



# City of San Gabriel

## STAFF REPORT

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DATE: July 9, 2018

TO: Chairman Garden and Planning Commissioners

FROM: Tracy Steinkruger, Planning Manager

SUBJECT: **806-824 South Gladys Avenue**  
Symphony at San Gabriel Assisted-Living Center: Planned Development, Development Agreement, Vesting Tentative Parcel Map No. 74993; Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Planning Case No. PL-15-149)  
Applicant: San Gabriel AL Real Estate LLC / Todd Balicki (Architect)

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### SUMMARY

This is a request for a Planned Development (PD), Development Agreement (DA), and Tentative Parcel Map No. 74993 (TPM) to allow for a 197-unit senior independent living, assisted living, and memory care center (Symphony at San Gabriel) generally located at 806-824 South Gladys Avenue. The PD would create an overlay zone encompassing the site, which includes two parcels merged together by the Vesting TPM. The DA would define customized land use and development standards, relative to density, building setbacks, heights, form, mass scale, and conditions of approval for the proposed project.

These land use entitlements are approved or denied by the City Council; the Planning Commission is a recommending body. Should the project be approved by the City Council, the development would be subject to Design Review by the Design Review Commission before proceeding to Building Plan Check.

Staff recommends the Planning Commission **ADOPT** a resolution of the Planning Commission of the City of San Gabriel California **RECOMENDING CITY COUNCIL ADOPTION** of the Mitigated Negative Declaration (MND) and Mitigation, Monitoring, and Report Program (MMRP) and **APPROVAL** of Planning Case Number PL-15-149 for a PD, DA, and TPM No. 74993 at 806-824 S. Gladys Avenue (Attachment A).

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### BACKGROUND INFORMATION

The subject property is located on the east side of S. Gladys Avenue between East Grand Avenue (to the south) and East El Monte Street (to the north). The proposed project is one block to the east of South San Gabriel Boulevard, with the closest major intersection at South San Gabriel Boulevard and East Mission Road. The Mission Lodge Sanitarium occupied the site from the mid-1970's until 2015. The buildings comprising Mission Lodge were partially demolished in 2016;



however, some building foundations, trees, and landscaping remain. Additional information about the project site is summarized in the table on the below.

ITEM	DESCRIPTION
APN	5373-031-038 and 5373-031-039
Location	East side of South Gladys Avenue between East Grand Avenue (to the south) and East El Monte Street (to the north)
Zoning and Land use	The property is located in the R-3 (Multiple Family Residence) zone with a General Plan land use designation of High Density Residential.
Surrounding Zoning and Land Use	<p><b>North:</b> PD; Mission Walk Housing Project</p> <p><b>South:</b> R-3; Multi-family residences</p> <p><b>West:</b> C-1; Vacant (proposed mixed-use project)</p> <p><b>East:</b> R-3, C-1, M-1; San Gabriel Humane Society</p>
Current Development	Not applicable. The site was largely demolished in 2016. Some building foundations, trees, and landscaping remain.
Environmental Review	The project was reviewed for compliance with the California Environmental Quality Act (CEQA). The City has determined that the project would not have a significant effect on the environment due to mitigation measures incorporated through the adoption of the Mitigated Negative Declaration (MND) and Mitigation, Monitoring, and Reporting Program (MMRP).

## **PROJECT INFORMATION**

The proposed project would assemble two parcels and redevelop the combined 3.03-acre site with a 197-unit senior independent living, assisted living, and memory care center (Symphony at San Gabriel) at 806-824 South Gladys Avenue. The following table provides basic project information. The project plans are provided as Attachment B.

<b>PHYSICAL AND OPERATIONAL ASPECTS OF THE PROJECT</b>	
Project Title	Symphony at San Gabriel Assisted-Living Project
Unit Breakdown	<ul style="list-style-type: none"> <li>• 197 units total (234 beds).</li> <li>• Combination of independent living, assisted living (light and heavy), and memory care units.</li> <li>• Studio, one-bedroom, and two-bedroom units available depending on level of care needed.</li> </ul>

<p>Amenities</p>	<p>Resident amenities include:</p> <ul style="list-style-type: none"> <li>• Valet Service</li> <li>• Bar/lounge</li> <li>• Multiple dining areas</li> <li>• Music room</li> <li>• Multiple card rooms</li> <li>• Beauty/salon area</li> <li>• Craft room</li> <li>• Library</li> <li>• Theater</li> <li>• Exercise rooms</li> <li>• Multipurpose activity spaces and living areas.</li> <li>• A condition of approval would be added to ensure these amenities are carried forward.</li> </ul>
<p>Site Access</p>	<p>East side of South Gladys Avenue via:</p> <ul style="list-style-type: none"> <li>• One-way u-shaped road that runs to the east, south (along rear of building), then back to the west. <ul style="list-style-type: none"> <li>o One-way road ingress provided at northwest corner of project site off South Gladys Avenue.</li> <li>o One-way road egress provided at southwest corner of project site off South Gladys Avenue.</li> <li>o Intended for fire access, loading, deliveries, etc. at rear of building.</li> </ul> </li> <li>• U-Shaped driveway located at center of project site along South Gladys Avenue. Access to valet parking and subterranean parking available at this location. Also for drop off and pick up.</li> </ul>
<p>Parking</p>	<ul style="list-style-type: none"> <li>• Surface parking (nine parking spaces) are located at the northwest corner of the project site; 110 parking spaces are located in one level of subterranean parking.</li> <li>• Parking is a combination of regular-size stalls, compact stalls, and tandem parking (valet only).</li> <li>• Valet stalls would be reserved only for those residents with an on-site vehicle.</li> </ul>
<p>Landscaping &amp; Open Space</p>	<ul style="list-style-type: none"> <li>• Two open courtyards (independent living courtyard and assisted-living courtyard) are provided in the interior of the site (approximately 9,000 SF total) with raised planters, seating, and water features.</li> <li>• A preliminary landscape plan has been submitted by the applicant.</li> <li>• A more thorough landscape plan would be required as part of Design Review.</li> </ul>
<p>Staffing &amp; Hours of Operation</p>	<ul style="list-style-type: none"> <li>• The facility is staffed 24 hours a day, seven days a week.</li> <li>• Three “shifts” occurring from 7 a.m. – 3 p.m., 3 p.m.-11 p.m., and 11 p.m. – 7 a.m.</li> <li>• The daytime shift = 58 full-time equivalent (FTE) staff.</li> <li>• The mid-day shift = 23 FTE staff.</li> <li>• The overnight shift = 14 FTE staff.</li> </ul>

## **APPLICATION TYPE**

A PD is intended as an alternate process for sites where it is desirable to accommodate unique developments and apply development standards that are customized to the proposed project and/or more flexible than the underlying zoning. To be eligible for a PD, the parcel(s) comprising the project site must be greater than one-acre in size.

The specific purposes of a PD/DA are:

- Establish a procedure for the development of large parcels of land in order to reduce or eliminate the rigidity, delays, and inequities that otherwise would result from application of land use regulations and administrative procedures designed primarily for small parcels;
- Ensure orderly and thorough planning and review procedures that will result in quality urban design;
- Encourage variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenity;
- Allow certain types of development consistent with the general plan that can be acceptable at a specific location only under standards significantly more restrictive than those of a base district in which the use is permitted
- Provide a mechanism whereby the City may authorize desirable developments in conformity with the general plan without inviting speculative rezoning applications that if granted, often could deprive subsequent owners of development opportunities that do not necessarily result in construction of the proposed facilities;
- Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.

A PD has three parts: a zone map amendment changing the zoning of the project site from R-3 to PD overlay zone, a project description (which includes the project plans), and conditions of approval. Additionally, the approval of the PD is subject to the applicant entertaining into a DA with the City for the provision of the guarantee of the terms conditions and regulations of the PD as approved by the City Council. The DA contains the following minimum provisions:

- Duration of Agreement;
- Project Description including, but not limited to:
  - Permitted and conditionally permitted uses;
  - Residential density and/or commercial intensity, and development standards associated with the use; and
  - Location of uses;
- Provisions for reservation, dedication, and improvement of land for public purposes;
- Rules, regulations, policies and detailed design or physical improvements, governing property development standards and public improvement standards;
- Conditions of approval, terms, restrictions, and requirement for subsequent discretionary actions, if applicable;
- Performance security as may be required; and
- Identification of how modifications to project and/or terms of agreements are addressed.

The draft DA is provided as Attachment C. The proposed term of the DA is four years, during which time the project would move forward with Design Review and Building Plan Check, then project construction and certificate of occupancy. The Planning Commission may recommend City Council approval, denial, or modification of the proposed DA. The recommendation should include any additional requirements, if applicable, to be applied to the proposed project.

A Vesting TPM is also requested to merge the existing two parcels into one. The PD, DA, and Vesting TPM is approved or denied by the City Council; the Planning Commission is a recommending body. Should the proposed project be approved by the City Council, the development would be subject to Design Review (Precise Plan of Design) by the Design Review Commission before proceeding to Building Plan Check.

## **ANALYSIS**

### **Consistency with the General Plan:**

General Plan Land Use Element Figure 1-1 identifies the project site as an area intended for mixed-use opportunities/revitalization needed/needs amenities. Figure 1-4 recognizes the project site as being part of a former Redevelopment Area. Further, the proposed project advances the following General Plan goals:

**Land Use Element Goal 1.5** – Support new development that efficiently and effectively combines residential and commercial uses.

**Land Use Element Goal 1.6** – Ensure that new development is appropriately and sensitively buffered from its neighbors.

**Land Use Element Goal 1.9** – Use redevelopment judiciously to promote economic growth, eliminate blight, and build affordable housing.

**Housing Element Goal 2.2** – Promote and encourage the provision of adequate housing to meet the needs to the community.

The land use designation of the project site is High Density Residential. Additional information about this land use designation is provided below:

**High Density Residential:** Multiple-family dwellings, preferably on sites on acre or larger in size, primarily of two-story construction, and of three-story construction for higher density projects granted a density bonus and/or which maximize ground level outdoor recreational space.

### **Staff Discussion:**

The Mission Lodge Sanitarium, a smaller assisted living center/nursing home, occupied the site for nearly 30 years before closing in 2015. The High Density Residential land use designation promotes multiple-family dwellings; however, staff believes the proposed use is compatible with the land use designation and sees the proposed project as an improvement and expansion of the former land use. Community demographics – locally, regionally, nationally – indicate a massive need for housing tailored to senior residents, notably sensitive populations with dementia related diseases such as Alzheimer's disease. Providing housing in combination with continuum of care services allows senior residents to age-in-place at a time when a single-family residence is no longer a viable housing option. The applicant has provided a market study supporting the need

for the proposed project (Attachment D). Additionally, it is anticipated the proposed project would generate 75-90 new PT/FT jobs.

The project site was included in the City’s former Redevelopment Agency project area. Although the Redevelopment Agency was dissolved, the area has and will continue to experience significant redevelopment. Examples of this include the proposed Pacific Square mixed-use project (on the former nursery site to the west) and the Olson Mission Walk housing project to the north. The proposed project would redevelop an underutilized site and would act as a transitional use between dense mixed-use projects fronting South San Gabriel Boulevard and nearby residential neighborhoods. To ensure that the proposed land use and building is embedded into the greater neighborhood, the applicant is proposing extensive landscaping along South Gladys Avenue. Staff has also added conditions of approval to improve the streetscape and would require that an easement be obtained from the San Gabriel Humane Society to extend the walk path/trail adjacent the Rubio Wash to the project site.

In summary, staff believes that the proposed use would advance the goals of the General Plan related to housing, create a redevelopment opportunity that would both transform the site and serve as a transition within the neighborhood, and bring new jobs to the community. Subject to the recommended conditions of approval, staff believes that the proposed project is consistent with the General Plan.

**Consistency with the Zoning Ordinance**

The proposed project requires approval of a PD, which is intended for unique projects on larger sites (one-acre or more), where it may be desirable to accommodate a combination of uses and modified development standards not otherwise allowed by the underlying zoning. The project site is currently zoned R-3 (Multiple Family Residence); however, the new zoning would be PD, with a menu board of development standards that are unique to the proposed project. However, staff believes that it is important to demonstrate what would be required and/or allowed under the R-3 zoning for comparative purposes.

The proposed use (senior independent living, assisted living, memory care) is not explicitly listed in the SGMC as being allowed in the R-3 zone; however, the SGMC specifies that any use permitted in any residential, commercial, or manufacturing zone may be allowed in a PD zone. The table below summarizes how the proposed project compares to the requirements of the R-3 zone. Staff did not list every applicable development standard; instead, there is a focus on standards where the proposed project would greatly deviate from the R-3 allowance or issues that are generally of concern to residents.

<b>DEVELOPMENT STANDARDS ASSOCIATED WITH PROPOSED PROJECT</b>		
	<b>Required by SGMC</b>	<b>Proposed Project</b>
Lot Coverage	60% Maximum	Approx. 50%
Residential Density	Maximum density = 25 du/acre (76 units)	Proposed density = 65 du/acre (197 units)
Minimum Unit Size	880-1320 SF based on # of bedrooms	Range from 292 SF to 1,000 SF

Maximum Height	Maximum three stories or 35'	<ul style="list-style-type: none"> <li>• Three stories (33')</li> <li>• Vertical encroachments and/or architectural features to a maximum height of 46'-2" to conceal rooftop equipment</li> </ul>
Setbacks	<ul style="list-style-type: none"> <li>• Front: 21'</li> <li>• Side: 15'</li> <li>• Rear: 16'</li> </ul>	In excess of setback requirements in all yards
Landscaping & Open Space	<ul style="list-style-type: none"> <li>• 400 SF per bedroom</li> <li>• 40% "private" (patios, yards, balconies)</li> <li>• Remainder "common" – courtyards, passive amenities, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Project plans indicate 23,431 SF of open space proposed (118 SF/unit)</li> <li>• Two interior courtyards totaling approximately 9,000 SF</li> <li>• Private balconies provided on some units</li> </ul>
Vehicle Parking	<ul style="list-style-type: none"> <li>• <u>Parking for multi-family:</u> Minimum two-car garage per unit &amp; one guest space per three units.</li> <li>• Tandem allowed if in enclosed structure and not more than 50% of total required resident parking.</li> </ul>	<ul style="list-style-type: none"> <li>• 0.5 space patient bed (117 spaces required total)</li> <li>• Combination of regular, tandem, compact parking stalls</li> <li>• Meets "nursing facility" parking requirement in SGMC</li> </ul>
Fence/wall height	<ul style="list-style-type: none"> <li>• Front yard = maximum 4 ft., with 30" landscaped setback</li> <li>• Side or rear yard = maximum 6 ft.</li> </ul>	<ul style="list-style-type: none"> <li>• No front yard fence/wall</li> <li>• Existing 6' CMU fence/wall to remain along perimeter of property</li> </ul>

**Staff Discussion:**

The most significant deviation between the current R-3 zoning and the proposed project is the residential density. Under the R-3 zoning, the maximum density allowed is 25 dwelling units per acre (du/acre), which would allow for approximately 76 units on the project site. The proposed project is 197 units (234 beds), which equates to a maximum density of 65 du/acre.

The size of some units is less the minimum SGMC requirement. However, staff believes that the proposed project is a form of multi-family housing that additionally provides a continuum of care to residents. A larger number of smaller units may be appropriate given the level of care provided in some units, as well as the amenities provided in a communal setting (dining areas, music room, library, craft room, theater, etc.).

The landscaping / open space requirement for the R-3 zoning is significantly greater than that provided by the proposed project. The proposed project relies heavily on two interior landscape courtyard areas, equipped with landscaped areas, raised landscape beds, seating areas, and water features. Additionally, some units provide private balconies facing the exterior of the project

site. Other units provide private balconies facing the interior courtyards. However, given the nature of the proposed use, it may not be appropriate to incorporate balconies or private outdoor space on some assisted-living units or memory care units. Additional conditions of approval have been added (see below) to offset the provision of open space through the acquisition and creation of a trail linkage.

The proposed use does not meet the R-3 multi-family parking requirement; however, it does meet the “nursing facility” parking requirement prescribed by the SGMC. A combination of regular, regular tandem, and compact parking stalls are proposed to accommodate this requirement, located at the surface (nine parking spaces) and in a level of subterranean parking (110 parking spaces). The proposed project would also be required to comply with the Bicycle Parking Ordinance requiring the provision of short- and long-term bicycle parking spaces. In addition, conditions of approval have been added to the proposed project to encourage employee transit use, rideshare, vanpool, carpool, bicycling, or walking to work, including a requirement to reimburse employees who commute to work via bus/light rail, up to 50 percent of the cost of a monthly transit pass.

Additional conditions of approval have been placed on the proposed project that would advance the goals and policies of the communitywide General Plan, proportionate to the requested flexibility from the development standards prescribed by the underlying R-3 zoning. The conditions of approval as Exhibit B to the DA. For each City department, standard conditions of approval are listed first then additional conditions in support of the PD are listed. Some of these requirements are detailed below:

- Leadership in Energy and Environmental Design (LEED) certification within one year of certificate of occupancy
- Installation of ENERGY STAR appliances
- Implementation of trip reduction measures for employees and partial reimbursement for employees who take transit to work
- Installation of showers and changing facilities for employees who bike or walk to work
- Requirement for 24/7 security personnel
- Developer will provide (or reimburse City for) two defibrillator monitors for Fire Department use
- Undergrounding of all onsite utilities
- Extension of existing walk path/trail extension adjacent to Rubio Wash to South Gladys Avenue
- Installation of antenna repeater system for communications between use and Police Department personnel

### **Request for Alcohol Sales**

The proposed project includes a request for the sale of beer, wine, and spirits for on-premises consumption (“on-sale” license). The plans indicate the presence of a bar area on the first floor, adjacent the music room and card room, and across the hall from the independent living dining area. The proposed bar area could be accessed by independent living and/or assisted living tenants, as well as guests (family, friends, etc.) that visit the tenants. This request would require a Conditional Use Permit (CUP); however, through the PD process, a combination of allowed uses may be allowed, thus eliminating the need for the Developer to come back with a separate CUP request. Staff contacted the California Department of Alcohol Beverage Control. No alcohol

license has been submitted to date; however, they noted it is not uncommon for lifestyle centers to request a license for the onsite sale of alcohol.

Staff believes it would be appropriate to allow for the sale of beer, wine, and spirits subject to conditions of approval that would limit when the bar may be open, limit where alcohol may be consumed, and impose standard training requirements for persons selling and/or serving alcohol.

### **Architectural Design and Landscape Design**

The proposed project has been reviewed by both the City Architect and City Landscape Architect. The City Architect has noted that the architectural style of the proposed project is an interpretation of a Spanish Colonial style, this being an appropriate style for the neighborhood. Additional comments noted that the side and rear elevations lack architectural detailing, creating a blunt and somewhat unappealing interface with surrounding residential structures. However, the City Architect also noted that the design intent of the proposed project has improved over the course of schematic design and continued improvement is anticipated as a result of the Design Review process.

Both the City Architect and City Landscape Architect were comfortable with the proposed project moving forward for Planning Commission and City Council consideration, with the understanding that, if approved, the project would be subject to continued architectural and landscape review as part of the Precise Plan of Design application. Staff and the City Architect believe that it is critical to first reach a consensus on basic development parameters (density, maximum height, parking, etc.) through consideration of the Planned Development and then circle back to make any additional design refinements that are warranted. The Precise Plan of Design requires submittal of detailed architectural plans, a materials board, cut sheets of architectural detailing, trim, windows, doors, etc., and detailed landscape plans. The Precise Plan of Design would be considered by the Design Review Commission as part of a noticed public meeting.

### **ENVIRONMENTAL REVIEW**

The project was reviewed for compliance with the California Environmental Quality Act (CEQA). The City prepared an Initial Study (IS) to determine the proposed project's potential impact on the environment. The IS was delivered to the Planning Commission via email prior to the public hearing in an effort to facilitate review. The IS is also available on the Planning Division website.

The analysis contained in the IS identified potential significant impacts associated with:

- Conflict with the City of San Gabriel Tree Ordinance;
- Potential to unearth subsurface cultural resources during construction;
- Increases in ambient noise levels during construction that could exceed community noise standards expressed in the City's General Plan;
- Substantial increase in traffic at the intersection of San Gabriel Boulevard and East Grand Avenue; and
- Potential to unearth subsurface tribal cultural resources during construction.

The City has determined that the project may have a significant effect on the environment, but by implementing the identified mitigation measures, the project's impacts could be reduced to less than significant levels. Seven mitigation measures have been identified to reduce these potential impacts to a less than significant level. The MMRP, which contains the full text of the mitigation

measures, as well as identifies the responsible party for implementation and timing, is provided as part of Attachment E. The mitigation measures are detailed below for ease of reference. Please note that MM-TCR-1 through MM-TCR-3 resulted from a requested tribal consult with representatives from the Gabrieleño Band of Mission Indians–Kizh Nation.

**MM-BIO-1:**

The Applicant shall complete the City's Tree Removal Permit and shall prepare landscape plans that include the number, size, and species of replacement trees, on or off site, to be reviewed by the City's Landscape Architect and approved as part of the Precise Plan of Design.

**MM-CUL-1:**

If cultural materials or archaeological remains are encountered during construction, any ground disturbing activities shall cease. A qualified archeologist approved by the City shall be retained to evaluate the significance of the find and recommend appropriate treatment measures.

**MM-NOI-1:**

For all construction-related activities, noise-attenuation techniques shall be employed as needed to ensure that noise remains as low as possible during construction, specifically at each nearby sensitive receptor listed above. The following noise-attenuation techniques shall be incorporated into contract specifications to reduce the impact of construction noise:

- Ensure that construction equipment is properly muffled according to industry standards and in good working condition.
- Place noise-generating construction equipment and locate construction-staging areas away from sensitive uses, where feasible.
- Implement noise attenuation measures to the extent feasible, which may include but are not limited to temporary noise barriers or noise blankets around stationary construction noise sources.
- Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- All stationary construction equipment (e.g., air compressors, generators, impact wrenches, etc.) shall be operated as far away from residential uses as possible and shall be shielded with temporary sound barriers, sound aprons, or sound skins.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.
- Clearly post construction hours, allowable workdays, and the phone number of the job superintendent at all construction entrances to allow surrounding owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

**MM-TRAF-1:**

The Project Applicant shall install or provide funding for the installation of a traffic signal at San Gabriel Boulevard and East Grand Avenue, and the interconnection with the existing signalized

intersection of South San Gabriel Boulevard and East Mission Road, at the discretion of the Public Works Director.

**MM-TCR-1:**

The Project Applicant shall be required to obtain the services of a qualified Native American Monitor(s) approved by the Tribal Representatives from the Gabrieleño Band of Mission Indians—Kizh Nation. This Monitor must be present during all construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, and trenching, within the Project area. The Native American Monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. In addition, the monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Sections 21083.2 (a) through (k). The on-site monitoring shall end when the Project Site grading and excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the site has a low potential for archeological resources.

**MM-TCR-2:**

All archaeological resources unearthed by Project construction activities shall be evaluated by the approved Native American Monitor. If the resources are Native American in origin, the Tribe shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If a resource is determined by a Qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or has a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Section 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, nonprofit 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 donated to a local school or historical society in the area for educational purposes.

**MM-TCR-3:**

If any human skeletal material or related funerary objects are discovered during ground disturbance, the Native American Monitor will immediately divert work at minimum of 50 feet and place an exclusion zone around the burial. The Monitor will then notify the construction manager who will immediately notify the county coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance.

If the coroner determines the remains to be modern, the coroner will take custody of the remains. If Native American, the coroner will notify the Native American Heritage Commission (NAHC) as mandated by State law. The NAHC will then appoint a Most Likely Descendent. In the case where

discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the Project and keeping the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the Qualified Archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The Project Applicant shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities is to be submitted to the NAHC.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within 6 months of recovery. The site of reburial/repatriation shall be on the project site but at a location mitigated between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

### **Public Review and Response to Comments**

The 20-day public review period of the IS/MND was initiated on May 21, 2018 and ended on June 11, 2018. A notice regarding the CEQA comment period was posted with the Los Angeles County Recorder, published in the San Gabriel Sun newspaper, and distributed to relevant regulatory agencies. Additionally, a “public-friendly” notice was mailed to owners and occupants within 500-feet of the project site. Comment letters were submitted to the City by the South Coast Air Quality Management District, County Sanitation Districts of Los Angeles, Gabrieleno Band of Mission Indians-Kizh Nation, City of Rosemead, Senya Lubisich, and Anthony Yeung. The comment letters and the Lead Agency response to comments received is included in the Final MND, which is provided as Attachment E.

### **PUBLIC NOTICE**

A separate notice for the Planning Commission public hearing was published in the San Gabriel Sun on June 28, 2018. The meeting agenda was posted at City Hall, the San Gabriel Post Office, the San Gabriel Public Library, at the project site, and on the City’s website.

Notices were also sent to all property owners and occupants within 500 feet of this property, which is greater than the legal requirement of noticing all property owners within a 300-foot radius. The Los Angeles County Assessor had not updated their online mapping service to reflect the recordation of the Final Tract Map for the Mission Walk housing project located immediately north of the project site. In light of this, the Public Works Department generated a list of addresses associated with this project and notices were mailed to those addresses.

## **PLANNING COMMISSING FINDINGS:**

### **Vesting Tentative Parcel Map Findings:**

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (a) That the proposed Tentative Parcel Map design or improvement of the proposed subdivision are not consistent with applicable general and/or specific plans.

The Vesting Tentative Parcel Map would consolidate two parcels, creating an approximately 3.03-acre site to be developed with a 197-unit senior independent living, assisted living, and memory care center. The project would not result in the creation of for-sale condominium units. All units would be held in common ownership and leased to tenants. The assisted living land use would advance General Plan goals related to the construction of housing opportunities, redevelopment of underutilized sites, and creation of jobs. The assisted living land use would additionally be consistent with the High Density Residential land use designation. There is no applicable specific plan. The proposed Vesting Tentative Parcel Map design of the subdivision is consistent with the applicable general plan.

- (b) That the site is not physically suitable for the type of development.

The Vesting Tentative Parcel Map would consolidate two parcels, creating an approximately 3.03-acre site to be developed with a 197-unit senior independent living, assisted living, and memory care center. The project site was occupied by the Mission Lodge Sanitarium, a smaller assisted-living center/nursing home, until it closed in 2015. Staff believes that the proposed development is an expansion of and improvement on the former use. The project site has little slope and is regularly shaped. A condition of approval has been added to require the undergrounding of all existing and proposed utilities on the project site. With the recommended conditions of approval and mitigation measures, the site is physically suitable for the type of development proposed.

- (c) That the site is not physically suitable for the proposed density of development.

Through the PD process, land use and development standards are prescribed that are unique to the proposed project. The proposed density of development is 197 units or approximately 65 dwelling units per acre, in excess of the R-3 Multiple-Family Residence maximum density of 25 dwelling units per acre. The proposed use is not a traditional multi-family residential project but instead a continuum of care center providing senior independent living, assisted living, and memory care units, with a wide variety of communal spaces for dining, socializing, and entertaining guests. Conditions of approval that advance the goals and policies of the communitywide General Plan are proposed, proportionate to the degree of flexibility requested from the underlying development standards. With implementation of the recommended conditions of approval and mitigation measures, the site is physically suitable for the proposed density of development.

- (d) That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife of their habitat.

There are no fish or wildlife occurring on the project site or in the vicinity of the project site. There is not fish or wildlife habitat occurring on the project site or in the vicinity of the project site. The

project site and surrounding properties have been previously disturbed and are improved with a variety of single-family, multi-family, and commercial uses. The proposed project would not cause any environmental damage or injury. These conclusions are supported in the Initial Study (IS) prepared for the proposed project pursuant to the California Environmental Quality Act (CEQA).

- (e) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

The design of the proposed project has been routed to the Police Department, Fire Department, and Public Works Department to determine if serious public health, safety, wellness problems could result in the design of the subdivision or type of improvements proposed. With implementation of the conditions of approval and mitigation measures, the proposed project is not anticipated to cause public health problems.

- (f) That the design of the subdivision or type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The proposed project was routed to the Public Works Department to determine if and how the project would conflict with easements. A condition of approval has been placed on the project to require that all utility lines (existing and proposed) be undergrounded. With implementation of the conditions of approval and mitigation measures, the proposed project would not be in conflict.

- (g) That the design of the subdivision for which a tentative map is required pursuant to § 66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The proposed project has been conditioned to provide and maintain renewable energy sources to reduce energy consumption by 30 percent by incorporating project features such as photovoltaic systems, solar water heating systems, radiant barrier, cool roofing materials, high efficiency air conditioning, and grey water treatment systems into the design. With implementation of the conditions of approval, the design of the subdivision shall meet this provision.

## **RECOMMENDATION**

The action of the Planning Commission may be to recommend approval, approval with modifications, or denial of the PD, DA, and Vesting TPM. In the Commission desires, the following motion may be adopted:

**“A RESOLUTION OF THE CITY OF SAN GABRIEL PLANNING COMMISSION, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVE PLANNING CASE NO. PL-15-149 A PLANNED DEVELOPMENT, DEVELOPMENT AGREEMENT, AND VESTING TENTATIVE PARCEL MAP FOR THE SYMPHONY AT SAN GABRIEL ASSISTED LIVING PROJECT”**

If the Planning Commission determines that the proposed project or any part of the proposed project should be recommended for denial, the appropriate motion should be adopted.

## **ATTACHMENTS**

- A. Planning Commission Resolution
- B. Application package and plans including Vesting TPM No. 74993
- C. Draft Development Agreement (DA) and Conditions of Approval
- D. Market Study (submitted by Applicant – 2016)
- E. Mitigation, Monitoring, and Reporting Program (MMRP) and Final Mitigated Negative Declaration (MND)