



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Administration

MEETING DATE: June 4, 2013

PREPARED BY: Alice D. Atkins, CMC, City Clerk

AGENDA LOCATION: CC-3

TITLE: Zone Change ZC2013-02 Amending the Official Zoning Map set forth in Section 17.04.040 to change Zoning Designation From RCM (Retail Corridor Mixed-Use) to SP (Specific Plan) Zone Designation and Amending the Zoning Ordinance to add the 5th & Huntington Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code; Adoption of Ordinance No. 2013-03

OBJECTIVE: To adopt Ordinance 2013-03

BACKGROUND: On May 21, 2013, the City Council introduced and waived further reading, and the City Attorney read by title only, Ordinance No. 2013-03. The roll call vote was as follows: AYES: Councilmember Blackburn, Mayor Pro Tem Shevlin, Mayor Lutz. NOES: Councilmember Adams. EXCUSED: Councilmember Spicer.

This is the final adoption of the ordinance regarding Zone Change ZC2013-02, amending the Official Zoning Map set forth in Section 17.04.040 to change Zoning Designation From RCM (Retail Corridor Mixed-Use) to SP (Specific Plan) Zone Designation and amending the Zoning Ordinance to add the 5th & Huntington Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code.

RECOMMENDATION: Staff continues to recommend approval of this ordinance.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to adopt Ordinance No. 2013-03.

CC-3

ORDINANCE NO. 2013-03

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, ADOPTING ZONE CHANGE ZC2013-02 AMENDING THE OFFICIAL ZONING MAP SET FORTH IN SECTION 17.04.040 TO CHANGE RCM (RETAIL CORRIDOR MIXED USE) TO THE SP (SPECIFIC PLAN) ZONE DESIGNATION AND AMENDING THE ZONING ORDINANCE TO ADD THE 5th & HUNTINGTON SPECIFIC PLAN TO SECTION 17.04.035 OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE FOR PROPERTY LOCATED AT 1110 AND 1212 SOUTH FIFTH AVENUE (APN'S 8507-008-012, 039 and 040)

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA does ordain as follows:

SECTION 1. Lincoln Property Company Southwest, Inc. has initiated an application to develop a 2.86 acre site with a 154-unit apartment complex with a commercial storefront located at 1110 and 1212 South Fifth Avenue ("project"). The development application includes a request for an amendment to the City's Official Zoning Map (ZC2013-02) changing the RCM (Retail Corridor Mixed Use) Zone designation to the SP (Specific Plan) Zone and a request to amend the text of the Zoning Ordinance to add the 5th & Huntington Specific Plan to Section 17.04.035 of Title 17 (Zoning) of the Monrovia Municipal Code for property located at 1110 and 1212 South Fifth Avenue (APN'S 8507-008-012, 039 and 040).

SECTION 2. On April 10, 2013, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on the project, including this Ordinance No. 2013-03, which incorporates the amendments to the Official Zoning Map and Zoning Ordinance described above. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with this project. Following the close of the public hearing, the Planning Commission adopted Resolution No. PCR2013-04 recommending approval of this Ordinance No. 2013-03.

SECTION 3. On May 21, 2013, the City Council of the City of Monrovia conducted a duly noticed public hearing on the project, including this Ordinance No. 2013-03. At the hearing, all interested persons were given an opportunity to be heard. The City Council received and considered the staff report and all the information, evidence, and testimony presented in connection with this project.

SECTION 4. Environmental Review

(a) Based on the information in the application and accompanying technical reports, an Initial Study was completed. The Initial Study identified potentially significant effects, however, those impacts could be mitigated to a level of less than significant, therefore, a Mitigated Negative Declaration was prepared, pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines.

(b) The City Council has adopted Resolution No. 2013-15 adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

(c) The City Council has independently considered and reviewed the information in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in its decision to adopt this Ordinance No. 2013-03.

SECTION 5. The custodian of records for all materials that constitute the record of proceeding upon which this decision is based is the City Clerk. Those documents are available for public review in the Office of the City Clerk located at 415 South Ivy Avenue, Monrovia, California 91016.

SECTION 6. All legal prerequisites to the adoption of the Ordinance have occurred.

SECTION 7. The Official Zoning Map for the City of Monrovia set forth in Title 17 (Zoning), Chapter 17.04 (General Provisions), Section 17.04.040 (Official Zoning Map) of the Monrovia Municipal Code, is hereby amended by changing the zoning designation of the property that is identified in Exhibit "A", attached hereto and incorporated herein by this reference, to SP (Specific Plan).

SECTION 8. Title 17 (Zoning), Chapter 17.04 (General Provisions), Section 17.04.035 (Relationship to Specific Plans), is hereby amended to include at the end of the list of Specific Plans:

"(l) 5th & Huntington Specific Plan."

SECTION 9. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 10. The City Clerk shall certify to the passage of this ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and this ordinance shall become effective thirty (30) days after its passage.

INTRODUCED this 21st day of May, 2013.

PASSED, APPROVED, AND ADOPTED this 4th day of June, 2013.

Mary Ann Lutz, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, CMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia

ORDINANCE NO. 2013-03
Exhibit "A"
Zone Change Map

ORDINANCE NO. 2013-03
Exhibit "A"

Zone Change Map



**CHANGE RCM (RETAIL CORRIDOR MIXED USE)
TO THE SP (SPECIFIC PLAN) ZONING DESIGNATION**

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONROVIA)

I, ALICE D. ATKINS, CMC, City Clerk of the City of Monrovia, California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2013-03; it has been published pursuant to law; and was duly adopted and passed at a regular meeting of the City Council on the 4th day of June, 2013 by the following vote:

AYES: Councilmembers Blackburn, Mayor Pro Tem Shevlin, Mayor Lutz

NOES: Councilmember Adams

ABSTAIN:

EXCUSED: Councilmember Spicer

ATTEST:

Alice D. Atkins, CMC, City Clerk
City of Monrovia, California