OPENING OF MEETING

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

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

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

Limit your comments to three (3) minutes. State your name and address the record.
5. Modification No. 36-19

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

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

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

Recommendation: Approve subject to conditions

Case Planner: Werner Abrego, Planning Aide

NEXT SCHEDULED MODIFICATION COMMITTEE MEETING

Tuesday, March 10, 2020 at 5:00 P.M.
City Hall West – Conference Room A
TO: MODIFICATION COMMITTEE

FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKEALIAN, AICP
CITY PLANNER

BY: WERNER ABREGO
PLANNING AIDE

SUBJECT: MODIFICATION NO. 36-19

LOCATION: 2737 COGSWELL ROAD
EL MONTE, CA 91732

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

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

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

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

REQUEST

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

<table>
<thead>
<tr>
<th>Location:</th>
<th>West of Magnolia Street &amp; South of Cogswell Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Plan:</td>
<td>Medium Density Residential</td>
</tr>
<tr>
<td>Zone:</td>
<td>R-3 (Multi-Family Dwelling)</td>
</tr>
<tr>
<td>Street Frontage:</td>
<td>47 feet (Cogswell Rd.)</td>
</tr>
<tr>
<td>Existing Improvements:</td>
<td>Single family residence (1,524 SF)</td>
</tr>
</tbody>
</table>

SURROUNDING PROPERTIES:

<table>
<thead>
<tr>
<th>General Plan:</th>
<th>Zoning:</th>
<th>Land Use:</th>
</tr>
</thead>
<tbody>
<tr>
<td>North:</td>
<td>Medium Density Residential &amp; Public Facility</td>
<td>R-3 &amp; PF</td>
</tr>
<tr>
<td>South:</td>
<td>Medium Density Residential</td>
<td>R-3</td>
</tr>
<tr>
<td>West:</td>
<td>Medium Density Residential</td>
<td>R-3</td>
</tr>
<tr>
<td>East:</td>
<td>Medium Density Residential</td>
<td>R-3</td>
</tr>
</tbody>
</table>

AERIAL PHOTO AND ZONING:
DISCUSSION

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

PROJECT ANALYSIS

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

Table 1. Development Standards

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

Furthermore, Staff recommends approving the requested Modification subject to the “Conditions of Approval” outlined in this report.
FINDINGS OF FACT

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

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

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

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

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

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

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

**FINDING:**

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

**FACT:**

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

**CONDITIONS OF APPROVAL**

1. The project shall substantially conform to the plans on file with the City Planning Division and as presented to the Modification Committee on February 25, 2020 and as amended herein.

2. The approval of Modification No. 36-19 is valid for one (1) year from the date of approval. During this time period, the applicant is responsible for obtaining the required City permit(s) for the proposed project prior to the expiration date of: February 25, 2021.

3. The project shall be in complete compliance with all Building and Safety Division and Fire Department standards.

4. The finish materials of the addition shall match/complement the existing house.

5. The applicant shall work with the Planning Division to enhance the design of the front façade/entryway.

6. The Applicant shall submit updated landscape and irrigation plans from a Landscape Architect that comply with Chapter 17.10 (Landscape Requirements) and 17.11 (Water Efficiency) to the satisfaction of the Planning Division. An irrigation audit or supplemental information may be required pending Staff’s review of installation.
RECOMMENDATION

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

1. Adopt a Categorical Exemption under Section 15303 (Class 3- New Construction or Conversion of Small Structures) pursuant to the California Environmental Quality Act and Guidelines, as amended and;

2. Adopt the Finding of Facts to approve Modification No. 36-19, subject to the conditions of approval.

ATTACHMENTS

A. Project Plans
B. Public Hearing Notice
C. Radius Map
D. Site Posting Photo
1. **NOTES**

   **NATIONAL FLOOD DUAL USAGE DRAINAGE INFECTION SYSTEM NOTED**

   - Separation from public sewers and subsurface drainage system to be determined by a professional engineer.
   - Precipitation-induced runoff to be handled by natural or artificial means to minimize erosion and sedimentation.
   - Existing soil is assumed with a bearing value of 1,500 psi.
   - Fill: Areas to receive fill to be scarified a minimum 12 inch of earth to be stockpiled at convenient locations to facilitate rapid construction of existing site.
   - All work shall be performed in accordance with the following Standard:
     - 2016 California Building Code
     - 2016 California Residential Code
     - 2016 California Electrical Code
     - 2016 California Mechanical Code
     - 2016 California Plumbing Code
     - 2016 California Energy Code
     - 2016 California Green Building Standards Code

   **PROJECT SCOPE**

   - **EXISTING SITE PLAN**
     - ADDITION 1: 1,322 SQ.F.T.: 3 BEDROOM, 4 BATHROOM, LIVING ROOM, DEN, OR CAR GARAGE - 462 SQ.F.T., ADDITION FORCH - 10 SQ.F.T.
     - ADJ. FORCH: 10 SQ.F.T.

   - **PROPOSED SITE PLAN**
     - ADDITION 2 CAR GARAGE: 462 SQ.F.T.
     - ADDITION PORCH: 70 SQ.F.T.

   **PROJECT DATA**

   - APN: 8106-023-011
     - TRACT #: 12509 LOT 17
     - PROJECT TEAM
       - N. M. LUONG
         - 2737 COGSWELL RD.
         - EL MONTE, CA 91732
         - 714-487-7926

   **EXISTING SITE PLAN**

   - EXISTING STORAGE: 97 SQ.F.T.
   - ADJ. FORCH: 10 SQ.F.T.

   **PROPOSED SITE PLAN**

   - ADJ. 1: 1322 SQ.F.T.
   - ADJ. FORCH: 10 SQ.F.T.
   - ADJ. 2 CAR GARAGE: 462 SQ.F.T.
   - ADJ. PORCH: 70 SQ.F.T.

   **PROJECT TEAM**

   - OWNER
     - N. M. LUONG
     - 2737 COGSWELL RD.
     - EL MONTE, CA 91732
     - 714-487-7926

   **SHEET INDEX**

   - A1: TITLE SHEET, SITE PLAN
   - A2: DEMO FLOOR PLAN
   - A3: PROPOSED FLOOR PLAN
   - A5: ROOF PLAN & SECTION
CITY OF EL MONTE MODIFICATION COMMITTEE
NOTICE OF PUBLIC HEARING

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

TO: All Interested Parties
FROM: City of El Monte Planning Division

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

APPLICATION: Modification No. 36-19

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

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

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

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

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

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

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

Published and mailed on: Thursday, February 12, 2020
City of El Monte Modification Committee
Cristina Graciano, Modification Committee Secretary