vibration

The commenter's opinions are not based on factual evidence. The comment states that the IS/MND does not include a baseline analysis. This is incorrect and the commenter is directed to IS/MND page 118, including **Table 4.13-1: Existing Noise Measurements**, and **Appendix I Figure 3**, which depicts the noise measurement locations. Contrary to the commenter's unsupported statements, the analysis addresses the Project's construction and operational noise. The Project's operational noise sources include stationary sources (e.g., heating, ventilation, and air

conditioning equipment) and mobile sources (i.e., vehicular traffic). Refer to Response to Comment 6-5 above regarding the third-party review of the traffic analysis, which found that it "presents a fair and reasonable comparison of the existing land use trip generation versus the trip generation for the proposed use" and "unless there are other extenuating circumstances that would warrant further analysis, it is recommended that the technical memorandum be accepted as presented and the Project be allowed to proceed without further traffic analysis." The traffic assumptions used in the noise analysis are based on substantial evidence.

The Project's noise and vibration effects were evaluated against the EMGP significance criteria regarding noise and land use compatibility, and EMMC regarding allowable noise standards. The IS/MND states that based on both 24-hour sound measurements and noise modeling, the proposed on-site noise-sensitive residences would be exposed to a conditionally acceptable exterior noise level, which requires that noise insulation features be incorporated into Project design consistent with Title 24 interior noise standards. As identified in the IS/MND, the Project requires the construction of a six-foot-high perimeter wall along the Project site's southern and southeastern boundaries to mitigate exterior noise levels to a less than significant level.

6-8 No Reference or Analysis of the Resultant Displacements

The Project does not require preparation of a Relocation Plan. The property is being purchased by a private developer not a public entity. The referenced Code of Regulations section is not applicable to the Project. Additionally, the Project Applicant has redesigned the Project such that the two affected off-street parking spaces along the shared property line are not impacted. The Project Applicant also proposes to grant an easement to allow the parking spaces to encroach onto the property line.

The commenter suggests that mitigation is being deferred because Project impacts were not addressed, but provides no evidence to support this opinion. Concerning the Project's construction and operational traffic, noise, and air quality impacts, the commenter is referred to the respective IS/MND technical analyses. Concerning parking, see Response to Comment 6-6 above. Where a significant impact has been identified, mitigation has been identified.

6-9 Air Quality

The commenter provides no evidence to support their opinion that the Project would have significant unavoidable construction-related air quality impacts. Contrary to the commenter's speculation, the IS/MND includes technical documentation to support the

conclusion that impacts can be mitigated to a less than significant level. As addressed in the IS/MND, the Project's construction-related emissions were calculated using the California Air Resources Board approved CalEEMod (California Emissions Estimator Model) computer program, as recommended by the South Coast Air Quality Management District (SCAQMD). Worst-case seasonal maximum daily emissions were reported. All criteria pollutant emissions would remain below their respective SCAQMD thresholds with implementation of required SCAQMD Rule 403 (fugitive dust control). As identified in the IS/MND, the Project would also be required to comply with SCAQMD Rules 402, 403, and 1113. Impacts would be less than significant.

6-10 Inadequate Greenhouse Gas Analysis and Mitigation

The commenter provides no evidence to support their opinion that the Project would significant greenhouse gas (GHG) emission impacts during construction. The commenter also misrepresents the GHG analysis, which does not state that the Project would have substantial GHG emissions.

Concerning GHG emissions during construction, once construction is complete, the generation of these GHG emissions would cease. The SCAQMD recommends that construction emissions be amortized over a 30-year Project lifetime (South Coast Air Quality Management District, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13, August 26, 2009). Therefore, the Project's construction GHG emissions have been quantified and amortized over 30 years. The amortized construction emissions are added to the annual average operational emissions consistent with SCAQMD recommendations.

6-11 Improper Baseline Analysis

The commenter alleges the IS/MND improperly concludes less than significant impacts based on future development assumptions in the City's General Plan. However, IS/MND page 4 presents the City's forecast population growth.

Further, IS/MND Responses 4.11b and 4.14a discuss future development capacity based on the site's zoning, which implements the EMGP. As discussed in the IS/MND, the Project site is zoned M-2 Zone (4.503 acres) and R-3 Zone (0.734 acres). Based on existing zoning, the Project site's maximum development capacity is approximately 196,151 SF of industrial uses and approximately ten DUs. The Original Project proposes a residential community consisting of 110 townhome DUs at a density of 21.57 DU/net AC (103 DUs at a density of 19.67 DU/net AC for the Modified Project), which would exceed the Project site's allowable housing and resultant population growth, based on existing zoning. However, the Project's forecast population growth

would increase the City's existing population of approximately 117,204 persons by less than one percent. The Project would comply with EMGP Policy H-2.1 Housing Sites, which aims to provide adequate sites through land use, zoning, and specific plan designations to allow single-family homes, apartments, mobile homes, and special needs housing. Additionally, the City's Regional Housing Needs Assessment (RHNA) for the 2014-2021 planning period identifies the City's future housing need of 2,142 units- the Project would contribute toward the City's future housing need for the 2014-2021 planning period. Finally, SCAG has developed growth forecasts for individual cities and counties, which is included in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategies. El Monte's population is forecast to increase to 137,200 persons and 34,700 households by 2040.[3] Inclusive of the Modified Project, the City's existing housing stock (29,544 DUs) would total approximately 29,691 DUs, and the City's existing population (117,204 persons) would total approximately 117,098 persons (the Modified Project would result in six percent less population growth (29 fewer persons) than the Original Project). Because Project implementation would not cause SCAG's 2040 household and population forecasts to be exceeded, the IS/MND properly concludes less than significant impacts based on the EMGP's future development assumptions.

6-12 The Notice and Manner of Notice for the MND is Deficient Thereby Invalidating the Statutory Comment Period

The City disagrees with the commenter's opinions. The commenter has not raised issues that would render the IS/MND deficient or require preparation of an EIR. It is further noted, as discussed above in **Section 1.0: Introduction**, in addition to the original public review period, which occurred February 11, 2020 through March 2, 2020, the Modified Project IS/MND and supporting documentation were also made available for public review September 18, 2020 through October 7, 2020.

6-13 Objection Letter is Timely

The comment is noted. No further response is required.

6-14 Conclusion

The City disagrees with the commenter's opinions. The commenter has not raised issues that would render the IS/MND deficient or require preparation of an EIR.

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[3] California Department of Finance. (2019). E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2019 with 2010 Census Benchmark.

SUMMARY OF COMMUNITY OUTREACH MEETING COMMENTS AND RESPONSES LETTER/ITEM 7
February 26, 2020

7-1 Comment: *Inadequate public hearing notice – radius (300') was too small, on-site property postings were small, multiple people who owned/lived at the same address did not receive individual notices.*

State CEQA Guidelines §15202, Public Hearings, specifies that CEQA does not require formal hearings at any stage of the environmental review process. Public comments may be restricted to written communication. Notwithstanding, two community outreach meetings were held for the Project (i.e., February 26, 2020 and July 8, 2020). After the February 26, 2020 Community Outreach meeting, City staff increased the mailing boundaries beyond the requirements and included a notice that went out to the "occupant" (in addition to the relevant property owners) within the statutory hearing radius) and sent notices to members of the community who had provided their address at the outreach meeting. Further, notice of these meetings was given in a timely manner, and in the same form and time as notice for the City's other regularly conducted public hearings, in compliance with state law.

7-2 Comment: *Traffic – the area is already congested as it is. Speeding vehicles.*

Section 4.17: Transportation addresses the Project's potential impacts concerning traffic and concludes the Project would result in a less than significant impact. Also see Response to Comment 1-2 above.

7-3 Comment: *Crime – Graffiti, drug dealing, weapons. Lack of response by Police.*

This comment does not address the IS/MND's adequacy or raise a significant environmental issue, as crime is not a CEQA issue. See ISMND page 131, Impact 4.15b, for an analysis of the Project's potential impacts concerning police protection.

Further, City staff reached out to the City of El Monte Chief of Police David Reynoso concerning the neighborhood's crime issues raised in this comment. It is the Chief's assessment that the vacant industrial uses and property attract crime activity. It is anticipated that the new residential development would help minimize existing criminal activity in this area.

7-4 Comment: *On-street parking problems already exist. Parking should be evaluated in the evening when residents in the area are home. Parking problems would be intensified with the proposed development.*

This comment does not address the IS/MND's adequacy or raise a significant environmental issue, as parking is not a CEQA issue. Notwithstanding, IS/MND **Section 2.4.5: Off-Street Parking and Access**, addresses parking supply and demand:

> Based on EMMC §17.08.090 - Parking Requirements for Specific Land Uses, the Project's parking demand would total 391 parking spaces, including 206 resident spaces within garages. The Project proposes 269 parking spaces, including 206 resident spaces within garages, and 63 open off-street parking spaces, resulting in a 125-space deficit from EMMC requirements. Since the proposed parking does not meet the EMMC parking requirement;, the Project Applicant has requested approval of a Modification to reduce EMMC parking requirements.
>
> i. Off-street parking requirements by reducing guest parking requirements to 63 parking spaces, by allowing three parking stall and no out-let driveways to encroach within the front yard setback along Orchard Street and Cypress Avenue, and for enclosed parking stalls at 19' x 20' (MOD 28-19),
>
> ii. Additional parking standards: To reduce the guest parking requirements to 0.46 (51/110) and allow one parking spot to encroach into front yard setback along Cypress Avenue (see EMMC §17.08.090 below),

Additionally, the KB Home Orchard Street and Cypress Avenue Project – Parking Requirements Study (Parking Study) (Kimley-Horn, March 9, 2020) was prepared to evaluate the City's parking standards and compare these to surrounding jurisdictions. For a comparative analysis, the Parking Study presents national parking generation rates published by the Institute of Transportation Engineers (ITE) and Urban Land Institute (ULI), as well as parking standards of neighboring cities, the County, and KB Home representative developments. Parking data was also collected at two representative El Monte residential developments (i.e., Union Walk and Solstice).

The City's parking requirements were compared with those of four neighboring cities (i.e., Arcadia, Montebello, Monterey Park, and Rosemead), the County (North El Monte), and representative KB Home developments.

The Parking Study evaluated the Original Project. The Original Project's parking demand based on the City's standard is 437 spaces, which equates to a parking ratio of approximately 4.0 spaces per DU.

The Parking Study concluded:

- The City's required parking ratio is approximately four times the average ITE rate of 0.90 spaces per DU, and approximately two times the average ULI rate of 1.85 spaces per DU.
- The average of parking ratio of neighboring cities and the County (excluding KB Home developments) is 2.5 spaces per DU. The City's required parking ratio (excluding KB Home developments) is on average 38% greater than that of neighboring cities and the County.
- The average of parking ratio of neighboring cities, the County, and KB Home developments is 2.4 spaces per DU. The City's required parking ratio is on average 28% greater than that of neighboring cities, the County, and KB Home developments.
- The Parking Study conservatively considered the highest observed parking demand of the two observed El Monte sites (Union Walk and Solstice) for each hour (i.e., the observed hourly parking demand at Union Walk, which occurred on Thursday January 16, 2020 at 7:00 PM with 88.1% utilization). Thus, at none of the surveyed times was the parking on the observed sites 100% utilized.

Based on these findings, the Parking Study concluded that reductions in parking requirements could be applied for the proposed Project and the proposed parking spaces would sufficiently satisfy the parking demand.

7-5 Comment: *Existing Church related parking and traffic impacts.*

This comment does not address the IS/MND's adequacy or raise a significant environmental issue, as the existing church is not a part of the proposed Project. Also see Responses to Comments 1-2, 7-2, and 7-4 above concerning traffic and parking.

7-6 Comment: *Privacy impacts of the new three story development.*

City standards allow for buildings within the proposed zoning to be up to three (3) stories; see EMMC §17.42.020. The City's review of the Project for consistency with the EMMC has determined the Project complies with all relevant development standards, except concerning the requested Modification and Variance applications.

The Project Applicant has redesigned the Project along Orchard Street to provide one two-story building, instead of a three-story building to minimize privacy impacts to adjacent properties. Additionally, the Project Applicant is requesting approval of a Modification to increase the height of the property boundary walls (behind front yard setbacks) from six feet to eight feet. See ISMND page 107 for analysis of the Project's consistency with the EMMC and EMGP.

7-7 Comment: *Construction related impacts such as damage.*

This comment does not specify the type of damage, however, it is assumed the comment is referring to construction-related vibration. ISMND page 126 analyses potential construction-related vibration impacts. As concluded, Project construction would not generate excessive groundborne vibration or groundborne noise levels. Impacts would be less than significant, and no mitigation is required.

7-8 Comment: *Noise from industrial businesses.*

The Project's potential noise impacts are evaluated in IS/MND **Section 4.13**. It is assumed this comment refers to the existing industrial uses' impacts on the proposed Project. Agencies subject to CEQA are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. The Project proposes to replace the existing industrial uses with a residential development. Thus, the operational noise (stationary and traffic) associated with the existing industrial uses would cease and be replaced with operational noise typical of residential uses. The Project's major noise sources are stationary noise sources and mobile noise sources (i.e., off-site vehicular traffic). As the proposed Project would replace the existing industrial land uses with less noise-intensive residential uses, the Project would not exacerbate existing noise conditions, thus, analysis of the potential impact of such noise on future residents is not required.

7-9 Comment: *Adjacent neighbor did not like the driveway next to his property.*

As concluded in ISMND Response 4.17c (page 140), the Project is compatible with the surrounding land uses. All on-site and site-adjacent improvements, including traffic signing/striping and Project driveways, would be constructed as approved by the City of El Monte Public Works Department. Therefore, no impact would occur, and no mitigation is required.

7-10 Comment: *The neighborhood is an older single-family residential neighborhood. The proposed high density development is not compatible.*

See ISMND **Section 4.14: Population and Housing**. The Project would comply with EMGP Policy H-2.1 Housing Sites, which aims to provide adequate sites through land use, zoning, and specific plan designations to allow single-family homes, apartments, mobile homes, and special needs housing.

The housing and population growth resulting from Project implementation would not conflict with projected growth in the City based on SCAG's growth forecasts. Additionally, The City of El Monte's Regional Housing Needs Assessment (RHNA) for the 2014-2021 planning period identifies the City's future housing need of 2,142 units. The Project would contribute toward the City's future housing need for the 2014-2021 planning period.

See ISMND page 45 for requested entitlements to change the site's land use designation Industrial/Business Park and Medium-Density Residential to High-Density Residential; and Zone Change (ZC No. 01-19) to change the site's zoning from M-2 General Manufacturing Zone and R-3 Medium-Density Multiple-Family Zone to R-4 High-Density Multiple-Family Zone.

See ISMND **Section 4.11: Land Use and Planning**, which concludes that following the City's approval of the requested entitlements (i.e., General Plan Amendment, Zone Change, Vesting Tentative Tract Map, Conditional Use Permit, Variance, and Modifications), the Project would not conflict with the EMGP or EMMC.

7-11 Comment: *The proposed project would have an adverse impact on property values (raise rents) increase the number of rentals in the area.*

See ISMND **Section 4.14: Population and Housing**. Also see Response to Comment 7-10 above. Property values are not a CEQA issue. As such, no further response is necessary.

7-12 Comment: *Off-street parking spaces and open space areas are only available to the new community not accessible to the rest of the neighborhood.*

See ISMND page 16; No public parking is required. See ISMND **Section 4.16: Recreation**. The Project proposes approximately 54,600 SF of non-publicly accessible open space, including "usable" common open space, "other" landscaped

common open space, walkways and “community trails.” A HOA fee for property owners of the new development for the community amenities. Also see Response to Comment 1-2 above concerning parking and Response to Comment 6-3 above concerning parks.

7-13 Comment: *Application review process is fast tracked.*
The Applicant initiated community outreach beginning in March 2019. The Applicant conducted a community outreach meeting on July 8, 2019. The application was submitted on July 25, 2019. After the first community meeting held on February 26, 2020, the Applicant redesigned the Project presented to the community on July 8, 2020 to address the community’s concerns.

7-14 Comment: *The Property owner at 3620 Cypress Avenue would have adverse impacts to his business.*

Refer to Responses to Comment Letter 1 above.

SUMMARY OF COMMUNITY OUTREACH MEETING COMMENTS AND RESPONSES
LETTER 8
July 8, 2020

8-1 Project Overview

See Responses to Comments 1-2 and 7-3 above regarding crime and 7-5 regarding church.

8-2 Mobility

See Responses to Comments 1-2 and 7-2 above regarding traffic, 7-3 regarding crime, 7-4 regarding parking, 7-5 regarding church, 1-2, 6-7, and 7-8 regarding noise, and 7-10 regarding population density.

The Project's potential air quality and greenhouse gas emissions impacts are evaluated in IS/MND **Section 4.1** and **Section 5.8**, respectively. Also see Response to Comment 1-2 above. Other comments are not CEQA issues and do not raise any environmental concern. No further response is needed.

8-3 Architecture

See Responses to Comments 1-2 and 7-2 above regarding traffic, 7-4 regarding parking, 7-6 regarding building height, and 7-10 regarding population density. Other comments are not CEQA issues and do not raise any environmental concern. No further response is needed.

8-4 Landscape & Open Space

See Responses to Comments 1-2 and 7-2 above regarding traffic, 7-4 regarding parking, 7-6 regarding building height, and 7-10 regarding population density. Other comments are not CEQA issues and do not raise any environmental concern. No further response is needed.

8-5 Comment Card 1

This comment expresses support for the Project. Comment so noted.

8-6 Comment Card 2

See Responses to Comments 1-2 and 7-2 above regarding traffic and 7-4 regarding parking.

8-7 Comment Card 3

This comment does not address the IS/MND's adequacy or raise a significant environmental issue, as the existing laundry is not a part of the proposed Project. Also see Responses to Comment 7-4 above regarding parking and 7-6 regarding building height.

8-8 Comment Card 4

See Response to Comment 7-1 above regarding receipt of notice.

8-9 Comment Card 5

The commenter informed City staff that there is noise from existing street sweeping vehicles and the emissions from existing busses on the Cypress Transportation Yard. These comments were forwarded to the Public Works Director. The comment does not raise any environmental concern regarding the proposed Project. No further response is needed.

TEXT CLARIFICATIONS
Marcy 11, 2020

9-1 The text changes presented below are intended to clarify or correct information in the IS/MND.

The IS/MND states the Project site totals 5.69 gross acres and 5.10 net acres, as (as noted on the Tentative Tract Map. However, consistent with County of Los Angeles requirements, the gross acres extend beyond the subject property lines and to the surrounding street centerline. Thus, portions of the surrounding street rights-of-way were inadvertently included in the Project site's acreage calculations. The IS/MND will be globally revised to indicate the Project site totals 5.24 gross acres and 5.17 net acres, as (as noted on the Tentative Tract Map). To correct this error, the IS/MND is revised, as indicated below.

Additionally, IS/MND **Section 3.2** was updated for consistency with the checklists in IS/MND **Sections 4.1** to **4.21**.

IS/MND page 1 is revised as follows:

> This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, §15000 et seq.). Pursuant to State CEQA Guidelines §15063, this Initial Study has been prepared to determine if the proposed KB Home Orchard Street and Cypress Avenue Project ("Project") would have a significant effect on the environment. The approximately ~~5.69~~ 5.24-gross-acre (~~5.10~~ 5.17-net-acre) Project site is located at 3630, 3640, and 3700 Cypress Avenue and 11312 Orchard Street, in the City of El Monte, Los Angeles County, California. The Project would demolish all existing on-site structures and develop a residential community consisting of 110 three-story townhomes, at a density of ~~21.57~~ 21.26 dwelling units per net-acre (DU/net AC). The requested entitlements include a General Plan Amendment, Zone Change, Vesting Tentative Tract Map, Conditional Use Permit, Variances, and Modifications.

IS/MND page 6 is revised as follows:

> The KB Home Orchard Street and Cypress Avenue Project (Project) site is in the County of Los Angeles (County), City of El Monte (City), approximately 12 miles east of downtown Los Angeles; see **Exhibit 2-1: Regional Vicinity Map**. The Project site is centrally located in the City, near the downtown Main Street area, at 3630, 3640, and 3700 Cypress Avenue and

11312 Orchard Street. The Project site's gross land area encompasses ~~5.69~~ 5.24 gross acres, comprised of four parcels (Assessor's Parcel Numbers (APN) 8568-026-002, -034, -035, and -053), located north of Iris Lane, south of Orchard Street, and east of Cypress Avenue; see **Exhibit 2-2: Local Vicinity Map**.

IS/MND **Table 2-1** on page 11 is revised as follows:

TABLE 2-1: EXISTING ON-SITE LAND USES

ID[1]	Assessor's Parcel Number	Site (Gross Acres)	Address	Existing Land Use	Building (Square Feet)	Year Built
1	8568-026-002	~~0.734~~ 0.735	3700 Cypress Avenue	Industrial Business Park/ Manufacturing/Vacant	15,600	1959
2	8568-026-034	1.073	3640 Cypress Avenue	Industrial Business Park (exterior doors showroom/sales)	22,398	1968
	8568-026-035	0.889	3630 Cypress Avenue	Industrial Business Park/Manufacturing	18,356	1971
3	8568-026-053	2.541	11312 Orchard Street	Industrial Business Park/Warehouse (flooring, furniture, dry food products)	102,742	1972
	Total	~~5.239~~ 5.24			***159,096 (18,096 Vacant)***	

Note: Identification number (ID) correlates to labels on **Exhibit 2-2: Local Vicinity Map**.

Source: [1] ParcelQuest, 2019, David Lelie, Personal Communication - Email, June 28, 2019, Ingo Giani, Personal Communication - Email, January 6, 2020.

EMGP Figure LU-1: Land Use Policy Plan depicts the City's land use designations and indicates the Project site is designated Industrial/Business Park (0-1.0 Floor Area Ratio (FAR)) (~~4.503~~ 4.44 acres) and Medium-Density Residential (8.1-14.0 DU/AC) (~~0.734~~ 0.735 acres. **Exhibit 2-3: Existing Land Use Designations and Zoning**[4] depicts the Project site's (and surrounding areas') existing land use designations and zoning. Allowable land uses include a mix of sustainable manufacturing, processing, office, warehousing, and distribution uses. Supporting and limited retail uses are also allowed. The Medium-Density Residential

[4] City of El Monte (March 2019). Zoning Map. El Monte, CA: City of El Monte Economic Development Department – Planning Division.

land use designation allows attached and detached single-family homes, attached products with four or fewer units, and planned developments.[5]

IS/MND page 15 is revised as follows:

The City of El Monte Zoning Map depicts the City's zones and indicates the Project site is zoned M-2 General Manufacturing Zone (~~4.503~~ 4.44 acres) and R-3 Medium-Density Multiple-Family Zone (~~0.734~~ 0.735 acres) (Exhibit 2-3). The on-site zoning and EMMC regulations pertaining to each zone are summarized in Table 2-2: Existing Project Site Zoning. The regulations governing the M-2 Zone and R-3 Zone are included in EMMC Chapter 17.60 - M-2 Zone and EMMC Chapter 17.40 - R-3 Zone, respectively. Under the existing zoning, up to approximately 196,151 SF of industrial uses (M-2 Zone) and ten DUs (R-3 Zone) are permitted.

IS/MND page 19 is revised as follows:

All existing on-site improvements (approximately 159,100 SF) on the ~~5.69~~ 5.24-gross-acre site would be demolished and replaced with the proposed community. Street dedications (totaling approximately 0.06 acre) are required along Iris Lane and Orchard Street for 30-foot half-width streets, resulting in a Project site of ~~5.10~~ 5.17 net acres. The proposed units would be owner-occupied and a homeowners' association would be responsible for maintenance of the common areas, as well as the parking, etc.

IS/MND page 30 is revised as follows:

	Aesthetics		Agricultural and Forestry Resources		Air Quality
X	Biological Resources	X	Cultural Resources		Energy
X	Geology and Soils		Greenhouse Gas Emissions	X	Hazards and Hazardous Materials
	Hydrology and Water Quality		Land Use and Planning		Mineral Resources
X	Noise		Population and Housing		Public Services

[5] City of El Monte. (2011). *Vision El Monte General Plan 2011*. Page LU-6. El Monte, CA: City of El Monte.

	Recreation		Transportation	X	Tribal Cultural Resources
	Utilities and Service Systems		Wildfire		Mandatory Findings of Significance

IS/MND page 41 is revised as follows:

As discussed in **Section 2.2.2**, the EMGP currently designates the Project site as Industrial/ Business Park (0-1.0 FAR) (~~4.503~~ 4.44 acres) and Medium-Density Residential (8.1-14.0 DU/AC) (~~0.734~~ 0.735 acres). Based on these land use designations, the Project site's maximum development capacity is approximately 196,151 SF of industrial uses and approximately ten DUs. The Project proposes a residential community consisting of 110 townhomes, which are allowed in the Industrial/Business Park designations by the EMMC with approval of a Conditional Use Permit. Accordingly, the Project proposes a General Plan Amendment from Industrial/Business Park and Medium-Density Residential to High-Density Residential and a zone change from M-2 Zone and R-3 Zone to R-4 Zone. Assuming 110 DUs and 4.11 persons per household,[6] the Project's forecast population growth is approximately 452 persons; also see Response 4.14a. The Project's proposed land uses would differ from the allowable land uses and associated emissions. Therefore, because the proposed Project would conflict with the EMGP's land use designations for the Project site, which are the basis for the AQMP, the Project site's forecast population growth would conflict with the AQMP. However, as shown in **Table 4.3-4** later in this section, the proposed Project would result in a nominal increase in air emissions compared to the site's existing land uses/designations, which were assumed in the AQMP. The Project's forecast population growth would nominally increase (only approximately 0.39 percent) the City's existing population of approximately 117,204 persons.[7] Further, inclusive of the proposed Project, the City's population would total approximately 117,656 persons, which would be approximately 2.0 percent below SCAG's 2020 population forecast for El Monte of 120,000 persons. Additionally, based on a ~~5.10~~ 5.17 net-acre site and the proposed High-Density Residential land use designation, which is implemented by the R-4 Zone and which allows 25 DU/AC, the Project site's maximum development capacity is approximately ~~128~~ 129 DUs. The Project proposes a residential community of 110 townhomes at approximately 21.57 DU/net AC, which would be below the maximum allowable development capacity. As such, following the City's approval of the requested General Plan Amendment, the Project would not conflict with or exceed SCAG's regional growth forecasts for El Monte. It is also noted that the Project's construction and operational air emissions would not exceed the SCAQMD regional

[6] California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2019 with 2010 Census Benchmark*, May 2019.

[7] Ibid.

thresholds, and localized emissions during construction and operations would not exceed SCAQMD LST thresholds; see the Impact Analysis for Thresholds 5.2 and 5.3 below. As such, the Project would be consistent with Criterion No. 2. A less than significant impact would occur, and no mitigation is required.

IS/MND page 48 is revised as follows:

LSTs for receptors located at 25 meters for SRA 9 were utilized in this analysis. As the Project site is ~~5.69~~ 5.24 acres, the 5.0-acre threshold was conservatively used for the Project. The on-site operational emissions are compared to the LST thresholds in **Table 4.3-7: Localized Significance of Operational Emissions**. **Table 4.3-7** indicates that the maximum daily emissions of these pollutants during Project operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, the Project would result in a less than significant impact concerning LSTs during operational activities, and no mitigation is required.

IS/MND page 99 is revised as follows:

The proposed Project's construction-related activities would include excavation, grading, and trenching, which would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Construction-related erosion effects would be addressed through compliance with the NPDES program. During construction, the Project would be subject to compliance with erosion and siltation control measures and the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, and all subsequent amendments) (Construction General Permit). Dischargers whose projects disturb 1.0 or more acres of soil are required to obtain coverage under the Construction General Permit. The Project would disturb approximately ~~5.7~~ 5.24 gross acres, and would therefore be subject to the Construction General Permit. Construction activity subject to the Construction General Permit includes clearing, grading, grubbing, or excavation, and ground disturbances such as stockpiling or excavation.

IS/MND page 100 is revised as follows:

The MS4 Permit Order requires development and implementation of a Planning and Land Development Program for all "New Development" and "Redevelopment" projects subject to the Order. New development and redevelopment projects/activities subject to Los Angeles

County's LID Ordinance include all development projects equal to 1.0 acre or greater of disturbed area and residential new or redeveloped projects that create, add, or replace 10,000 SF or greater impervious surface area. The Project involves approximately ~~5.7~~ 5.24 gross acres of disturbed area and adds more than 10,000 SF of impervious surface area; as such, the Project is subject to Los Angeles County's LID Ordinance. LID controls effectively reduce the amount of impervious area of a completed project site and promote the use of infiltration and other controls that reduce runoff. Source control BMPs prevent runoff contact with pollutant materials that would otherwise be discharged to the MS4. Specific structural controls are also required to address pollutant discharges from certain uses including but not limited to housing developments, parking lots, and new streets, among others.

IS/MND page 103 is revised as follows:

The proposed Project consists of 110 townhome units and open space area on approximately ~~5.7 gross~~ 5.17 net acres. The development proposes to include drive aisles, parking, landscaping, walkways, and open space areas. The site would be graded to collect runoff at various low points throughout the site. Stormwater runoff generated by the entire site would be directed towards the site's southwest corner. The proposed development would utilize catch basins and an on-site area drain system to collect and convey to a proposed underground storm drain system. The stormwater runoff would be conveyed off-site via a proposed LACFCD connection to the existing 72-inch RCP storm drain system within Iris Lane.

IS/MND page 107 is revised as follows:

Less Than Significant Impact. EMGP Figure LU-1, *Land Use Policy Plan*, depicts the City's land use designations and indicates the Project site is designated Industrial/Business Park (0-1.0 Floor Area Ratio (FAR)) (~~4.503~~ 4.44 acres) and Medium-Density Residential (8.1-14.0 DU/AC) (~~0.734~~ 0.735 acres). The Industrial/Business Park designation is intended primarily for the Northwest Industrial District.[8] Allowable land uses include a mix of sustainable manufacturing, processing, office, warehousing, and distribution uses. Industrial uses are allowed at an intensity of up to 1.0 FAR. The Medium-Density Residential land use designation allows attached and detached single-family homes, attached products with four or fewer units, and planned developments.[9] The Project proposes a residential community consisting of 110 townhomes at a density of 21.57 DU/net AC, which would conflict with the

8 Ibid.

9 Ibid. Page LU-6.

site's existing Industrial/Business Park and Medium-Density Residential designations. Therefore, the Project Applicant has requested approval of General Plan Amendment GPA 03-19 to change the site's land use designation from Industrial/ Business Park and Medium-Density Residential to High-Density Residential. It is noted, the proposed Project would support Policy LU-4.1 Housing Opportunities, which aims to support a variety of housing types and prices to meet present and future needs. The proposed Project would introduce new multi-family townhomes to the City and increase the diversity and quantity of City's overall housing supply, furthering Policy LU-4.1.

The City of El Monte Zoning Map depicts the City's zones and indicates the Project site is zoned M-2 Zone (~~4.503~~ 4.44 acres) and R-3 Zone (~~0.734~~ 0.735 acres).[10] Regulations governing the M-2 Zone are included in EMMC Chapter 17.60 - M-2 Zone. EMMC §17.60.010 outlines the uses permitted in the M-2 Zone, which include any use permitted in the M-1 Zone, among others. Regulations governing the R-3 Zone are included in EMMC Chapter 17.40 - R-3 Zone. The R-3 Zone allows any use permitted in the R-2 Zone, group dwellings, multiple-family dwellings and apartment houses, among others; see EMMC Chapter 17.40. The maximum development density allowed in the R-3 Zone is no more than 1 DU/3,111 SF of net lot area, provided the lot width is 250 feet or greater. Based on the existing zoning, the Project site's maximum development capacity is approximately 196,151 SF of industrial uses and approximately ten DUs. The Project proposes a residential community consisting of 110 townhomes at a density of 21.57 DU/net AC, which would conflict with the site's existing zoning (i.e., M-2 and R-3 Zones). Therefore, the Project Applicant has requested approval of Zone Change ZC 01-19 to change the site's zoning designation from M-2 Zone and R-3 Zone to the R-4 Zone.

EMMC §17.42.020 - R-4 Regulations, provides the development regulations for the R-4 Zone. The R-4 Zone implements the High-Density Residential land use designation, which specifies that the maximum permitted density is 25 DU/AC. Based on a ~~5.10~~ 5.17 net-acre site and 25 DU/AC, the Project site's maximum development capacity is approximately ~~128~~ 129 DUs. The Project proposes a residential community of 110 townhomes at approximately ~~21.57~~ 21.26 DU/net AC, which would be below the maximum allowable development capacity/density in the R-4 Zone. Additionally, the Project would be subject to the R-4 Zone's regulations specified in EMMC §17.42.020 concerning the following key development standards:

10 City of El Monte (March 2019). Zoning Map. El Monte, CA: City of El Monte Economic Community Development Department - Planning Division.

3.0 COMMENT LETTERS

The comment letters received during the public review period are provided on the following pages.

Letter 1

BARAK, RICHTER & DROR, CPAs
5967 West 3rd Street, Suite 102,
Los Angeles, California 90036

Brian Dror, CPA
323-933-9306
brian@brdcpas.com

City of El Monte
Attention: Nancy Lee, Senior Planner
City Hall West
11333 Valley Boulevard
El Monte, California 91731

February 18, 2020

RE: KB Home Orchard Street and Cypress Avenue Project – Mitigated Negative Declaration

Dear Nancy,

Barak, Richter & Dror, CPAs are the accountants and representatives for the current owner of 3620 Cypress Ave., El Monte, CA 91731 (our "Client"), and are reaching out to you today in regards to the upcoming potential adoption of the Mitigated Negative Declaration (the "MND") relating to the proposed KB Home Orchard Street and Cypress Avenue Project (the "Project"). 1-1

As our Client currently owns the property directly adjacent to the Project, our Client is concerned that the adoption of the MND and the initiation of the Project may have several unforeseen and adverse effects on his property. Specifically, our Client is concerned that, amongst other things, (i) the development and construction of the Project will have a negative impact on our Client's operations and business, (ii) the adoption of the MND and development of the Project will place an undue burden on our Client's right to park on a portion of the subject property that it has acquired through open, notorious and uninterrupted use for a period in excess of 5 years, and (iii) that the conducted Initial Study of the Project has failed to adequately consider the potential significant effects on the environment the Project may have. 1-2

As such, our Client respectfully requests a meeting with the El Monte Planning Department before its adoption of the MND in order to discuss the above concerns.

We thank you in advance for your time and consideration.

Sincerely,

BARAK, RICHTER & DROR, CPAs
Brian Dror, CPA

Letter 2

GABRIELENO BAND OF MISSION INDIANS - KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Notice of Intent to Adopt An Initial Study/ Mitigated Negative Declaration

February 18, 2020

City of El Monte

11333 Valley Boulevard

El Monte, CA 91731

Dear Nancy Lee,

We have received your Notice of Intent to adopt a Negative Declaration for the project located at 3630, 3640, and 3700 Cypress Avenue 11312 Orchard Street in the location of the City of El Monte. Our Tribal Government is requesting the retention of a Native American Tribal Consultant to monitor all ground disturbance conducted for this project. 2-1

Sincerely,
Gabrieleno Band of Mission Indians/Kizh Nation
(1844) 390-0787 Office

Andrew Salas, Chairman
Albert Perez, treasurer I
Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II
Dr. Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723 www.gabrielenoindians@yahoo.com gabrielenoindians@yahoo.com

Letter 3

CALIFORNIA
Water Boards

GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

March 2, 2020

Ms. Nancy Lee
Senior Planner
City of El Monte – Planning Division
El Monte City Hall West
El Monte, CA 91731

SUBJECT: COMMENTS ON THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR KB HOME ORCHARD STREET & CYPRESS AVENUE PROJECT

SITE: PROPERTIES LOCATED AT 3630, 3640, AND 3700 CYPRESS AVENUE AND 11312 ORCHARD STREET, EL MONTE, CALIFORNIA 91731 (APNs: 8568-026-002, -034, -035, AND -053)

Dear Ms. Lee:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with the primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura Counties.

The Regional Board is in receipt of a *Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration* for the KB Home Orchard Street & Cypress Avenue Project (Project), issued by the City of El Monte, Planning Division. 3-1

The Project consists of demolishing existing industrial/commercial facilities located on the properties at 3630, 3640, and 3700 Cypress Avenue and 11312 Orchard Street in the City of El Monte and building 110 three-story townhomes.

Our records indicate that certain properties in the Project footprint were under Regional Board oversight for assessment and cleanup of contamination that resulted from historical industrial operations. Those sites were: 3-2

1. Ted's Decorating Inc. at 3630 Cypress Avenue (under file WIP No. 106.0362);

2. Jayar Manufacturing Company at 3700 Cypress Avenue (under file WIP No. 106.0196);

3. Supera Plastics Molding Inc. at 11303 Iris Lane (under file WIP No. 106.2008); 3-2

4. China Pottery Inc. at 11305 Iris Lane (under file WIP No. 106.2007); and

5. Electra Food Machinery Inc. at 11312 Orchard Street (under file WIP No. 106.0885).

All of the sites listed above were closed between 1990 and 1997. Since then, additional information about the potential threats posed by vapor intrusion from the types of contaminants present at this site has become available.

The Regional Board is supportive of re-development and often works with property owners to achieve re-development project goals at sites under its oversight. However, based on our review of your California Environmental Quality Act (CEQA) document, we have the following comments: 3-3

1. Based on historical site assessment data gathered from the sites, the properties are known to be contaminated with volatile organic compounds (VOCs) such as perchloroethylene (PCE) and 1,1,1-trichloroethane (1,1,1-TCA) and other contaminants due to waste discharges resulted from historical industrial operations.

2. Recent site investigation results included in the *Public Review Draft Initial Study/ Mitigated Negative Declaration* for the Project indicate that the properties are contaminated with VOCs and petroleum hydrocarbons. 3-4

3. The recent soil vapor data collected from the properties indicate that the VOC vapor plume beneath the properties poses a potential risk to future residents via a vapor intrusion pathway. 3-5

4. PCE and chloroform were detected in soil vapor at 5 feet below ground surface (bgs) at maximum concentrations of 54 micrograms per cubic meters ($\mu g/m^3$) and 51 $\mu g/m^3$, respectively, exceeding the San Francisco Regional Water Quality Control Board soil gas screening level of 15 $\mu g/m^3$ and 41 $\mu g/m^3$ for PCE and chloroform for residential land use. Other VOCs were also detected in the soil vapor at concentrations above the regulatory threshold for residential land use. 3-6

5. The Project proponent proposed, in the *Public Review Draft Initial Study/ Mitigated Negative Declaration*, to mitigate the potential risk associated with vapor intrusion by installing vapor barriers beneath the homes to be constructed. However, vapor barriers are susceptible to accidental damage and deteriorate over time and, 3-7

therefore, require long-term soil vapor and indoor air monitoring under agency oversight to evaluate its effectiveness. This is not proposed by the Project proponent. 3-7

6. Section 4.21(c) (Page 154) of the CEQA document considers CEQA Checklist XVIII and states:

   Does the project have environmental effects which will cause substantial adverse effects on human beings, directly or indirectly?

The document asserts that "the proposed Project would have no potentially significant impacts. Mitigation measures would be imposed upon the Project. The Project would not cause substantial adverse effects on human beings directly or indirectly. Therefore, impacts concerning adverse effects on human beings would be less than significant, and no mitigation is required." 3-8

The text is internally inconsistent, first stating that mitigation measures would be imposed and then concluding no mitigation is required. The Project consisting of residential housing over an area known to be contaminated with volatile organic compounds will require mitigation measures to be in place.

The City of El Monte Planning Division should revise the text of the CEQA document to reflect the potential significant impact to human health under Section 4.21(c). The box "less than significant with mitigation incorporated" should be checked and the discussion should convey the potential risks associated with the contamination on the site. The Regional Board further requests that proposed mitigation measures include the following requirements to ensure the protection of human health:

- A site investigation be conducted to evaluate the potential for vapor intrusion from the contaminated soil into future residences. The vapor intrusion evaluation can be done in accordance with regulatory guidance by the Department of Toxic Substances Control (DTSC) or the United States Environmental Protection Agency (USEPA). State Board Resolution No. 92-49, which governs site investigation and cleanup, should be considered in determining whether additional cleanup is necessary. 3-9

- A human health risk assessment be performed for all areas where residential occupancy is contemplated.

- A vapor intrusion mitigation plan be prepared that considers long-term risks and long-term effectiveness of the proposed barriers. Depending upon the residual levels of contamination at the site, depth to groundwater and other site-specific criteria, the vapor intrusion mitigation plan shall consider the need for active vapor barriers.

- A monitoring and reporting program be prepared to address both long-term soil vapor monitoring as well as other monitoring (e.g. indoor air monitoring) to ensure

the effectiveness of the vapor mitigation barrier and determine when monitoring will no longer be necessary. 3-9

The permit approval process should ensure that each of these concerns are properly addressed by the Project proponent to the satisfaction of the Regional Board before the Project is approved for implementation. The Regional Board is willing to work with the Project proponent to have those issues addressed in a timely manner. 3-10

If you have any questions regarding this matter, please contact Mr. Bizuayehu Ayele at (213) 576-6623 or via e-mail at bizuayehu.ayele@waterboards.ca.gov.

Sincerely,

Renee Purdy
Executive Officer

cc (via e-mail): Mr. Alan Bradford, CH2M (alan.bradford@ch2m.com)
Ms. Alma Martinez, City of El Monte (amartinez@elomnteca.gov)
Ms. Betty Donavanik, City of El Monte (bdonavanik@elmonteca.gov)
Mr. David F. Gondek, Olivarez Madruga Lemieux & O'Neill LLP (dgondek@omlolaw.com)
Mr. Preston Brooks, Cox, Castle & Nicholson LLP (pbrooks@coxcastle.com)
Mr. Ray Chavira, USEPA Region 9 (chavira.raymond@epa.gov)

Letter 4

SANITATION DISTRICTS OF LOS ANGELES COUNTY

Converting Waste Into Resources

Robert C. Ferrante
Chief Engineer and General Manager
1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

March 2, 2020
Ref. DOC 5567693

Ms. Nancy Lee, Senior Planner
Planning Division
City of El Monte
11333 Valley Boulevard
El Monte, CA 91731

Dear Ms. Lee:

NOI Response for
3630, 3640, and 3700 Cypress Avenue and 11312 Orchard Street

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on February 14, 2020. The proposed project is located within the jurisdictional boundary of District No.15. We offer the following comments: 4-1

1. **Wastewater Generation and Infrastructure,** *page 148*, second paragraph – The proposed project, as described in 2.4.1 Project Overview (page 16) of the NOI, consists of 110 three-story townhomes. Based on the Districts' average wastewater generation factors, the project's wastewater flow is estimated at 195 gallons per day (gpd) per dwelling unit, for a total of 18,551 gpd, after the structures on the project site are demolished. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, under Services, then Wastewater Program and Permits, select Will Serve Program, and scroll down to click on the Table 1, Loadings for Each Class of Land Use link. 4-2

2. **Wastewater Treatment,** *page 149*, first paragraph – The wastewater generated by the proposed project will be treated at the Whittier Narrows Water Reclamation Plant (WNWRP) located in the City of South El Monte. The WNWRP has a capacity of 15 million gallons per day (mgd) and currently processes an average flow of 9.1 mgd. As detailed in item no. 1 of this letter, the project would generate approximately 18,551 gpd (0.029 cfs). 4-3

All other information concerning Districts' facilities and sewerage service contained in the document is current. If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717. 4-4

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc

cc: A. Schmidt
A. Howard

Printed on Recycled Paper

Letter 5

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2426
www.fire.lacounty.gov

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BY: .....

March 10, 2020

Nancy Lee, Senior Planner
City of El Monte
Planning Division
11333 Valley Boulevard
El Monte, CA 91731

Dear Ms. Lee:

NOTICE OF INTENT TO ADOPT AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION, "GENERAL PLAN AMENDMENT NO. 03-19," PROPOSES A RESIDENTIAL COMMUNITY CONSISTING OF 110 THREE-STORY TOWNHOMES, AT A DENSITY OF 21.57 DU/NET AC, ALL EXISTING ON-SITE IMPROVEMENTS ON THE 5.69-GROSS ACRE SITE WOULD BE DEMOLISHED AND REPLACED WITH THE PROPOSED COMMUNITY, LOCATED AT 3700 CYPRESS AVENUE AND 11312 ORCHARD STREET, EL MONTE, FFER 2020000933

The Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. 5-1

The following are their comments:

PLANNING DIVISION:

We have no comments.

For any questions regarding this response, please contact Loretta Bagwell, Planning Analyst, at (323) 881-2404 or Loretta.Bagwell@fire.lacounty.gov. 5-2

LAND DEVELOPMENT UNIT: 5-3

The proposed project is required to comply with all applicable codes, ordinances, and regulations. The Land Development Unit reviewed Tentative Tract Map 82797 on November 12, 2019 for access and water system requirements. The following requirements are the "Conditions of Approval" for this project.

FINAL MAP REQUIREMENTS:

1. The Final Map shall be submitted to the Fire Department Land Development Unit for review and approval prior to recordation. The applicant shall visit epicla.lacounty.gov for the submittal of the Final Map. The applicant will need to apply for the following Plan Type: **Fire–Land Development–City Request–Final Map–Tract**. The applicant shall follow the steps and upload the required digital information. The plan review fee will be addressed with the submittal of the plan.

2. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.

3. Provide written verification stating the required public fire hydrant has been installed or bonded for in lieu of installation prior to Final Map clearance.

4. The water plan for the installation of the fire hydrants shall be submitted to the Land Development Unit for review and approval prior to recordation. The applicant shall visit epicla.lacounty.gov for the submittal of the Final Map. The applicant will need to apply for the following Plan Type: **Fire–Land Development–City Request–Fire Hydrant**. The applicant shall follow the steps and upload the required digital information. The plan review fee will be addressed with the submittal of the plan.

ACCESS REQUIREMENTS: 5-3

Verification for compliance of the Fire Department "Access Requirements" will be performed during the architectural plan review prior to building permit issuance.

1. All on-site Fire Apparatus Access Roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.

3. All fire lanes shall be clear of all encroachments and shall be maintained in

accordance with the Title 32, County of Los Angeles Fire Code.

4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

5. For buildings 30 feet or less, provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Apparatus Access Roads to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.2.

6. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1.

7. Fire Apparatus Access Roads shall be provided with a 32-foot centerline turning radius. Fire Code 503.2.4 and Appendix D103.5.

8. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds and shall be surfaced so as to provide all-weather driving capabilities. Fire Apparatus Access Roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3; Appendix D102.1.

9. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3. 5-3

10. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 and Section 503.2.2 shall be maintained at all times. Fire Code 503.4.

11. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1.

12. A minimum 5-foot wide approved firefighter access walkway leading from the Fire Department Access Road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.

13. Security barriers, visual screen barriers, or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in

the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5.

WATER SYSTEM REQUIREMENTS: 5-3

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Code.

2. All required PUBLIC fire hydrants shall be installed, tested, and accepted prior to beginning construction. Fire Code 501.4.

3. All required private on-site fire hydrants shall be installed, tested, and approved prior to building occupancy. Fire Code 901.5.1.

    a. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 and County of Los Angeles Fire Department Regulation 7.

    b. All on-site fire hydrants shall be installed a minimum of 25 feet from a structure or protected by a two (2) hour rated firewall. Indicate compliance prior to project proceeding to the public hearing process. Fire Code Appendix C106.1.

    Exception: For fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure.

4. The required fire flow for the public fire hydrants for this project is 1,500 GPM at 20 pounds psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 and Appendix B105.1.

5. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

6. Install two (2) public fire hydrants as determined by the Fire Department.

7. Install four (4) on-site fire hydrants as determined by the Fire Department.

HIGH VOLTAGE TRANSMISSION LINES: 5-3

1. Structures and outdoor storage underneath High Voltage Transmission Lines (66 kilovolts or greater) shall comply with Fire Code 316.6 and County of Los Angeles Fire

Department Regulation 27. Any proposed construction or land use within 100 feet of the drip line of High Voltage Transmission lines shall be subject to review by the Fire Marshal.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or Wally.Collins@fire.lacounty.gov.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

Under the Los Angeles County Oak tree Ordinance, a permit is required to cut, destroy, remove, relocate, inflict damage or encroach into the protected zone of any tree of the Oak genus which is 25 inches or more in circumference (eight inches in diameter), as measured 4 1/2 feet above mean natural grade. 5-4

If Oak trees are known to exist in the proposed project area further field studies should be conducted to determine the presence of this species on the project site.
The County of Los Angeles Fire Department's Forestry Division has no further comments regarding this project.

For any questions regarding this response, please contact Forestry Assistant, Joseph Brunet at (818) 890-5719.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department advises that the Cal-EPA, Los Angeles Regional Water Quality Control Board (Site Cleanup Unit 5) is the lead environmental agency to oversee environmental concerns identified at the project site. HHMD's Site Mitigation Unit will also provide oversight assistance if applicable. HHMD has no additional comments at this time.

5-5

Please contact HHMD senior typist-clerk, Perla Garcia at (323) 890-4035 or Perla.garcia@fire.lacounty.gov if you have any questions.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

RONALD M. DURBIN, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

RMD:ac

PALMIERI HENNESSEY & LEIFER, LLP

Patrick A. Hennessey
Direct Dial: (949) 851-7204
E-mail: phennessey@palmierilawgroup.com

File No.: 41012-000

March 12, 2020

VIA E-MAIL (nlee@elmonteca.gov) and OVERNIGHT DELIVERY

Nancy Lee, Senior Planner
City of El Monte
Planning Division
11333 Valley Boulevard
El Monte, CA 91731

Re: Abba Properties' and Design Hardware's Procedural and Substantive Objections to the City of El Monte's Draft Initial Study / Mitigated Negative Declaration for the KB Homes Orchard Street and Cypress Avenue Project dated February 2020

Dear Ms. Lee:

This firm represents Abba Properties, the owner; and Design Hardware, the lessee, of an industrial facility located at 3620 Cypress Ave., El Monte, California (the "Subject Property") which is zoned M2 Heavy Manufacturing and improved with an approximately 11,000 square foot industrial facility. Design Hardware operates its business, which provides interior finishes to residential and commercial developments, from the Subject Property. The Subject Property is located immediately adjacent to KB Homes' proposed Orchard Street and Cypress Avenue development of 110 townhomes (the "Project"). As such, Abba Properties and Design Hardware will necessarily experience all of the adverse environmental impacts identified in the City of El Monte's (the "City") Draft Initial Study / Mitigated Negative Declaration dated February 2020 ("MND") for the Project.

6-1

The City, as lead agency, is contemplating the demolition of approximately 5.7 acres of industrial developments that are centrally located in a historically heavy industrial/manufacturing district of the City in order to redevelop the site as a high-density residential community consisting of 110 three-story town homes (the "Project Area"). The Project Area is L-shaped, bounded by Cypress Avenue to the north, Iris Lane to the South and Orchard Street to the northeast. The Project Area is improved with an industrial business park comprising of four industrial buildings permitting 14 tenant spaces (10 of which are currently occupied), surface parking, hardscapes and landscaping.

The Planning Commission has invited the public to comment on the following items: (a) General Plan Amendment to change an approximately 5.7 acre site centrally located in a historically heavy manufacturing/industrial district to create an island of

High-Density Residential units; (b) Zone Change Amendment to change the Project Area's zoning designation from M-2 (which allows for the most intense industrial / manufacturing uses permitted within the City) and R-3, to R-4 (High-Density Residential); (c) Vesting Tentative Tract Map to consolidate and subdivide all parcels that comprise the Project Area into 110 residential units (townhomes); (d) Conditional Use Permit for the construction of multiple housing structures; (e) Variance to deviate from the minimum private common and private open space requirements; and (f) Modifications to deviate from off-street parking requirements, front yard setbacks, wall heights, and floor area ratio. (items (a) through (f) will sometimes be referred to hereafter as the "Proposed City Actions").

The cumulative effect of the Proposed City Actions, if approved, would create pockets of incompatible adjoining land uses. These "pockets" would foment future discord between those owners who have long-established industrial and manufacturing facilities in and around the affected areas and those newly arrived occupants of the high density residential projects immediately adjacent to these historic industrial/manufacturing facilities. The list of potential environmental impacts that would be created by approval of the Proposed City Actions is staggering. Yet, the planning staff has, up to this point, recommended that compliance with the California Environmental Quality Act ("CEQA") may be achieved through approval of a MND. The planning staff is mistaken in its recommendation of a MND for the sweeping changes being proposed, and if the Planning Commission follows this recommendation, it is inviting a legal challenge to that recommendation. The MND either defers and/or does not adequately analyze the cumulative adverse impacts that the proposed Project will have to the surrounding environs within and outside the Project Area−which the study acknowledges as "fully developed" −including without limitation, the Subject Property.

The MND insufficiently addresses the potential significant effects of the proposed Project when, in fact, the available information and findings support a fair argument that there will be a number of significant impacts that will not be adequately mitigated. It is apparent that the proposed Project will result in significant adverse environmental impacts and will significantly affect the quality of the human environment. Accordingly, pursuant to CEQA, an Environmental Impact Report ("EIR") must be prepared for the Project to address the myriad of potential significant environmental impacts that will result from the Project.

The purpose of this letter is to formally assert Abba Properties' and Design Hardware's substantive and procedural objections to the Proposed City Actions. Substantively, the MND and Proposed City Actions, if approved, would be tantamount to impermissible "spot zoning" and would create a patchwork of incompatible land uses. Procedurally, the Planning Commission should, at the very least, undertake to prepare and consider an EIR to address the myriad of potential significant environmental impacts that will result from the Proposed City Actions. A MND is ineffectual to analyze the potential environmental ramifications to the surrounding environs directly impacted by the Proposed City Actions.

Abba Properties and Design Hardware respectfully request that this letter be included as part of the formal record on this item and incorporated into the analysis undertaken by the City and its staff members in deciding whether a MND is sufficient to ensure compliance with CEQA. In addition, Abba Properties and Design Hardware specifically reserve the right to appear and be heard at any public hearing on the MND and/or Proposed City Actions.

The following list of objections is not exhaustive, and Abba Properties and Design Hardware reserve the right to present further comments at a later date.

1. There Is A "Fair Argument" that the Proposed Project May Result In Significant Environmental Impacts Such That An EIR Should Be Prepared. 6-2

A MND may be prepared when, after completing an initial study, a lead agency determines that a project "would not have a significant effect on the environment." (Pub. Res. Code, § 21080, subd. (c).) Such a determination can be made only if "[t]here is *no* substantial evidence in light of the whole record before the lead agency" that such an impact *may* occur. (Pub. Res. Code, § 21080, subd. (c)(1), emphasis added.) An EIR is required, in contrast, whenever substantial evidence in the record supports a "*fair argument*" that significant impacts *may* occur. Even if other substantial evidence supports the opposite conclusion, the agency nevertheless must prepare an EIR. (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75.) The "fair argument" standard creates a "low threshold" for requiring preparation of an EIR. (*Citizens Action To Serve All Students v Thornley* (1990) 222 Cal.App.3d 748, 754.) Likewise, if an agency has failed to study a potential environmental impact, a reviewing court may find the existence of a fair argument of a significant impact based on the limited facts in the record that might otherwise not be sufficient to support a fair argument of a significant impact. Gaps

in the record can enlarge the scope of the fair argument by lending plausibility to a wider range of inferences concerning possible adverse impacts. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311.) CEQA places the burden of environmental investigation on the public agency rather than on the public.

Here, the MND provides relevant information to support reasonable inferences that the Project will cause significant environmental impacts, and these inferences support a fair argument that the Project will have a significant effect on the environment. Therefore, CEQA requires that an EIR be prepared for the Project. Moreover, given the magnitude of the private industrial properties needed and the resultant displacements / relocations to effectuate the Project, it is inconceivable how the City can conclude that there is no "fair argument" of possible environmental effects in recommending only preparation of a MND to comply with CEQA. The City can ill-afford not to undertake a comprehensive environmental study as required by CEQA in order to be fully apprised of the effects the Project will cause to the surrounding community.

The significant impacts identified in the MND that trigger the requirement that an EIR be prepared for the Project include, without limitation:

A. <u>The Proposed City Actions Constitute Bad Land Use and Planning</u>. 6-3

The Proposed City Actions are tantamount to impermissible "spot zoning" in that they target the historic industrial use areas of the City. If approved, residential and other mixed-use developers will be able to secure more easily City Council approval of their proposed projects, which will inevitably encroach on neighboring heavy industrial and manufacturing facilities. As a result, the industrial areas of the City will become a patchwork of incompatible land uses. Thereafter, it is only a matter of time before the occupants of the newly developed high-density residential projects begin to complain about how their industrial/manufacturing neighbors are somehow infringing on their property rights. Eventually, these complaints will make their way to City Hall and the Courts. If carried to its natural progression, this City-created hostility could lead to an exodus by many businesses who have long-provided employment to City residents. This would cause a significant economic shift in the City's labor market. In short, it is bad planning to establish a system whereby these mismatched land use designations are forced to co-exist.

Moreover, the influx of an estimated 452 new residents into a historically heavy industrial district of the City with little to no open space and common areas is inconsistent with the City's General Plan and would result in substantial physical deterioration of neighborhood and regional parks in the vicinity of the Project. The potential impacts on the surrounding neighborhoods and lack of regional parks result in a fair argument that a significant environmental impact on these facilities will occur as a result of the Proposed Project, thus requiring preparation of an EIR rather than the MND.

B. <u>Project Alternatives</u> 6-4

The MND is defective in that it does not contain any discussion and analysis of potentially feasible project alternatives to determine whether any significant effect of the proposed Project would be avoided or substantially lessened by selecting an alternative location and/or *<u>reduced density</u>* alternatives and, therefore, allow for a meaningful evaluation, analysis and comparison of proposed Project alternatives including, a No-Project alternative, concerning impacts on noise, traffic, parking, greenhouse emissions, etc.

Furthermore, pursuant to CEQA Guidelines §15126(e), the "purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." Here, the public is not provided with enough information and analysis in the MND to make an accurate assessment of the adverse environmental impacts that will be caused by the No-Project Alternative. No impacts are detailed or quantified. Accordingly, the No-Project Alternative analysis is incomplete and inadequate in violation of CEQA Guidelines §15126(e).

C. <u>Transportation/Traffic</u>

6-5

The City's traffic study is both incomplete and inaccurate because the City did not do any traffic study of the existing baseline condition. The City's entire traffic analysis relies on a flawed methodology that over-estimates the existing condition traffic counts, and woefully underestimates and undercounts traffic and traffic impacts from the influx of an estimated number of 452 new residents into the Project Area (and living in the 110 new townhomes). The traffic analysis is also incomplete because it does not analyze the Project's impacts on a significant number of area intersections, and impermissibly defers mitigation analysis to an undefined future date when Project

construction is to commence. The entire study is predicated on pure speculation of trip generations from allegedly similar industrial and residential developments. The City's traffic study also does not analyze the significant potential for traffic congestion at the proposed Project's boundaries. The City's traffic study is further incomplete because it does not analyze the proposed Project's impacts on pedestrian foot traffic and bicycle traffic within the proposed Project Area.

The significant delays and impediments to traffic and transportation caused by the construction and implementation of the Project are significant adverse environmental impacts. Construction will require street closures with detours in some areas of the Project. On-street parking will be eliminated in certain areas and restricted within work areas. The MND recognizes that certain construction impacts will be adverse. However, the study inexplicably concludes that no adverse impact is expected due to implementation of certain mitigation measures. Significant traffic delays during construction of the Project and decrease in Level of Service (LOS) following completion of the Project are significant environmental impacts that will affect the quality of the human environment. These traffic impacts must be addressed further in an EIR.

D. <u>Parking</u> 6-6

The Project will result in significant, adverse impacts to parking in the Project Area. To meet this increased demand, the MND states that a minimum of 437 parking spaces are required and that the Project will provide no more than 271 parking spaces, thereby creating a deficit or short fall of 166 parking spaces. The solution to this short fall is to seek a variance, without any further analysis. The MND does not analyze how the Project's exponential demand for parking will be addressed and/or how the Project Area's increasing demand for parking will impact traffic circulation in the surrounding heavy industrial and densely populated communities outside the Project Area. No analysis is provided within the MND as to how "adequate" parking will be provided. The City has failed to disclose potential impacts to both the Project Area and surrounding community. This approach deprives decision-makers and the public of any opportunity to evaluate the impacts and mitigation measures in the DEIR. (See, *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.APp.3d 421.) There is a fair argument that the significant deficit in parking will result in significant, adverse impacts to parking in the Project area and to the surrounding densely populated heavy industrial and residential communities that have yet to be analyzed.

E. Noise and Vibration 6-7

The City's noise analysis contained in the MND is incomplete as the City did no noise and vibration baseline analysis. Moreover, though the MND admits that implementation of the Project shall result in a substantial increase in ambient noise levels and substantial ground borne vibration in the Project vicinity above existing levels. Finally, the City's noise analysis after construction of the Project is completed is entirely speculative and based on conclusory, if not entirely false, assumptions. The City's conclusory determination that the influx of an estimated 452 new residents into the Project Area would not result in a significant increase in noise is spurious. There is no substantial evidence in the report to justify such a conclusion.

F. No Reference or Analysis of the Resultant Displacements 6-8

The MND does not contain any analysis of the necessary acquisitions and displacements of existing industrial uses in the Project Area necessary for the construction of this massive infill project. In fact, the MND erroneously identifies at least one industrial development adjacent to the Project, i.e., the Subject Property, as R-3, when, in fact, the Subject Property is zoned M-2. The proposed Project also does not contain any analysis of the necessary acquisitions of portions of the Subject Property comprising of three parking spaces and the resultant impact to the Subject Property's business operations. Specifically, as proposed, the City anticipates taking approximately 160 square feet of real property at the Subject Property's southerly boundary abutting Cypress Avenue that has been exclusively utilized by the Subject Property for parking. The MND is devoid of an adequate discussion or analysis, and presumably improperly defers such mitigation analysis to a nondescript future date. However, such deferral of mitigation analysis is improper and consistently condemned by CEQA Guidelines and case law. (See, *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261; *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777; *Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433.)

Presumably, the MND fails to adequately describe the Project in order to circumvent the mandates of CEQA and avoid a thorough analysis of the potential environmental impacts to the existing private developments within the Project Area and surrounding community located immediately adjacent to the Project's proposed location. The Project as proposed will critically damage the existing developments within the Project Area. The Project must address the environmental impacts on these private

developments during and after the Project's proposed construction period including, without limitation, the associated traffic disruption/access impediments, loss of parking, noise and noxious fumes related thereto.

Accordingly, an analysis of the environmental impacts associated with these takings must be included in any future EIR. Further, The City must prepare a Relocation Plan pursuant to Title 25, Section 6038 of the California Code of Regulations. (See, Cal. Code Regs., Tit. 25, § 6038.)

G. <u>Air Quality</u> 6-9

The MND acknowledges that there will be short-term degradation of air quality due to the release of particulate emissions generated by excavation, grading, hauling, and other activities related to construction and, in addition, emissions of other volatile organic compounds, directly emitted particulate matter, and toxic air contaminants as a result of emissions from construction equipment. Despite the very intense construction activities, the MND concludes that there will be no significant impacts from these activities. In fact, there is a fair argument that there will be short term significant environmental impacts on air quality within the vicinity of the proposed project, thus requiring preparation of an EIR rather than the MND. In addition, there will be no effective way to reduce such impacts to a level less than significant.

H. <u>Inadequate Greenhouse Gas Analysis and Mitigation</u> 6-10

The greenhouse gas emissions section of the MND is woefully inadequate and predicated on false assumptions. The MND for the Proposed Project fails to even attempt a minimal level of analysis in this regard. It acknowledges that the proposed Project will generate substantial amounts of greenhouse gas emissions during the construction phase but minimizes this by concluding that it can distribute these emissions over a 30-year time period rather than during the actual construction period. There is no justification for this as it is not an accurate reflection of what will actually be occurring. As a result, the MND is inadequate and fails to comply with law regarding the analysis of greenhouse gas emissions.

6-11

I. Improper Baseline Analysis

The MND improperly concludes less than significant impacts based on future development assumptions in the City's General Plan. A proper baseline analysis must be predicated on existing physical conditions, and not future assumptions. (*County v. Amador v. El Dorado Water Agency* (1999) 76 Cal.App.4th 931.)

6-12

2. The Notice and Manner of Notice For the MND Is Deficient Thereby Invalidating the Statutory Comment Period.

The City's notice is invalid since it fails to adequately describe the Project, and the anticipated significant environmental impacts arising therefrom for the reasons set forth above pursuant to CEQA Guidelines section 15087, subdivision (c). (See also, Pub. Res. Code, § 21092, subd. (b).) "The purpose [of CEQA] is to inform the public and its responsible officials of the environmental consequences of their decisions *before* they are made. Thus, the purpose of the process is to protect not only the environment but also informed self-government. To this end, *public participation is an essential part of the CEQA process.*" (*Laurel Heights Improvement Association v. Regents of University of California* (1993) 6 Cal.4th 1112, 1123.) The City's failure to adequately describe the entirety of the Project or provide notice to the property owners impacted by the Project, undermines the fundamental purpose and intent of CEQA to foster public participation. Accordingly, the time for public comment must be extended following the recirculation of a Draft Environmental Impact Report that addresses the objections and comments set forth herein.

6-13

3. Abba Properties' and Design Hardware's Objection Letter Is Timely.

Pursuant to Public Resources Code sections 21177, et seq., any party may assert comments or objections orally or in writing to the proposed project *either* during the public comment period provided by CEQA or at *any time* before the close of the public hearing on the project. (See, Pub. Res. Code, § 21177, subd. (b).) Because Abba Properties' and Design Hardware's objection letter was submitted to the Planning Commission prior to the Planning Commission hearing, the letter is timely and, therefore, must be included as part of the formal administrative record on this agenda item.

4. Conclusion 6-14

Based on the foregoing, the City's MND is incomplete and inadequate requiring the preparation of an EIR to adequately analyze and address the significant adverse impacts identified in the study.

Very truly yours,

Patrick A. Hennessey

PAH:ajb
cc: Anish J. Banker

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 2 Park Plaza, Suite 550, Irvine, CA 92614-2518 and my email address is cvaznaian@palmierilawgroup.com.

On March 12, 2020, I served the following document(s) on the person or persons listed on the Service List:

Letter to Nancy Lee, Senior Planner re Substantive Objections to the City of El Monte's Draft Initial Study/Mitigated Negative Declaration for the KB Homes Orchard Street and Cypress Avenue Project dated February 2020

SERVICE LIST

Nancy Lee, Senior Planner
City of El Monte
Planning Division
11333 Valley Boulevard
El Monte, CA 91731

Email: nlee@elmonteca.gov

[X] (E-MAIL - Courtesy) I caused the documents to be sent by electronic transmission to the person(s) at the electronic service address(es) listed on the Service List.

[X] (OVERNIGHT DELIVERY) I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the person(s) on the Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier with fees for overnight delivery paid in full or their payment provided therefore.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 12, 2020, at Irvine, California.

Chantal Vaznaian	/s/Chantal Vaznaian
(Type or print name)	(Signature)

Community Meeting Sign In

11312 Orchard St and 3630, 3640, and 3700 Cypress Ave Date: 2/26/2020

Print Name	Address	Phone #	Email Address
1. Rosa Gutierrez	11244 orchard. St	626 579-3576	
2. Virginia Ibarra	11218 Orchard	626 444-5277	Vibarra450 gmail.com
3. [illegible]	11237 Orchard St		
4. Ulises Monsalvo	11326 Coffield	(323) 714-9435	
5. Edith Monsalvo	11324 Coffield	(323) 205-8581	
6. David Lelic	KB Home	661.219.6852	
7. Annette Romero	11250 Iris Ln	246-5610	
8. Richard Romero	11250 Iris Ln	(626) 246-5610	
9. Alpers Vale	11351 coffield		
10. Luis Lozano	11292 Iris ln	(626)4332044	
11. Ines Hernandez	11324 Orchard	(626)7030023	
12. Lisa Medina	11236 Orchard St	(626) 673-6582	
13. Hermilio Gutierrez			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			

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KB Home Community Meeting
11312 Orchard Street, 3630, 3640, and 3700 Cypress Avenue
2/26/2020

Concerns of surrounding neighbors:

1. Inadequate public hearing notice – radius (300') was too small, on-site property postings were small, multiple people who owned/lived at the same address did not receive individual notices.
2. Traffic – the area is already congested as it is. Speeding vehicles.
3. Crime – Graffiti, drug dealing, weapons. Lack of response by Police.
4. On-street parking problems already exist. Parking should be evaluated in the evening when residents in the area are home. Parking problems would be intensified with the proposed development.
5. Existing Church related parking and traffic impacts.
6. Privacy impacts of the new three story development.
7. Construction related impacts such as damage.
8. Noise from industrial businesses.
9. Adjacent neighbor did not like the driveway next to his property.
10. The neighborhood is an older single-family residential neighborhood. The proposed high density development is not compatible.
11. The proposed project would have an adverse impact on property values (raise rents) increase the number of rentals in the area.
12. Off-street parking spaces and open space areas are only available to the new community not accessible to the rest of the neighborhood.
13. Application review process is fast tracked.
14. Property owner at 3620 Cypress Avenue would have adverse impacts to his business.

July 8, 2020 KB Homes Community Meeting Notes

Project Overview 8-1

- Issues/ concerns about crime in neighborhood
- Will become the "projects"
- More homeless, gang infested area
- Sundays – difficult to get into orchard street
- Church closes street for parades blocks orchard and iris, has been doing many parades

Mobility: 8-2

- Cars racing on Orchard
- Cross traffic from lee lane
- Parking is the most important issue
- Needs more than 2.5 spaces/unit
- Still prefers housing over industrial
- Crime is an issue in this area
- Park is good idea, but how will it be maintained
- Limited exits for neighborhood during an emergency
- Traffic from church on Saturdays and Sundays from multiple services
    - 6am-10pm on Sunday
    - 7am to 9pmon Saturday
- 55 or so units could be considered – above that is too much emissions
- Project does not fit
- General plan calls for medium density → should match surrounding medium density
- Not high density
- Upgrade sewers, fire hydrants, whole neighborhood overrun by construction
- No park
- Overdeveloping a residential area
- Cars don't stop at stop signs
- Too much parking will occur on the streets
- Kauffman and Cypress + Kauffman and Tyler needs a signal
- Red corner Kauffman and Cypress (NW)
- Concerns about graffiti in area →People jumping walls to enter private property to graffiti
- Fence by Railroad drove into and still hasn't been repaired (4 months later)
- Noise for half year of construction
- 55 units People smell gas from existing transportation yard
- Concerned about traffic on Iris (trucks/industrial doesn't use Iris)
- Wishes there weren't so many homes
- Concerned about more people coming into area
- Everything is nice when it's new
- Project should be gated

Architecture 8-3

- 110 to 103 not enough of a difference (only 13 cars)
- Not happy with revised project
- Most people (units) own more than 3-cars
- Stick to general plan density
- Homes are nice (nice style) but there are too many
- Amount of traffic
- More parking stalls for visitors
- Reduce number of units to 80
- Make all homes 2 story
- Renderings don't look like reality
- Looks very nice
- No subleasing (or only owner occupied)

Landscape & Open Space 8-4

- Privacy issues
- Damage to their properties (who is responsible?)
- Parking availability – concerns over onsite parking
- Window placement
- Questions about 6' 10" dedication (on existing residential)
- Gate the project- codes on access gate
- Add traffic calming (on surrounding streets)
    - Stop sign
    - Higher speed bumps
- No openings to iris that would facilitate street parking
- Add more onsite parking
- Public row landscaping only trees and low groundcover to reduce homeless from covering/hiding
- Lower density
- 20 more parking spaces and remove a building

8-5

City of El Monte

KB Home

Community Workshop & Outreach Meeting

July 8, 2020

Comment Card

Please complete this card and present it to staff.

Name: Pedro & Nelly Lopez Phone: 626-348-1092

Address: 11167 Kauffman st City: El Monte Zip: 91731

Email: nellyrleyahoo.com

Comment:

We're sooo Happy with the project

8-6

City of El Monte

KB Home

Community Workshop & Outreach Meeting

July 8, 2020

Comment Card

Please complete this card and present it to staff.

Name: Daniel Ojeda Phone:

Address: 12336 ices Lane City: El Monte Zip: 91732

Email:

Comment:

I am concerned about parking & traffic.

City of El Monte
KB Home
Community Workshop & Outreach Meeting
July 8, 2020
Comment Card

Please complete this card and present it to staff.

Name: _____ Phone: _____

Address: _____ City: _____ Zip: _____

Email: _____

Comment:

NO Quiero Que costrullan esas casas. mea afectado Tanto Por 10 años Tener la labanderia no Podiamos dormir Porel ruido no vamos a Tener Pribacidad no vamos a tener Parivacidad para nada no vamos a Tener Parquin lo Que Vamos a Tener Son Problemas el resto de nuestra vida toda Perzona tiene Que tener TranQuilidad en Su casa. Por Fabor no costrullan aci estamos mejor

City of El Monte
KB Home
Community Workshop & Outreach Meeting
July 8, 2020
Comment Card

Please complete this card and present it to staff.

Name: Richard & Annette Romero Phone: (626) 246-5610

Address: 11250 Iris ln City: E. M. Zip: 91731

Email: romero8756@sbcglobal.net

Comment:

Not getting letters!

City of El Monte

KB Home

Community Workshop & Outreach Meeting
July 8, 2020
Comment Card

OVER →

Please complete this card and present it to staff.

Name: Elizabeth Palacios Phone: 626) 627-4344

Address: 11161 Kauffman St City: El Monte Zip: 91731

Email: epalacios9726@yahoo.com

Comment:

I can stand anymore The gas you let go I am getting sinus cuz of that the noise of worker at 2am the Homeless people Hiden there and the noise at 5am to 8am. Do something before we do something

morning - gas busses - 5 AM - 8AM

2 am → street sweeper breaks - making noise

ATTACHMENT "G"

CITY OF EL MONTE PLANNING COMMISSION
NOTICE OF PUBLIC HEARING AND NOTICE OF AVAILABILITY OF AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Hablamos Español favor de hablar con
Jeni Colon (626) 580-2088

TO: All Interested Parties

FROM: City of El Monte Planning Division

APPLICATIONS: General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance No. 03-19, and Modifications Nos. 28-19, 29-19, 30-19, and 36-19.

PROPERTY LOCATION: 3630, 3640, and 3700 Cypress Avenue and 11312 Orchard Street / APNs: 8568-026-002, -034, -035, and -053. (A full legal property description is on file in the El Monte Planning Division office).

REQUEST: The Project applicant has met with City Staff and nearby residents, and has subsequently modified the Project in response to their comments. The Project is modified as follows: The applicant proposes to demolish 159,100 square feet of existing industrial property and construct 103 townhomes with attached two-car garages on a 5.24 acre site. Two-story townhomes are proposed along Orchard Street and the remainder of the townhomes will be three-stories in height. A total of 269 off-street parking spaces are provided (206 spaces within two-car garages and 63 open stalls).

Requested Entitlements:

- General Plan Amendment (GPA No. 03-19) to change the site's General Plan Land Use designation from "Industrial Business Park" (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and "Medium Density Residential" (3700 Cypress Avenue) to "High Density Residential";
- Zone Change (ZC No. 01-19) to change the zoning designation from "M-2" (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and "R-3" (3700 Cypress Avenue) to "R-4";
- Vested Tentative Tract Map (VTTM No. 82797) to consolidate all parcels and subdivide for 103 condominium units;
- Conditional Use Permit (CUP No. 20-19) for the construction of three (3) or more dwelling units;
- Variance (VAR 03-19) to deviate from common and private open space requirements; and
- Modifications (MOD) as follows:
  MOD No. 28-19 to modify off-street parking requirements;
  MOD. No. 29-19 to modify the front yard setback requirements;
  MOD. No. 30-19 to modify the maximum allowable wall height throughout the development; and
  MOD. No. 36-19 to modify the lot size to exceed the maximum allowable FAR.

(Continued on next page)

APPLICANT: KB Home Greater Los Angeles, Inc.
David Lelie, LEED AP
25152 Springfield Court, Suite 250
Valencia, California 91355

PROPERTY OWNER: PI Properties No. 66, LLC.
610 N. Santa Anita Ave.
Arcadia, CA 91006

ENVIRONMENTAL DOCUMENTATION: An Initial Study (IS) prepared for the Project determined that there would be less than significant environmental impacts because mitigation measures would be incorporated into the Project. Therefore, a Mitigated Negative Declaration (MND) has been prepared. Mitigation measures are provided to lessen potential impacts related to biological resources, cultural and tribal resources, geology/soils, hazards and hazardous materials, and noise. The IS/MND and supporting documentation shall be available for public review as of September 18, 2020, and publication and public circulation of the IS/MND will be effectuated by the City in accordance with Public Resources Code Sections 21091–21092.6 of the California Environmental Quality Act (CEQA) and Sections 15072-15073 and 15105 of the CEQA Guidelines, as applicable, prior to adoption of the MND.

PLACE OF HEARING: Pursuant to state law, the Planning Commission will hold a public hearing to receive testimony, orally and in writing, on the proposed Project. The Planning Commission will make a recommendation to the City Council, with the City Council making the final decision at a future noticed public hearing. The public hearing is scheduled for:

Date: Tuesday, September 22, 2020
Time: 7:00 PM
Place: El Monte City Hall East – City Council Chambers
11333 Valley Boulevard
El Monte, CA 91731

Members of the public wishing to observe the meeting may do so in one of the following ways:
(1) Turn your TV to Channel 3;
(2) City's website at http://www.elmonteca.gov/378/Council-Meeting-Videos; or
(3) Call-in Conference (669) 900-9128; Meeting ID 923 3580 9126 and then press #. Press # again when prompted for participant ID.

Members of the public wishing to make public comment may do so via the following ways:
(1) Call-in Conference (669) 900-9128; Meeting ID 923 3580 9126 and then press #. Press # again when prompted for participant ID. Once admitted into the meeting, press *9 to request to speak.
(2) E-mail – All interested parties can submit questions/comments in advance to the Planning Division's general e-mail address: planning@elmonteca.gov. All questions/comments must be received by the Planning Division no later than 3:00 pm on September 22, 2020.

The staff report on this matter will be available on or about September 18, 2020 on the City of El Monte website, which may be accessed at http://elmonteca.gov/AgendaCenter/Planning-Commission-2 or by e-mailing nlee@elmonteca.gov.

(Continued on next page)

Americans with Disability Act

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Should you need special assistance to participate in this meeting, please contact the Planning Division by calling (626) 258-8626. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

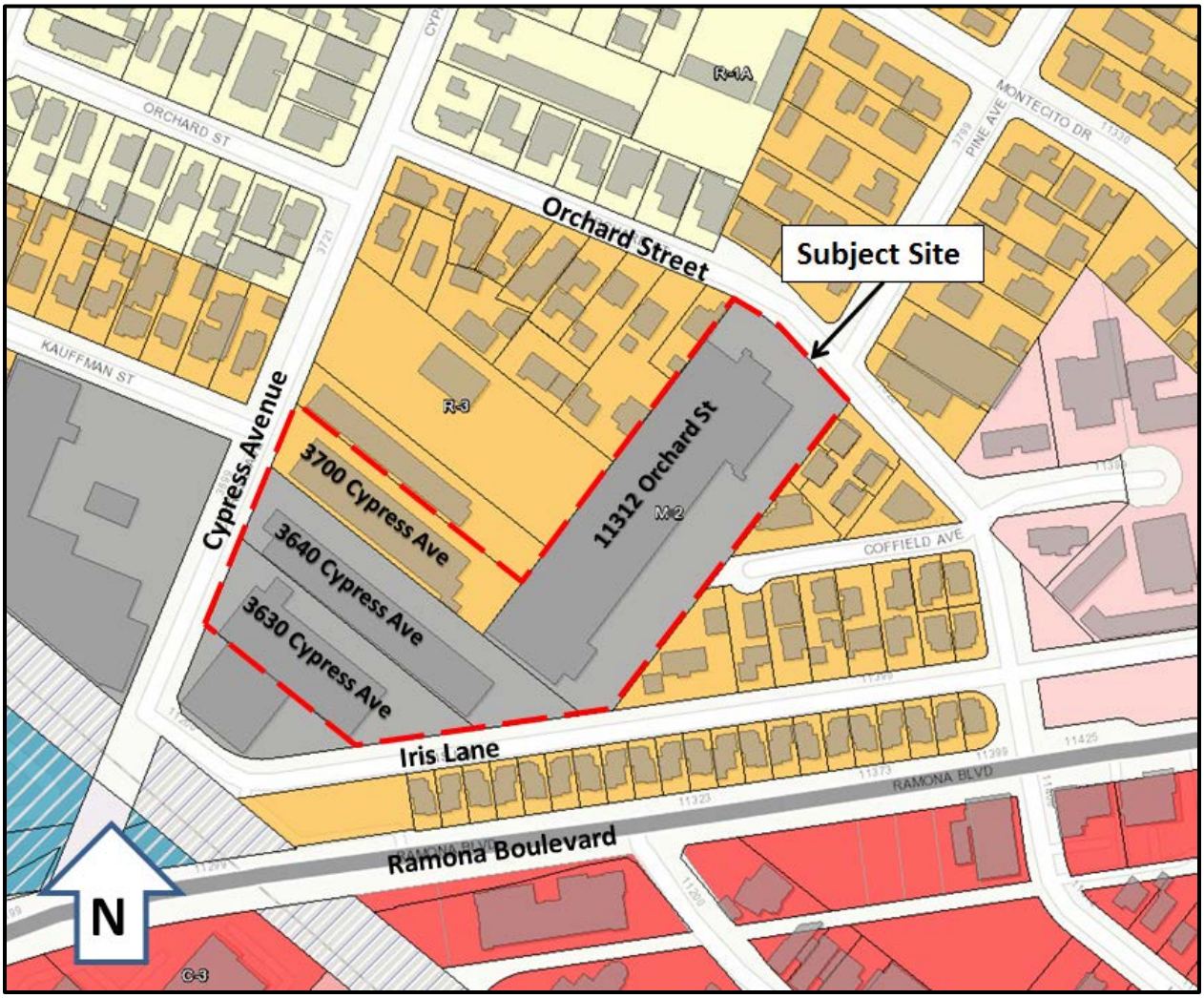
Persons wishing to comment on the environmental documentation or proposed application may do so in in writing prior to the meeting date and must be received by 3:00 p.m., the day of the meeting. Public Comments of no more than 3-minutes may be read into the record. Written comments shall be sent to Nancy Lee; El Monte City Hall West; 11333 Valley Boulevard; El Monte, CA 91731 or at nlee@elmonteca.gov. If you challenge the decision of the Planning Commission and/or City Council, 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 Commission at, or prior to, the public hearing. For further information regarding this application please contact Nancy at (626) 580-2096 Monday through Thursday, except legal holidays, between the hours of 7:00 a.m. and 5:30 p.m.

Published and Mailed on:	Thursday, September 10, 2020	City of El Monte Planning Commission Adrian Perez, Planning Commission Secretary

Location Map

3630, 3640, 3700 Cypress Ave and 11312 Orchard Street

General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance No. 03-19, and Modification Nos 28-19, 29-19, 30-19, and 36-19



2020

MAPPING AND GIS SERVICES
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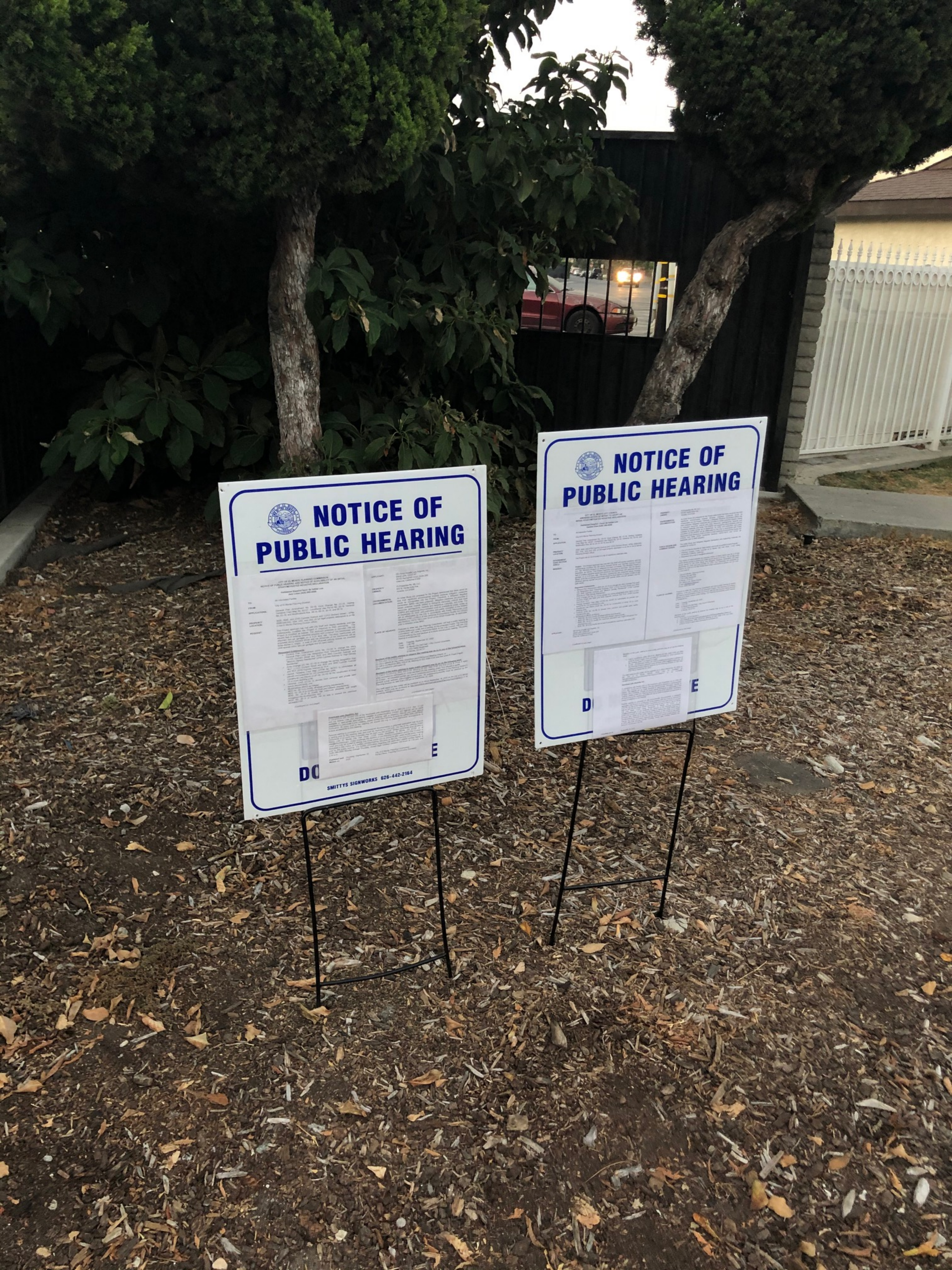
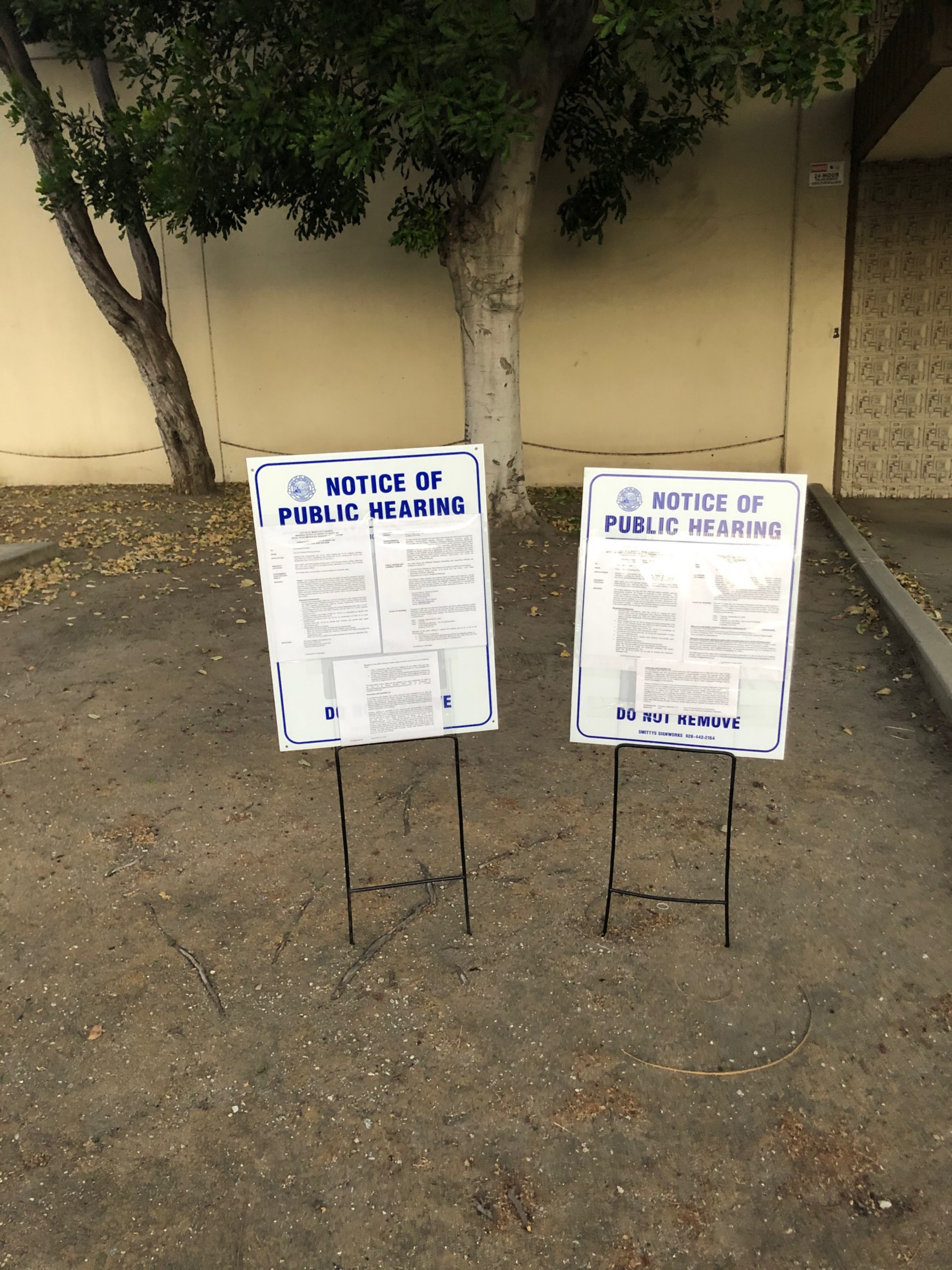
3/4/2020


NOTICE OF
PUBLIC HEARING
SMITTYS SIGNWORKS 626-442-2164
NOTICE OF
PUBLIC HEARING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SMITTYS SIGNWORKS 626-442-2164

NOTICE OF
PUBLIC HEARING
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DO NOT REMOVE

NOTICE OF PUBLIC HEARING

CITY OF EL MONTE CITY COUNCIL
AMENDED NOTICE OF INTENT TO ADOPT AN
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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

TO: All Interested Parties

FROM: City of El Monte Planning Division

APPLICATION: General Plan Amendment No. 03-19, Zone Change No. 01-19, Vesting Tentative Tract Map No. 82797, Conditional Use Permit No. 20-19, Variance No. 03-19, and Modifications Nos. 28-19, 29-19, 30-19, and 36-19

PROPERTY LOCATION: 3630, 3640, and 3700 Cypress Avenue and 11312 Orchard Street; APNs: 5068-029-002, -004, -035, and -053. (A full legal property description is on file in the El Monte Planning Division office).

GOVERNMENT CODE SECTION 65962.5: The Project site is not included in a list of hazardous materials sites.

REQUEST: **Project** - The Project Applicant has met with City Staff and nearby residents, and has subsequently modified the KB Home Orchard Street and Cypress Avenue Project (i.e., the "Modified Project") in response to their comments. The Modified Project is described as follows: The Project Applicant proposes to demolish 108,100 square feet of existing industrial space and construct 103 townhomes with attached two-car garages on a 3.24-acre site. Two-story townhomes are proposed along Orchard Street, while the remaining townhomes would be three stories in height. A total of 209 off-street parking spaces are provided (206 spaces within two-car garages and 03 open stalls).

Requested Entitlements:

- General Plan Amendment (GPA No. 03-19) to change the site's General Plan land use designation from "Industrial Business Park" (11312 Orchard Street and 3630 and 3640 Cypress Avenue) and "Medium Density Residential" (3700 Cypress Avenue) to "High Density Residential".
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- Vesting Tentative Tract Map (VTTM No. 82797) to consolidate all parcels and subdivide for 103 condominium units.
- Conditional Use Permit (CUP No. 20-19) for construction of three (3) or more dwelling units.
- Variance (VAR No. 03-19) to deviate from common and private open space requirements. and
- Modifications (MOD) as follows:
  - MOD No. 29-19 to modify off-street parking requirements;
  - MOD No. 28-19 to modify the front yard setback requirements;
  - MOD No. 30-19 to modify the maximum allowable wall height throughout the development; and
  - MOD No. 36-19 to modify the lot size to exceed the maximum allowable FAR.

APPLICANT: KB Home Greater Los Angeles, Inc.
David Little, LEED AP
26142 Springfield Court, Suite 200
Valencia, California 91355

(Continued on next page)

PROPERTY OWNER: [illegible]

ENVIRONMENTAL DOCUMENTATION: An Initial Study (IS) prepared for the Project determined that there would be less than significant environmental impacts (Biological Resources, Hazardous Materials, Noise, Transportation/Traffic, Cultural and Tribal Cultural Resources, Geological Resources, Hydrology/Water Quality, and Noise). The IS/MND and supporting documents, Appendix and Attachments, and notice that IS/MND and supporting documentation shall be available for public review as of September 14, 2020, and publication and public dissemination (Cross Reference 21067) in order to the City in accordance with Public Resources Code Section 21067 (CEQA Guidelines Sections 15072-15073 and 15105, as applicable, and to MND process).

PUBLIC REVIEW AND COMMENT PERIOD: The Initial Study and Mitigated Negative Declaration and supporting materials are available for review at:

- City of El Monte Website at https://elmonte.ca.us/vesting-tentative-tract-map-82797
- Planning Division Public Counter at El Monte City Hall Web, 11333 Valley Boulevard, El Monte, California
- Requested via e-mail at: sae@elmonteca.gov

The Notice of Intent solicits the statutorily Notice of Intent notice sale for a double public review period for review the public review period is 30 days. The 30-day public review period for the Initial Study and Mitigated Negative Declaration will begin September 14, 2020 and end October 14, 2020. Your responses are requested by October 14, 2020 at 5:00 PM. Please send written comments in person, via U.S. mail or via e-mail to:

City of El Monte - Planning Division
El Monte City Hall Web
11333 Valley Boulevard
El Monte, CA 91731
Attn: Nancy Lee, Senior Planner
E-mail: nlee@elmonteca.gov
Phone: (626) 580-2036

PLACE OF HEARING: Pursuant to state law, the Planning Commission will hold a public hearing to receive testimony, orally and in writing, on the proposed Project. The Planning Commission will make a recommendation to the City Council, with the City Council making the final decision at a future noticed public hearing. The Planning Commission public hearing is scheduled for:

Date: Tuesday, September 22, 2020
Time: 7:00 PM
Place: El Monte City Hall Web - City Council Chambers
11333 Valley Boulevard
El Monte, CA 91731

Members of the public wishing to observe the meeting may do so in one of the following ways:

1. Call in, conference with, join a link, attending at 626 580 2036 and then press # (hash # key) when connected to participate in Zoom session the meeting prior to its deposit to submit.
2. [illegible]

The staff report will be available on or about September 18, 2020 at the City Web Site, website address: https://elmonteca.gov/planning-commission/ or e-mail to nlee@elmonteca.gov

Accessible with Disability Act

In compliance with Section 504 of the Americans with Disabilities Act of 1990, the Federal and State laws, the Planning Commission will provide reasonable accommodations for persons with disabilities who need special assistance to participate in this meeting. Persons requesting special accommodations should contact the City Clerk's Office at (626) 580-2001 at least 48 hours prior to the meeting to request such accommodations.

Persons wishing to comment on the environmental documentation, or submitted comments, may do so by mail, in person, or via e-mail to the Planning Commission at the address above. Please be sure to include your name and address in your comments so that we may respond appropriately to each comment.

(Continued on next page)

NOTICE OF PUBLIC HEARING

DO NOT REMOVE

SMITTYS SIGNWORKS 626-442-2164

ATTACHMENT "H"

Appendix J1

Trip Generation Comparison Analysis

MEMORANDUM

TO: Rita Garcia, Project Manager | KIMLEY-HORN

FROM: GANDDINI GROUP, INC.
Bryan Crawford, Senior Transportation Analyst
Giancarlo Ganddini, TE/PTP, Principal Traffic Engineer

DATE: July 19, 2019

SUBJECT: Orchard and Cypress Residential Project Trip Generation Comparison Analysis
19-0057

DRAFT

Ganddini Group, Inc. is pleased to provide this trip generation comparison analysis for the proposed Orchard and Cypress Residential Project in the City of El Monte. The purpose of this trip generation comparison analysis is to evaluate the forecast trip generation for the proposed development compared to the existing trip generation for the project site. We trust the findings of this analysis will aid the City of El Monte in assessing transportation impacts associated with development of the proposed project.

PROJECT DESCRIPTION

Figure 1 illustrates the project location map. The project site is located at 3700, 3640, 3630 Cypress Avenue and 11312 Orchard Street in the City of El Monte. The project site is currently developed with 156,096 square feet of various industrial land uses that are proposed to be displaced by the proposed project. The existing uses are fully occupied, except for four units (11303 Iris Lane, 3700A & 3700B Cypress Avenue, and 3642 Cypress Avenue) totaling less than 18,000 square feet.

The proposed site plan is shown on Figure 2. The proposed project consists of redeveloping the project site with approximately 110 dwelling units of multi-family residential land use. One full access project driveway is proposed at Cypress Avenue and ne full access project driveway is proposed at Orchard Street. The proposed driveways and drive aisles are approximately 26 feet wide, which is of sufficient width to accommodate one travel lane in each direction.

EXISTING PROJECT SITE TRIP GENERATION

Table 1 shows the existing project site trip generation estimate based upon rates obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017). The existing trips generated are calculated by multiplying the trip generation rates by the existing land use quantity. Trip generation rates for Land Use Code 130 – Industrial Park were used, which is defined as follows:

> "An industrial park contains a number of industrial or related facilities. It is characterized by a mix of manufacturing, service, and warehouse facilities with a wide variation in the proportion of each type of use from one location to another. Many industrial parks contain highly diversified facilities—some with a large number of small businesses and others with one or two dominant industries."

As previously noted, existing industrial business park uses total approximately 156,096 square feet and are fully occupied, except approximately 18,000 square feet. Consistent with recent case law (North County

Advocates v. City of Carlsbad (2015)—Cal.App.4th—Case No. D066488), this trip generation analysis is based on 100 percent occupancy and includes these vacant use's historical operational information in establishing the environmental baseline for the Project's impact analysis.

As shown in Table 1, the existing project site is estimated to generate approximately 526 daily trips on a typical weekday, including 62 trips during the AM peak hour and 62 trips during the PM peak hour.

Since a truck will generally utilize more capacity than a passenger car, several jurisdictions throughout the region require land uses that generate a substantial amount of truck traffic, such as industrial and warehousing land uses, to convert truck trips into Passenger Car Equivalent (PCE) trips. For example, a large truck may be considered the equivalent of two passenger cars. For purposes of this this trip generation analysis, the existing project site trip generation was not converted to PCE trips; this provides a conservative estimate of the net project trip generation since trips generated by existing uses will be subtracted from the trip generation forecast for the proposed land use.

PROJECT TRIP GENERATION

Table 2 shows the project trip generation based upon rates obtained from the Los Angeles County Traffic Impact Analysis Report Guidelines (December 2013). The Los Angeles County guidelines indicate that trip generation rates from the latest edition of the ITE Trip Generation Manual should be used, except in the case of condominiums/townhomes, for which the guidelines provide trip generation rates that are slightly higher than those for the multi-family housing land use as contained in the current ITE Trip Generation Manual. Therefore, the trip generation rates for condominiums/townhomes as contained in the Los Angeles County guidelines were used to provide a conservative analysis. The existing trips generated are calculated by multiplying the trip generation rates by the proposed land use quantity.

As shown in Table 2, the proposed project is forecast to generate approximately 880 daily trips on a typical weekday, including 60 trips during the AM peak hour and 81 trips during the PM peak hour.

TRIP GENERATION COMPARISON

Table 3 shows the net project trip generation based on the difference between trips forecast to be generated by the proposed project minus trips currently estimated to be generated by existing land uses that would be displaced. As shown in Table 3, the proposed project is forecast to generate approximately 354 net new daily trips, including 2 fewer trips during the AM peak hour and 19 net new trips during the PM peak hour, compared to existing uses.

In accordance with the Los Angeles County Congestion Management Program, several jurisdictions throughout the region generally use a project trip contribution threshold of 50 peak hour trips for identifying potential study intersections and the need to prepare a full traffic impact analysis. The proposed project is forecast to generate fewer than 50 net new trips during the peak hours; therefore, the project is not expected to result in appreciable traffic impacts and further traffic analysis is typically not required.

CONCLUSION

We appreciate the opportunity to assist you on this project. Should you have any questions or if we can be of further assistance, please do not hesitate to call at (714) 795-3100 x 104.

DRAFT

Table 1
Existing Project Site Trip Generation

Trip Generation Rates									
			AM Peak Hour			PM Peak Hour			
Land Use	Source[1]	Units[2]	% In	% Out	Total	% In	% Out	Total	Daily
Industrial Park	ITE 130	TSF	0.32	0.08	0.40	0.08	0.32	0.40	3.37

Trips Generated								
		AM Peak Hour			PM Peak Hour			
Land Use	Quantity	In	Out	Total	In	Out	Total	Daily
Industrial Park	156.096 TSF	50	12	62	12	50	62	526

Notes:
(1) ITE = Institute of Transportation Engineers Trip Generation Manual (10th Edition, 2017); ### = Land Use Code.

(2) TSF = Thousand Square Feet

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Table 2
Proposed Project Trip Generation

Trip Generation Rates									
			AM Peak Hour			PM Peak Hour			
Land Use	Source[1]	Units[2]	In	Out	Total	In	Out	Total	Daily
Condominiums/Townhomes	LAC	DU	0.06	0.48	0.54	0.47	0.26	0.73	8.00

Trips Generated								
		AM Peak Hour			PM Peak Hour			
Land Use	Quantity	In	Out	Total	In	Out	Total	Daily
Condominiums/Townhomes	110 DU	7	53	60	52	29	81	880

Notes:
(1) LAC = Los Angeles County Traffic Impact Analysis Report Guidelines (December 2013).

(2) DU = Dwelling Units

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Table 3
Trip Generation Comparison

Trip Generation Rates							
	AM Peak Hour			PM Peak Hour			
Land Use	In	Out	Total	In	Out	Total	Daily
Existing Uses[1]	50	12	62	12	50	62	526
Proposed Project[2]	7	53	60	52	29	81	880
Net Trip Generation	**-43**	**+41**	**-2**	**+40**	**-21**	**+19**	**+354**

Notes:
(1) See Table 1.

(2) See Table 2.

DRAFT

Figure 1
Project Location Map

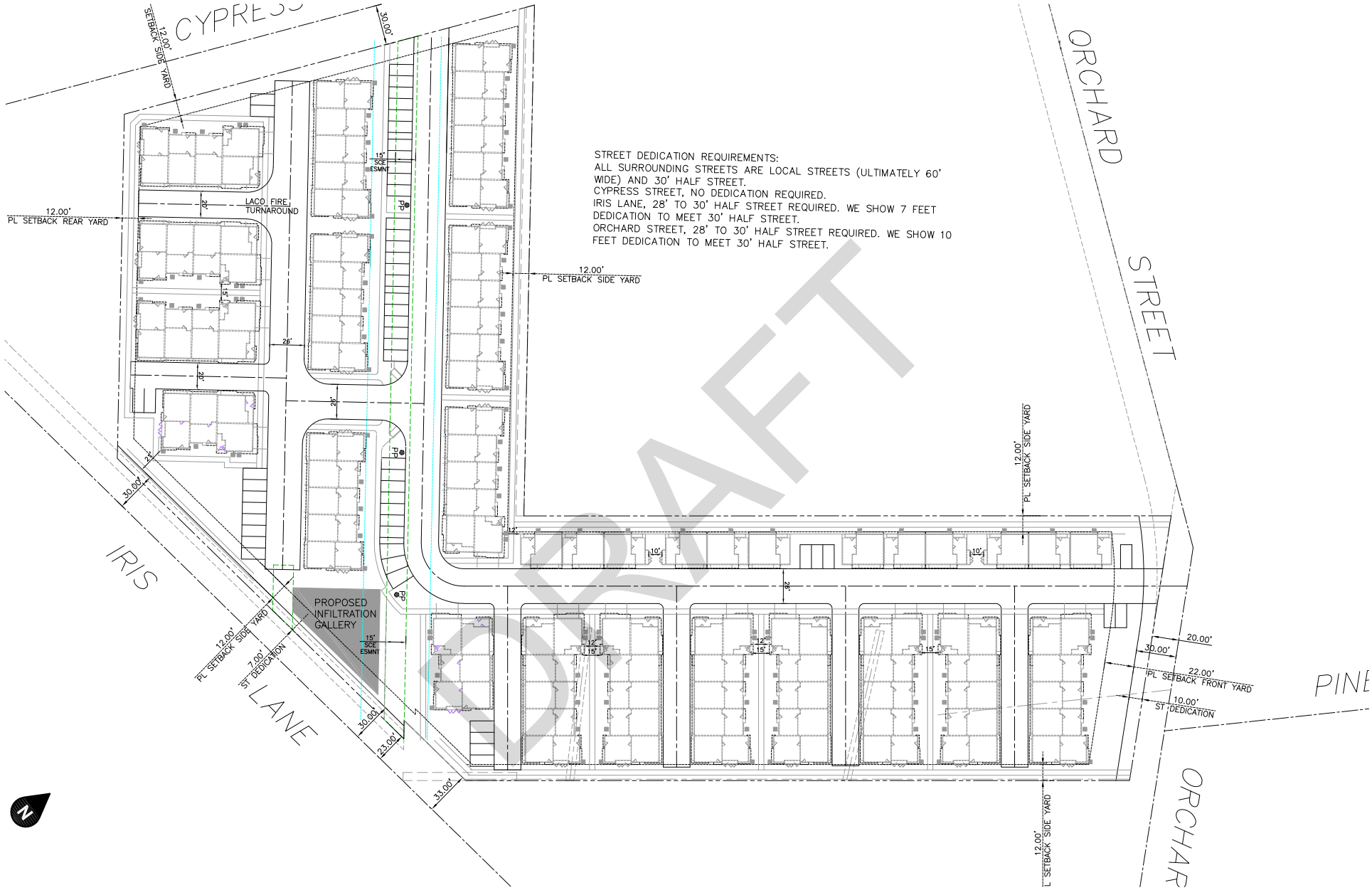


Figure 2
Preliminary Site Plan

"ATTACHMENT I"

I, Alvaro Escobedo

support the KB Homes project!

What a nice addition to our neighborhood and city!

Neighbor to
11300 Medina
El Monte

I,

Anahi Gonzalez

support the KB Homes project!

What a nice addition to our neighborhood and city!

3716 Pine
El Monte

I,

Armando Huerta

support the KB Homes project!

What a nice addition to our neighborhood and city!

Address 11164 Orchard St El Monte, CA 91731

I,

Benny W

support the KB Homes project!

What a nice addition to our neighborhood and city!

Neighbor to
3712 Pine
El Monte

I,

Daisy Gonzalez

support the KB Homes project!

What a nice addition to our neighborhood and city!

3716 Pine
El Monte

I,

[illegible]

support the KB Homes project!

What a nice addition to our neighborhood and city!

11308 Iris
El Monte

I, Elizabeth LaGuvas

support the KB Homes project!

What a nice addition to our neighborhood and city!

3811 Pine
EL Monte

I,

Glenda Romero

support the KB Homes project!

What a nice addition to our neighborhood and city!

11290 Iris
El Monte

I,

Herelinda

support the KB Homes project!

What a nice addition to our neighborhood and city!

Address 11137 Kauffman B.

I,

LARRY ESQUIBEZ

support the KB Homes project!

What a nice addition to our neighborhood and city!

Address 11134 KAUFFMAN ST.
EL MONTE CA, 91731

7/22/2020

Hello Neighbor,

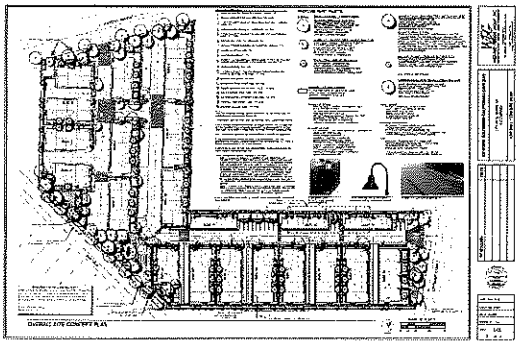
As you may already be aware, KB Home is proposing to build 103 townhomes at the industrial park located along Cypress and Orchard. If you support the KB Home project to build 103 brand new townhomes in your community, we need you to let the City know. There will be a hearing on August 11th, because of the current situation the meeting will most likely be online.

I want to make sure that everyone's opinion is heard. **I'm including an envelope and letter for you to sign and fill out to send to the City to let them know you support the project.** Please send as soon as possible to the City if you want to make your community Safer, beautiful, and more affordable for teachers/fireman/essential workers/ etc...

Feel free to email me a photo of the signed letter so I can keep track of them.

DLELIE@KBHOME.com

We appreciate your interest in making your neighborhood safer.



Thank you,

David Lelie
Senior Project Manager
KB HOME LA/Ventura
661.565.7492 cell
dlelie@kbhome.com

To: Nancy Lee
Senior Planner
11333 Valley Boulevard
El Monte, CA 91731
(626) 580-2096

Dear Mayor Quintero and Council Members,

I am an El Monte resident and I am writing to support KB Home's proposed 103 unit project at 11312 Orchard St. This project will:

- Bring needed housing opportunities to the City of El Monte
- Clean up a blighted industrial area that is prone to crime
- Increase investment in our City
- Add affordable housing opportunities which do not currently exist in the City
- Provide housing opportunities for employees who work in El Monte to also live in El Monte

I urge you and Council to approve this project.

Thank you,

Olenda Romuigez 11290 Iris Ln, El Monte

Name, and address

To: Nancy Lee
Senior Planner
11333 Valley Boulevard
El Monte, CA 91731
(626) 580-2096

RECEIVED
AUG 06 2020
By AP

Dear Mayor Quintero and Council Members,

I am an El Monte resident and I am writing to support KB Home's proposed 103 unit project at 11312 Orchard St. This project will:

- Bring needed housing opportunities to the City of El Monte
- Clean up a blighted industrial area that is prone to crime
- Increase investment in our City
- Add affordable housing opportunities which do not currently exist in the City
- Provide housing opportunities for employees who work in El Monte to also live in El Monte

I urge you and Council to approve this project.

Thank you,

Pedro & Nelly Lopez 11167 Kauffman st El Monte Calif 91731
Name, and address

I, Marcos Martin

support the KB Homes project!

What a nice addition to our neighborhood and city!

Address 11330 IRIS LANE, 91731

I,

Maria

support the KB Homes project!

What a nice addition to our neighborhood and city!

Address 11131 Kauffman A.

I,

Nicolas Gonzalez

support the KB Homes project!

What a nice addition to our neighborhood and city!

3716 Pine
El Monte

I,

Eric McKinley

support the KB Homes project!

What a nice addition to our neighborhood and city!

11225 Orchard
El Monte

I,

Damaris [illegible]

support the KB Homes project!

What a nice addition to our neighborhood and city!

Neighbor to
11300 Medina
El Monte

I,

Saul Escobedo

support the KB Homes project!

What a nice addition to our neighborhood and city!

11300 Medina
El Monte

I,

Sergio

support the KB Homes project!

What a nice addition to our neighborhood and city!

Address 11366 Iris

I,

Sergio Ortiz

support the KB Homes project!

What a nice addition to our neighborhood and city!

3811 Pine
El Monte

I,

Vinda

support the KB Homes project!

What a nice addition to our neighborhood and city!

Address 11328 IRIS

I, VIOLET AIRLA

support the KB Homes project!

What a nice addition to our neighborhood and city!

ATTACHMENT "J"

PALMIERI HENNESSEY & LEIFER, LLP

Patrick A. Hennessey
Direct Dial: (949) 851-7204
E-mail: phennessey@palmierilawgroup.com

File No.: 41012-000

March 20, 2020

VIA E-MAIL (nlee@elmonteca.gov) and OVERNIGHT DELIVERY

Nancy Lee, Senior Planner
City of El Monte
Planning Division
11333 Valley Boulevard
El Monte, CA 91731

Re: Abba Properties' and Design Hardware's Procedural and Substantive Objections to the City of El Monte's Draft Initial Study / Mitigated Negative Declaration for the KB Homes Orchard Street and Cypress Avenue Project dated February 2020

Dear Ms. Lee:

This firm represents Abba Properties, the owner; and Design Hardware, the lessee, of an industrial facility located at 3620 Cypress Ave., El Monte, California (the "Subject Property") which is zoned M2 Heavy Manufacturing and improved with an approximately 11,000 square foot industrial facility. Design Hardware operates its business, which provides interior finishes to residential and commercial developments, from the Subject Property. The Subject Property is located immediately adjacent to KB Homes' proposed Orchard Street and Cypress Avenue development of 110 townhomes (the "Project"). As such, Abba Properties and Design Hardware will necessarily experience all of the adverse environmental impacts identified in the City of El Monte's (the "City") Draft Initial Study / Mitigated Negative Declaration dated February 2020 ("MND") for the Project.

The City, as lead agency, is contemplating the demolition of approximately 5.7 acres of industrial developments that are centrally located in a historically heavy industrial/manufacturing district of the City in order to redevelop the site as a high-density residential community consisting of 110 three-story town homes (the "Project Area"). The Project Area is L-shaped, bounded by Cypress Avenue to the north, Iris Lane to the South and Orchard Street to the northeast. The Project Area is improved with an industrial business park comprising of four industrial buildings permitting 14 tenant spaces (10 of which are currently occupied), surface parking, hardscapes and landscaping.

The Planning Commission has invited the public to comment on the following items: (a) General Plan Amendment to change an approximately 5.7 acre site centrally located in a historically heavy manufacturing/industrial district to create an island of

High-Density Residential units; (b) Zone Change Amendment to change the Project Area's zoning designation from M-2 (which allows for the most intense industrial / manufacturing uses permitted within the City) and R-3, to R-4 (High-Density Residential); (c) Vesting Tentative Tract Map to consolidate and subdivide all parcels that comprise the Project Area into 110 residential units (townhomes); (d) Conditional Use Permit for the construction of multiple housing structures; (e) Variance to deviate from the minimum private common and private open space requirements; and (f) Modifications to deviate from off-street parking requirements, front yard setbacks, wall heights, and floor area ratio. (items (a) through (f) will sometimes be referred to hereafter as the "Proposed City Actions").

The cumulative effect of the Proposed City Actions, if approved, would create pockets of incompatible adjoining land uses. These "pockets" would foment future discord between those owners who have long-established industrial and manufacturing facilities in and around the affected areas and those newly arrived occupants of the high density residential projects immediately adjacent to these historic industrial/manufacturing facilities. The list of potential environmental impacts that would be created by approval of the Proposed City Actions is staggering. Yet, the planning staff has, up to this point, recommended that compliance with the California Environmental Quality Act ("CEQA") may be achieved through approval of a MND. The planning staff is mistaken in its recommendation of a MND for the sweeping changes being proposed, and if the Planning Commission follows this recommendation, it is inviting a legal challenge to that recommendation. The MND either defers and/or does not adequately analyze the cumulative adverse impacts that the proposed Project will have to the surrounding environs within and outside the Project Area−which the study acknowledges as "fully developed" −including without limitation, the Subject Property.

The MND insufficiently addresses the potential significant effects of the proposed Project when, in fact, the available information and findings support a fair argument that there will be a number of significant impacts that will not be adequately mitigated. It is apparent that the proposed Project will result in significant adverse environmental impacts and will significantly affect the quality of the human environment. Accordingly, pursuant to CEQA, an Environmental Impact Report ("EIR") must be prepared for the Project to address the myriad of potential significant environmental impacts that will result from the Project.

The purpose of this letter is to formally assert Abba Properties' and Design Hardware's substantive and procedural objections to the Proposed City Actions. Substantively, the MND and Proposed City Actions, if approved, would be tantamount to impermissible "spot zoning" and would create a patchwork of incompatible land uses. Procedurally, the Planning Commission should, at the very least, undertake to prepare and consider an EIR to address the myriad of potential significant environmental impacts that will result from the Proposed City Actions. A MND is ineffectual to analyze the potential environmental ramifications to the surrounding environs directly impacted by the Proposed City Actions.

Abba Properties and Design Hardware respectfully request that this letter be included as part of the formal record on this item and incorporated into the analysis undertaken by the City and its staff members in deciding whether a MND is sufficient to ensure compliance with CEQA. In addition, Abba Properties and Design Hardware specifically reserve the right to appear and be heard at any public hearing on the MND and/or Proposed City Actions.

The following list of objections is not exhaustive, and Abba Properties and Design Hardware reserve the right to present further comments at a later date.

1. There Is A "Fair Argument" that the Proposed Project May Result In Significant Environmental Impacts Such That An EIR Should Be Prepared.

A MND may be prepared when, after completing an initial study, a lead agency determines that a project "would not have a significant effect on the environment." (Pub. Res. Code, § 21080, subd. (c).) Such a determination can be made only if "[t]here is *no* substantial evidence in light of the whole record before the lead agency" that such an impact *may* occur. (Pub. Res. Code, § 21080, subd. (c)(1), emphasis added.) An EIR is required, in contrast, whenever substantial evidence in the record supports a "*fair argument*" that significant impacts *may* occur. Even if other substantial evidence supports the opposite conclusion, the agency nevertheless must prepare an EIR. (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75.) The "fair argument" standard creates a "low threshold" for requiring preparation of an EIR. (*Citizens Action To Serve All Students v Thornley* (1990) 222 Cal.App.3d 748, 754.) Likewise, if an agency has failed to study a potential environmental impact, a reviewing court may find the existence of a fair argument of a significant impact based on the limited facts in the record that might otherwise not be sufficient to support a fair argument of a significant impact. Gaps

in the record can enlarge the scope of the fair argument by lending plausibility to a wider range of inferences concerning possible adverse impacts. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311.) CEQA places the burden of environmental investigation on the public agency rather than on the public.

Here, the MND provides relevant information to support reasonable inferences that the Project will cause significant environmental impacts, and these inferences support a fair argument that the Project will have a significant effect on the environment. Therefore, CEQA requires that an EIR be prepared for the Project. Moreover, given the magnitude of the private industrial properties needed and the resultant displacements / relocations to effectuate the Project, it is inconceivable how the City can conclude that there is no "fair argument" of possible environmental effects in recommending only preparation of a MND to comply with CEQA. The City can ill-afford not to undertake a comprehensive environmental study as required by CEQA in order to be fully apprised of the effects the Project will cause to the surrounding community.

The significant impacts identified in the MND that trigger the requirement that an EIR be prepared for the Project include, without limitation:

A. <u>The Proposed City Actions Constitute Bad Land Use and Planning</u>.

The Proposed City Actions are tantamount to impermissible "spot zoning" in that they target the historic industrial use areas of the City. If approved, residential and other mixed-use developers will be able to secure more easily City Council approval of their proposed projects, which will inevitably encroach on neighboring heavy industrial and manufacturing facilities. As a result, the industrial areas of the City will become a patchwork of incompatible land uses. Thereafter, it is only a matter of time before the occupants of the newly developed high-density residential projects begin to complain about how their industrial/manufacturing neighbors are somehow infringing on their property rights. Eventually, these complaints will make their way to City Hall and the Courts. If carried to its natural progression, this City-created hostility could lead to an exodus by many businesses who have long-provided employment to City residents. This would cause a significant economic shift in the City's labor market. In short, it is bad planning to establish a system whereby these mismatched land use designations are forced to co-exist.

Moreover, the influx of an estimated 452 new residents into a historically heavy industrial district of the City with little to no open space and common areas is inconsistent with the City's General Plan and would result in substantial physical deterioration of neighborhood and regional parks in the vicinity of the Project. The potential impacts on the surrounding neighborhoods and lack of regional parks result in a fair argument that a significant environmental impact on these facilities will occur as a result of the Proposed Project, thus requiring preparation of an EIR rather than the MND.

B. Project Alternatives

The MND is defective in that it does not contain any discussion and analysis of potentially feasible project alternatives to determine whether any significant effect of the proposed Project would be avoided or substantially lessened by selecting an alternative location and/or *reduced density* alternatives and, therefore, allow for a meaningful evaluation, analysis and comparison of proposed Project alternatives including, a No-Project alternative, concerning impacts on noise, traffic, parking, greenhouse emissions, etc.

Furthermore, pursuant to CEQA Guidelines §15126(e), the "purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." Here, the public is not provided with enough information and analysis in the MND to make an accurate assessment of the adverse environmental impacts that will be caused by the No-Project Alternative. No impacts are detailed or quantified. Accordingly, the No-Project Alternative analysis is incomplete and inadequate in violation of CEQA Guidelines §15126(e).

C. Transportation/Traffic

The City's traffic study is both incomplete and inaccurate because the City did not do any traffic study of the existing baseline condition. The City's entire traffic analysis relies on a flawed methodology that over-estimates the existing condition traffic counts, and woefully underestimates and undercounts traffic and traffic impacts from the influx of an estimated number of 452 new residents into the Project Area (and living in the 110 new townhomes). The traffic analysis is also incomplete because it does not analyze the Project's impacts on a significant number of area intersections, and impermissibly defers mitigation analysis to an undefined future date when Project

construction is to commence. The entire study is predicated on pure speculation of trip generations from allegedly similar industrial and residential developments. The City's traffic study also does not analyze the significant potential for traffic congestion at the proposed Project's boundaries. The City's traffic study is further incomplete because it does not analyze the proposed Project's impacts on pedestrian foot traffic and bicycle traffic within the proposed Project Area.

The significant delays and impediments to traffic and transportation caused by the construction and implementation of the Project are significant adverse environmental impacts. Construction will require street closures with detours in some areas of the Project. On-street parking will be eliminated in certain areas and restricted within work areas. The MND recognizes that certain construction impacts will be adverse. However, the study inexplicably concludes that no adverse impact is expected due to implementation of certain mitigation measures. Significant traffic delays during construction of the Project and decrease in Level of Service (LOS) following completion of the Project are significant environmental impacts that will affect the quality of the human environment. These traffic impacts must be addressed further in an EIR.

D. <u>Parking</u>

The Project will result in significant, adverse impacts to parking in the Project Area. To meet this increased demand, the MND states that a minimum of 437 parking spaces are required and that the Project will provide no more than 271 parking spaces, thereby creating a deficit or short fall of 166 parking spaces. The solution to this short fall is to seek a variance, without any further analysis. The MND does not analyze how the Project's exponential demand for parking will be addressed and/or how the Project Area's increasing demand for parking will impact traffic circulation in the surrounding heavy industrial and densely populated communities outside the Project Area. No analysis is provided within the MND as to how "adequate" parking will be provided. The City has failed to disclose potential impacts to both the Project Area and surrounding community. This approach deprives decision-makers and the public of any opportunity to evaluate the impacts and mitigation measures in the DEIR. (See, *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.APp.3d 421.) There is a fair argument that the significant deficit in parking will result in significant, adverse impacts to parking in the Project area and to the surrounding densely populated heavy industrial and residential communities that have yet to be analyzed.

E. Noise and Vibration

The City's noise analysis contained in the MND is incomplete as the City did no noise and vibration baseline analysis. Moreover, though the MND admits that implementation of the Project shall result in a substantial increase in ambient noise levels and substantial ground borne vibration in the Project vicinity above existing levels. Finally, the City's noise analysis after construction of the Project is completed is entirely speculative and based on conclusory, if not entirely false, assumptions. The City's conclusory determination that the influx of an estimated 452 new residents into the Project Area would not result in a significant increase in noise is spurious. There is no substantial evidence in the report to justify such a conclusion.

F. No Reference or Analysis of the Resultant Displacements

The MND does not contain any analysis of the necessary acquisitions and displacements of existing industrial uses in the Project Area necessary for the construction of this massive infill project. In fact, the MND erroneously identifies at least one industrial development adjacent to the Project, i.e., the Subject Property, as R-3, when, in fact, the Subject Property is zoned M-2. The proposed Project also does not contain any analysis of the necessary acquisitions of portions of the Subject Property comprising of three parking spaces and the resultant impact to the Subject Property's business operations. Specifically, as proposed, the City anticipates taking approximately 160 square feet of real property at the Subject Property's southerly boundary abutting Cypress Avenue that has been exclusively utilized by the Subject Property for parking. The MND is devoid of an adequate discussion or analysis, and presumably improperly defers such mitigation analysis to a nondescript future date. However, such deferral of mitigation analysis is improper and consistently condemned by CEQA Guidelines and case law. (See, *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261; *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777; *Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433.)

Presumably, the MND fails to adequately describe the Project in order to circumvent the mandates of CEQA and avoid a thorough analysis of the potential environmental impacts to the existing private developments within the Project Area and surrounding community located immediately adjacent to the Project's proposed location. The Project as proposed will critically damage the existing developments within the Project Area. The Project must address the environmental impacts on these private

developments during and after the Project's proposed construction period including, without limitation, the associated traffic disruption/access impediments, loss of parking, noise and noxious fumes related thereto.

Accordingly, an analysis of the environmental impacts associated with these takings must be included in any future EIR. Further, The City must prepare a Relocation Plan pursuant to Title 25, Section 6038 of the California Code of Regulations. (See, Cal. Code Regs., Tit. 25, § 6038.)

G. <u>Air Quality</u>

The MND acknowledges that there will be short-term degradation of air quality due to the release of particulate emissions generated by excavation, grading, hauling, and other activities related to construction and, in addition, emissions of other volatile organic compounds, directly emitted particulate matter, and toxic air contaminants as a result of emissions from construction equipment. Despite the very intense construction activities, the MND concludes that there will be no significant impacts from these activities. In fact, there is a fair argument that there will be short term significant environmental impacts on air quality within the vicinity of the proposed project, thus requiring preparation of an EIR rather than the MND. In addition, there will be no effective way to reduce such impacts to a level less than significant.

H. <u>Inadequate Greenhouse Gas Analysis and Mitigation</u>

The greenhouse gas emissions section of the MND is woefully inadequate and predicated on false assumptions. The MND for the Proposed Project fails to even attempt a minimal level of analysis in this regard. It acknowledges that the proposed Project will generate substantial amounts of greenhouse gas emissions during the construction phase but minimizes this by concluding that it can distribute these emissions over a 30-year time period rather than during the actual construction period. There is no justification for this as it is not an accurate reflection of what will actually be occurring. As a result, the MND is inadequate and fails to comply with law regarding the analysis of greenhouse gas emissions.

I. Improper Baseline Analysis

The MND improperly concludes less than significant impacts based on future development assumptions in the City's General Plan. A proper baseline analysis must be predicated on existing physical conditions, and not future assumptions. (*County v. Amador v. El Dorado Water Agency* (1999) 76 Cal.App.4th 931.)

2. The Notice and Manner of Notice For the MND Is Deficient Thereby Invalidating the Statutory Comment Period.

The City's notice is invalid since it fails to adequately describe the Project, and the anticipated significant environmental impacts arising therefrom for the reasons set forth above pursuant to CEQA Guidelines section 15087, subdivision (c). (See also, Pub. Res. Code, § 21092, subd. (b).) "The purpose [of CEQA] is to inform the public and its responsible officials of the environmental consequences of their decisions *before* they are made. Thus, the purpose of the process is to protect not only the environment but also informed self-government. To this end, *public participation is an essential part of the CEQA process.*" (*Laurel Heights Improvement Association v. Regents of University of California* (1993) 6 Cal.4th 1112, 1123.) The City's failure to adequately describe the entirety of the Project or provide notice to the property owners impacted by the Project, undermines the fundamental purpose and intent of CEQA to foster public participation. Accordingly, the time for public comment must be extended following the recirculation of a Draft Environmental Impact Report that addresses the objections and comments set forth herein.

3. Abba Properties' and Design Hardware's Objection Letter Is Timely.

Pursuant to Public Resources Code sections 21177, et seq., any party may assert comments or objections orally or in writing to the proposed project *either* during the public comment period provided by CEQA or at *any time* before the close of the public hearing on the project. (See, Pub. Res. Code, § 21177, subd. (b).) Because Abba Properties' and Design Hardware's objection letter was submitted to the Planning Commission prior to the Planning Commission hearing, the letter is timely and, therefore, must be included as part of the formal administrative record on this agenda item.

4. Conclusion

Based on the foregoing, the City's MND is incomplete and inadequate requiring the preparation of an EIR to adequately analyze and address the significant adverse impacts identified in the study.

Very truly yours,

Patrick A. Hennessey

PAH:ajb
cc: Anish J. Banker

bcc: Avi Balsam (via Email)