

ORDINANCE NO. 1016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, TO APPROVE ZONE CHANGE 22-02 AND SPECIFIC PLAN AMENDMENT 22-01 TO AMEND THE ZONING MAP AND FIGURE 3.1 OF THE GARVEY AVENUE SPECIFIC PLAN BY CHANGING THE ZONE OF THE SUBJECT PROPERTIES FROM GARVEY AVENUE SPECIFIC PLAN (GSP) (APNS: 5287-038-018, -019, -020 AND -029) AND GARVEY AVENUE SPECIFIC PLAN, RESIDENTIAL/COMMERCIAL (GSP-R/C) (APNS: 5287-038-030 AND -033) TO GARVEY AVENUE SPECIFIC PLAN, INCENTIVIZED MIXED-USE (GSP-MU) ZONE, FOR THE DEVELOPMENT OF A NEW RESIDENTIAL/COMMERCIAL MIXED-USE DEVELOPMENT LOCATED AT 7849-7857 GARVEY AVENUE AND 7900-7916 VIRGINIA STREET

WHEREAS, on June 15, 2022, Green Park Property LLC submitted entitlement applications for the construction of a seven-story, mixed-use development with 35,105 square feet of nonresidential (commercial) use and 93 residential apartments, which includes 24 live/work units; and

WHEREAS, 7849-7857 Garvey Avenue (APNs: 5287-038-018, -019, -020 and -029) is located in the Garvey Avenue Specific Plan (GSP) zone and 7900-7916 Virginia Street (APNs: 5287-038-030 and -033) is located in the Garvey Avenue Specific Plan, Residential/Commercial (GSP-R/C) zone; and

WHEREAS, Section 17.152.060 of the Rosemead Municipal Code provides the purpose and criteria for a Zone Change; and

WHEREAS, the Garvey Avenue Specific Plan provides the criteria for specific plan amendments and amendments to the Specific Plan may be requested by the applicant or by the City at any time pursuant to Section 65453(a) of the California Government Code and Rosemead Municipal Code Title 17, Article 5, Chapter 17.150; and

WHEREAS, Section 65453(a) of the California Government Code states a specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body. Section 17.150.040, adoption of, or amendment to, a specific plan relating to land use may be initiated by the City or by submittal of a Master Plan. When initiated by a master plan, the person shall file a petition with the City and pay a filing fee as required in Chapter 17.120 of [Title 17]; and

WHEREAS, Sections 65800 & 65900 of the California Government and Rosemead Municipal Code Sections 17.152.040 authorizes the City Council to approve, approve in modified form, or deny the zone change or specific plan amendment; and

WHEREAS, an Initial Study was undertaken for the purpose of deciding whether the project may have a significant effect on the environment. On the basis of the analysis within the Initial Study, the City has concluded that the project will not have a significant effect on the environment with the incorporation of mitigation measures and has therefore prepared an Draft Mitigated Negative Declaration; and

WHEREAS, Specific Plan Amendment 22-01 includes amendments to Figure 3.1 Zoning of the Garvey Avenue Specific Plan; and

WHEREAS, on May 15, 2022, the Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to Zone Change 22-02 and Specific Plan Amendment 22-01; and

WHEREAS, on June 15, 2023, seventy-five (75) notices were sent to property owners within a 300-foot radius from the subject property, in addition to notices posted in five (5) public locations, on-site, published in the Rosemead Reader, and filed with the Los Angeles County Clerk, specifying the availability of the application, plus the date, time, and location of the public hearing for Zone Change 22-02 and Specific Plan Amendment 22-01, pursuant to California Government Code Section 65091(a)(3); and

WHEREAS, the City Council held a duly noticed public hearing on June 27, 2023, to consider the Zone Change 22-02 and Specific Plan Amendment 22-01; and

WHEREAS, the City Council fully studied the proposed zone change and specific plan amendment, and considered all public comments; and

WHEREAS, the City Council, having final approval authority over this project, has reviewed and considered all comments received during the public review period prior to the approval of this project.

THE CITY COUNCIL OF THE CITY OF ROSEMEAD HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The CITY COUNCIL HEREBY FINDS AND DETERMINES that facts do exist to justify approving Zone Change 22-02 in accordance with Rosemead Municipal Code Section 17.152.060(B) as follows:

A. The proposed amendment is consistent with the General Plan and any applicable specific plan.

FINDING: The Garvey Avenue Specific Plan was adopted in 2018 and its requirements for adoption included updating the General Plan to eliminate inconsistencies between the two planning documents. The Garvey Avenue Specific Plan amended the General Plan designation for approximately 88 parcels to support the development of over 1.18 million square feet of commercial development, 892 dwelling units, and 0.77 acres of open space. These estimates represent a realistic building of the planning area based on an analysis of existing development

that will persist through the life of the proposed Specific Plan plus anticipated redevelopment. The proposed site is located within Garvey Avenue Specific Plan General Plan land use designation. The project only proposes to change the zone from Garvey Avenue Specific Plan (GSP) (APNs: 5287-038-018, -019, -020 and -029) and Garvey Avenue Specific Plan, Residential/Commercial (GSP-R/C) (APNs: 5287-038-030 and -033) to Garvey Avenue Specific Plan, Incentivized Mixed-Use (GSP-MU) zone.

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

FINDING: The subject site is located within the Garvey Avenue Specific Plan. The subject site consists of six parcels totaling approximately 1.21 acres. The proposed amendment would change the zoning district within the Garvey Avenue Specific Plan from GSP and GSP-R/C to GSP-MU for the construction of a residential/commercial mixed-use development. The Garvey Avenue Specific Plan was developed to create an attractive and desirable neighborhood "main street" focusing on creating a vibrant corridor with visible pedestrian activity.

The City has completed an Initial Study/Draft Mitigated Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA). The Initial Study was undertaken for the purpose of deciding whether the "project" may have a significant effect on the environment. On the basis of the analysis within the Initial Study, the City has concluded that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case as mitigation measures have been incorporated.

C. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

FINDING: The proposed zone change will amend the Zoning Map from GSP (APNs: 5287-038-018, -019, -020 and -029) and GSP-R/C (APNs: 5287-038-030 and -033) to GSP-MU. The GSP-MU allows vertical mixed-use, where commercial uses are on the ground floor, with residential uses above. The proposed project meets the GSP-MU development standards and would be in compliance with the applicable development standards of the Zoning Code.

D. The affected site is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

FINDING: The subject site is located within the Garvey Avenue Specific Plan. The Garvey Avenue Specific Plan amended the Zoning Map and General Plan land use designations for approximately 88 parcels to support the development of over 1.18 million square feet of commercial development, 892 dwelling units, and 0.77 acres of open space. These estimates represent a realistic building of the planning area based on an analysis of existing development that will persist through the life of the proposed Specific Plan plus anticipated redevelopment. The

site would be physically suited for provision of public and emergency vehicle access, and public services and utilities.

Based on the Golden State Water Company, South San Gabriel Service Area 2020 Urban Water Management Plan dated July 16, 2021, the Golden State Water Company has an adequate water supply to meet the demand of the project into the future. In addition, the applicant has obtained a will-serve letter from the Los Angeles County Sanitation Districts. A traffic study was also prepared for the project by Ganddini Group, Inc. Based on the traffic study, the proposed project would not result in any new significant traffic impact impacts or mitigation measures compared to the Garvey Avenue Specific Plan TIA/EIR. The project is located in a low-VMT generating area. Therefore, the project satisfies the screening criteria for low-VMT generating area and may be presumed to result in a less than significant VMT impact in accordance with City of Rosemead VMT guidelines. The City of Rosemead's Contract Traffic Engineer has reviewed the traffic study and Initial Study/Draft Mitigated Negative Declaration and has deemed it acceptable. Furthermore, it was determined that the project would not have any significant operational traffic impacts.

SECTION 2. The CITY COUNCIL HEREBY FINDS AND DETERMINES that facts do exist to justify approving Specific Plan Amendment 22-01 in accordance with Section 65453(a) of the California Government Code and Rosemead Municipal Code Section 17.152.060(A) as follows:

A. The proposed amendment is internally consistent with all other provisions of the General Plan.

FINDING: The Garvey Avenue Specific Plan was adopted in 2018 and its requirements for adoption included updating the General Plan to eliminate inconsistencies between the two planning documents. The proposed project continues to be internally consistent with all other provisions of the General Plan. The project proposes to change the zone from Garvey Avenue Specific Plan (GSP) (APNs: 5287-038-018, -019, -020 and -029) and Garvey Avenue Specific Plan, Residential/Commercial (GSP-R/C) (APNs: 5287-038-030 and -033) to Garvey Avenue Specific Plan, Incentivized Mixed-Use (GSP-MU) zone and to remain within the buildout development capacity of 1.18 million square feet of commercial development and 892 dwelling units.

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

FINDING: The subject site is located within the Garvey Avenue Specific Plan. The subject site consists of six parcels totaling approximately 1.21 acres. The proposed amendment would change the zoning district within the Garvey Avenue Specific Plan from GSP and GSP-R/C to GSP-MU for the construction of a residential/commercial mixed-use development. The Garvey Avenue Specific Plan was developed to create an attractive and desirable neighborhood "main street" focusing on creating a vibrant corridor with visible pedestrian activity.

The City has completed an Initial Study/Draft Mitigated Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA). The Initial Study

was undertaken for the purpose of deciding whether the "project" may have a significant effect on the environment. On the basis of the analysis within the Initial Study, the City has concluded that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case as mitigation measures have been incorporated.

C. The affected site is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

FINDING: The subject site is located within the Garvey Avenue Specific Plan. The Garvey Avenue Specific Plan amended the Zoning Map and General Plan land use designations for approximately 88 parcels to support the development of over 1.18 million square feet of commercial development, 892 dwelling units, and 0.77 acres of open space. These estimates represent a realistic building of the planning area based on an analysis of existing development that will persist through the life of the proposed Specific Plan plus anticipated redevelopment. The site would be physically suited for provision of public and emergency vehicle access, and public services and utilities.

Based on the Golden State Water Company, South San Gabriel Service Area 2020 Urban Water Management Plan dated July 16, 2021, the Golden State Water Company has an adequate water supply to meet the demand of the project into the future. In addition, the applicant has obtained a will-serve letter from the Los Angeles County Sanitation Districts. A traffic study was also prepared for the project by Ganddini Group, Inc. Based on the traffic study, the proposed project would not result in any new significant traffic impact impacts or mitigation measures compared to the Garvey Avenue Specific Plan TIA/EIR. The project is located in a low-VMT generating area. Therefore, the project satisfies the screening criteria for low-VMT generating area and may be presumed to result in a less than significant VMT impact in accordance with City of Rosemead VMT guidelines. The City of Rosemead's Contract Traffic Engineer has reviewed the traffic study and Initial Study/Draft Mitigated Negative Declaration and has deemed it acceptable. Furthermore, it was determined that the project would not have any significant operational traffic impacts.

SECTION 3. The City Council **HEREBY AMENDS** the City's Zoning Map to change the zone of 7849-7857 Garvey Avenue (APNs: 5287-038-018, -019, -020 and -029) from Garvey Avenue Specific Plan (GSP) and 7900-7916 Virginia Street (APNs: 5287-038-030 and -033) from Garvey Avenue Specific Plan, Residential/Commercial (GSP-R/C) zone to Garvey Avenue Specific Plan, Incentivized Mixed-Use (GSP-MU) zone.

SECTION 4. The City Council **HEREBY AMENDS** Figure 3.1 of The Garvey Avenue Specific Plan by changing the zone of 7849-7857 Garvey Avenue (APNs: 5287-038-018, -019, -020 and -029) from Garvey Avenue Specific Plan (GSP) and 7900-7916 Virginia Street (APNs: 5287-038-030 and -033) from Garvey Avenue Specific Plan, Residential/Commercial (GSP-R/C)

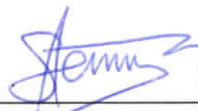
zone to Garvey Avenue Specific Plan, Incentivized Mixed-Use (GSP-MU) zone.

SECTION 5. Severability. The City Council hereby declares that, should any provision, section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance or any part thereof, be rendered or declared invalid or unconstitutional by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, such decision or action shall not affect the validity of the remaining section or portions of the Ordinance or part thereof. The City Council hereby declares that it would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words of this Ordinance irrespective of the fact that any one or more provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words may be declared invalid or unconstitutional.

SECTION 6. Publication. The City Clerk shall certify to the adoption of this Ordinance and shall publish a summary of this Ordinance and post a certified copy of the full Ordinance in the office of the City Clerk at least five days prior to the adoption and within 15 days after adoption of the Ordinance, the City Clerk shall publish a summary of the Ordinance with the names of the Council Members voting for and against the Ordinance. This Ordinance shall take effect thirty (30) days after the date of its adoption.

SECTION 7. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.


PASSED, APPROVED, AND ADOPTED this 11th day of July, 2023.




Steven Ly, Mayor

APPROVED AS TO FORM:

ATTEST:



Rachel Richman, City Attorney



Ericka Hernandez, City Clerk

Exhibits:

- A. Amendments to the City's Zoning Map
- B. Amendments to Figure 3.1 Zoning of the Garvey Avenue Specific Plan

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF ROSEMEAD)

I, Ericka Hernandez, City Clerk of the City of Rosemead, County of Los Angeles, State of California, hereby attest to the above signature and certify that Ordinance No. 1016 was first introduced at the regular meeting of June 27th, 2023 by first reading. Said Ordinance was approved and adopted by the City Council of the City of Rosemead at a regular meeting held on the 11th day of July 2023, by the following vote:

AYES: DANG, LOW, LY

NOES: ARMENTA, CLARK

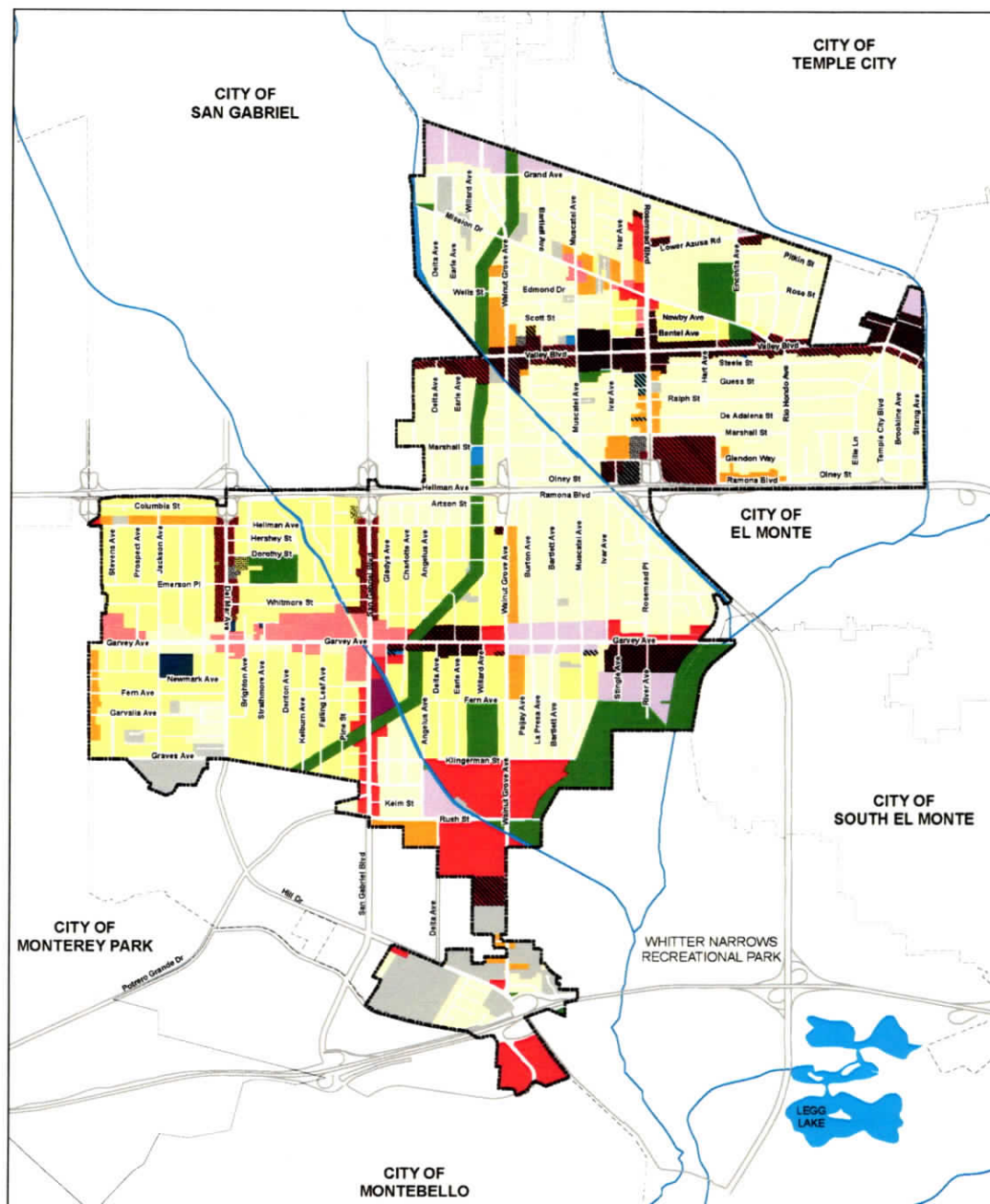
ABSENT: NONE

ABSTAIN: NONE



Ericka Hernandez, City Clerk

Exhibit "A"



- | | | |
|---------------------------------|---------------------------------------|---|
| R-1 Single Family Residential | P Parking | GASP: Garvey Avenue Specific Plan |
| R-2 Light Multiple Residential | P-O Professional Office | GASP-MU: Garvey Avenue Specific Plan, Incentivized Mixed-Use |
| R-3 Medium Multiple Residential | M-1 Light Industrial | GASP-GSP: Garvey Avenue Specific Plan, Open Space/Parking |
| C-1 Neighborhood Commercial | CI-MU Commercial/Industrial Mixed-Use | GASP-R/C: Garvey Avenue Specific Plan, Residential/Commercial |
| C-3 Medium Commercial | P-D Planned Development | RC-MUDO Residential/Commercial Mixed Use Development Overlay |
| C-4 Regional Commercial | O-S Open Space | D-O Design Overlay |
| CBD Central Business District | City Boundary | Freeway Corridor Mixed-Use Overlay |



City of Rosemead Zoning Map

Adopted by Ordinance No 891 on May 11, 2010.
Amended by Ordinance No.915 on May 24, 2011.
Amended by Ordinance No 923 on September 25, 2012.
Amended by Ordinance No. 926 on January 8, 2013.
Amended by Ordinance No. 932 on October 22, 2013.
Amended by Ordinance No. 978 on February 13, 2018.
Amended by Ordinance No. 1001 on September 28, 2021.

While the City of Rosemead makes every effort to maintain and distribute accurate information, no warranties and/or representations of any kind are made regarding information, data, or services provided.

Exhibit "B"

Figure 3.1 Zoning

