



## SAN GABRIEL PLANNING COMMISSION

# Agenda

**REGULAR MEETING**  
**Monday, January 9, 2012**  
**6:30 p.m., City Hall Council Chamber**  
**425 South Mission Drive**

**CALL TO ORDER**                      6:30 p.m.

**PLEDGE OF  
ALLEGIANCE**

**ROLL CALL OF  
MEMBERS**                              **CHAIRMAN GARDEN, VICE CHAIR KLAWITER, AND  
COMMISSIONERS ADKINS, KIMBROUGH, AND ZAWODNY**

**APPROVAL OF  
MINUTES**                                **Minutes of the Regular Meeting on December 12, 2011**

**PUBLIC  
COMMENT**                                **Pursuant to Government Code Section 54954.3, this is the time  
approved for members of the public to address the Planning  
Commission on items of interest that are within the subject  
matter jurisdiction of the Planning Commission of the City of  
San Gabriel. The Commission cannot take action on such  
comment but may put an item on a future agenda.**

### **EXPLANATION OF PUBLIC HEARING PROCEDURES**

Pursuant to Government Code Section 65009 (b), if these matters are subsequently challenged in Court, the challenge may be limited to only those issues raised in the public hearing described in this notice, or in written correspondence delivered to the City of San Gabriel at, or prior to, the public hearings. Please limit your remarks to no longer than five minutes.

**PUBLIC HEARING ITEMS:**

1. **606 Alhambra Rd.**  
**Planning Case No. PL-11-098 (Conditional Use Permit and Variance)**  
**Applicant: Tracy Ozzimo (Architect)**

**PROJECT DESCRIPTION:** The applicant proposes to add 1,177 square feet to an existing single family residence and construct a new detached 500 square-foot garage with a senior unit above it. The project would also require variances for a reduction in the required rear yard depth from 15 feet to 6 feet, and an increase in the floor area ratio from the maximum allowable 35 percent to 48 percent.

**CEQA DETERMINATION:** The project was reviewed for compliance with the California Environmental Quality Act (CEQA) and determined to be exempt per Section 15303, Class 3 (New Construction of Small Structures)

**RECOMMENDATION:** The Planning Commission **APPROVE** Planning Case PL-11-098, subject to the recommended conditions of approval.

**Prepared by Larissa De La Cruz**  
**Associate Planner**

**STAFF ITEMS:**

1. **Marshall Community Park Update**

**PROJECT DESCRIPTION:** The Marshall Community Park project proposes the development of a neighborhood park on the former campus of John Marshall Elementary School. This is an update on the progress of the project.

**RECOMMENDATION:** Review and discuss the information in this staff report.

**Prepared by Rebecca Perez**  
**Director of Parks and Recreation**

2. **Fairview Economic Study**

**PROJECT DESCRIPTION:** The San Gabriel Village design strategy project was begun in 2008 in an effort to revitalize the struggling business district. Through a public outreach process, the City has concluded that its preferred uses are live-work residential units and mixed-use development with street retail or offices topped by residential units. The Fairview Economic Study considers whether such uses are financially feasible and what the implications are for revitalization options going forward.

**RECOMMENDATION:** Review and discuss the information in this staff report.

**Prepared by Mark Gallatin, AICP**  
**City Planner**

**3. Information About Upcoming Community Meeting**

**PROJECT DESCRIPTION:** A community meeting will be held on Wednesday, January 11, 2012 at 6:30 p.m. for a proposed hotel project at 221 E. Valley Blvd. The meeting will be held at Palm Pacific Realty, Inc., in the real estate classroom, at 221 E. Valley Blvd., San Gabriel, CA.

**RECOMMENDATION:** No action required.

**Prepared by Carol D. Barrett, FAICP  
Planning Manager**

**PLANNING COMMISSION ITEMS:**

**ELECTION OF OFFICERS – CHAIR AND VICE CHAIR OF THE PLANNING COMMISSION.**

**BOB KRESS  
CITY ATTORNEY**

**ADJOURNMENT: TO A SPECIAL MEETING OF THE PLANNING COMMISSION ON JANUARY 30, 2012 AT 6:30 P.M. AT CITY HALL, 425 SOUTH MISSION DRIVE, SECOND FLOOR, SAN GABRIEL, CA.**

**AVAILABILITY OF REPORTS:** Staff reports are available for public inspection in the Planning Division office of City Hall, during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, and 8:00 a.m. to 6:30 p.m. Tuesdays; Telephone (626) 308-2806, Press 4. The agenda and staff reports are also available on the City's website and can be downloaded at the following address:

<http://www.sangabrielcity.com/cityservices/communitydev/planagendas.shtml>

**ACCESS FOR THE DISABLED:** City Hall is accessible to the disabled. Audio devices for the hearing impaired are available from the planning staff during each meeting.

**APPEAL PERIOD:** All decisions made by the Planning Commission may be appealed to the City Council within (10) business days of the decision by filing a letter with the City Clerk and paying an appeal fee of \$790. If no appeal is filed, decisions are final (except for legislative actions that are recommendations to the City Council).

**POSTING:** I declare under penalty of perjury that I am employed by the City of San Gabriel in the Community Development Department; and that I posted this notice at City Hall, Fire Department Headquarters and at the US Post Office on Wednesday, January 4, 2012.

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**Date**

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**Carol D. Barrett, FAICP, Planning Manager**

**CITY OF SAN GABRIEL**

**MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**

**December 12, 2011**

**The regular meeting of the Planning Commission of the City of San Gabriel was held in the City Council Chambers at City Hall, 425 S. Mission Drive, San Gabriel, California, on Monday, December 12, 2011.**

Chairman Garden called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

**Meeting Called to Order;  
Pledge of Allegiance**

**ROLL CALL**

**ROLL CALL**

Present: Norman Garden, Chair  
Thomas Klawiter, Vice-Chair  
Carol Kimbrough, Commissioner  
Vincent Zawodny, Commissioner

Excused: Dondi Adkins, Commissioner

Also Present: Robert L. Kress, City Attorney  
Carol Barrett, Planning Manager  
Mark Gallatin, City Planner  
Fang-zhou Zhou, Assistant Planner  
Jackie Wong, Planning Commission Secretary

**CONSENT ITEMS**

**Minutes of Regular Meeting on November 14, 2011.**

Vice-Chair Klawiter moved to approve the minutes. Commissioner Kimbrough seconded the motion. There being no objections, the minutes were approved.

**CONSENT ITEMS**

**Planning Commission  
Minutes of November 14,  
2011. Approved.**

**PUBLIC COMMENTS**

Chairman Garden asked that any speakers come forward who wished to address the Planning Commission on non-agenda items. There being no one who wished to speak, Chairman Garden closed this portion of the meeting.

**PUBLIC COMMENTS**

None.

**EXPLANATION OF PUBLIC HEARING PROCEDURES**

City Attorney Kress explained the public hearing procedures for the items on this evening's agenda.

**EXPLANATION OF  
PUBLIC HEARING  
PROCEDURES**

**Explained by City Attorney  
Kress.**

**PUBLIC HEARING ITEMS**

**1. 1212-1258 E. Las Tunas Drive (Conditional Use Permit Amendment)**

This report was presented by City Planner Mark Gallatin regarding a Conditional Use Permit amendment allowing the sale and servicing of used automobiles in conjunction with new car sales. The applicant is requesting permission for the sale and servicing of used automobiles not in conjunction with new car sales, at a former new car dealership located in the C-3 (General Commercial) zone.

**PUBLIC HEARING  
ITEMS**

**1. 1212-1258 E. Las  
Tunas Drive  
(Conditional Use  
Permit Amendment).  
Approved.**

This report was reviewed and exempted for compliance with the California Environmental Quality Act (CEQA) per Guidelines Section 15301, Class 1 (Existing Facilities).

Staff recommends that the Planning Commission approve Planning Case PL-11-086, subject to the recommended conditions of approval.

Applicant’s Testimony

Mr. Dennis Lin, 1212 E. Las Tunas, Owner and applicant, stated that he proposes to sell Airstream Recreational vehicles and that is the oldest manufacturer of recreational vehicles in the U.S. is recognized internationally because of its innovative design and will be a wonderful addition to the City.

Applicant’s Testimony

Testimony in Favor

Ms. Robin Scherr, 410 McGroarty, San Gabriel, Acting Economic Development Manager, stated that this formerly vacant car dealership will help provide new jobs, sales tax revenues, and new visitors to our City.

Testimony in Favor

Testimony Not in Favor

Mr. Ricardo Mendez, 5656 N. Burton Ave, unincorporated San Gabriel, stated the following concerns:

- Noise from the public address (PA) system;
- Possible loud music on the lot during events; and
- Lighting issues.

Testimony Not in Favor

Mr. Lin stated that he will check if the property has an existing PA system.

Ms. Barrett stated that condition#15 refers to a lighting plan. She recommended adding a statement to the condition that says five lighting poles in the rear of the property shall remain off at all times. She also added that condition #16 prohibits use of a PA system. Everyone these days has cell phones or two-way radios they can use to page employees.

Commissioners’ Discussion

The Planning Commissioners discussed the project.

Commissioners’ Discussion

Commissioner Kimbrough raised a concern regarding circulation and possible congestion on Las Tunas. Mr. Gallatin stated that the Las Tunas driveway will be posted with a “right turn only” sign to improve vehicular safety and due to the high volume of traffic on that street.

Chairman Garden made the motion to approve PL-11-086 subject to the conditions of approval and amending condition #15, which is to not illuminate the five lighting poles on the property. Vice-Chair Klawiter seconded the motion.

Ayes: Garden, Klawiter, Kimbrough and Zawodny  
Noes: none

4-0 vote. Motion carried.

**2. 1400 Prospect Avenue (Tentative Parcel Map)**

This report was presented by Assistant Planner Fang-zhou Zhou regarding an application to approve a Tentative Parcel Map for a four unit condominium subdivision located in the R-NC (Residential Neighborhood Conservation) zone and within the boundaries of the Valley Boulevard Neighborhoods Sustainability Plan.

**2. 1400 Prospect Avenue (Tentative Parcel Map) Approved.**

This report was reviewed and exempted for compliance with the California Environmental Quality Act (CEQA) per Guidelines Section 15315, Class 15 (Subdivision of Properties into four or fewer parcels).

Staff recommends that the Planning Commission approve PL-11-076, subject to the recommended conditions of approval.

Applicant’s Testimony

Mr. Hank Jung, owner’s representative, stated that they are in favor of all the conditions of approval except for the requirement to install three street lights. He inquired about the installation location and questioned why they have to install three street lights when the project is less than five units. He asked if there is an in lieu fee.

Ms. Barrett stated that in lieu fees are only for single family dwellings and not for multi-family or commercial properties. She suggested that if he wants to proceed requesting a waiver, he put it in writing to the Director of Community Development. The Director will respond in writing about the lighting waiver; however, this is not a flexible condition that the Planning Commission can change.

Testimony in Favor

Mr. Leo Wu, 67 E. Live Oak, Arcadia, architect for the project, stated that this site was approved 4 or 5 years ago for eight units. This project is a positive improvement in the area. With the scaled down plan, it allows for more parking area and more open space with the detached units. He also stated that there are only two types of floor plans and confirmed that they will not convert any room as shown on the plans into another bedroom.

Commissioners’ Discussion

The Planning Commissioners discussed the project and agreed that overall it’s a pretty good plan and there is nothing problematic about it.

Chairman Garden made the motion to approve PL-11-076 subject to the recommended conditions of approval. Commissioner Zawodny seconded the motion.

Ayes: Garden, Klawiter, Kimbrough and Zawodny  
Noes: none

4-0 vote. Motion carried

**STAFF ITEMS**

- 1. 827 Commercial Street  
Planning Case No. PL-10-052 (Conditional Use Permit Review)  
Applicant: Fang Sheng Meng**

City Planner Mark Gallatin presented this report regarding an approved Conditional Use Permit (CUP) allowing the storage of tour buses on a lot in the C-3 (Commercial and Limited Manufacturing) zone. The Planning Commission approved in the CUP on December 13, 2010, then a six month review was conducted in July, 2011 and a nine month review in October, 2011. After the October, 2011 Planning Commission meeting, staff observed buses idling on the street before 6:30 a.m. on two occasions, which violated the conditions of approval. A private security company hired by the property owner reported that several instances vehicles other than the applicant’s buses were idling in the vicinity prior to 6:30 a.m. Staff requested the Police Department patrol the area in the early morning hours and report any activity before 6:30 a.m. The Police Department reported that there were no further violations were observed since that request was made.

Applicant’s Testimony

Testimony in Favor

Commissioners’ Discussion

**STAFF ITEMS**

- 1. 827 Commercial Street  
Planning Case No. PL-10-052  
(Conditional Use Permit Review)  
Applicant: Fang Sheng Meng  
Received report. No further review needed.**

Staff recommended receiving report and reviewing the CUP again in 60 days.

The Planning Commission was satisfied that the source of the neighbor’s concern about noise coming from the bus yard was met and that the buses were not the source of the problem. Therefore, the Planning Commission did not wish to schedule another review of the application.

With respect to the two bus companies for which the applicant’s company is leasing vehicles, the City Attorney determined that it was not the property owner’s responsibility to make tenants obtain City business licenses.

Mr. Denis Caso, 827 Commercial Street, Counsel for property owner Mr. Andy Andrews, told the Commission that his client’s intention is to keep his tenant there. The noise was not coming from the bus yard and that the tenant is running their business according to the conditions of approval.

Mr. Lu, 9557 Garibaldi, Temple City, associate of the applicant, Mr. Fang Sheng Meng, addressed the Commission. He indicated that they will follow procedures and do their best to do a good job.

**2. 523 S. San Gabriel Blvd. - My Friends Oyster Bar (Conditional Use Permit)**

City Planner Mark Gallatin presented the report regarding the approved amendment to a CUP allowing sale of beer and wine inside My Friends Oyster Bar restaurant back in September, 2011. The Commission enforced additional conditions of approval in response to continued problems from the restaurant in the surrounding neighborhood. My Friends Oyster Bar closed its doors on October 1, 2011 and has been replaced by a new restaurant called Crazy Crab under different ownership. The new proprietors were provided a copy of the conditions of approval. Since its grand opening, no complaints have been made by the neighbors or violations observed by staff.

**2. 523 S. San Gabriel Blvd. - My Friend’s Oyster Bar (Conditional Use Permit)  
No further action needed.**

**3. California Long-Term Energy Efficiency Strategic Plan (CEESP)**

This is an informational item. No further action was needed.

**3. California Long-Term Energy Efficiency Strategic Plan (CEESP)  
Received report. No action needed.**

**ADJOURNMENT**

There being no further business to discuss, Chairman Garden moved to adjourn at 8:05 p.m. The next meeting of the Planning Commission will be held on Monday, January 9, 2012 at 6:30 p.m. in the Council Chambers, City Hall, 2<sup>nd</sup> Floor, 425 S. Mission Drive, San Gabriel, CA.

**ADJOURNMENT**

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The Planning Commission meetings are available on tape and may be reviewed in the Community Development Department office at City Hall during regular business hours.

\_\_\_\_\_  
Norman Garden, Chairman  
Planning Commission

ATTEST: \_\_\_\_\_  
Jackie Wong, Secretary  
City of San Gabriel Planning Commission



# STAFF REPORT

Date: January 9, 2012

To: Chairman Garden and Planning Commissioners

From: Larissa De La Cruz, Associate Planner

Subject: **606 Alhambra Rd.**  
**Planning Case PL-11-098**  
**(Conditional Use Permit for a Senior Unit and Variances)**  
**Applicant/ Architect: Traci Ozzimo**  
**Property Owner: Matt Jiggins**

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## SUMMARY

The applicant proposes to add 1,177 square feet to an existing single family residence and construct a new detached 500 square-foot garage with a senior unit above it. A Conditional Use Permit is required for the senior unit and the proposed project would also require variances for:

- 1) A reduction in the required rear yard from 15' to 6' (San Gabriel Municipal Code Section 153.038(A)); and
- 2) An increase in floor area ratio from the maximum allowable 35.0% to 48% (San Gabriel Municipal Code Section 153.043).

If the variances are approved, the proposed home, garage, and senior unit would also be subject to a staff-level Large Site Plan Review.

Based on the facts and findings of the project, staff recommends that the Planning Commission **APPROVE** Planning Case No. PL-11-098, subject to the recommended conditions of approval.

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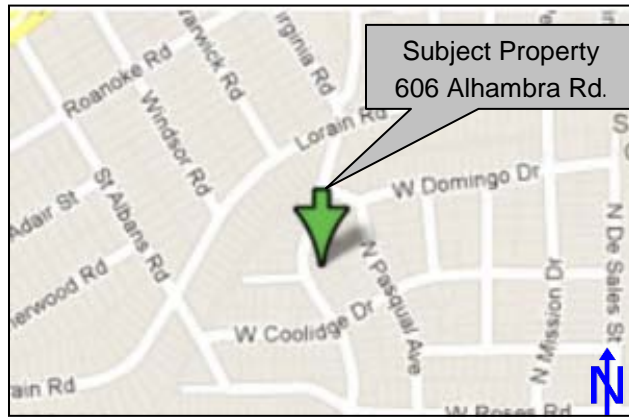
## I. INTRODUCTION

### A. BACKGROUND

This property is currently developed with a Single-Family Residence. The property is an irregularly shaped lot. The lot is 34.5' feet wide at the rear, 59' wide at the front, 157 feet deep along the north property line and 168 feet deep along the south line, with a total lot area of 7,574 square feet.

This property is located in a very unique neighborhood. There are 13 parcels on the block and the lot sizes vary from 4,925 to 8,460 square feet

The applicant proposes to modernize and add to the existing residence as well as construct a new garage and senior unit above the garage. Because of the property's narrow and shallow dimensions at the rear, the applicant is seeking variances for a rear yard setback and floor area ratio.



Vicinity Map

## B. GENERAL INFORMATION

Table 1 summarizes the general information concerning this project.

ITEM	DESCRIPTION
APN	5363-005-006
LOCATION	East side of Alhambra Rd. between Coolidge and Domingo Dr.
ZONING AND LAND USE	The property is zoned Single Family Residential (R-1) and has a General Plan designation of Low Density Residential.
SURROUNDING LAND USES AND ZONING	North: Single Family Residence in the R-1 (Single Family Residence) zone. West: Single Family Residence in the R-1 (Single Family Residence) zone. South: Single Family Residence in the R-1 (Single Family Residence) zone. East: Single Family Residence in the R-1 (Single Family Residence) zone.
CURRENT DEVELOPMENT	The lot is developed with a Single Family Residence.
ENVIRONMENTAL REVIEW	This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Guidelines Section 15303, Class 3 (New Construction of Small Structures).

## II. ANALYSIS

### A. CONDITIONAL USE PERMIT FOR SENIOR UNIT

The applicant is requesting to construct a senior unit above a new two-car garage. The San Gabriel Municipal Code sections 153.047 (I-10) and 153.048 (A) require a Conditional Use Permit for both a senior unit and two-story second units.

The proposed project complies with code regulations whereby the senior housing unit shall not exceed 640 square feet, may contain a kitchen or kitchen facilities, not be sold or rented, must be

occupied by not more than two adult persons, and the primary occupant must be 62 years of age or over. The San Gabriel Municipal Code requires a covenant to be recorded with the County Recorder's Office agreeing to the above-mentioned requirements and is included as part of the conditions of approval (Condition #7).

The applicant proposes 500 square feet and has provided proof that the occupant will be 62 years of age.

Section 153.047 of the San Gabriel Municipal Code allows a second unit to be built in the R-1 (Single Family Residential) zone without the approval of a Conditional Use Permit. However, the standards for a second unit require an extra parking space for the unit. In order to meet this requirement, the homeowner would have to build a three car garage and increase the impervious cover by an additional 200 square feet. Given the requirements, the applicant felt that it would be more cost effective to go through the senior unit CUP process.

The project has met the majority of the requirements outlined in these code sections. However the applicant is requesting rear-yard setback and floor area ratio variances to be able to construct the senior unit at the desired location.

## **B. VARIANCES REQUESTED**

### **1. 153.047 Second Residential Units- Setback Requirements (F-2)**

The San Gabriel Municipal Code (SGMC) requires that the rear yard setback shall be a minimum of 15 feet from the rear property line for two-story second unit structures. The proposed senior unit will be above a new garage and will reach a height of 22.' Because the lot is only 34' at the rear of the property, the applicant was unable to construct a second unit at the ground floor.

The intent of the code requirement for 15 feet is so that there aren't any privacy issues among neighbors. There is an existing ten-foot easement with Edison between this property and the property at the rear, so the request to decrease the setback would not create any privacy issues. Realistically, there will be a 16-foot setback from property-to-property. Also, the placement of the bedroom windows are located on the north side of the building, facing the neighbor's garage. therefore, neighbors will not be negatively impacted.

### **2. 153.043 Floor Area Ratio**

The SGMC requires that single family dwellings in excess of one story in whole or part shall not exceed a floor area ratio (FAR) of .35. The code also states that covered and uncovered patios and balconies shall be included in the calculation. The proposed addition and senior unit will have a 45% FAR.



The proposed covered patio will increase the 45% to 48.1 % FAR. As proposed, the floor plan will be slightly modified from the original design and the net gain of rooms will only be two.

The number of bedrooms will increase by one as well as gain a new bathroom. However, with the proposed design, the majority of the bedrooms will be located on the second floor. Additionally, the code allows for a senior unit to be 640 square feet. The applicant is proposing 500 square foot senior unit.

The applicant is requesting the increase in FAR because of the desire to continue the historic development patterns to locate the garage at the rear of the property. This design limits development options, thus the need for an increase in FAR.

Additionally, the architect has designed the project to provide almost an additional 25% of pervious cover by providing grass-crete in lieu of concrete in the driveway areas. Staff believes that the findings can be made in support of this variance request.

### **C. ENVIRONMENTAL REVIEW**

This project was reviewed for compliance with the California Environmental Quality Act (CEQA) and is exempt per Guidelines Section 15303, Class 3 (New Construction of Small Structures).

### **D. PUBLIC NOTICE**

As required by law, the Planning Division mailed all property owners within 300 feet of this property a notice informing them of this application request. This hearing was also advertised in the *Pasadena Star News* on December 22, 2011. Notices were also posted on the property, at City Hall, San Gabriel Post Office, and the San Gabriel Fire Department and on the City website.

## **III. FINDINGS**

### **A. CONDITIONAL USE PERMIT FINDINGS**

In order for a Conditional Use Permit to be granted, Section 153.246 of the Municipal Code states that the Planning Commission must make the following findings related to the subject property:

- (a) That the proposed use is consistent with the General Plan:

*A senior housing unit on an R-1 zoned property is a permissible use subject to approval of a Conditional Use Permit and is consistent with the Low Density Residential land use designation in the General Plan.*

- (b) That the site is adequate in size, shape, topography, and location to accommodate the proposed use:

*The proposed size and location of the senior housing unit has been designed in accordance with the provisions of the City Code.*

- (c) That there will be adequate street access to and from the site for the proposed use, and the proposed use will not create hazardous traffic conditions:

*Adequate street access to and from the site is provided by Alhambra Rd.*

- (d) That the proposed use is compatible with surrounding properties and uses:

*The proposed senior housing unit is located on a R-1 zoned property, which contains a single-family residence. It is also surrounded by a variety of other similar residential developments and uses.*

- (e) That the proposed use is not detrimental to the public health, safety, or general welfare:

*With the recommended conditions of approval regarding occupancy restrictions, required covenant to be recorded, and site and building improvements, the proposed use will not be detrimental to the public health, safety, or general welfare.*

## **B. VARIANCE FINDINGS**

Based on the limitations set by State law, the City's Zoning Code (Section 153.261) requires that a standards variance be granted if it can be shown that the five (5) findings of fact stated below are in evidence. Staff believes that the findings for approval of the variances can be made in this instance based on the aforementioned discussion, and as explained below:

- (a) That because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;

*The subject property is irregularly shaped and has narrow dimensions at the rear. Some properties in the vicinity are smaller in size, but have regular-shaped lots and can meet the rear-yard setback without impacting development. This lot is among the most irregular parcels on this block. The applicant is requesting the increase in FAR because of the desire to continue the historic development patterns to locate the garage at the rear of the property. This design limits development options, thus the need for an increase in FAR.*

- (b) That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;

*As conditioned, the granting of the variances will not constitute conveying special privileges on this property inconsistent with the limitations placed on other properties in the same vicinity and zone. Other irregular lots would be able to apply for variances as well and they would be allowed to develop their properties, thus improving the neighborhood and contributing to the city's housing stock.*

- (c) That the granting of a variance will not result in material damage or prejudice to other property nor be detrimental to the public welfare or injurious to persons in the vicinity thereof;

*The granting of the requested variances should not be detrimental to the public welfare or injurious to persons in the vicinity.*

- (d) That the granting of such variance is consistent with the General Plan of the City;

*Goal 1 of the Housing Element of the general plan is to expand the supply of housing in accordance with the land use designations and policies in the Land Use Element. Goal 2 is to promote and encourage the provision of adequate housing to meet the needs of the community. The granting of these variances, as conditioned, will facilitate the addition and development of this new single family home and senior unit on a lot, thus putting the property into productive use and expanding the supply of housing in the city.*

- (e) That the variance will not authorize a use or activity which is not otherwise expressly authorized by the zoning for the property for which the variance is sought.

*The variances would allow the property to be used to its full potential of a single family home and attached garage with a senior unit, uses which are permitted by right in the R-1 zone.*

#### **IV. RECOMMENDATION**

The Community Development Department recommends that the Planning Commission:

- A. Approve Planning Case No. PL-11-098 (Conditional Use Permit and Variances), subject to the recommended conditions of approval.

Attachments:           1.       Recommended Conditions of Approval  
                              2.       Architectural Plans

**Attachment I**

**RECOMMENDED CONDITIONS OF APPROVAL**

PROJECT ADDRESS: **606 ALHAMBRA RD**  
 PROJECT NO.: **PLANNING CASE NO. PL-11-098**  
 PROJECT DESCRIPTION: **CONDITIONAL USE PERMIT FOR A SENIOR UNIT  
 AND VARIANCES FOR REAR YARD SETBACK  
 AND FLOOR AREA RATIO**

*The following conditions shall be made a part of the approval of the project, and shall be complied with in their entirety and copied on the revised sets of plans for construction plan check:*

No.	CONDITION	VERIFIED BY
<b>General Notices Required by Law</b>		
1.	<b>Right to Appeal:</b> You have the right to appeal this decision within ten (10) business days by filing a letter of appeal with the City Clerk's office and paying the appeal fee of \$790. This appeal period expires on January 23, 2012 after which an appeal may not be filed.	
2.	<b>Conditions are Binding:</b> Once the appeal period has expired, all conditions of approval are final. No approval shall be valid until the applicant has signed the affidavit at the bottom of this document stating that (he/she) has received, read, understands and accepts the conditions of approval. All conditions are binding, and the City retains continuing jurisdiction to ensure that all requirements of an approved permit are met.	
3.	<b>Follow the Law:</b> The City's approval of your application does not relieve you from compliance with other Federal, State or City requirements.	
4.	<b>All Improvements Must Be Finished to Occupy:</b> No occupancy permit can be granted, nor any building permit "finaled," until all improvements required by this approval have been properly constructed, inspected, and approved.	
5.	<b>Changes Must Be Approved:</b> Any revisions to an approved application shall be resubmitted to the Community Development Department for review and approval.	
<b>Planning Division Conditions (please call 626-308-2806)</b>		
6.	<b>Construction Must Follow the Plans:</b> All construction and development shall conform to the approved plans on file in the Community Development Department.	
7.	<b>Restrictive Covenant:</b> A restrictive covenant shall be recorded with the L.A County Recorder prior to building permit issuance. The covenant shall state that the occupant of the senior unit is of at least 62 years of age. The senior unit shall not be rented or sold.	
8.	<b>Inspection of Senior Unit:</b> Staff will conduct a bi-annual visit to ensure that a qualifying person occupies the senior unit.	

## *Applicant Affidavit*

I have received, read, accept and understand the conditions of approval contained on the Standard List of Conditions for Planning Case No. PL-11-098 (Conditional Use Permit and Variances).

PROPERTY OWNER NAME (PLEASE PRINT) \_\_\_\_\_

PROPERTY OWNER SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_ PHONE NO. \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

APPLICANT NAME (PLEASE PRINT) \_\_\_\_\_

APPLICANT SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_ PHONE NO. \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_