



AGENDA
REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 23, 2013, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

CITY COUNCIL:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebiner
Councilmember Jeff Templeman

1. CALL TO ORDER AND FLAG SALUTE

- 2. ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

3. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or audience requests separate discussion.)

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

RESOLUTION NO. 2013 - 43, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JULY 2013.

- b. Approval of minutes for the regular City Council meeting of July 09, 2013
c. Summary of San Gabriel Valley Council of Governments recent activities.
d. Vacation of an existing sewer easement and reciprocal access and public utility easement and the acceptance of new easements for the same purpose within the same project site: Loma Bonita Residences

RESOLUTION NO. 2013-46, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING THE VACATION OF AN EXISTING SEWER EASEMENT AND RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT AND THE APPROVING A NEW EASEMENT FOR THE SAME PURPOSE WITHIN THE SAME PROJECT SITE: BONITA CANYON GATEWAY (APN NO. 8390-013-026) AS PROVIDED BY STREETS AND HIGHWAY CODE § 8333(c)

END OF CONSENT CALENDAR

4. PUBLIC HEARINGS

- a. Appeal hearing of Classification of Use 13-01 (on appeal of the Planning Commission's June 20, 2013 approval, request made by Councilman Bertone during 6/25/13 City Council Meeting)

RESOLUTION 2013-44, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF CLASSIFICATION OF USE CASE NO. 13-01, A REQUEST TO ALLOW A CONGREGATE LIVING HEALTH FACILITY IN THE A-P ZONE (ADMINISTRATIVE PROFESSIONAL ZONE)

- b. Congestion Management Plan 2013 – Local Development Report.

RESOLUTION 2013-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL GOVERNMENT CODE SECTION 65089

5. OTHER MATTERS

- a. Budget Adjustment to accommodate a reorganization of Finance Department functions and staffing levels – Accounting Technician and Intern positions

6. ORAL COMMUNICATIONS

- a. Members of the Audience (*Speakers are limited to five minutes or as may be determined by the Chair.*)
- b. City Manager
- c. City Attorney
- d. Members of the City Council
 - 1) Councilmembers' report on meetings attended at the expense of the local agency.
 - 2) Individual Members' comments and updates.

7. ADJOURNMENT

The next meeting will be held August 13, 2013, 7:00 p.m.

AGENDA STAFF REPORTS: COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET:
<http://www.cityofsandimas.com/minutes.cfm>

SUPPLEMENTAL REPORTS: AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT 245 EAST BONITA AVENUE DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

POSTING STATEMENT: ON JULY 19, 2013, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 245 EAST BONITA AVENUE (SAN DIMAS CITY HALL); 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH); 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE); AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT WWW.CITYOFSANDIMAS.COM/MINUTES.CFM.

RESOLUTION NO 2013-43

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTH OF JUNE AND
JULY 2013

WHEREAS, the following listed demands have been audited by the Director of Finance;
and

WHEREAS, the Director of Finance has certified as to the availability of funds for
payment thereto; and

WHEREAS, the register of audited demands have been submitted to the City Council for
approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas
does hereby approve Prepaid Warrant: 06/30/13; (141715, 143633 and 144095) and Warrant
07/30/13; 144634-144787 in the amount of \$1,293,678.41.

PASSED, APPROVED AND ADOPTED THIS 23rd DAY OF JULY 2013.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by vote of the City
Council of the City of San Dimas at its regular meeting of July 23rd, 2013 by the following vote:

AYES: Councilmembers Badar, Bertone, Ebiner, Templeman, Morris
NOES: None
ABSTAIN: None
ABSENT: None

Debra Black, Deputy City Clerk



***THE WARRANT DISBURSEMENT
JOURNAL IS NOT AVAILABLE TO
VIEW THROUGH LASERFICHE***

***A PAPER COPY IS AVAILABLE IN THE
FINANCE DEPARTMENT***

SORRY FOR ANY INCONVENIENCES.

DOCUMENT IMAGING DEPT.



MINUTES
REGULAR CITY COUNCIL
SUCCESSOR AGENCY MEETING
TUESDAY JULY 9, 2013, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebner
Councilmember Jeff Templeman

City Manager Blaine Michaelis
City Attorney Ken Brown
Assistant City Manager Community Development Larry Stevens
Assistant City Manager Administrative Services Ken Duran
Director of Parks and Recreation Theresa Bruns
Director of Public Works Krishna Patel
Deputy City Clerk Debra Black

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:00 p.m. and led the flag salute.

2. RECOGNITION

- Proclaim July as Parks Make Life Better Month!

Parks and Recreation Director Theresa Bruns introduced the staff members from the Parks and Recreation Department in attendance and introduced Recreation Services Manager Leon Raya and Paolo Kespradit who gave a power point presentation highlighting the parks, sports facilities and other community gathering locations throughout the city.

Mayor Morris read from the proclamation presented to the department.

- 3. ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

- a. Members of the Audience

Amy Crow Acting Manager of San Dimas Library announced the upcoming events at the library and invited everyone to visit online at [facebook.com/sandimaslibrary](https://www.facebook.com/sandimaslibrary).

Elaine Regis Chairman Chamber of Commerce announced recognitions of 2013 Outstanding Businessman of the Year and outstanding contributions of businesses to the community; and the city Birthday BBQ August 3rd, 2013.

Caryol Smith Coordinator of Friends of the San Dimas Dog Park announced their meeting schedule as every second Thursday of the month.

4. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

MOTION: It was moved by Councilmember Ebner, seconded by Mayor Pro Tem Bertone, and carried to accept, approve and act upon the consent calendar as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **RESOLUTION NO. 2013-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JUNE AND JULY 2012.**
- b. Approval of minutes for regular City Council meeting of June 25, 2013.
- c. Consideration of Municipal Code Text Amendment 12-02 - A request to amend Specific Plan No. 20, Areas 2 and 3, (Code Section 18.532) to allow for expanded uses not currently allowed, located at 802-888 W. Arrow Highway, San Dimas Marketplace/Target Center. (APN: 8383-024-027, -028, -029, -030, -031, -035, -036, -037)

ORDINANCE NO. 1222, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 12-02, AMENDING ALLOWABLE USES WITHIN AREA 2 AND DELETING AREA 3 WITHIN SPECIFIC PLAN NO. 20 – SECOND READING AND ADOPTION

- d. Consideration of Municipal Code Text Amendment 13-03 – A Request to Modify Chapter 18.40 of the San Dimas Municipal code to increase the acreage in AHO-1 by an additional 1.33 acres; and delete various references to the non-existing Senior Housing Chapter.

ORDINANCE NO. 1223, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 13-03, AMENDING THE HOUSING GOAL FOR AFFORDABLE HOUSING OVERLAY ZONE NO. 1 (AHO-1) AND DELETING VARIOUS OBSOLETE REFERENCES TO CHAPTER 18.151 – SECOND READING AND ADOPTION

END OF CONSENT CALENDAR

5. PLANNING/DEVELOPMENT SERVICES

- a. Consideration of Municipal Code Text Amendment 12-03, a request to amend Section 18.542.250, and other sections as deemed appropriate, of the San Dimas Municipal Code, to allow an up to 950 square foot second story architectural element on lots with a one-story height limit and other associated revisions, as deemed appropriate. (Applicant: NJD, Ltd.)

ORDINANCE NO. 1221, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING A MUNICIPAL CODE TEXT AMENDMENT 12-03, AMENDING BUILDING HEIGHT STANDARDS IN SPECIFIC PLAN NO 25, PLANNING AREA ONE – SECOND READING AND ADOPTION

MOTION: It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar to waive further reading and adopt Ordinance No. 1221. The motion carried with a vote of 4 to 1, with Councilmember Ebner voting no.

6. SUCCESSOR AGENCY

a. Verbal Update

Assistant City Manager Ken Duran shared the outcome of the Oversight Board's meeting and the next steps in the process of the City retaining the eight properties identified as Governmental Purpose properties.

- Board approved the list of properties
- Resolution submitted to Department of Finance for review
- Department of Finance extended the review period to 100 days

City Manager Michaelis shared that both of our legislative representatives presented letters of support for the city's request.

7. ORAL COMMUNICATIONS

a. Members of the Audience (Speakers are limited to five minutes or as may be determined by the Chair.)

Jerry Vincent and Mar Tingo with the H. Martin Foundation Far East Humanitarian Services gave a presentation on a funding opportunity for the City.

b. City Manager

Mayor's call in show cancelled this week.

c. City Attorney

Nothing to report.

d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.
- 2) Reappointments to Parks & Recreation and Equestrian Commissions

Appointment of Bailey Smith as Youth Commissioner to the Parks & Recreation Commission.

MOTION: It was moved by Councilmember Ebner, seconded by Councilmember Templeman to appoint Bailey Smith as Youth Commissioner to the Parks & Recreation Commission. Motion carried unanimously.

Reappointment of Sonya Sevier and Rebecca Pike to the Equestrian Commission.

MOTION: It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Bertone to reappoint Sonya Sevier and Rebecca Pike to the Equestrian Commission. The motion carried unanimously.

Councilmember Templeman commented that the current group of commissioners are very energetic and work well with the other organizations within the city.

3) Individual Members' comments and updates.

Councilmember Templeman announced a Study Session on July 23rd at 5:45 p.m. to discuss the vision of Code Enforcement for the city. He also stated that the ordinance for the trash enclosures is outdated and needs to be looked at.

Councilmember Badar announced the passing of Councilmember Robert Rodriguez of La Verne and requested that tonight's meeting be adjourned in his memory.

Mayor Morris shared that Robert Rodriguez was a great person and will be missed at the golf course and adjourned the meeting in his memory.

8. ADJOURNMENT

The next meeting will be a study session on July 23, 2013, 5:45 p.m., followed by the regular city council meeting at 7:00 p.m.

Respectfully submitted,

Debra Black, Deputy City Clerk



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 23, 2013

FROM: Denis Bertone, Mayor Pro Tem

SUBJECT: Report on the recent activities of the San Gabriel Valley Council of Governments

SUMMARY

Attached is a copy of the June 2013 Newsletter of the SGVCOG, a brochure regarding the upcoming July 30th workshop for the San Gabriel Valley National Recreation Area Designation, and a summary of the June 2013 COG Board Meeting for your information. Please feel free to contact me with any questions or observations.

RECOMMENDATION

Receive report.

Attachment: Materials from the SGVCOG

Valley Voice

The pulse of the San Gabriel Valley



June 2013
Volume 1, Issue 4

Increasing National Park Services

In April 2013, the National Park Service (NPS) released its Special Resource Study recommending the creation of a San Gabriel Unit of the Santa Monica National Recreation Area for areas of the San Gabriel Mountain foothills, portions of the San Gabriel and Rio Hondo river corridors, and the western Puente Hills to help protect the region's resources.



The SGVCOG has been involved since 2009, when Congress directed the NPS to complete a "special resource study" of portions of the San Gabriel River watershed and mountains. When the NPS released its Alternatives Development & Feasibility Analysis in 2009, the SGVCOG voted to support Alternative D, which was developed by the Rivers and Mountains Conservancy and proposed a much larger, independent National Recreation Area that included the Angeles National Forest. The SGVCOG supported Alternative D provided that local rights and water rights were protected and that the designation would respect and abide by existing plans and zoning ordinances. A comparison of Alternative D and the NPS proposal can be found [here](#).

Congresswoman Judy Chu has expressed her intent to sponsor the legislation that would be necessary to create a designation for the San Gabriel Valley. Congresswoman Chu is currently soliciting feedback from stakeholders and the public.

All member agencies are strongly encouraged to be involved in this process to ensure that the interests of the SGVCOG and its member agencies are represented as this proposal moves forward. By working together, the SGVCOG can present a strong regional voice to ensure that the expectations of the member agencies are captured if legislation is ultimately put forward. The SGVCOG will hold a workshop on **Tuesday, July 30, from 9:00 a.m. – 12:00 noon in the San Dimas Council Chambers** to more thoroughly discuss the proposals and next steps. To register for the workshop, please click [here](#) or call the SGVCOG offices at (626) 457-1800.

#factcheck

Innovate Pasadena, which launched in June, is a unique public-private partnership of technology, business, City, and educational leaders that promotes the City of Pasadena as a center of innovation, technology and design. Innovate Pasadena aims to facilitate this image by promoting local opportunities, sharing resources and fostering connections between local institutions, businesses and investors. The organization capitalizes on Pasadena's existing resources, which include Caltech, the Jet Propulsion Laboratory, and Idealab, to attract and retain companies, entrepreneurs, innovators and investment capital. Innovative public-private partnerships like these demonstrate how San Gabriel Valley cities can redefine economic development in their communities.



San Gabriel Valley
Council of Governments

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Valley Voice
monthly.](#)

SGVCOG Officers

President
Barbara Messina
Councilmember
City of Alhambra

1st Vice President
Mary Ann Lutz
Mayor
City of Monrovia

2nd Vice President
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Councilmember
City of South El Monte

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Gene Murabito
Councilmember
City of Glendora

TRANSPORTATION SPOTLIGHT

State Route 57/State Route 60 Confluence Project

This month's highlighted project from the SGVCOG's Transportation Priority List is the **57/60 Confluence Project**.

SR-57 and SR-60 share an alignment for approximately 2.5 miles between Golden Springs Road and Diamond Bar Boulevard in Diamond Bar. This section of SR-60 has consistently been identified as one of the most congested interchanges in the region, the State, and the nation. The number of lanes is reduced, there are no connections between the two freeways, and there is a high number of trucks — the SR-60 is also the heaviest traveled truck route in California. There is an average of 590 accidents per year within the confluence, with an additional 90 accidents on the exit ramps.



57/60 Confluence at Grand Avenue in Diamond Bar

Many agencies have identified improvements to the Interchange as integral to improving congestion and mobility within the region. In 2005, Metro, in cooperation with the City of Diamond Bar and City of Industry, initiated a feasibility study that evaluated potential opportunities to improve the SR 57/60 corridor. The study was completed in 2010.

A number of key improvements were identified within the study, as well as a number of other improvements that will need additional studies in the future. The specific improvements can be found below:

Phase	Improvements	Funding Required
Phase I	<ul style="list-style-type: none">• Construction of new westbound Grand Avenue on-ramp from Grand Avenue• Implementation of interim operation improvements at the Grand Avenue interchange	\$12 million (fully funded)
Phase II	<ul style="list-style-type: none">• Widening improvements in the vicinity of Grand Avenue and Golden Springs Drive• Extension of bike lane on Golden Springs Drive through the Grand Avenue intersection	\$14 million (fully funded)
Phase III	<ul style="list-style-type: none">• Construction of westbound freeway off-ramp and auxiliary lane to Grand Avenue	\$20 million
Phase IV	<ul style="list-style-type: none">• Freeway mainline improvements and by-pass connectors	\$210 million
	Total Cost	\$256 million

The Environmental Impact Report for Phase I has already been completed and construction has begun. The Draft EIR for Phases II, III, and IV is currently circulating.

The Cities of Industry and Diamond Bar continue to contribute significant resources towards improving the confluence, including \$35 million from the City of Industry. Metro has also obligated \$14.3 million to fully construct Phases I and II. The project proponents are pursuing additional Metro, State and Federal funds to cover the additional cost needed to complete the project. Metro's LRTP also includes approximately \$475 million for the project; however, it is not scheduled to receive funding until 2028.

Please stay tuned next month for a spotlight on the 10/605 Interchange.

Stopping Plastic Theft

Since 2011, the Plastic Industrial Theft Task Force, operating out of the Los Angeles County Sheriff's Department's Industry Station, has targeted industrial plastic theft. Offenders steal trademarked plastic products, such as heavy-duty pallets and dairy crates, and use plastic grinding equipment, to recycle and sell them. Experts estimated that losses and replacement costs exceed \$100 million annually.

Since its inception, the Plastic Industrial Theft Task Force has recovered \$7.3 million worth of stolen trademarked plastic products, has identified and shut down 30 large scale illegal plastic grinding operations, and has made 73 arrests.

In July 2013, the \$1.5 million of initial funds provided by the City of Industry will be exhausted. However, due to the success of the Task Force, both the Sheriff's Department and the City of Industry are seeking to partner with other local agencies, as well as affected businesses, to continue the work of the Task Force.



Executive Director's Message

On June 12, 2013, the SGVCOG began its Strategic Planning process by reinforcing its commitment to the Mission Statement and Core Values adopted previously and defining the broad areas of focus for the organization over the next three years. Twenty-eight people representing fourteen member agencies attended the initial Strategic Planning Retreat, and the goal was to develop a plan that would focus on the SGVCOG's vision and priorities and improve the organization and its effectiveness in advocating on behalf of the members. The Governing Board reviewed the work developed at the retreat and requested that each of the policy committees analyze the policy areas in greater detail and develop goals and objectives for the Board's approval. In the upcoming weeks, the Policy Committees and Technical Advisory Committees will work through this process. All of the member agencies are encouraged to participate actively to ensure that the SGVCOG is meeting the needs of its member agencies.



Andrea Miller
Executive Director

SGVEWP FEATURED PROJECT

El Monte's Streetlighting Project

In June 2013, the El Monte City Council approved a streetlighting project to convert 652 of its city-owned streetlights from high-pressure sodium (HPS) lamps to Light Emitting Diode (LED) technology. HPS lamps have been the standard of outdoor lighting for roadways and highway since the 1980s. LED technology uses significantly less energy, has a longer usual lifespan and offers stronger "directionality" than HPS lights. In the last few years, LED technology has advanced significantly, making it an attractive option for cities to obtain significant energy and cost savings.



Example of LED Streetlights in downtown Los Angeles

El Monte will finance the project using on-bill financing (OBF), which allows the city to repay the loan in monthly installments on its electricity bills. OBF is bill-neutral, so the City's monthly electricity bills will not increase. The monthly payment will be equal to the calculated energy cost savings from the project.

Annual kWh Saved	618,882 kWh
Equal to Annual Electricity Usage of	65 homes
Estimated Annual Energy Costs Saved	\$92,832
SCE Incentive Received	\$85,871

The SGVEWP looks forward to working with City of El Monte to complete this project!

Follow us on Twitter: @SGVCOG

Like us on Facebook!

COG IN THE COMMUNITY

Here are some of the places where you can see the SGVCOG in July:

July 7

South Pasadena Concert in the Park

July 8, 15, 22, 29

Covina Concert in the Park

July 11

Duarte Gold Level Celebration

July 24, 31

El Monte Concert in the Park

July 25

Taste of Baldwin Park

If you see us in your community, say hello! If you have an event you would like to see the SGVCOG at, please let us know!



High-Speed Rail Planning in the San Gabriel Valley

California's effort to develop a high-speed rail system that will whisk riders from Los Angeles to Northern California at speeds of up to 220 mph has gotten a boost over the last year. The long-range Business Plan was released, and a new CEO and new Southern California Regional Director were hired. The Board also authorized the CEO to negotiate a contract with a design-build firm that will construct the first leg of the 520-mile north/south alignment.



"While we're preparing to break ground in the Central Valley this year, we've had a lot of good news in Southern California," said Michelle Boehm, the CHSRA's Southern California Regional Director, who has been on the job since October. "Given some breathing room in our timetable driven by our Business Plan, I've directed our teams to ensure that all efforts are undertaken in cooperation with local communities, making certain that we are planning and designing in a smart, sustainable, and community-sensitive manner."

In the past year, Governor Brown also appointed Dan Richard, a veteran in transportation policy who now chairs the nine-member governing body, to the CHSRA Board of Directors, and appointed a new CEO, Jeff Morales, to head the agency. Morales is an expert in transportation delivery and was the architect of the CHSRA's 2012 Business Plan. Governor Brown also appointed Katherine Perez-Estolano to the Board. Perez-Estolano, a resident of the San Gabriel Valley, specializes in crafting strategies to provide environmentally friendly solutions that create thriving, healthy, vibrant communities featuring strong economic development and transportation policies.

The SGVCOG has been on the forefront of calling on the CHSRA to minimize alignment impacts on its member cities. "Per our Business Plan, we are not slated to build in the San Gabriel Valley until after we reach LA Union Station, which has a tentative completion date of 2029," Boehm said. "Given that timeframe, we really have a tremendous opportunity for meaningful planning and coordination with SGVCOG cities."

"Our COG Members have the opportunity to do critical long-range planning," Miller said. "This new CHSRA approach is much more reasonable and allows for a partnership in planning. We will continue to work with Michelle to ensure we are advocating for sensible development."

DON'T FORGET!

The SGVCOG's Annual Awards Recognition will be held at 7:00 p.m. on Thursday, July 18, following the July Governing Board meeting. The Governing Board meeting and Awards will be held at the San Gabriel Hilton (225 W Valley Blvd; San Gabriel). Please RSVP to sgv@sgvcog.org.

JULY MEETINGS

All meetings are open to the public.

Wed., July 3, 4 p.m.
Executive Cmte
1000 S. Fremont Ave; Alhambra

Wed., July 10, 12 noon
CM Steering Cmte
11333 Valley Blvd; El Monte

Wed., July 17, 12 noon
CM TAC
602 E. Huntington Dr; Monrovia

Thurs., July 18, 4 p.m.
Transportation
225 W. Valley Blvd; San Gabriel

5:30 p.m.
Governing Board
225 W. Valley Blvd; San Gabriel

Mon., July 22, 12 p.m.
HCED
119 W. Palm Ave; Monrovia

Mon., July 24, 3 p.m.
EENR
245 E. Bonita Ave; San Dimas

Thurs., July 25, 12 p.m.
Planners TAC
119 W. Palm Ave; Monrovia

Mon., July 29, 12 p.m.
Public Works TAC
211 E. Huntington Dr.; Arcadia

Meetings are subject to change. Please visit www.sgvcog.org for current agendas.

Questions, comments, suggestions?
Please let us know!

Contact Us:

Mailing Address
SGVCOG
1000 S. Fremont Ave., Unit 42
Alhambra, CA 91803
Phone: (626) 457-1800
Fax: (626) 457-1285
Email: sgv@sgvcog.org

Save the Date

San Gabriel Valley National Recreation Area Designation Workshop

The San Gabriel Valley Council of Governments will host a workshop to discuss the proposed San Gabriel Valley National Recreation Area and opportunities to protect open space.

Date: Tuesday, July 30

Time: 9:00 a.m.—12:00 noon

Location: San Dimas City Hall
Council Chambers
245 E. Bonita Ave.
San Dimas, CA 91773

Attendees: City Council Members

City Managers

City Staff

Businesses

Interested Members of the Public

Objectives: Learn about the various proposals for open space protection for the San Gabriel Valley. Begin formulating principles related to the SGVCOG's position on the various proposals.



Please RSVP to csims@sgvco.org
by Thursday, July 25.



San Gabriel Valley
Council of Governments



San Gabriel Valley Council of Governments

Date: July 3, 2013
To: Governing Board Delegates and Alternates
From: Andrea Miller, Executive Director

RE: JUNE 2013 GOVERNING BOARD MEETING HIGHLIGHTS

Below please find a summary of the major action items at the June 20, 2013 Special Meeting of the Governing Board. This should be used to provide an update to your colleagues regarding recent SGVCOG activities.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT PLASTIC INDUSTRIAL THEFT TASK FORCE

At its June Governing Board meeting, the Governing Board heard a presentation by Sergeant Nabeel Mitry, from the Los Angeles County Sheriff's Department, on Industry Station's Plastic Industrial Theft Task Force. This Task Force targets the theft of trademarked plastic products, such as heavy duty pallets and dairy crates. Using plastic grinding equipment, thieves make these products untraceable and they are often recycled and sold in their original form back to the same companies from which they were stolen. Experts in the field estimate that, in Southern California, the losses and replacement costs associated with this type of theft exceed \$100 million a year.

Since its inception in September 2011, the Task Force has recovered \$7.3 million worth of stolen trademarked plastic products, has identified and shut down 30 large scale illegal plastic grinding operations, and has made 73 arrests. The Task Force received \$1.5 million in initial funding from the City of Industry to operate.

In July 2013, the initial funds provided by the City of Industry will be exhausted. However, due to the success of the Task Force, both the Sheriff's Department and the City of Industry are seeking to partner with other local agencies, as well as affected businesses, to continue the work of the Task Force. The total estimated annual cost of the Task Force is \$633,000.

On June 24, 2013, SGVCOG staff distributed additional information about the Task Force from Sergeant Mitry. The SGVCOG will continue to discuss this issue with the City Managers.

SAN GABRIEL NATIONAL RECREATION AREA UPDATE

The Governing Board heard a presentation on the National Recreation Area (NRA) that is being proposed for the San Gabriel Valley at its June meeting. The SGVCOG has been involved in

this process since 2009, when the National Park Service (NPS) was directed by the U.S. Congress to carry out a “special resource study” of portions of the San Gabriel River watershed and mountains. After the NPS released its Alternatives Development and Feasibility Analysis in 2009, the SGVCOG submitted a comment letter, supporting Alternative D, provided that there were the following assurances related to local land rights, water supply, prevention of water contamination from recreational activities, and guarantees that any future designation would respect and abide by the General Plans and Zoning Ordinances of each City and the County. Alternative D was developed by the Rivers and Mountains Conservancy (RMC) and proposed an NRA for an area that included the Angeles National Forest.

In April 2013, the NPS transmitted its final San Gabriel Watershed and Mountains Special Resource Study to the Secretary of the Interior. The recommendation was to create a San Gabriel Unit of the Santa Monica National Recreation Area for areas of the San Gabriel Mountain foothills, portions of the San Gabriel and Rio Hondo River corridors, and the western Puente Hills. The recommendation did not include the Angeles National Forest, as Alternative D had.

The next step for any NPS designation is the passage of federal legislation. Congresswoman Judy Chu has expressed interest in sponsoring legislation to support the protection of natural resources within the San Gabriel Valley. The NPS’s recommendation is merely a recommendation, and the final proposal and legislation would be developed with significant public input. Based on the feedback Congresswoman Chu receives from stakeholders, she can determine whether legislation should follow NPS’s recommendation, differ from their recommendation, or if no legislation should be brought forward.

There was an introductory presentation from representatives of San Gabriel Mountains Forever on their recommendation to create a National Recreation Area for an area that included the Angeles National Forest, as well as a Wild and Scenic Designation and Wilderness Designation for portions of the San Gabriel and Rio Hondo Rivers.

The SGVCOG will continue to educate stakeholders and intends to develop a white paper defining the agency’s interests, as well as a resolution outlining the agency’s position in future months. The Open Space Working Group will also host a workshop on the various proposals and agency’s concerns. The event will be held as follows:

Date: Tuesday, July 30th
Time: 9:00 a.m. – 12:00 noon
Location: San Dimas City Hall
Council Chambers
245 E. Bonita Ave.
San Dimas, CA 91773

It is critical that as many cities as possible are represented. Please RSVP to csims@sgvcog.org. Please call the COG offices at (626) 457-1800 if you have any additional questions.

ACE PROJECT TRANSFER AGREEMENT

At its May 30, 2013, meeting, the Governing Board voted to separate the Alameda Corridor East (ACE) Project from the SGVCOG. The Governing Board also provided direction related to various provisions in the Project Transfer Agreement, which includes the issues to be resolved to complete the separation. ACE staff, ACE General Counsel, SGVCOG staff and SGVCOG General Counsel collaborated to address these issues and brought back the Transfer Agreement for final approval. The Governing Board requested some additional modifications related to unresolved CalPERS and liability insurance issues. The additional language provides the opportunity for the agencies to continue to work to resolve these issues.

Motion: The Governing Board voted to approve the Final Project Transfer Agreement and authorize the President to execute the Agreement as modified.

SGVCOG ANNUAL LEADERSHIP AWARDS

Since 2005, the Governing Board has held its annual leadership awards to recognize elected and appointed officials whose activities were instrumental in advancing the quality of life for the two million residents living and/or working in the San Gabriel Valley.

This year's award ceremony will be held after the July Governing Board meeting, as follows:

Date: Thursday, July 18
Time: 7:00 p.m.
Location: San Gabriel Hilton
225 W. Valley Blvd.
San Gabriel, CA 91776

The invitation is attached (Attachment 2), and all council members are encouraged to attend.

The SGVCOG is also soliciting nominees for four awards, which are listed below:

Award	Criteria	Eligibility
Jack Phillips	Recognizes an individual that championed <u>innovation</u> in the planning, design or delivery of a project or program that benefits the San Gabriel Valley.	Individuals that previously served on the SGVCOG Governing Board, the SGV Federal or State Legislative Caucus, or staff or Board members from a SGVCOG partnering agency.
Judy Wright	Recognizes an individual that championed <u>leadership</u> in the planning, design or delivery of a project or program that benefits the San Gabriel Valley.	Individuals that previously served on the SGVCOG Governing Board, the SGV Federal or State Legislative Caucus, or staff or Board members from a SGVCOG partnering agency.
Consensus-Building	Recognizes an individual that represents the spirit of <u>cooperation</u> and <u>collaboration</u> by outreaching to various stakeholders to further	Individuals that previously served or currently serve on the SGVCOG Governing Board, policy committees, or TACs.

	projects and programs that benefit the San Gabriel Valley.	
Spirit of Service	Recognizes an individual that shows the spirit of service and volunteerism to both their local community and the larger San Gabriel Valley.	Individuals that previously served or currently serve on the SGVCOG Governing Board, policy committees, or TACs.

Nominations will be reviewed by the Executive Committee at its July 3, 2013, meeting.

The EENR Committee will also recommend a nominee for the Sustainability Award, recognizing an agency for a project or program that exemplifies sustainability in the areas of water, energy, solid waste, open space or air quality. The SGVCOG will also recognize the outgoing chairs from its Policy and Technical Advisory Committees.

SGVCOG STRATEGIC PLAN

On June 12, 2013, the SGVCOG held its six-month strategic planning session, intended to identify the goals and objectives of the organization. Twenty-eight attendees from fourteen of cities, including 14 Governing Board members, provided input during the strategic planning session. The group identified several broad priority areas, including transportation, economic development, public safety, water, and environment.

At the June Governing Board meeting, SGVCOG staff initiated the process of obtaining feedback on and further refining the agency’s goals and objectives. Over the coming months, SGVCOG staff will be working with the policy committees, working groups, and Technical Advisory Committees to obtain further input and assist the Governing Board in identifying and defining its goals and objectives.

Motion: The Governing Board voted to receive and file the SGVCOG Strategic Plan.

SGVCOG FY 2011 – 12 AUDITED FINANCIAL STATEMENT

The SGVCOG’s FY 2011 – 12 Audited Financial Statement was presented at the June Governing Board meeting. There were no material weaknesses identified, and a clean opinion was issued.

Motion: The Governing Board received and filed the SGVCOG Audited Financial Statement.

FORMATION OF AD HOC COMMITTEES AND WORKING GROUP

At its previous six-month strategic planning session, the Governing Board identified several issues as priorities that previously had not been priority areas for the SGVCOG but still require closer examination. These include realignment and the NPDES MS4 Permit. Staff has been

working to meet the goals and objectives in the Strategic Plan but is also proposing the creation of two ad-hoc committees and one working group to allow for further examination in a way that is consistent with the SGVCOG Bylaws and practices of the organization. The three groups are as follows:

- ✓ Realignment and Court Consolidation Plan (CCP) Ad Hoc Committee: To address specific issues related to realignment and the CCP that were identified at the SGVCOG's realignment meeting held on May 24, 2013.
- ✓ NPDES MS4 Ad Hoc Committee: To look at policy and implementation issues related to the permit, including obtaining funding for implementation, identifying possible strategies for Permit implementation, and examining larger issues related to the structure of the Permit.

Membership on both of these committees would be open to any City Council Member, City staff person, or County employee assigned to or representing a contract city. **If interested in participating in one of these committees, please submit your name in writing to sgv@sgvcog.org by 5:00 p.m. on Tuesday, July 9, 2013.** These will be approved by the Governing Board at its August meeting.

- ✓ Public Works Transportation Working Group: To provide technical expertise to assist the SGVCOG's Transportation Committee with the technical aspects of various proposed project and planning efforts.

Membership on this working group is open to any member of the Public Works TAC or the Planners TAC.

Motion: The Governing Board voted to create the above-listed ad hoc committees and working group.

AB 986 (BRADFORD)

In 2011, Governor Brown signed AB 109, commonly referred to as prison realignment, realignment. AB 109 shifted the responsibility of monitoring, tracking and imprisoning lower-level prisoners convicted of specific non-serious, non-violent, and non-sexual crimes from the State to counties, allowed judges to issue sentences in which offenders convicted of non-serious, non-violent, or non-sexual crimes, could serve part of their sentence under Postrelease Community Supervision (PRCS), and shifted the responsibility of supervising certain felons from the State to counties. The bill also enhanced local custody and supervision tools available to county agencies responsible for offenders under PRCS. One of these tools was flash incarceration, which allows supervising county agencies to place offenders that violate the conditions of their postrelease supervision in county jails for a period of one to ten days.

AB 986 (Bradford) would expand the number of permitted locations that supervising authorities could use for flash incarceration to include city jails. In the San Gabriel Valley, there are 20 communities with jails that could be used for flash incarceration under AB 986 (Bradford).

Motion: The Governing Board adopted a resolution of support for AB 986 (Bradford).

MTA NOTICE TO AMEND MEASURE R “FUNDS AVAILABLE” DATES

The Governing Board discussed MTA’s proposed Measure R acceleration plan, which would advance the date that funds for construction would be available by over a decade for specific projects. Several projects in the San Gabriel Valley are recommended for acceleration, including the Gold Line Eastside Extension. At the Metro Executive Committee meeting, Supervisor Antonovich made a motion recommending that the expenditure plan be updated to include full and updated project costs. The Governing Board discussed this motion at length, specifically its impact on projects in the San Gabriel Valley, including the Gold Line Eastside Extension and the Gold Line Foothill Extension.

Motion: The Governing Board voted to direct staff to submit a letter to the MTA Board of Directors stating the following: 1) The SGVCOG unequivocally supports the SR-60 alignment of the Gold Line East Side Phase 2 Project, 2) The SGVCOG supports the Antonovich motion to update the Measure R acceleration expenditure plan to reflect update project costs, and 3) The SGVCOG urges the MTA Board to direct staff to review and correct any inaccuracies in the proposed acceleration plan prior to adoption.

The Antonovich motion did not pass at the June 27, 2013, Metro Board meeting. At that meeting, the Metro Board did approve the acceleration plan, approving \$9.4 billion in accelerated funding for the identified projects. The SR-710 closure was removed from the acceleration plan.

AB 132 (HOLDEN)

Federal tax law and existing State law imposes a penalty of 2.5% on early withdrawals from retirement plans. AB 132 (Holden) would waive the penalty imposed on early distribution if the distribution was received by an individual to use to pay the mortgage interest or principal on his/her principal residence or used for a part of a loan modification. To qualify as a “qualified principal residence payment distribution,” it must be used by the individual within 60 days of receipt to pay the qualified costs for the principal residence. Eligible homeowners must own only one residence that is “underwater.” The maximum withdrawal limit would be \$6,000 to ensure that no one is able to use all of their retirement savings and would apply to distributions made in 2014, 2015, or 2016.

Motion: The Governing Board adopted a resolution of support for AB 132 (Holden).

AB 371 (SALAS)

Assembly Bill 371 (Salas) would allow the Kern County Board of Supervisors to regulate or prohibit by ordinance the land application of sewage sludge in unincorporated areas of the County. Land application is the primary way biosolids, which are highly regulated by the EPA and must meet pollutant and pathogen requirements if used for land application, are used in the State. In the land application process, biosolids are used to enrich nutrient-depleted and/or barren soil with essential nutrients. Cities and counties are able to use the land application process to meet their recycling diversion requirements under the California Integrated Waste Management Act of 1989. The Act also declares that it is in the best interest of the State to make adequate provisions for solid waste handling, both within jurisdictions and also in response to regional needs.

Many municipalities in Los Angeles County apply biosolids to land in Kern County, because there is limited land in Los Angeles County. Since 1999, the City of Los Angeles has owned a 4,700 acre farm in unincorporated Kern County – Green Acres Farm – where they apply biosolids to the land for the growth of crops to feed dairy cows. The City has upgraded its treatment plants to meet Kern County regulations that impose strict treatment standards on biosolids used for land application. To reduce the amount of sewage sludge in Kern County, in 2006, Kern County voters approved Measure E, which banned the importation of sewage sludge into Kern County and specifically prohibited the land application of biosolids in the unincorporated areas of Kern County. There has been on-going litigation by the City of Los Angeles and other municipalities that has challenged the legality of enforcing Measure E. Due to the litigation, Kern County was blocked from enforcing the Measure. While the case has not yet been resolved, the Fifth Appellate District Court held that Los Angeles and the other entities would likely prevail on the basis that Measure E is preempted by the Integrated Waste Management Act and conflicts with the regional welfare doctrine.

The opposition to AB 371 (Salas) has argued that the bill is in conflict with the Integrated Waste Management Act – as it would make it much more difficult for municipalities to recycle and manage their biosolids as required by state law – and is in conflict with regional welfare doctrine. There is also no definitive scientific evidence that land application causes adverse health outcomes. Finally, since there is so much litigation surrounding Kern County's Measure E, AB 371 (Salas) would circumvent the legal process that has been underway for 7 years.

Motion: The Governing Board adopted a resolution of opposition for AB 371 (Salas).

PROPOSED FY 2013 – 14 ACE BUDGET

At the June meeting, Mark Christoffels, Interim CEO of the ACE Project, presented the proposed FY 2013 – 14 ACE budget for adoption by the Governing Board.

Motion: The Governing Board voted to adopt ACE's proposed FY 2013 – 14 Budget.

Should you have any questions, please contact the SGVCOG offices at (626) 457-1800.

c: City Managers TAC
Public Works TAC
Planning Directors TAC



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 23, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Larry Stevens, Assistant City Manager for Community Development

SUBJECT: Vacation of an existing sewer easement and reciprocal access and public utility easement and the acceptance of new easements for the same purpose within the same project site: Loma Bonita Residences (APN No. 8390-013-026).

SUMMARY

Sewer, reciprocal access, and public utility easement were established as part of the Bonita Canyon Gateway mixed-use development.

The original development plan for the Bonita Canyon Gateway project was modified. The new layout of the podium building encroaches into the existing sewer easement and reciprocal access and public utility easement; therefore, new easements have been proposed.

BACKGROUND

The Loma Bonita Residences project is the residential component of the mixed-use Bonita Canyon Gateway project. It was originally approved by the City Council on August 11, 2009, re-approved in August 2011, and finally revised and re-approved on March 22, 2012. The final revision was to revise the site plan to shift the proposed podium building further to the southeast in order to comply with Los Angeles County Fire Department requirements for full driveway access around the building.

The Tract Map was recorded on May 31, 2011. Separate reciprocal access and utility easement documents were recorded concurrently with the Tract Map. Portions of the easements recorded on the Tract Map as well as the separate documents are in direct conflict with the revised location of the podium building.

Therefore, it is requested that the City Council vacate portions of the existing easements accept new easements that follow the revised driveway access around the building.

RECOMMENDATION. Adopt attached Resolution vacating the existing Sewer Easement and Reciprocal Access and Public Utility Easement and accepting the new Sewer Easement and Reciprocal Access and Public Utility Easement.

Respectfully Submitted,



Larry Stevens
Assistant City Manager for Community Development

Attachment: Resolution No. 2013-XX

RESOLUTION NO. 2013-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE VACATION OF AN EXISTING SEWER EASEMENT AND RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT, AND APPROVING A NEW SEWER EASEMENT AND RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT FOR THE SAME PURPOSE WITHIN THE SAME PROJECT SITE BONITA CANYON GATEWAY (APN: 8390-013-026) AS PROVIDED BY STREETS AND HIGHWAY CODE § 8333(c)

WHEREAS, an existing 10-foot wide and 13-foot wide sewer easement and a 28-foot wide reciprocal access and public utility easement was established as part of the original development of the Bonita Canyon Gateway as provided in Exhibits A-1, A-2, B-1, and B-2 which are attached hereto and incorporated herein; and

WHEREAS, the sewer easement and the reciprocal access and public utility easement is proposed to be used by the development; and

WHEREAS, Bonita Canyon Gateway will not developed as originally approved but has been modified that creates an encroachment into the existing sewer easement and reciprocal access and public utility easements, therefore requiring their vacation; and

WHEREAS, a new sewer easement and reciprocal access and public utility easement, for the same purpose as the vacated one, is proposed for the area shown on Exhibits A-3, A-4, B-3, and B-4 which are attached hereto and incorporated herein; and

WHEREAS, the City finds that the new sewer easement and reciprocal access and public utility easements are consistent with the adopted General Plan; and

WHEREAS, the City finds that vacation of the existing sewer and reciprocal access and public utility easements and establishment of the new sewer and reciprocal access and public utility easements are categorically exempted from the California Environmental Quality Act inasmuch as they are a minor alteration of a public service easement and will not involve the removal of resources, in accordance with 14 California Administrative Code 15301.

NOW, THEREFORE, IT IS RESOLVED that the City Council hereby finds, determines and declares that:

- The existing sewer easement and reciprocal access and public utility easement as shown on Exhibits A and B are no longer required in its present location and are hereby vacated.

- The new sewer easement and reciprocal access and public utility easement, as shown on Exhibits C and D are approved.

Resolved further that the City Clerk shall certify to the adoption of this Resolution and provide for its recordation.

PASSED, APPROVED AND ADOPTED THIS 23rd DAY OF JULY 2013.

Curtis W. Morris, Mayor of the City Of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I, HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of San Dimas at its regular meeting of July 23rd, 2013, by the following vote:

AYES: Badar, Bertone, Ebner, Morris, Templeman

NOES: None

ABSENT: None

ABSTAIN: None

Debra Black, Deputy City Clerk

EXHIBIT "A-1"
VACATION OF EXISTING SEWER EASEMENT

THAT PORTION OF THE SEWER EASEMENT DEPICTED ON TRACT MAP NO. 69609, FILED IN BOOK 1366 OF MAPS PAGES 44 THROUGH 49 INCLUSIVE, WITHIN PARCEL D OF LOT LINE ADJUSTMENT #12-02, IN THE CITY OF SAN DIMAS, LOS ANGELES COUNTY, STATE OF CALIFORNIA, AS DEPICTED ON DOCUMENT NO. 20130837731, RECORDED ON JUNE 5, 2013, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL D;

THENCE NORTH 89°59'41" EAST ALONG THE NORTH LINE OF SAID PARCEL D, A DISTANCE OF 12.00 FEET TO THE EAST LINE OF THE 12 FOOT WIDE SANITARY SEWER EASEMENT PER INSTRUMENT NO. 2627, RECORDED ON JUNE 23, 1966, OFFICIAL RECORDS OF SAID COUNTY;

THENCE SOUTH 00°00'20" WEST ALONG SAID EAST LINE, A DISTANCE OF 49.44 FEET;

THENCE NORTH 89°59'41" EAST 29.28 FEET;

THENCE SOUTH 00°00'50" WEST 266.31 FEET, TO THE NORTH LINE OF THE 10 FOOT WIDE SEWER EASEMENT DEPICTED ON SAID TRACT MAP NO. 69609;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID 10 FOOT WIDE SEWER EASEMENT, NORTH 89°59'10" WEST 5.00 FEET, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°00'25" WEST, A DISTANCE OF 10.00 FEET.

TOGETHER WITH THAT PORTION OF THE SEWER EASEMENT PER SAID INSTRUMENT NO. 2627, WITHIN SAID PARCEL D, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL D, BEING A POINT ON THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF LOT 4 OF TRACT NO. 27600, AS SHOWN ON MAP RECORDED IN BOOK 718, PAGES 85 THROUGH 87, INCLUSIVE, RECORDS OF SAID COUNTY;

THENCE NORTH 89°59'41" EAST ALONG THE NORTH LINE OF SAID PARCEL D, A DISTANCE OF 12.00 FEET TO THE EAST LINE OF THE 12 FOOT WIDE SANITARY SEWER EASEMENT PER SAID INSTRUMENT NO. 2627;

THENCE SOUTH 00°00'20" WEST ALONG SAID EAST LINE, A DISTANCE OF 54.44 FEET, TO THE BEGINNING OF SAID LINE;

THENCE SOUTH 89°59'40" WEST, A DISTANCE OF 12.00 FEET, TO THE WEST LINE OF SAID PARCEL D, ALSO BEING THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT 4.



Prepared by HILLWIG-GOODROW, INC.:
 31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137

Alan C. Hillwig 7/2/2013
 ALAN C. HILLWIG, PLS 5137 DATE
 LICENSE EXPIRES: 6-30-15

FILE NO.:	536-01A
DATE:	JULY 2, 2013
SHEET	<u>1</u> OF <u>1</u>

EXHIBIT "B-1"
VACATION OF EXISTING SEWER EASEMENT

S'LY PROLONGATION OF THE
 E'LY LINE OF LOT 4, TR.
 27600, MB 718/85-87

POC-NW CORNER
 OF PARCEL D

EXISTING 12' WIDE SANITARY
 SEWER EASEMENT, PER INST.
 NO. 2627 O.R., RECORDED
 JUNE 23, 1966

S89°59'40"W 12.00'

PORTION OF EXISTING
 12' WIDE SANITARY SEWER
 EASEMENT, PER INST. NO.
 2627 O.R., RECORDED
 JUNE 23, 1966, BEING
 VACATED BY THIS INSTRUMENT

SEWER EASEMENT PER
 TR 69609, MB 1366/44-49
 BEING VACATED
 BY THIS INSTRUMENT



SCALE: 1"=50'

N89°59'41"E 12.00'

N89°59'41"E
 BASIS OF BEARINGS

S00°00'20"W 49.44'

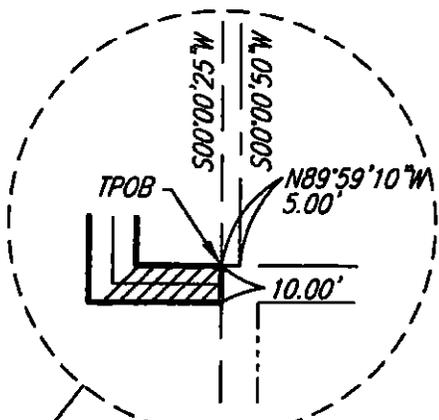
N89°59'41"E 29.28'

AREA OF QUITCLAIM
 3,701 SQ. FT = 0.09 ACRES

LANDS OF THE GRANTOR
 PARCEL D

PARCEL D
 PER LOT LINE ADJUSTMENT 12-02
 RECORDED JUNE 5, 2013
 DOCUMENT NO. 20130837731, O.R.

S00°00'50"W 266.31'



13'

S00°00'25"W

10'

EXISTING 10' WIDE SEWER
 EASEMENT PER TR 69609,
 MB 1366/44-49



Prepared by HILLWIG-GOODROW, INC.:
 31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137

Alan C. Hillwig 7/2/2013
 ALAN C. HILLWIG, PLS 5137 DATE
 LICENSE EXPIRES: 6-30-15

SCALE: 1" = 50'

FILE NO.: 536-01A

DATE: JULY 2, 2013

SHEET 1 OF 1

EXHIBIT "A-2"
VACATION OF EXISTING
RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT

THOSE PORTIONS OF THE RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT DEPICTED ON TRACT MAP NO. 69609, FILED IN BOOK 1366 OF MAPS PAGES 44 THROUGH 49 INCLUSIVE, IN THE CITY OF SAN DIMAS, LOS ANGELES COUNTY, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID EASEMENT LOCATED WITHIN PARCEL D OF LOT LINE ADJUSTMENT #12-02, AS DEPICTED ON DOCUMENT NO. 20130837731, RECORDED ON JUNE 5, 2013, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH:

THAT PORTION OF SAID EASEMENT LOCATED WITHIN PARCEL C OF SAID LOT LINE ADJUSTMENT, LYING WESTERLY OF THE FOLLOWING LINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5;

THENCE SOUTH 89°59'10" EAST ALONG THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 333.25 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°00'50" WEST, A DISTANCE OF 28.00 FEET.



Prepared by HILLWIG-GOODROW, INC.:
31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137

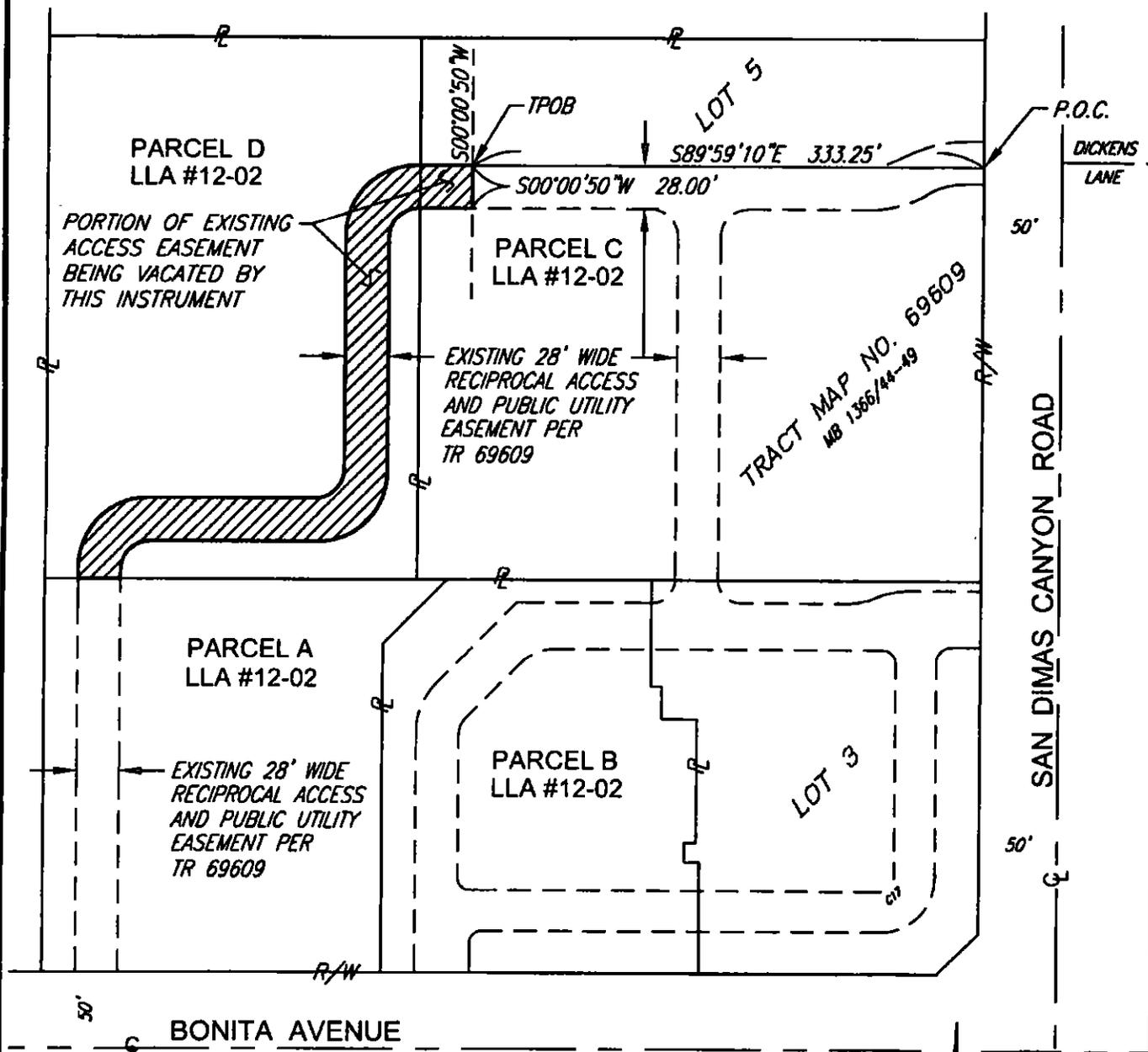
Alan C. Hillwig 7/2/2013
ALAN C. HILLWIG, PLS 5137 DATE
LICENSE EXPIRES: 6-30-15

FILE NO.: 536-01A

DATE: JULY 2, 2013

SHEET 1 OF 1

EXHIBIT "B-2"
VACATION OF EXISTING
RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT



 **AREA OF VACATION**
 = 12,882 SQ. FT
 = 0.296 ACRES

SCALE: 1"=100'



Prepared by HILLWIG-GOODROW, INC.:
 31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137
 ALAN C. HILLWIG, PLS 5137
 LICENSE EXPIRES: 6-30-15

Alan C. Hillwig 7/2/2013
 DATE

SCALE: 1" = 100'
 FILE NO.: 536-01A
 DATE: JULY 2, 2013
 SHEET 1 OF 1

EXHIBIT "A-3"
SEWER EASEMENT

THAT PORTION OF PARCEL D OF LOT LINE ADJUSTMENT #12-02, IN THE CITY OF SAN DIMAS, LOS ANGELES COUNTY, STATE OF CALIFORNIA, AS DEPICTED ON DOCUMENT NO. 20130837731, RECORDED ON JUNE 5, 2013, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A STRIP OF LAND 10.00 FEET WIDE LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL D;

THENCE NORTH 89°59'41" EAST ALONG THE NORTH LINE OF SAID PARCEL D, A DISTANCE OF 12.00 FEET TO A POINT ON THE EAST LINE OF THE 12 FOOT WIDE SANITARY SEWER EASEMENT PER INSTRUMENT NO. 2627 RECORDED ON JUNE 23, 1966 OFFICIAL RECORDS OF SAID COUNTY;

THENCE SOUTH 00°00'20" WEST ALONG SAID EAST LINE, A DISTANCE OF 49.44 FEET, TO THE POINT OF BEGINNING;

THENCE NORTH 89°59'41" EAST 29.28 FEET;

THENCE SOUTH 00°00'50" WEST 266.31 FEET, TERMINATING AT THE NORTH LINE OF THE 10 FOOT WIDE SEWER EASEMENT DEPICTED ON TRACT MAP 69609, FILED IN BOOK 1366 OF MAPS PAGES 44 THROUGH 49 INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THE SIDELINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED SO AS TO BEGIN AT SAID EAST LINE OF SAID 12 FOOT WIDE EASEMENT AND TERMINATE AT SAID NORTH LINE OF SAID 10 FOOT WIDE SEWER EASEMENT.



Prepared by HILLWIG-GOODROW, INC.:
31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137

Alan C. Hillwig 7/2/2013
ALAN C. HILLWIG, PLS 5137 DATE
LICENSE EXPIRES: 6-30-15

FILE NO.: 536-01A

DATE: JULY 2, 2013

SHEET 1 OF 1

EXHIBIT "B-3"
SEWER EASEMENT

POC-NW CORNER
OF PARCEL D

N89°59'41"E 12.00'

N89°59'41"E
BASIS OF BEARINGS

S00°00'20"W 49.44'

N89°59'41"E 29.28'

 EASEMENT AREA
2,956 SQ. FT = 0.07 ACRES

 LANDS OF THE GRANTOR
PARCEL D

POB

EXISTING 12' WIDE
SANITARY SEWER
EASEMENT, PER INST. NO.
2627 O.R., RECORDED
JUNE 23, 1966

CENTERLINE OF 10' WIDE SANITARY SEWER
EASEMENT PER THIS INSTRUMENT

5' 5'

EXISTING 13' WIDE
SEWER EASEMENT
PER TR 69609,
MB 1366/44-49

PARCEL D
PER LOT LINE ADJUSTMENT 12-02
RECORDED JUNE 5, 2013
DOCUMENT NO. 20130837731, O.R.

S00°00'50"W 266.31'

EXISTING 10' WIDE SEWER
EASEMENT PER TR 69609,
MB 1366/44-49



SCALE: 1"=50'



Prepared by HILLWIG-GOODROW, INC.:
31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137

SCALE: 1" = 50'

FILE NO.: 536-01A

Alan C. Hillwig
ALAN C. HILLWIG, PLS 5137
LICENSE EXPIRES: 6-30-15

7/2/2013
DATE

DATE: JULY 2, 2013

SHEET 1 OF 1

EXHIBIT "A-4"
RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT

THAT PORTION OF LOT 5 OF TRACT MAP NO. 69609 FILED IN BOOK 1366 OF MAPS PAGES 44 THROUGH 49 INCLUSIVE AND THOSE PORTIONS OF PARCEL A, C & D OF LOT LINE ADJUSTMENT #12-02, AS DEPICTED ON DOCUMENT NO. 20130837731, RECORDED ON JUNE 5, 2013, ALL IN THE CITY OF SAN DIMAS, LOS ANGELES COUNTY, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED LINES:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5;

THENCE SOUTH 89°59'10" EAST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 333.25 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 18.00 FEET;

THENCE WESTERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 48°31'36" AN ARC DISTANCE OF 15.25 FEET, HEREINAFTER REFERRED TO AS COURSE 1;

THENCE NORTH 41°27'34" WEST, A DISTANCE OF 52.09 FEET TO A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 46.00 FEET, HEREINAFTER REFERRED TO AS COURSE 2;

THENCE NORTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 48°32'26" AN ARC DISTANCE OF 38.97 FEET, HEREINAFTER REFERRED TO AS COURSE 3;

THENCE SOUTH 89°59'46" WEST, A DISTANCE OF 127.59 FEET TO A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 46.00 FEET, HEREINAFTER REFERRED TO AS COURSE 4;

THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'26" AN ARC DISTANCE OF 72.25 FEET, TO A POINT ON THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF THE ACCESS EASEMENT ON LOT 1, SAID TRACT MAP NO. 69609, HEREINAFTER REFERRED TO AS COURSE 5;

THENCE SOUTH 0°00'20" WEST ALONG THE SAID NORTHERLY PROLONGATION, A DISTANCE OF 284.93 FEET TO THE SOUTH LINE OF SAID PARCEL D, HEREINAFTER REFERRED TO AS COURSE 6;

THENCE ALONG SAID SOUTH LINE NORTH 90°00'00" EAST, A DISTANCE OF 28.00 FEET TO THE EAST LINE OF SAID RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT;

THENCE ALONG SAID EAST LINE SOUTH 0°00'20" WEST, A DISTANCE OF 20.05 FEET TO THE CUSP OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 18.00 FEET, A RADIAL LINE TO WHICH BEGINNING BEARS NORTH 89°59'40" WEST;

THENCE NORTHERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'30" AN ARC DISTANCE OF 28.28 FEET;



Prepared by HILLWIG-GOODROW, INC.:
 31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137

Alan C. Hillwig 7/2/2013
 ALAN C. HILLWIG, PLS 5137 DATE
 LICENSE EXPIRES: 6-30-15

FILE NO.: 536-01A

DATE: JULY 2, 2013

SHEET 1 OF 2

EXHIBIT "A-4"
RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT
 (CONTINUED)

THENCE SOUTH 89°59'10" EAST, A DISTANCE OF 122.85 FEET, HERINAFTER REFERRED TO AS COURSE 7;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 28.00 FEET, TO A LINE PARALLEL WITH AND 28.00 FEET NORTHERLY OF THE HEREINBEFORE REFERENCED COURSE 7;

THENCE NORTH 89°59'10" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 122.86 FEET TO A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 18.00 FEET;

THENCE NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°42'35" AN ARC DISTANCE OF 28.18 FEET, TO A LINE PARALLEL WITH AND 28.00 FEET EASTERLY OF THE HEREINBEFORE REFERENCED COURSE 6;

THENCE NORTH 00°00'20" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 241.07 FEET TO A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 18.00 FEET, BEING A CONCENTRIC CURVE TO THE HEREINBEFORE REFERENCED COURSE 5;

THENCE NORTHEASTERLY AND EASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 89°59'26" AN ARC DISTANCE OF 28.27 FEET, TO A LINE PARALLEL WITH AND 28.00 FEET SOUTHERLY OF THE HEREINBEFORE REFERENCED COURSE 4;

THENCE NORTH 89°59'46" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 127.59 FEET TO A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 18.00 FEET, BEING A CONCENTRIC CURVE TO THE HEREINBEFORE REFERENCED COURSE 3;

THENCE SOUTHEASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 48°32'26" AN ARC DISTANCE OF 15.25 FEET, TO A LINE PARALLEL WITH AND 28.00 FEET SOUTHWESTERLY OF THE HEREINBEFORE REFERENCED COURSE 2;

THENCE SOUTH 41°27'34" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 52.09 FEET TO A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 46.00 FEET, BEING A CONCENTRIC CURVE TO THE HEREINBEFORE REFERENCED COURSE 1;

THENCE SOUTHEASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 48°31'36" AN ARC DISTANCE OF 38.96 FEET, TO THE SOUTH LINE OF THE 28.00 FEET WIDE RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT DEPICTED ON SAID TRACT MAP NO. 69609;

THENCE NORTH 0°00'50" EAST, A DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING.



Prepared by HILLWIG-GOODROW, INC.:
 31407 Outer Hwy. 10, Redlands, CA 92373 (888) 626-5137

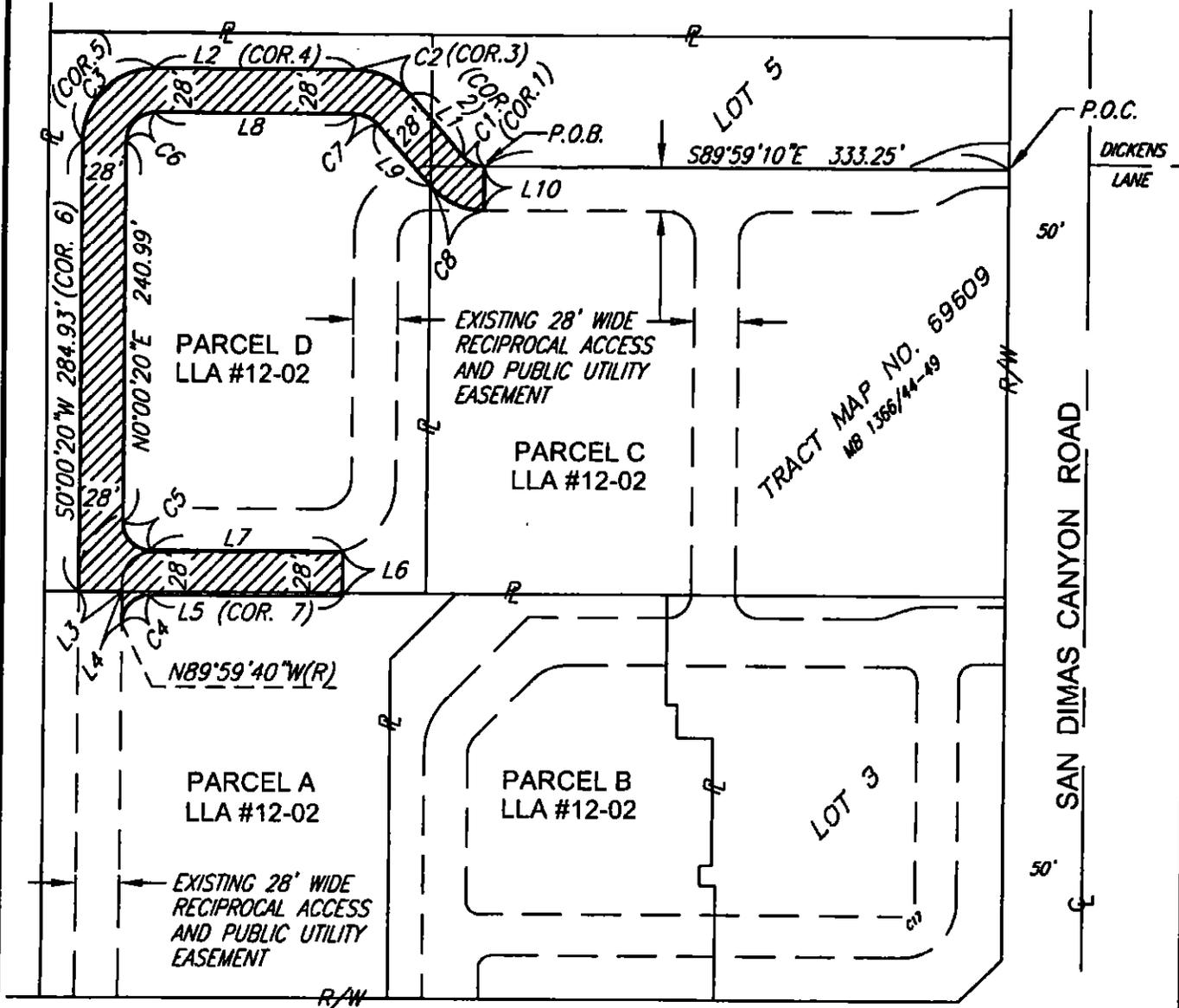
Alan C. Hillwig 7/2/2013
 ALAN C. HILLWIG, PLS 5137 DATE
 LICENSE EXPIRES: 6-30-15

FILE NO.: 536-01A

DATE: JULY 2, 2013

SHEET 2 OF 2

EXHIBIT "B-4"
RECIPROCAL ACCESS AND PUBLIC UTILITY EASEMENT



BONITA AVENUE

COURSE TABLE

CURVE	ARC	RADIUS	DELTA	LINE	BEARING	DISTANCE
C1	15.25'	18.00'	48°31'36"	L1	N41°27'34"W	52.09'
C2	38.97'	46.00'	48°32'26"	L2	S89°59'46"W	127.59'
C3	72.25'	46.00'	89°59'26"	L3	N90°00'00"E	28.00'
C4	28.28'	18.00'	90°00'30"	L4	S0°00'20"W	20.05'
C5	28.27'	18.00'	89°59'30"	L5	S89°59'10"E	122.85'
C6	28.27'	18.00'	89°59'26"	L6	N0°00'00"E	28.00'
C7	15.25'	18.00'	48°32'26"	L7	N89°59'10"W	122.86'
C8	38.96'	46.00'	48°31'36"	L8	N89°59'46"E	127.59'
				L9	S41°27'34"E	52.09'
				L10	N0°00'50"E	28.00'

 **EASEMENT AREA**
 = 20,018 SQ. FT
 = 0.46 ACRES

SCALE: 1"=100'



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Alan C. Hillwig 7/2/2013
 ALAN C. HILLWIG, PLS 5137
 LICENSE EXPIRES: 6-30-15

SCALE: 1" = 100'

FILE NO.: 536-01A

DATE: JULY 2, 2013

SHEET 1 OF 1



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 23, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Development Services Department

SUBJECT: **CONSIDERATION OF CLASSIFICATION OF USE 13-01,
AN APPEAL OF THE PLANNING COMMISSION'S
DETERMINATION TO APPROVE THE CLASSIFICATION
OF USE**

A request to classify a medical inpatient rehabilitation facility (congregate living health facility) as similar to a hospital, which is a conditionally permitted use in the A-P Administrative Professional zone. The applicant is requesting the Classification of Use to facilitate a proposed project for two vacant lots at 1136 and 1148 W. Puente Ave. The request would affect all A-P zoned properties.

SUMMARY

The applicant has submitted a request to consider a medical inpatient rehabilitation facility (congregate living health facility) as similar to a hospital, which is conditionally permitted in the A-P Administrative Professional zone.

The subject site is located on two vacant parcels near the intersection of Via Verde and Puente, but the determination will affect all sites within the A-P Administrative Professional zone.

If the Classification of Use is approved the applicant will move forward with a development application for a 10,000 sq ft +/-, 15 bed inpatient rehabilitation facility and a 2,350 sq ft +/- outpatient rehabilitation facility for physical, occupational, and speech therapy. The outpatient use is considered a permitted use (medical services) within the A-P zone and does not require a Classification of Use application. Should the City Council make the determination that the proposed use can be conditionally permitted in the A-P zone, staff will bring plans for the site development and operational details to the Development Plan Review Board, Planning Commission, and City Council for review.

BACKGROUND:

On June 20, 2013, the Planning Commission considered Classification of Use 13-01 to classify a medical inpatient rehabilitation facility (congregate living health facility) as similar to a hospital, which is a conditionally permitted use in the A-P Administrative Professional zone. Detailed information on the proposed use and a zoning code and land use analysis is provided in Exhibit A. This is the same staff report packet that was prepared and presented to the Planning Commission at its meeting. Chapter 18.136 of the San Dimas Municipal Code which addresses the A-P zone is included as Exhibit B. The Planning Commission approved the applicant's request through the adoption of Resolution PC-1486 (Exhibit C) on a 3-1-1 vote with Commissioner Davis voting to deny the request and Commissioner Bratt absent. An excerpt of draft minutes from the Planning Commission's meeting are included as Exhibit D.

At the June 25, 2013 City Council meeting, the Planning Commission's determination was appealed by a member of the City Council. Councilmen Bertone appealed the request due to community concerns and residents' requests for further consideration of the proposed use.

In an effort to present the elements of the specific project proposed for the vacant lot to the public, the developer held a community meeting on July 15, 2013 attended by approximately 90 residents. They provided information on the project to the local community as well as received community feedback and comments on the proposal. Some of the concerns raised by those in opposition were that the project wasn't desirable in Via Verde and that it would impact the surrounding residents' property values and quality of life due to traffic, parking, and noise. Some comments by those in favor were that the proposed use would be low impact and would be a better fit at the site than some of the other uses that are currently permitted or conditionally permitted in the A-P zone. Staff has included all written correspondence received by the time that this report was submitted as Exhibit E.

NOTICING:

While the Classification of Use application is not a public hearing item and does not require the typical 300 foot mailing radius from the project site for a public hearing item such as a Conditional Use Permit application, Staff did a 500 foot+ mailing radius for the June 20, 2013 Planning Commission meeting in order to involve the community in the review process. Based on community feedback and requests for a larger noticing radius by the residents and the Planning Commission for future project notices, the public notice radius around the project site was increased to 1,500 feet+ for both the developer's Community Meeting and the July 23, 2013 City Council Meeting. Exhibit F shows the initial and expanded radius maps used.

RECOMMENDATION:

Staff recommends that the City Council uphold the Planning Commission's decision and adopt the findings in City Council Resolution No. 2013-44 determining that a medical rehabilitation inpatient facility (congregate living health facility) for the treatment of major

injuries is similar to and not more obnoxious or detrimental to the public health, safety, and welfare than a hospital and may be conditionally permitted in the A-P zone.

If the City Council cannot make these findings and determines that a medical rehabilitation inpatient facility for the treatment of major injuries is not like a hospital or other use listed in the A-P zone, Staff will prepare a resolution of denial for the next City Council meeting on August 13, 2013.

Respectfully Submitted,



Jennifer Williams
Associate Planner

Attachments:

Exhibit A - Planning Commission Staff Report Packet
Staff Report
Letter of Explanation from Applicant
Excerpt from California Health and Safety Code
Map of A-P Zones
Aerial of Subject Site

Exhibit B - SDMC Chapter 18.136 A-P Zone

Exhibit C - Planning Commission Resolution PC-1486 Approving Classification of Use 13-01

Exhibit D - Excerpt of Draft Minutes from the Planning Commission's June 20, 2013 meeting

Exhibit E - Correspondence Received

Exhibit F - Initial and Expanded Mailing Radius

City Council Resolution No. 2013-44

RESOLUTION NO. 2013-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF CLASSIFICATION OF USE CASE NO. 13-01, A REQUEST TO ALLOW A CONGREGATE LIVING HEALTH FACILITY FOR INPATIENT MEDICAL REHABILITATION CARE IN THE A-P (ADMINISTRATIVE PROFESSIONAL) ZONE

WHEREAS, an application was filed for Classification of Use No. 13-01 by:

HealthCap Partners, LLC
16042 N. 32nd Street, Suite B9
Phoenix, AZ 85032

WHEREAS, the Classification of Use No. 13-01 is described as:

A request to classify a medical inpatient rehabilitation facility (congregate living health facility) as similar to a hospital, which is a conditionally permitted use in the A-P Administrative Professional zone. The applicant is requesting the Classification of Use to facilitate a proposed project for two vacant lots at 1136 and 1148 W. Puente Ave. The request would affect all A-P zoned properties.

WHEREAS, Classification of Use No. 13-01 would only affect the A-P Administrative Professional Zone; and

WHEREAS, the Planning Commission received the report and recommendation of such agencies that had submitted information, including the written report and recommendation of Staff, and approved the Classification of Use request at its meeting on June 20, 2013; and

WHEREAS, a City Council member appealed the Planning Commission's determination at the June 25, 2013 City Council Meeting for further review by the City Council;

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Council Members at the hearing, the City Council now finds as follows:

A. The subject use and its operation are consistent with the goals and objectives of the general plan.

The Office/Professional land use designation is intended to provide for the development of suburban low-intensity administrative and professional offices and related uses, including administrative, financial, professional, and sales offices, medical and health services, and special service agencies. The proposed use is compatible with the general plan in that it will provide medical and health services to the community.

B. The subject use and its operation are consistent with the purposes and intent of the zone in which the use is proposed to be located.

The A-P Administrative Professional zone is intended to provide for development of suburban (low-intensity) administrative and professional offices and related uses. It permits or conditionally permits such uses as medical and health services, hospitals, and administrative, financial, professional, and sales offices. The proposed use is a low-intensity medical and health services use with only 15 beds. It will be operated in conjunction with a daytime rehabilitation facility for physical, speech, and occupational therapy, which is a permitted use in the A-P zone. The number of patients and staff that will be present on-site are much less intense than that of a typical hospital, which is conditionally permitted in the A-P zone. As such, the subject use and its operation are consistent with the purposes and intent of the A-P zone.

C. The subject use and its operation is a compatible use in all areas of the City where the zoning is applied.

The subject use and its operation could be compatible in all areas of the City zoned Administrative Professional, and any future proposals would be subject to evaluation through the Conditional Use Permit process. If the specific operational details and site are deemed to be incompatible with the surrounding uses by the Planning Commission at the time of the Conditional Use Permit request, the Planning Commission may deny the request.

D. The subject use is similar to one or more uses permitted in the zone within which it is proposed to be located. A use shall be deemed to be similar only where the size, scale, design and impact of the uses are comparable. A use shall not be deemed to be similar when the operation of the use involves greater impacts in terms of traffic, parking, noise, glare, odor, refuse or other environmental considerations; generates greater demand for public services; does not have comparable hours of operation; is significantly more intensive in the number of employees, patrons and other users of the facility; and is not complementary to other uses in the zone.

The proposed use is similar to a hospital, with some unique characteristics. Patient stays are generally long-term (staying for over 100 days) with patients recovering from severe injuries. There is a residential component as the patients live at such facilities for extended periods of time; however, the set-up of the facility, level of care and staffing, and characteristics of use also lend themselves to that of a hospital. For example, 24-hour nursing care and medical supervision will be provided. Physical, occupational, and speech therapy will be provided for rehabilitation purposes. Pharmacy, dietary, social, recreational, and therapeutic needs of the patients will be provided for. Three (3) beds will be dedicated to patients who are mentally alert but may have physical disabilities and may need ventilator care or weaning, and twelve (12) beds will be dedicated to patients who are catastrophically and severely disabled, whose origin of disability was acquired through trauma or non-degenerative neurological illness. There will be only one central kitchen for the preparation of meals based upon the dietary needs of the patients. The bedrooms will not have their own kitchenettes, nor will they even have private bathrooms. Most patients will not be able to use the restroom on their own and will require a very high level of care. As such, the size, scale, design, and impact of the use are comparable to a hospital on a lesser scale.

E. The subject use and its operation will not adversely affect other permitted uses in the zone within which the use is proposed to be located.

The subject use is proposed to be conditionally permitted. This will allow the City to put reasonable conditions on the development to minimize or eliminate any impacts on other permitted uses in the zone. It operates similarly to hospitals and medical and health services, which are permitted in the zone.

F. The subject use will be so designed, located and operated that the public health, safety and general welfare will be protected.

The subject use falls within strict licensing provisions for congregate health living facilities under the California Health and Safety Code. Specifically, 24-hour nursing care and medical supervision will be provided. Physical, occupational, and speech therapy will be provided for rehabilitation purposes. Pharmacy, dietary, social, recreational, and therapeutic needs of the patients will be provided for. Beds will be dedicated to patients who are mentally alert but may have physical disabilities and may need ventilator care or weaning as well as patients who are catastrophically and severely disabled, whose origin of disability was acquired through trauma or non-degenerative neurological illness. Drug, alcohol, and mental health rehabilitation are not proposed, considered, nor approved in conjunction with this request. The congregate health living facility will also be conditionally permitted, allowing the City to evaluate the specific operations and put limitations on the use for the protection of the public health, safety, and general welfare.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the City Council determines that the use of a congregate living health facility for inpatient medical rehabilitation care is similar to a hospital and is a compatible use with other uses permitted within the A-P Administrative Professional Zone and upholds the Planning Commission's approval of Classification of Use Determination No. 13-01.

PASSED, APPROVED and ADOPTED, THIS 23rd DAY OF JULY, 2013

Curt Morris, Mayor of the City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I, DEBRA BLACK, DEPUTY CITY CLERK of the City of San Dimas, do hereby certify that the foregoing Resolution 2013-44 was passed at the regular meeting of the City Council held on July 23, 2013 by the following vote:

AYES: Badar, Bertone, Ebner, Morris, Templeman
NOES: None
ABSENT: None
ABSTAIN: None



Planning Commission Staff Report

DATE: June 20, 2013
TO: Planning Commission
FROM: Jennifer Williams, Associate Planner

SUBJECT: CONSIDERATION OF CLASSIFICATION OF USE 13-01

A request to classify a medical inpatient rehabilitation facility (congregate living health facility) as similar to a hospital, which is a conditionally permitted use in the A-P Administrative Professional zone. The applicant is requesting the Classification of Use to facilitate a proposed project for two vacant lots at 1136 and 1148 W. Puente Ave. The request would affect all A-P zoned properties.

SUMMARY

The applicant is proposing to conditionally permit a medical inpatient rehabilitation facility (congregate living health facility) in the A-P Administrative Professional zone.

The subject site is located on two vacant parcels near the intersection of Via Verde and Puente, but the determination will affect all sites within the A-P Administrative Professional zone.

In conjunction with the proposed approximately 10,000 square foot, 15 bed inpatient rehabilitation facility, an approximately 2,350 square foot outpatient rehabilitation facility is proposed for physical, occupational, and speech therapy. The outpatient building is considered a permitted use (medical services) within the A-P zone and does not require a classification of use. Should the Planning Commission make the determination that the proposed use can be conditionally permitted in the A-P zone, staff will bring plans for the site development and operational details to the Development Plan Review Board, Planning Commission, and City Council for review.

BACKGROUND:

The applicant, CareMeridian, approached the City with a proposal to develop two buildings on a vacant site of approximately 1.78 acres. The development proposal consists of an approximately 10,000 square foot, 15 bed inpatient rehabilitation facility

and a 2,350 square foot outpatient rehabilitation facility for physical, occupational, and speech therapy. While reviewing the proposal, staff determined that the outpatient use is a permitted use (medical services) within the A-P zone but that the inpatient rehabilitation facility (congregate living health facility) is considered an unclassified use in the A-P zone.

Per Section 18.192.040 of the San Dimas Municipal Code (SDMC), any unclassified use may be permitted where it is determined to be similar to the other permitted uses in the zone and not more obnoxious or detrimental to the public health, safety and welfare. In order to make that determination, the Planning Commission must find that all of the following conditions exist:

1. That the subject use and its operation is consistent with the goals and objectives of the general plan;
2. That the subject use and its operation is consistent with the purposes and intent of the zone in which the use is proposed to be located;
3. That the subject use and its operation is a compatible use in all areas of the city where the zoning is applied;
4. That the subject use is similar to one or more uses permitted in the zone within which it is proposed to be located. A use shall be deemed to be similar only where the size, scale, design and impact of the uses are comparable. A use shall not be deemed to be similar when the operation of the use involves greater impacts in terms of traffic, parking, noise, glare, odor, refuse or other environmental considerations; generates greater demand for public services; does not have comparable hours of operation; is significantly more intensive in the number of employees, patrons and other users of the facility; and is not complementary to other uses in the zone;
5. That the subject use and its operation will not adversely affect other permitted uses in the zone within which the use is proposed to be located; and
6. That the subject use will be so designed, located and operated that the public health, safety and general welfare will be protected.

The applicant is requesting that the City classify congregate living health facilities as similar to a hospital.

PREVIOUS CLASSIFICATION OF USE:

A Classification of Use request (DPRB 98-19) was previously approved on June 11, 1998 by the Development Plan Review Board for the development of the site as an assisted living/skilled nursing facility with an Alzheimer's unit. The City Council invalidated the approval through Resolution 00-04 at its meeting on January 25, 2000, as it was determined that the prior request would result in noise, odors, lighting, and parking demands that were incompatible with other uses in the area. The previous proposal differs from the current one, however, in a number of ways. For example, the previous proposal was for 90 beds, while the current proposal is for 15. The previous proposal included a kitchenette in each individual unit, while the current proposal has one central kitchen where staff will prepare meals for the patients. The types of patients to be served are not likely to be capable of preparing their own meals, and may be

feeding through a tube. The previous proposal included a bathroom in each unit, while the current proposal has a central bathroom. Again, most patients wouldn't be able to use the restroom on their own, if at all. As such, staff has determined that the proposed use varies greatly enough from the previously proposed use that a new Classification of Use should be considered.

ANALYSIS:

Description of Use

The applicant provided a letter of explanation detailing the proposed business and indicating other locations out of which they operate. This is attached as Exhibit A to assist in understanding the proposed use.

The applicant has stated that the facility is intended to provide patient care programs for the following:

1. Traumatic brain injuries;
2. Spinal cord injuries (all levels, including halo care);
3. Complex wound care (including burn care);
4. Pulmonary disorders (including vent care and weaning);
5. Congenital disorders (including Cerebral Palsy and Spina Bifida);
6. Neuromuscular disorders (including Guillan-Barre and Muscular Dystrophy);
7. Orthopedic complexities (including multiple trauma/fractures, external fixator care, and amputee care); and
8. High intensity rehabilitation.

A team of nurses, therapists, and support staff provide around-the-clock patient care. Patient stays vary from long term care (3-6 months) to life term care (years). The facility would have day time visiting hours for family members and friends.

The inpatient facility is described by the applicant as a "post acute rehabilitation facility" which will be a licensed congregate living health facility (CLHF) as defined by the State of California Health and Safety Code. It will be licensed by the California Department of Public Health. A full definition and excerpts from the Health and Safety Code relating to CLHF's are included as Exhibit C. Staff considered the concern of the potential conversion of the facility to a drug or alcohol rehabilitation facility. The Los Angeles County Public Health Department confirmed that the types of facilities licensed as congregate health living facilities are limited to those described under California Health and Safety Code Section 1250(i) and that this would not be a possibility.

The Health and Safety Code generally defines a CLHF as a residential home that provides inpatient care. The code describes the care in these types of facilities as generally less intense than that provided in an acute care setting but more intense than that provided in skilled nursing facilities. In accordance with the requirements of the Health and Safety Code, the facility must provide the following basic services:

1. Medical supervision;
2. 24-hour skilled nursing and supportive care;

3. Pharmacy, dietary, social, and recreational services; and
4. Rehabilitation including physical therapy, occupational therapy, and speech therapy.

In addition, it must provide at least one type of the following services:

1. Services for persons who are mentally alert, physically disabled persons who may be ventilator dependent;
2. Services for persons who have a diagnosis of terminal illness, a diagnosis of a life threatening illness, or both; or
3. Services for persons who are catastrophically and severely disabled.

Furthermore, the California Health and Safety Code states that the primary need of congregate living health facility residents shall be for availability of skilled nursing care on a recurring, intermittent, extended, or continuous basis.

Suitability Within the A-P Administrative Professional Zone

The A-P Administrative Professional zone is intended to provide for development of suburban (low-intensity) administrative and professional offices and related uses (SDMC 18.136.010). The most similar permitted and conditionally permitted uses in the A-P zone are listed as follows:

1. Medical and health services (permitted by right); and
2. Hospitals (conditionally permitted).

Additional permitted and conditionally permitted uses include:

1. Administrative, financial, professional, and sales offices;
2. Public uses, including government agencies, libraries, post offices, utility offices, museums, and art galleries;
3. Special service agencies, including travel agencies and employment agencies;
4. General research facilities;
5. Child care centers;
6. Churches and related facilities;
7. Educational institutions;
8. Mortuaries;
9. Performing arts studios;
10. Athletic clubs;
11. Private clubs, lodges, and meeting halls;
12. Animal hospitals and veterinary facilities for small animals;
13. Vocational schools; and
14. Theaters.

Prohibited uses include:

1. Supermarkets;
2. Convenience markets;

3. Retail and wholesale uses;
4. Industrial uses; and
5. Residential uses.

Exhibit C is a map of all the areas in the City of San Dimas that are zoned A-P. Exhibit D is an aerial of the site which the applicant's related development applications apply to. The Planning Commission's determination on the Classification of Use will not just apply to the site where the related development applications are, but will apply to all of the properties in the A-P zone.

Conclusions:

The proposed use is unique in that it offers a combination of residential and hospital type services. The applicant has stated that patients are generally long-term (staying for over 100 days) and are recovering from severe injuries. There is a residential component as the patients live at such facilities for extended periods of time; however, the set-up of the facility, level of care and staffing, and characteristics of use also lend themselves to that of a hospital. For example, 24-hour nursing care and medical supervision will be provided. Physical, occupational, and speech therapy will be provided for rehabilitation purposes. Pharmacy, dietary, social, recreational, and therapeutic needs of the patients will be provided for. Three (3) beds will be dedicated to patients who are mentally alert but may have physical disabilities and may need ventilator care or weaning, and twelve (12) beds will be dedicated to patients who are catastrophically and severely disabled, whose origin of disability was acquired through trauma or non-degenerative neurological illness. There will be only one central kitchen for the preparation of meals based upon the dietary needs of the patients. The bedrooms will not have their own kitchenettes, nor will they even have private bathrooms. Most patients will not be able to use the restroom on their own and will require a very high level of care.

Should the Planning Commission approve the Classification of Use, the applicant will be required to obtain Development Plan Review, Conditional Use Permit, and Precise Plan approvals for the proposed development of the site which will go before the Development Plan Review Board, Planning Commission, and City Council.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the findings in the draft approval resolution determining that a medical rehabilitation inpatient facility (Congregate Health Living Facility) for the treatment of major injuries is similar to and not more obnoxious or detrimental to the public health, safety, and welfare than a hospital and may be conditionally permitted in the A-P zone.

If the Planning Commission cannot make these findings and determines that a medical rehabilitation inpatient facility for the treatment of major injuries is not like a hospital or other use listed in the A-P zone, staff will prepare a denial resolution.

Respectfully Submitted,

A handwritten signature in black ink that reads "J. Williams". The signature is written in a cursive, flowing style.

Jennifer Williams
Associate Planner

Attachments:

- Exhibit A - Letter of Explanation from Applicant
- Exhibit B - Excerpt from Public Health and Safety Code
- Exhibit C - Map of A-P Zones
- Exhibit D - Aerial of Subject Site

EXHIBIT A

LETTER OF EXPLANATION FROM APPLICANT- PAGE 1 OF 4



HEALTHCAP

May 16, 2013

Jennifer Williams, Associate Planner
City of San Dimas
245 E Bonita Avenue
San Dimas, CA 91773

Re: CareMeridian San Dimas – 1136 & 1148 W Puente Street
CUP 13-01

I am writing to introduce ourselves to you and describe our rehabilitation and medical care program and how it will serve the community of San Dimas and its residents. We are excited about becoming a part of your wonderful community and look forward to a long successful bond with its leaders, businesses, and residents.

Hope It's what every family looks for when searching for a health care alternative for their catastrophically ill or injured loved one. For over two decades, CareMeridian has helped these patients regain some level of functioning based on a unique care model:

- Comforting, non-institutional environment
- State-of-the-art medical and therapy technology and services
- 24-hour skilled nursing care
- Industry leading 1:4 staff-to-patient ratio

Catastrophic injuries or illness can happen to anyone at anytime in their life. That is why at CareMeridian we provide post-acute care and rehabilitation options to persons of all ages.

CareMeridian has been providing needed medical care and rehabilitation to catastrophically injured and ill patients in California since 1989. With 20 similar locations currently under operation CareMeridian has proven to be a supportive member of the community and the patients provide new friendly uplifting neighbors to the neighborhood.

We invite you to visit our website at www.caremeridian.com to learn more about the benefits our care program can provide to your community. Please take a moment to view our patient success stories and video testimonials as the people who call these facilities home are truly the inspiration for this project.

EXHIBIT A CONTINUED

LETTER OF EXPLANATION FROM APPLICANT- PAGE 2 OF 4



HEALTHCAP

Inpatient Facility

The inpatient facility will be licensed with the State of California Department of Health Services as a 15 bed congregate living healthcare facility ("CLHF"), as defined in Division 2, Chapter 2, Article 1, Section 1250(i) of the California Health and Safety Code and will provide the following basic services: medical supervision; 24-hour skilled nursing and supportive care; pharmacy; dietary, social, and recreational services; and rehabilitation therapy, including physical therapy, occupational therapy, and speech therapy. Specifically, the facility will have three (3) Class "A" beds which provide health services for persons who are mentality alert but have physical disabilities and who may be ventilator dependant and 12 Class "C" beds which provide services for persons who are catastrophically and severely disabled, whose origin of disability was acquired through trauma or non-degenerative neurological illness.

Patients are generally transferred from the acute hospital setting, once they have been stabilized. Each patient is carefully screened by qualified healthcare professionals to determine whether CareMeridian is the best option for the patient to reach their highest level of functioning possible for the long term. Patients are generally transferred to the facility by medical transport company or non-emergency ambulance service during regular daytime business hours on scheduled appointments.

Patient Care Programs

Patient Care Programs range from long term care (over 100 days) to life care programs

- Traumatic Brain Injuries
- Spinal cord injuries (all levels, including halo care)
- Complex Wound Care (including burn care)
- Pulmonary (including vent care and weaning)
- Congenital Disorders (including Cerebral Palsy and Spina Bifida)
- Neuromuscular Disorders (including Guillain-Barre and Muscular Dystrophy)
- Orthopedically Complexities (including multiple trauma/fractures, external fixator care, and amputee care)
- High-Intensity Rehabilitation

The Patient Care Programs are long term in nature so patient turnover is historically low with average occupancy at facility maturity around 90%. Annual turnover is difficult to gauge as it depends on the patient mix of long term care and life care. Life care patients can stay in a CLHF for years depending on their care needs. Patients that are able to medically and functionally improve can stay for months (3 to 6) and be discharged to their home or other types of care facilities.

EXHIBIT A CONTINUED

LETTER OF EXPLANATION FROM APPLICANT- PAGE 3 OF 4



HEALTHCAP

CareMeridian works with a variety of payors, the majority of which are workers compensation insurance, commercial insurance and private pay. More than 85% of their patients receive managed care insurance benefits. A growing segment of CareMeridian's patients are veterans returning from service with traumatic brain and spinal injuries or severe burns that require extensive wound care.

The facility will provide 24-hour nursing care and staffing will consist of two 12 hour nursing shifts classified as day and overnight. At maximum patient capacity (15 patients) the day shift will consist of a maximum of 15 employees, including nursing care, therapists, administration, and support staff. The overnight staff is reduced to nursing care and minimal support staff of five to six (5-6) employees. The overall employee total for the post acute rehabilitation facility is roughly 35.

An important aspect of the healing process for patients is interaction. CareMeridian encourages families and friends to interact with patients and be a part of their rehabilitation. Visiting hours are typically 9:00 am to 9:00 pm, seven days per week. Visitation can vary as family involvement differs from patient to patient. We generally see 3 to 4 visitors per day.

Outpatient Facility

The outpatient facility will provide physical, speech, and occupational therapy services to patients and residents in the community. The therapy program provides general medical services and will be operated from approximately 8:00 am to 5:00 pm, Monday thru Friday. Staffing will range from two to six (2 to 6) employees depending on the volume of patients. We expect to see around 20 - 25 patients per day. Therapy patients can range in severity from minor sports injuries to more complex injuries requiring more rigorous manipulations.

Please do not hesitate to contact us further if you need more information.

Sincerely,



Keith Underwood
Senior Vice President

EXHIBIT A CONTINUED

LETTER OF EXPLANATION FROM APPLICANT- PAGE 4 OF 4

CareMeridian, LLC
Facility Locations Operating Dates

CareMeridian Cowan Heights
 10631 Cowan Heights Drive
 Santa Ana, CA 92705
 Jan 1989 - 9 beds

CareMeridian Escondido
 2960 Bernardo Ave
 Escondido, CA 92029
 May 1990 - 10 beds

Care Meridian La Habra
 102 Avacado Crest Road
 La Habra Heights, CA 90631
 Aug 1990 - 10 beds

CareMeridian Marks
 6385 North Marks
 Fresno, CA 93711
 Nov 1990 - 12 beds

CareMeridian Elk Grove
 7601 Jacinto Road
 Elk Grove, CA 95758
 March 1992 - 12 beds

CareMeridian Oxnard
 1540 Teal Club Road
 Oxnard, CA 93030
 Nov 1994 - 10 beds

CareMeridian Santiago Canyon
 17222 Santiago Canyon
 Silverado, CA 92676
 May 1999 - 12 beds

CareMeridian Fairfax
 2390 Sir Francis Drake Blvd
 Fairfax, CA 94930
 June 2000 - 12 beds

CareMeridian Gilroy
 11500 Center Ave
 Gilroy, CA 95020
 Oct 2000 - 12 beds

CareMeridian Artesia
 17724 Gridley Road
 Artesia, CA 90701
 May 2002 - 10 beds

CareMeridian Granite Bay
 7150 Sierra Ponds Lane
 Granite Bay, CA 95746
 May 2008 - 6 beds

CareMeridian Weber
 2020 N. Weber
 Fresno, CA 93705
 Feb 2009 - 15 beds

CareMeridian Tustin
 18792 East 17th St
 Santa Ana, CA 92706
 Dec 2009 - 14 beds

CareMeridian Garden Grove
 12481 Springdale St
 Garden Grove, CA 92845
 Feb 2010 - 15 beds

CareMeridian La Mesa
 5640 Aztec Drive
 La Mesa, CA 91942
 Oct 2012 - 15 beds

CareMeridian Pleasanton
 446 Sycamore Rd
 Pleasanton, CA 94588
 2013 - 15 beds

CareMeridian Northridge
 18900 Mayall St
 Northridge, CA 91324
 Oct 2010 - 6 beds

CareMeridian Woodland Hills
 22524 Victory Blvd
 Woodland Hills, CA 91367
 Oct 2010 - 6 beds

CareMeridian Bermuda
 19640 Bermuda St
 Chatsworth, CA 91311
 Oct 2010 - 6 beds

CareMeridian Laramie
 10311 Laramie Street
 Chatsworth, CA 91311
 Oct 2010 - 6 beds

CareMeridian Mayall
 19256 Mayall Street
 Chatsworth, CA 91311
 Oct 2010 - 6 beds

CareMeridian Mayall II
 20621 Mayall Street
 Chatsworth, CA 91311
 Oct 2010 - 6 beds

CareMeridian Oso
 10035 Oso Ave
 Chatsworth, CA 91311
 Sept 2011 - 6 beds

CareMeridian Las Vegas - Carmen
 7690 Carmen Blvd.
 Las Vegas, NV 89128
 June 2004 - 35 beds

CareMeridian Arcadia
 5301 E Thomas Road
 Phoenix, AZ 85018
 June 2009 - 31 beds

CareMeridian Ludlow
 6512 E Ludlow Dr.
 Scottsdale, CA 85254
 April 2011 - 6 beds

CareMeridian Littleton
 5945 S Wright Street
 Littleton, CO 80127
 July 2012 - 36 beds

EXHIBIT B

CONGREGATE LIVING HEALTH FACILITY AS DEFINED BY CALIFORNIA HEALTH AND SAFETY CODE SECTION 1250 (i)

(1) "Congregate living health facility" means a residential home with a capacity, except as provided in paragraph (4), of no more than 12 beds, that provides inpatient care, including the following basic services: medical supervision, 24-hour skilled nursing and supportive care, pharmacy, dietary, social, recreational, and at least one type of service specified in paragraph (2). The primary need of congregate living health facility residents shall be for availability of skilled nursing care on a recurring, intermittent, extended, or continuous basis. This care is generally less intense than that provided in general acute care hospitals but more intense than that provided in skilled nursing facilities.

(2) Congregate living health facilities shall provide one of the following services:

(A) Services for persons who are mentally alert, persons with physical disabilities, who may be ventilator dependent.

(B) Services for persons who have a diagnosis of terminal illness, a diagnosis of a life-threatening illness, or both. Terminal illness means the individual has a life expectancy of six months or less as stated in writing by his or her attending physician and surgeon. A "life-threatening illness" means the individual has an illness that can lead to a possibility of a termination of life within five years or less as stated in writing by his or her attending physician and surgeon.

(C) Services for persons who are catastrophically and severely disabled. A person who is catastrophically and severely disabled means a person whose origin of disability was acquired through trauma or nondegenerative neurologic illness, for whom it has been determined that active rehabilitation would be beneficial and to whom these services are being provided. Services offered by a congregate living health facility to a person who is catastrophically disabled shall include, but not be limited to, speech, physical, and occupational therapy.

(3) A congregate living health facility license shall specify which of the types of persons described in paragraph (2) to whom a facility is licensed to provide services.

(4) (A) A facility operated by a city and county for the purposes of delivering services under this section may have a capacity of 59 beds.

(B) A congregate living health facility not operated by a city and county servicing persons who are terminally ill, persons who have been diagnosed with a life threatening illness, or both, that is located in a county with a population of 500,000 or more persons, or located in a county of the 16th class pursuant to Section 28020 of the Government Code, may have not more than 25 beds for the purpose of serving persons who are terminally ill.

(C) A congregate living health facility not operated by a city and county serving persons who are catastrophically and severely disabled, as defined in subparagraph (C) of paragraph (2) that is located in a county of 500,000 or more persons may have not more than 12 beds for the purpose of serving persons who are catastrophically and severely disabled.

(5) A congregate living health facility shall have a noninstitutional, homelike environment.

EXHIBIT C MAP OF A-P ZONES

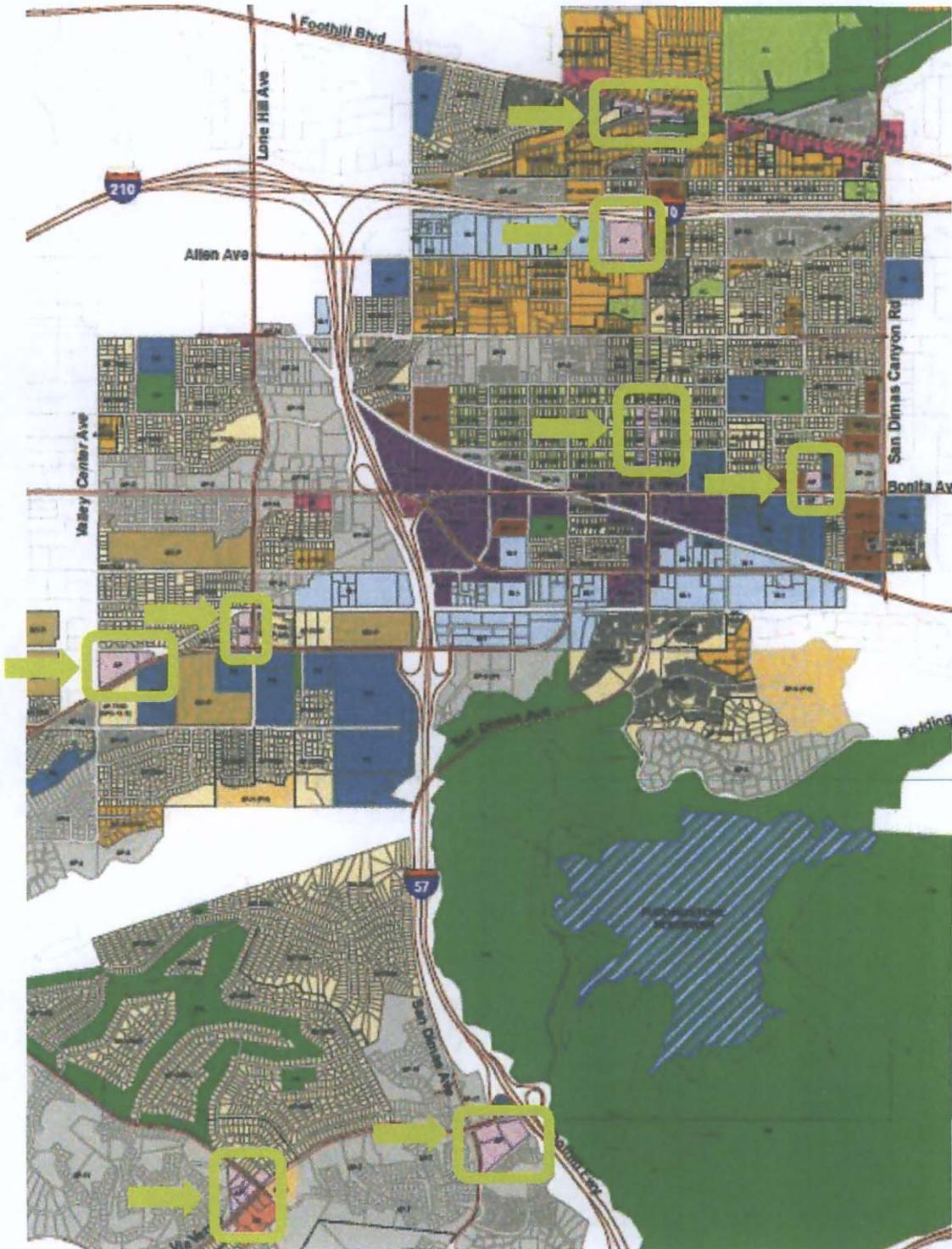


EXHIBIT D

AERIAL OF SUBJECT SITE



Chapter 18.136

A-P ADMINISTRATIVE PROFESSIONAL ZONE

Sections:

- 18.136.010 Intent.**
- 18.136.020 Uses permitted.**
- 18.136.030 Conditional uses.**
- 18.136.040 Prohibited uses.**
- 18.136.050 Property development standards.**
- 18.136.060 Development plan approval.**

18.136.010 Intent.

The A-P administrative professional zone is intended to provide for development of suburban (low-intensity) administrative and professional offices and related uses. (Ord. 549 § 2, 1976; Ord. 253 § 1 (part), 1969; Ord. 37 § 270, 1961)

18.136.020 Uses permitted.

A. Generally. Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the director of community development determines to be similar and not more obnoxious or detrimental to the public health, safety and welfare, in accordance with the findings set forth in Section 18.192.040. The determination of the director may be appealed to the development plan review board and thereafter the city council pursuant to Chapter 18.212 of this title. All uses shall be subject to the property development standards in Section 18.136.050. All uses and storage shall be conducted within a totally enclosed building with the exception of public utilities substations.

B. Specifically.

1. Administrative, financial, professional and sales offices.
2. Medical and health services, including dental labs.

3. Public uses, including government agencies, libraries, post offices, utility company offices, museums, art galleries and similar uses.

4. Special service agencies, including travel agencies, telephone exchanges, employment agencies and similar uses.

5. General research facilities, provided that such facilities shall not include the testing or use of materials, chemicals, products or technologies which are primarily found in industrial or "high-tech" facilities.

6. Accessory game arcades up to a maximum of six machines, provided that such machines are secondary and incidental to a permitted use in this zone which is also defined by Section 18.08.012.

7. Accessory massage permitted with the following primary businesses: medical doctor's office, hospital, athletic club and similar uses. (Ord. 1185 § 10, 2008; Ord. 1085 § 11 (part), 1998; Ord. 963 § 3 (A), 1992; Ord. 911 § 7 (A), 1990; Ord. 785 § 3 (part), 1983; Ord. 37 § 271, 1961)

18.136.030 Conditional uses.

The following uses may be permitted subject to a conditional use permit pursuant to Chapter 18.200 of this title:

- A. Child care centers;
- B. Church and related facilities;
- C. Educational institutions;
- D. Hospitals;
- E. Mortuaries;
- F. Performing arts studios;
- G. Athletic clubs;
- H. Private clubs, lodges and meeting halls;
- I. Animal hospitals and veterinary facilities, provided that such uses shall be limited to the treatment of small animals;
- J. Vocational schools;
- K. Theaters, provided that they shall be walk-in, indoor theaters only;
- L. Utility structures, substations and distribution facilities;
- M. Eating places, provided that they shall not include drive-through or drive-in services;

N. On-sale alcoholic beverages, provided that such use is secondary and incidental use to a permitted use in this zone;

O. Accessory game arcade consisting of seven or more machines within an indoor recreation facility.

P. Accessory sports massage.

Q. Conversion of structures originally designed as a residence into use as an office or business use. (Ord. 1110 § 1, 1999; Ord. 1085 § 11 (part), 1998; Ord. 911 § 7 (B), 1990; Ord. 891 § 3, 1989; Ord. 785 § 3 (part), 1983; Ord. 37 § 272, 1961)

18.136.040 Prohibited uses.

The following uses are prohibited:

- A. Supermarkets;
- B. Convenience markets;
- C. Retail and wholesale uses;
- D. Industrial uses;
- E. Residential uses;
- F. Gambling facilities;
- G. Game arcades other than accessory game arcades specifically authorized in this chapter;
- H. Billboards and other similar off-site outdoor advertising structures;
- I. Drive-through style eating places;
- J. Other uses which are inconsistent with the intent and provisions of this zone, as determined by the director of community development, in accordance with Section 18.192.040. The determination of the director of community development may be appealed to the development plan review board and thereafter the city council in accordance with Chapter 18.212 of this title. (Ord. 1083 § 6, 1997; Ord. 911 § 7 (C), 1990; Ord. 785 § 3 (part), 1983; Ord. 37 § 273, 1961)

18.136.050 Property development standards.

The following property development standards shall apply to all land and buildings in the A-P zone, except that any lot held under separate ownership of record on the effective date of the ordinance codified in this chapter, which is substandard in dimensions or area may nevertheless be used subject to all other standards.

A. Lot Area. Each lot or parcel of land shall have a minimum area of fourteen thousand square feet.

B. Lot Dimensions. Each lot or parcel shall have a minimum width of one hundred feet and a minimum depth of one hundred forty feet.

C. Building Height.

1. No building or structure erected in this zone shall have a height greater than thirty feet, except by conditional use permit.

2. Exceptions.

a. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys and other similar structures may be erected above the height limits prescribed in this subsection, provided such structures are compatible with the surroundings.

b. Air conditioning units, electrical switch gear and panels, compressors and similar mechanical equipment shall be enclosed within an enclosure compatible with the appearance of adjoining and neighboring structures.

D. Use and Conversion of Residential Buildings.

1. No structure originally designed as a residence shall be used for any business, professional or office use without prior approval of a conditional use permit. Exceptions may be granted by the planning commission to the requirement for a conditional use permit for buildings possessing unique historical or architectural value.

2. The following development standards shall apply in the consideration of such a conditional use permit:

a. Each conversion shall comply with all applicable development standards set forth in the A-P zone;

b. Each conversion shall comply with the applicable provisions of the San Dimas Building Code. Any application to convert a structure originally designed as a residence shall include an occupancy permit, which sets forth the building code requirements applicable to such conversion;

c. In reviewing such a conditional use permit the following shall be evaluated:

i. Age, condition and remaining useful life of the structure, and,

ii. Number and proximity of nearby residential structures whether or not used for residential or office use.

Conditions may be imposed pursuant to Section 18.200.088 to address any concerns resulting from this evaluation.

E. Yards. Yards shall be measured perpendicular to the property line.

1. Front Yards. Each lot or parcel of land in the A-P zone shall have a front yard of not less than fifteen feet in depth. The required yard shall be landscaped and maintained; a complete sprinkler system shall be provided.

2. Side Yards. Each lot or parcel of land in the A-P zone which has a side lot line adjoining property in a residential or agricultural zone shall have a side yard of not less than ten feet in width on the side adjoining such residential or agricultural lot or parcel of land. On the street side of a corner lot or reversed corner lot, the side yard shall be no less than ten feet in width. The yard abutting the residential or agricultural zone shall be landscaped and maintained. A complete sprinkler system shall be provided in all yards.

3. Rear Yards. Each lot or parcel of land in an A-P zone which has a rear lot line adjoining property in a residential or agricultural zone or property developed to residential uses shall have a rear yard of not less than twenty feet in depth. When a lot or parcel in an A-P zone is separated from property in a residential or agricultural zone or property developed to residential uses, parking structures may be permitted in the required rear yard so long as no part of the parking structure is within twenty-five feet of the adjoining residential or agricultural zone or use. Landscaping and sprinklering requirements of subdivision 2 of this subsection shall apply.

4. No required or provided front or side yards shall be used for parking facilities.

F. Walls.

1. Required Walls.

a. Solid masonry walls shall be erected on the zone boundary line between the A-P and S-F or M-

F zones. Walls shall be not less than five nor more than six feet in height and shall be reduced to not less than three feet in height in any required yard abutting a street.

b. A decorative wrought iron or similar, open fence may be erected, as an alternative to a solid masonry wall, subject to review and approval of a conditional use permit, provided that the following standards are met:

i. Fence height shall be not less than five feet and not more than six feet, and shall be reduced to not less than three feet in height in any required yard abutting the street.

ii. Decorative masonry, or similar, pilasters shall be incorporated into the fencing plan. The planning commission shall determine the precise design including height, width and spacing of said pilasters but in no event shall they be spaced more than twenty-five feet on center.

iii. Said open fencing shall only be allowed if the planning commission determines that unique natural features, such as topography change and/or distance, separate the administrative-professional use from adjoining residential use and that an open fence will not be detrimental to the value or enjoyment of the adjoining residential uses.

c. The required wall or fence may be eliminated subject to review and approval of a conditional use permit if the planning commission determines that unique natural features, such as a topography change and/or distance, separate the administrative-professional use from adjoining residential uses and that the elimination of fencing will not be detrimental to the value or enjoyment of the adjoining residential uses.

2. Corner Cutback Areas. The cutback line shall be in a horizontal plane, making an angle of forty-five degrees with the side, front and rear property line. It shall pass through a point not less than ten feet from the intersection of the front, side or rear property line or ten feet from the edges of a driveway where it intersects the street or alley, as the case may be.

a. Streets and Alleys. There shall be a corner cutback area at all intersecting or intercepting streets and/or alleys.

b. Driveways. There shall be a corner cutback area on each side of any private driveway intersecting a street or alley.

3. Permitted Walls.

a. Walls not greater than six feet in height shall be permitted on or within all property lines not abutting streets and on or to the rear of all yard setback lines of yards abutting streets.

b. Walls not over forty-two inches in height shall be permitted in required yards abutting streets.

G. Off-Street Parking. The provisions of Chapter 18.156 shall apply. The following shall also apply:

1. A minimum of four percent of the gross lot area shall be set aside for internal parking lot landscaping.

2. There shall be adequate vehicular access to off-street parking facilities from a dedicated and improved street, service road or alley. The design of the access shall conform to city standards and specifications.

H. Signs. The provisions of Chapter 18.152 shall apply.

I. Lighting. All outside lighting shall be so arranged and shielded as to prevent any glare or reflection, any nuisance, inconvenience or hazardous interference of any kind on adjoining rights-of-way or property. No light standard shall exceed a height of ten feet.

J. Utilities. All utilities provided to serve new as well as existing uses and buildings shall be installed underground except as otherwise provided for in the approved precise site plan.

K. Trash Storage. A trash storage area with a minimum inside clear area measuring eight feet by ten feet enclosed by solid masonry walls a minimum of five feet in height shall be provided in an appropriate location.

L. Landscaping. Landscaping where required by this title shall be installed pursuant to an approved landscaping plan. The landscaping shall be maintained by a complete sprinkler system and kept weed and disease free. (Ord. 1110 § 2, 1999; Ord.

896, 1989; Ord. 378 § 1, 1972; Ord. 253 § 1 (part), 1969; Ord. 37 § 274, 1961)

18.136.060 Development plan approval.

Before any building (or structure) is erected on any lot in an A-P zone, a site plan shall have been submitted and approved in accordance with the provisions of Chapter 18.12. (Ord. 253 § 1 (part), 1969; Ord. 37 § 275, 1961)

RESOLUTION PC-1486

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CLASSIFICATION OF USE CASE NO. 13-01, A REQUEST TO ALLOW A CONGREGATE LIVING HEALTH FACILITY FOR INPATIENT MEDICAL REHABILITATION CARE IN THE A-P ADMINISTRATIVE PROFESSIONAL ZONE

WHEREAS, an application was filed for Classification of Use No. 13-01 by:

HealthCap Partners, LLC
16042 N. 32nd Street, Suite B9
Phoenix, AZ 85032

WHEREAS, the Classification of Use No. 13-01 is described as:

A request to classify a medical inpatient rehabilitation facility (congregate living health facility) as similar to a hospital, which is a conditionally permitted use in the A-P Administrative Professional zone. The applicant is requesting the Classification of Use to facilitate a proposed project for two vacant lots at 1136 and 1148 W. Puente Ave. The request would affect all A-P zoned properties.

WHEREAS, Classification of Use No. 13-01 would only affect the A-P, Administrative Professional Zone; and

WHEREAS, the Planning Commission has received the report and recommendation of such agencies as have submitted information, including the written report and recommendation of Staff.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, the Planning Commission now finds as follows:

A. The subject use and its operation are consistent with the goals and objectives of the general plan.

The Office/Professional land use designation is intended to provide for the development of suburban low-intensity administrative and professional offices and related uses, including administrative, financial, professional, and sales offices, medical and health services, and special service agencies. The proposed use is compatible with the general plan in that it will provide medical and health services to the community.

B. The subject use and its operation are consistent with the purposes and intent of the zone in which the use is proposed to be located.

The A-P Administrative Professional zone is intended to provide for development of suburban (low-intensity) administrative and professional offices and related uses. It permits or conditionally permits such uses as medical and health services, hospitals, and administrative, financial, professional, and sales offices. The proposed use is a low-intensity medical and health services use with only 15 beds. It will be operated in

conjunction with a daytime rehabilitation facility for physical, speech, and occupational therapy, which is a permitted use in the A-P zone. The number of patients and staff that will be present on-site are much less intense than that of a typical hospital, which is conditionally permitted in the A-P zone. As such, the subject use and its operation are consistent with the purposes and intent of the A-P zone.

C. The subject use and its operation is a compatible use in all areas of the city where the zoning is applied.

The subject use and its operation could be compatible in all areas of the city zoned Administrative Professional, and any future proposals would be subject to evaluation through the conditional use permit process. If the specific operational details and site are deemed to be incompatible with the surrounding uses by the Planning Commission at the time of the Conditional Use Permit request, the Planning Commission may deny the request.

D. The subject use is similar to one or more uses permitted in the zone within which it is proposed to be located. A use shall be deemed to be similar only where the size, scale, design and impact of the uses are comparable. A use shall not be deemed to be similar when the operation of the use involves greater impacts in terms of traffic, parking, noise, glare, odor, refuse or other environmental considerations; generates greater demand for public services; does not have comparable hours of operation; is significantly more intensive in the number of employees, patrons and other users of the facility; and is not complementary to other uses in the zone.

The proposed use is similar to a hospital, with some unique characteristics. Patient stays are generally long-term (staying for over 100 days) with patients recovering from severe injuries. There is a residential component as the patients live at such facilities for extended periods of time; however, the set-up of the facility, level of care and staffing, and characteristics of use also lend themselves to that of a hospital. For example, 24-hour nursing care and medical supervision will be provided. Physical, occupational, and speech therapy will be provided for rehabilitation purposes. Pharmacy, dietary, social, recreational, and therapeutic needs of the patients will be provided for. Three (3) beds will be dedicated to patients who are mentally alert but may have physical disabilities and may need ventilator care or weaning, and twelve (12) beds will be dedicated to patients who are catastrophically and severely disabled, whose origin of disability was acquired through trauma or non-degenerative neurological illness. There will be only one central kitchen for the preparation of meals based upon the dietary needs of the patients. The bedrooms will not have their own kitchenettes, nor will they even have private bathrooms. Most patients will not be able to use the restroom on their own and will require a very high level of care. As such, the size, scale, design, and impact of the use are comparable to a hospital on a lesser scale.

E. The subject use and its operation will not adversely affect other permitted uses in the zone within which the use is proposed to be located.

The subject use is proposed to be conditionally permitted. This will allow the City to put reasonable conditions on the development to minimize or eliminate any impacts on other permitted uses in the zone. It operates similarly to hospitals and medical and health services, which are permitted in the zone.

F. The subject use will be so designed, located and operated that the public health, safety and general welfare will be protected.

The subject use falls within strict licensing provisions for congregate health living facilities under the California Health and Safety Code. Specifically, 24-hour nursing care and medical supervision will be provided. Physical, occupational, and speech therapy will be provided for rehabilitation purposes. Pharmacy, dietary, social, recreational, and therapeutic needs of the patients will be provided for. Beds will be dedicated to patients who are mentally alert but may have physical disabilities and may need ventilator care or weaning as well as patients who are catastrophically and severely disabled, whose origin of disability was acquired through trauma or non-degenerative neurological illness. Drug and alcohol rehabilitation are not proposed, considered, nor approved in conjunction with this request. The congregate health living facility will also be conditionally permitted, allowing the City to evaluate the specific operations and put limitations on the use for the protection of the public health, safety, and general welfare.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission determines that the use of a congregate living health facility for inpatient medical rehabilitation care is similar to a hospital and is a compatible use with other uses permitted within the A-P Administrative Professional Zone and approves Classification of Use Determination No. 13-01.

PASSED, APPROVED and ADOPTED, the 20th day of June 2013, by the following vote:

AYES: Ensberg, Rahi, Schoonover

~~NOES: Davis~~

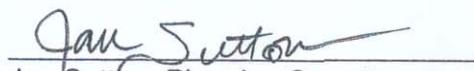
ABSENT: Bratt

ABSTAIN: None



Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:



Jan Sutton, Planning Secretary

**EXCERPT FROM
DRAFT PLANNING COMMISSION MINUTES
JUNE 20, 2013**

COMMISSION BUSINESS

1. **CONSIDERATION OF CLASSIFICATION OF USE 13-01** – A request to classify a medical inpatient rehabilitation facility (congregate living health facility) as similar to a hospital, which is a conditionally permitted use in the A-P Administrative Professional zone. The applicant is requesting the Classification of Use to facilitate a proposed project for two vacant lots at 1136 and 1148 W. Puente Avenue. The request would affect all A-P zoned properties.

Staff report presented by **Associate Planner Jennifer Williams**, who stated this is a request to classify this use as similar to a use already allowed in the Administrative Professional (AP) zone. While this is to facilitate a proposed project on Puente Avenue, if approved, this use would be allowed in all areas zoned AP and showed where they are on the zoning map. The proposed use would be a medical inpatient facility that provides a home-like environment with professional staff on-site. Visiting hours would be similar to a hospital, and would be limited through a Conditional Use Permit (CUP). The license issued by the Los Angeles County Health Department for a congregate care facility would allow up to 25 beds, but the Applicant is proposing only a 15-bed facility, which would also be addressed through the CUP process, and be limited to a certain type of patient.

This Classification of Use is to conditionally allow for a rehabilitative medical facility and is not intended to allow for a hospice facility. Permitted uses in the AP zone include medical and health services, and conditionally allowed uses include child care and hospitals. Standard residential uses are prohibited. In 1998 a 90-bed skilled nursing and assisted living facility with an Alzheimer unit was proposed for this site but the City Council determined it was not compatible with the area. Staff feels there are significant differences between the previous proposal and the current one, including only having 15 patients, and central kitchen and restroom facilities as most of the patients will be immobile. If the Classification is approved, there will be additional hearings about the specifics of the project at DPRB, Planning Commission and City Council. Tonight's action is to determine if this use is appropriate for the AP zone. The proposed use is unique in that it provides both medical and residential components, but the operation of the facility is similar to a hospital which is conditionally permitted in the zone. Staff has received a few phone calls about the project, and a letter of opposition which has been provided to the Commission. Staff also visited a similar facility operated by the Applicant in Garden Grove, and the Applicant presented information about the project to the Via Verde Ridge Homeowners Association Board at a recent meeting. Staff is recommending the Planning Commission approve Classification of Use 13-01.

Commissioner Ensberg stated looking at Page 3 of the staff report it appears that they cannot have a drug or alcohol rehab center there, but asked if they would be allowed to provide mental health services. Looking at the types of conditions they will be treating, it appears that most of patients will be people who have had disasters happen to them and that they won't be very transient.

Associate Planner Williams stated Staff can restrict the facility from providing alcohol and drug rehab treatment or mental health services through the CUP process, but also believed that the type of license the Applicant will be getting from the Department of Health prohibits those uses as well. She stated the care provided is very specialized and costly for the patients and this is not the average care facility.

Commissioner Davis clarified that they are not discussing the CUP, they are just trying to determine if this use is more closely related to a hospital use than to a residential use, and if it is approved, then if someone wanted to have a similar facility in any of the AP zone locations, they would come through the CUP approval process.

Commissioner Rahi stated a hospital is already allowed as a conditional use in the AP zone, so the question is if the inpatient care is still considered similar to a hospital. He asked if she knew what zone the Garden Grove facility was located in, and asked where the Via Verde Ridge HOA was in relation to the site, as well as the nearby school. He stated this would also be near the existing fire station which has sirens.

Associate Planner Williams stated she did not know what the zoning is for the Garden Grove facility, but that there was a school nearby and single-family residential surrounding it, with industrial fairly close. She did not know the exact boundaries of the Via Verde Ridge HOA but the homes located to the north and west were part of that. She pointed out on the map where the Kindercare was located on Via Verde Avenue, but reminded the Commission that this Classification would be for all properties zoned AP, not just this site.

Chairman Schoonover stated there appears to be eight locations in San Dimas that are zoned AP, and asked if this was the only vacant site within that zone.

Senior Planner Marco Espinoza stated the only other vacant site in the AP zone consists of two neighboring lots near the Walker House on San Dimas Avenue.

Chairman Schoonover confirmed that this would not be a drug or alcohol rehab facility, and that it would not be a mental crisis house because it is an inpatient facility. It appears this would be to cater to patients that have physical impairments and not mental health conditions.

Associate Planner Williams stated the types of patients would be what is allowed under a Type A or C license which would prohibit mental health care.

Commissioner Rahi stated the closest facility that might be similar to this would be in Pomona, so this would be unique within San Dimas.

Chairman Schoonover stated he thinks one floor of Foothill Hospital might be for rehabilitation services.

Chairman Schoonover opened the meeting for public hearing. Addressing the Commission were:

Keith Underwood, HealthCap Partners, 16042 N. 32nd Street #89, Phoenix, AZ, Applicant, stated they are requesting the Commission to follow other cities in establishing this use for an inpatient rehab facility under California License Code 1215, which is a congregate living facility. These are specifically defined by the State of California for very specific types of care and they

are inspected yearly by the County. Because of the restrictions of the license, they cannot turn into a drug, alcohol, or mental health treatment facility in the future. This facility is for the catastrophically injured. It is not for the elderly, it is for people who have had a severe accident, such as car accidents, wounded veterans, burn victims, industrial accident victims, etc.

He stated this type of facility is an option for providing medical services not readily available in all parts of California, so normally if you have a serious accident or injury you would either have to stay full-time in a hospital or in a nursing home that is set-up to care for the elderly and not an injured patient. Their facility is hospital-like since most of their patients are transferred from hospital ICUs, with the goal that once their rehabilitation is complete they can return to their home. This facility will act as a bridge from acute care to home. The patients are under the care of doctors, and there is 24-hour nursing care. The kitchen facilities are to prepare the specialized meals for the patients only, and is not open to staff and visitors. While he feels their services are similar to a hospital, it is less intensive, with approximately 12-15 staff members present during the daytime and reduced by a third on nights and weekends. There might be 3-4 visitors a day consisting of family and friends. Transport of patients to other facilities occurs during the day by vans and does not involve ambulances with sirens.

Keith Underwood, Applicant, stated the State of California established this type of license to create facilities with a homelike environment. This allows the patients to heal outside of an institutional setting while still providing them with necessary medical care and creating a healing environment where family and friends can visit. This type of facility has been in the state since 1989 and more are still being added. Not one of them has closed or been converted into another type of facility. The use is very low-impact on the surrounding neighborhood and community and he requested the Commission to approve the use.

Commissioner Ensberg asked if this was a lock-down facility.

Keith Underwood, Applicant, stated it is not. While some patients might be in electronic wheelchairs, most of the patients are immobile. There are alarms on the exterior doors but it is more to alert staff to someone coming into the facility as opposed to someone leaving.

Commissioner Davis asked if he would consider the use to be more intensive or less intensive than a doctor's office.

Keith Underwood, Applicant, stated patient load at doctor offices can vary, but he knows of some doctor offices that see 70-80 patients in a day, which would be more intensive than ten staff members and 3-4 visitors per day for their facility.

Commissioner Rahi asked if they considered other locations for their facility.

Keith Underwood, Applicant, stated they looked at a number of sites in a number of cities. They picked this location because of the easy freeway access, flat topography, lack of similar services in the area, and talking to area hospitals about where they would like to see a facility like this located.

Stan Stringfellow, 2011 E. Financial Way #203, Glendora, stated when he owned this property they received approval in 2006 for three office buildings totally approximately 35,000 square feet, and felt that was a much more intensive use than the current proposal. He stated this type of facility helps to give people their lives back through the care they provide. Since

2006, the only interest they received for this property was for medical uses, specifically an urgent care facility. They were told they could not have an urgent care because of the volume of traffic involved. He stated he lives in Via Verde and feels this is a low-impact use for the site and will not detract from the community and urged the Commission to approve the classification.

Janice Bartolo, 1275 Calle Cecilia, stated she is an original owner in the tract above the site and has lived there for 30 years. She felt the notices should have gone to a larger area because some of her neighbors did not receive one. Her research indicated there are 50 various assisted living facilities within a five mile radius of the site and felt these patients could be accommodated at existing facilities in surrounding communities. She stated she chose where she lives because it is a quiet neighborhood, and that they are already impacted by traffic to Bonnelli Park and the existing medical facilities adjacent to this property. She was concerned about increased traffic from employees and noise from emergency situations, and that bringing people in from outside of the area would create a safety issue for her neighborhood. She requested the Commission to deny the use.

Chairman Schoonover asked about the noticing.

Associate Planner Williams stated this actually did not require any noticing, but Staff did a 500 foot-plus radius and filled in to the ends of streets and cul-de-sacs with a courtesy notice.

John Santoro, 1260 Calle Cecilia, stated he also bought his home when it was first built and that this was a nice, quiet community. He did not want to look at a hospital behind his home and smell the food. He concurred with Ms. Bartolo and is against the project.

Jesus Lua, 1251 Calle Cecilia, stated he has lived in his home since 2000 and is a doctor in Upland and Pomona. He felt there will be impacts on traffic from doctors, patients, trash, deliveries, and biohazard. There will be additional noise and lighting in the area, and the possibility of low-income transient people which will change the dynamic of the community and make it unsafe for children to walk in that area. He felt it should be built somewhere else.

Katie Bartolo, 1275 Calle Cecilia, stated she has lived at her home for 20 years and has a phobia of hospitals and doesn't want to live near one. She felt the land should be used for a community use such as a volleyball or basketball court, and added the fire station rarely uses the sirens except during the daytime, not at night. She stated they will be removing the natural habitat there if the land is developed and was opposed to this.

Cerise Santoro, 1260 Calle Cecilia, stated she just came back from a hike and thought she might not want to hike to Bonnelli Park if this is built. She loves that the land is undeveloped and seeing the animals there and felt there should be something built that benefits the residents.

Raymond Mansour, 1248 Calle Cecilia, stated he moved to his home two years ago and his property looks down on the site. He chose Via Verde for its uniqueness and he did not want to live next to a hospital. He wanted to know what license was going to restrict them to 15 beds and what was to prevent them from getting a license to build a huge hospital in the area. He was opposed to the project.

Chairman Schoonover reminded the audience that what is under discussion tonight was the compatibility of the use to the current zoning, not the particulars of the project itself.

Rania Fakhreddine, 1097 Calle Carrillo, stated she lives to the east and did not want to see a hospital in front of her house and felt it was going to be unsafe for her children. She was concerned it might be turned into a center for drug or alcohol rehabilitation, and was opposed.

Julie Santoro, 1260 Calle Cecilia, stated she did not understand why they would change the zone and why the property can't be sold to build the businesses it is designated for. She felt the homeowners had to defend themselves against these types of facilities, and this will lower their property values. This is not just a hospital, it was residential where people could be there for months or years, which would make it against the code.

Jennifer Bartolo, 1275 Calle Cecilia, has lived there for 25 years and currently felt comfortable walking in the community now but would not want her daughter going down the hill if cars are whizzing in and out of the parking lot. She concurred with previous statements about the type of traffic that will occur and the decrease in property values.

Dr. Marvin Ersher, 1312 Paseo Alamos, thanked Staff for taking the time to explain the proposal to him. He has been a resident of Via Verde for 44 years, and stated originally this area was an arroyo that was filled in at some point in time. The original General Plan called for service stations in that area, on any or all of the corners, and in 1974 a liquor store owner wanted to open a store and Laundromat, which was defeated. He felt the process should include a review of the project as well and not just the compatibility of the use, because all of the other AP areas are already built on, so this would be the only parcel left in that zone for this type of use. He felt it would be fairer to the community to decide the use and the project at the same hearing. He also felt the City will be losing any leverage they may have if the use is approved prior to the project.

Jim Ashby, President of Operations of the proposed facility, stated he has 22 of these in California from San Diego to Marin County. He understands the objections because of the fear of what might be coming to the community, but they offer a valuable service to people who need a place to rehabilitate after a catastrophic occurrence. They provide a hospital-like service but in a home-like facility. They picked this area because there is a need for their services for the surrounding area. They are proposing to build a single-story building that will not look like a hospital and will blend with the community. The other 50 facilities that were mentioned earlier are under different licensing and do not provide the same care. This is a low-impact use; most are in or adjacent to residential sites and there has never been a drop in property values because of one of their facilities. This hearing is to determine if the use is similar to something already allowed in the zone, and there will be other hearings and steps to go through to achieve a quality project. He asked the Commission to approve the classification.

There being no further comments, the public hearing was closed.

Commissioner Davis stated his understanding is that a hospital is currently conditionally permitted in this zone, and that all the uses shown in green on Staff's presentation can be built without having to hold a hearing. If this item is considered similar to a hospital, then it would come back to the Commission for a hearing on the actual Conditional Use Permit.

Associate Planner Williams stated the allowed uses would not need this type of hearing, but they would all go to City Council because they are located in a Scenic Highway Overlay area. She stated if the classification is approved, then the specifics of the project would be brought back for the Commission to set conditions. When the application was filed for the project, it

didn't seem to fit any of the permitted uses exactly but seemed similar enough to bring it forward to be considered for classification.

Commissioner Rahi asked if the Commission could consider the Classification of Use and CUP applications at the same time as suggested by Dr. Ersher.

Assistant City Manager Larry Stevens stated typically if there is a question on whether a use is permitted or not, Staff has to interpret the code and over time you may have many variations. The Use Determination process is a simplified process to help make that determination. Usually that is done first because if the use is not approved, then you cannot process the application for the project.

Commissioner Davis stated medical or health service uses are permitted by right, so if the Commission determines this is more like a hospital than a medical facility, we will be putting a higher level of review on the process.

Assistant City Manager Stevens stated all of the categories are subject to interpretation, and you could take the position that this is a specialized hospital use and have them do a code amendment instead of a use determination. You could also take the position to let them submit the CUP simultaneously but we usually don't do it that way because if the use is denied, why have someone go through all the effort and expense of processing the CUP.

Commissioner Davis felt that part of the problem is that they don't really understand what it is so how can they determine if it is similar to a permitted use.

Assistant City Manager Stevens concurred that sometimes it can be difficult to make a determination between the code and a new proposal.

Commissioner Ensberg stated he did not think that anyone argued that this is similar to a residential use because the opposition was that they did not want a hospital in that location, which is actually already allowed there. He asked if this proposal was similar to the one that was previously approved.

Assistant City Manager Stevens agreed that a hospital is already conditionally permitted in the zone, but there are many types of hospitals which are not listed because they are always evolving. That is why it needs to be determined if this is the same or not. In regards to the prior approval, Staff felt this was a different type of facility, along with the fact that it has been 14 years since the previous application and project were denied, so they took the conservative view that the use should be reviewed to its appropriateness.

Commissioner Davis felt that it would still be good to have more information about the project.

Assistant City Manager Stevens stated they need to try to separate the general characteristics of the use from the actual plan. He stated there are three different ways to look at this. First they could say this should be handled differently which would require submittal of a Municipal Code Text Amendment application. Or they could indicate they need further information on how this type of facility generally operates before being able to make a similarity comparison to a hospital. Or they could say they think it is probably similar to a hospital but want to reserve final judgment until they have all the details of the project in front of them.

Commissioner Rahi felt the third option would allow them to see if there will be impacts from the use in regards to things like noise and traffic.

Assistant City Manager Stevens stated but then you are mixing the project with the code, and the standards in the code. Philosophically you have to understand the use differently from the project. The purpose of the CUP is to consider a specific project in a specific location, such as whether a 50-bed hospital could have a different impact than a 150-bed hospital that is six-stories tall. The CUP allows you to determine compatibility of the project characteristics.

Commissioner Davis felt this use was somewhere between a hospital and a medical facility.

Chairman Schoonover stated he is a resident of Via Verde and passes this location regularly. He felt the use was something like a hospital and provides medical services so was leaning towards going forward with approval of the use as conditionally permitted. If it is approved, there will be hearings before the DPRB, Planning Commission and City Council which will give them three opportunities to have a more definitive idea of what is being proposed.

Commissioner Ensberg felt the office project approved six years ago was more intensive, and the proposed use is less intensive than some of the already conditionally permitted uses. He stated they did not have the right to say leave the land undeveloped; someone owns the land and has the right to develop it, so he would support the classification and invited the Applicant to bring forward information that will address the concerns expressed in the hearing.

Commissioner Davis stated the proposed use was not listed in the current permitted or conditionally permitted uses in the AP zone, and right now they don't know what this is or how it fits in with the various types of hospitals. If the Applicant is right that most people don't object once they see details about the project, he felt they should move it along so that information can be brought forward.

Commissioner Rahi concurred they needed more information, and the only way to get that was to move it forward in the process.

RESOLUTION PC-1486

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
SAN DIMAS APPROVING CLASSIFICATION OF USE CASE NO 13-01,
A REQUEST TO ALLOW A CONGREGATE LIVING HEALTH FACILITY
FOR INPATIENT MEDICAL REHABILITATION CARE IN THE A-P
ADMINISTRATIVE PROFESSIONAL ZONE

MOTION: Moved by Ensberg, seconded by Schoonover to adopt Resolution PC-1486 approving Classification of Use Case No. 13-01 as presented. Motion carried 3-1-1 (Davis no, Bratt absent).

Assistant City Manager Stevens explained the process for the submittal of the project application to DPRB, Planning Commission and City Council.

Chairman Schoonover requested that the City expand the mailing radius and include the HOA contacts.

Commissioner Rahi concurred and stated the HOA Board can notify the residents as well.

Assistant City Manager Stevens stated the Applicant can also hold their own independent community meeting to answer questions on a one-to-one basis to address resident concerns.

DRAFT

Jennifer Williams

Subject: FW: Via Verde Rehabilitation Center

From: Patrick Jones [mailto:sdpsc2010@gmail.com]

Sent: Wednesday, July 17, 2013 10:53 PM

To: Emmett Badar; Curt Morris; Denis Bertone; John Ebner; Jeff Templeman

Subject: Via Verde Rehabilitation Center

Dear Council,

As you may know I am a resident of Via Verde and I wanted to let you know my position on the Rehab center that is proposed to be built adjacent to fire station 141 on Via Verde Ave.

I am in support of the facility as I think it would be a great fit and defiantly be a lot less of an impact to the area that a 2 story office building.

I have read the comments from the meeting on Monday nite, I am sorry I missed it but I will be at the council meeting on Tuesday.

I know I am only one voice but I wanted you to know my position, and that they few people who have voice opposition to the project are doing so out of ignorance or total misunderstanding and do not speak for anything close to a majority of the residence of San Dimas I know.

See you Tuesday!

Patrick Jones

626 945-0101

sdpsc2010@gmail.com

Sent from my iPad. ▪

Jennifer Williams

Subject: FW: HealthCap Partners LLC Project

From: Raymond Mansour [mailto:raymansour@aol.com]

Sent: Wednesday, July 17, 2013 3:58 PM

To: Curt Morris

Subject: HealthCap Partners LLC Project

Dear Mayor Morris,

My Name is Raymond Mansour and my wife's name is Sandra, and we are currently residing at 1248 Calle Cecilia, San Dimas CA 91773. Our family moved to the beautiful area of Via Verde 2 years ago. We always liked this area of San Dimas and it was a dream come true moving here especially for my wife and my Kids who loved the beauty, safety, and the peace that Via Verde resembles. Living in a quiet residential neighborhood in the Los Angeles area is a treasure that is highly appreciated.

Our house now is adjacent and over looking the intersection of VIA VERDE & PUENTE where a project presented by HEALTHCAP PARTNERS LLC, to build a 24 hour Congregate Living Health Facility Business on 2 Vacant Lands (1136 & 1148 Puente Ave) that are Zoned as A-P Administrative Professional Zone.

When we purchased the house we were aware of the zoning and we accepted the fact that a project will be built on these lots in the future BUT it has to be acceptable to the A-P Zone, a professional Zoning where everything shuts down after 6 or even 8:00 PM is acceptable in this neighborhood. Even though now we experience a lot of noise coming from the VONS Shopping center ,(sometimes at 4:00 AM in the morning, like today) and from the Fire Department at the Corner but this is something we accepted when we moved in. As you may know, noises travel up at night and it doesn't help when you are on a hill on top of a Commercial Project.

On Thursday June 20 2013, the planning commission approved to classify the intended project (A Congregate Living Health Facility) as similar to a Hospital even though according to the LA County Public Health Classification this is considered a residential use. Below is a copy from the LA County Public Health Website

5. Congregate Living Health Facility

Congregate Living Health Facilities (CLHFs) are defined in H&S Code, Section 1250(i) (1), as a residential home with a capacity of no more than six beds, which provides inpatient care, including the following basic services: medical supervision, 24-hour skilled nursing and supportive care, pharmacy, dietary, social recreational, and at least one type of service specified in paragraph (2). The primary need of CLHF residents shall be for availability of skilled nursing care on a recurring, intermittent, extended, or continuous basis. The care is generally less intense than that provided in general acute care hospitals but more intense than that provided in skilled nursing facilities.

Link: <http://publichealth.lacounty.gov/hfd/hfdtypes.htm#5>

According to San Dimas Zoning Codes, Residential use is a "Prohibited Classification" under section **18.136.040 Prohibited uses** and this should have been an easy decision for the planning commission, but even though there were several objections from the residents attending the hearing, they still voted yes on this .

There was a Community Meeting done by HealthCap Partners LLC on July 15 at the Stanley Plummer Community Building and they have so many un-answered questions for the effect of Noise,Traffic,Impact that this type of project brings to this quiet residential community.. They claim that there is no clear classification on their type of license but it is clear as shown above that this is a Residential Home classification and they it shouldn't be classified as a Hospital Like for the purpose of qualifying them for the Conditional use permit **Scenario**.

We are asking you to Vote NO on the Approval of the New Classification and make sure the lot will be built as per the proper Zoning for this neighborhood. We are not against the development of this Lot, we just don't want a 24/7 facility in our neighborhood.

Thanks so much for your help and feel free to reach us at our contact shown below.

Raymond & Sandra Mansour
1248 Calle Cecilia
San Dimas CA 91773
(626)833-5566

Jennifer Williams

Subject: FW: Agenda, 23 July 2013 - HealthCap Facility

From: Ken McCrimmon [mailto:macleod@tstonramp.com]

Sent: Tuesday, July 16, 2013 9:11 PM

To: Curt Morris

Subject: Agenda, 23 July 2013 - HealthCap Facility

Dear Mayor Morris:

As a resident of the Via Verde community, I am opposed to the idea of a medical inpatient rehabilitation facility (congregate **living** health facility) in my immediate neighborhood. I urge you to reject this use at the upcoming City Council meeting on Tuesday, 23, 2013.

Via Verde made its contribution to the assisted living community when it allowed the Emeritus at San Dimas (formerly, Marriott Brighton Gardens) to be built near the corner of Via Verde and San Dimas Avenue. The HealthCap facility will essentially be a large **apartment** building with a restaurant for the **residents**. The property in question, as well as the remainder of Via Verde is not zoned for **multiple unit residences**. Traffic, parking, visitors, lighting, restaurant odors, delivery noise, garbage pickup noise, air conditioner noise, proximity to the KinderCare facility, as well as property values, are only a few of the factors the City Council should take into consideration. This is not a proper and harmonious land use in the heart of our Village Center.

The facility would not serve our community... it would only serve HealthCap, since the **residents** would pay **rent**. I doubt if the City intends to levy a **bed tax** on HealthCap **residents**.

The average length of stay in a hospital is 4.8 days, for all diagnoses. The average length of stay in a _____ rehabilitation facility is considerably longer. The "patients" would be **residents**. The only **residents** in hospitals... are doctors!

The proposed HealthCap facility, if permitted to be constructed, will be a nuisance to the community that will be difficult to eradicate. Future use of the facility would be harder to control. The easiest way to eradicate a nuisance is before it is constructed!

My wife and I are opposed to classifying a medical inpatient rehabilitation facility (congregate **living** health facility) as similar to a hospital.

Thank you for your time and your careful consideration,

/s/ Ken McCrimmon
1254 Calle Cecilia
San Dimas, CA 97773
(626) 966-3580

Jennifer Williams

Subject:

FW: via verde

From: John Santoro [mailto:weavin@roadrunner.com]

Sent: Thursday, June 20, 2013 11:37 PM

To: Denis Bertone

Subject: via verde

Hello

Please **oppose** the planning commission ruling to move forward on the project of the " **rehabilitation facility** ".
13-01 to rezone the P-A zoning
Location by Puente/via Verde ave. (by the fire station).

Group of homeowner showed up to oppose at the Planning Commission meeting ,and they are still moving forward .

I think our voices where not heard.

Please help

Via Verde homeowner

John Santoro

June 16, 2013

1288 Paseo Alicia
San Dimas, CA 91773-4407

The City Of San Dimas
Planning Division
245 East Bonita Ave.
San Dimas, CA 91773

Dear Sirs:

RE: Classification of Use 13-01

We strongly OPPOSE the proposed facility type reclassification in order to meet zoning requirements and subsequent development of the vacant lots located at 1136 and 1148 W. Puente Ave in Via Verde with a medical inpatient rehabilitation facility.

We think the proposed development will have an overnight population density that is too high for this part of the Via Verde area of San Dimas, would bring in an undesirable transient population to the area, and would disrupt our peaceful neighborhood with noisy ambulance sirens.

The reclassification & development of a senior living facility proposed for the same site about 10 years ago was rejected by the people, this even worse proposal should be rejected too.

Sincerely;



Betty-Jean & James Lamb, Via Verde Ridge homeowners

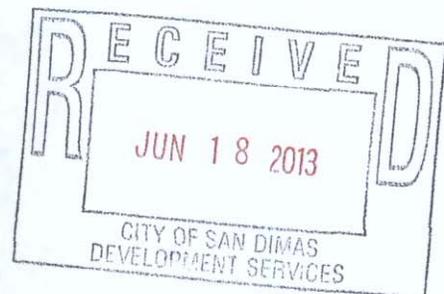


EXHIBIT E



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 23, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Development Services Department

SUBJECT: Congestion Management Plan 2013 - Local Development Report

SUMMARY

The City is required to adopt an annual self-certification Resolution stating that the City has met the requirements of the Countywide Congestion Management Plan (CMP).

BACKGROUND AND REPORTING REQUIREMENTS

State statute requires that a congestion management program be developed, adopted and updated biennially for every county that includes an urbanized area which includes every city and the county government within that county. As the Congestion Management Agency for Los Angeles County, Metro is responsible for implementing the Congestion Management Program (CMP). On October 28, 2010 the Metro Board adopted the 2010 CMP for Los Angeles County and implementation guidelines for local jurisdictions.

Documentation of CMP conformance is required for the City to receive state gas tax funds and to preserve the City's eligibility for other state and federal transportation dollars. Metro requires that the City:

- 1) Submit an annual self-certification of its compliance with the CMP through City Council Resolution;
- 2) Submit an annual Local Development Report summarizing development completed within the reporting timeframe which has been adopted through the abovementioned resolution; and
- 3) Submit biennial highway monitoring and level of service information for selected intersections on odd-numbered years.

As such, staff has attached a draft self-certification resolution, the 2013 Local Development Report, and a copy of the Highway Monitoring/Level of Service information that has already been submitted to and accepted by Metro.

UPDATE ON PROPOSED COUNTYWIDE IMPACT FEE

Metro has informed staff that the proposed countywide impact fee has been tabled until further notice upon a motion by MTA Director Richard Katz on June 20, 2013. The motion further instructs Metro staff to investigate whether the CMP is still a relevant, appropriate, and useful plan.

RECOMMENDATION

Staff recommends that the Council adopt Resolution CC 2013-45 self-certifying the City's compliance with the Countywide CMP and adopting the CMP Local Development Report for FY 12/13 (June 1, 2012 - May 31, 2013).

Respectfully Submitted,



Jennifer Williams
Associate Planner

Attachments: Exhibit A – 2013 CMP Local Development Report
 Exhibit B – 2013 Highway Monitoring/Level of Service
 Exhibit C – Motion by Richard Katz, Director of MTA

Resolution CC 2013-45

RESOLUTION NO. 2013-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

WHEREAS, CMP statute requires the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), acting as the Congestion Management Agency for Los Angeles County, to annually determine that the County and cities within the County are conforming to all CMP requirements; and

WHEREAS, LACMTA requires submittal of the CMP Local Development Report by September 1, of each year; and

WHEREAS, the City Council held a noticed public hearing on July 23, 2013.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF SAN DIMAS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City of San Dimas has taken all of the following actions, and that the City of San Dimas is in conformance with all applicable requirements of the 2010 CMP adopted by the LACMTA Board on October 28, 2010.

By June 15, of odd-numbered years, the City of San Dimas will conduct annual traffic counts and calculated levels of service for selected arterial intersections, consistent with the requirements identified in the CMP Highway and Roadway System chapter.

The City of San Dimas has locally adopted and continues to implement a transportation demand management ordinance, consistent with the minimum requirements identified in the CMP Transportation Demand Management chapter.

The City of San Dimas has locally adopted and continues to implement a land use analysis program, consistent with the minimum requirements identified in the CMP Land Use Analysis Program chapter.

The City of San Dimas has adopted a Local Development Report, attached hereto and made a part hereof, consistent with the requirements identified in the 2010 CMP. This report balances traffic congestion impacts due to growth within the City of San Dimas with transportation improvements, and demonstrates that the City of San Dimas is meeting its responsibilities under the Countywide Deficiency Plan consistent with the

LACMTA Board adopted 2003 Short Range Transportation Plan.

SECTION 2. That the City Clerk shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the Los Angeles County Metropolitan Transportation Authority.

PASSED, APPROVED and ADOPTED, THIS 23RD DAY OF JULY, 2013.

Curt Morris, Mayor of the City of San Dimas

Debra Black, Deputy City Clerk

I, DEBRA BLACK, DEPUTY CITY CLERK of the City of San Dimas, do hereby certify that the foregoing Resolution 2013-45 was passed at the regular meeting of the City Council held on July 23, 2013 by the following vote:

AYES:	Badar, Bertone, Ebner, Morris, Templeman
NOES:	None
ABSENT:	None
ABSTAIN:	None

CITY OF SAN DIMAS

Date Prepared: July 17, 2013

2013 CMP Local Development Report

Reporting Period: JUNE 1, 2012 - MAY 31, 2013

Contact: **JENNIFER WILLIAMS, ASSOCIATE PLANNER**
 Phone Number: (909) 394-6254

**CONGESTION MANAGEMENT PROGRAM
 FOR LOS ANGELES COUNTY**

2011 DEFICIENCY PLAN SUMMARY

*** IMPORTANT: All "#value!" cells on this page are automatically calculated.
 Please do not enter data in these cells.**

DEVELOPMENT TOTALS**RESIDENTIAL DEVELOPMENT ACTIVITY**

Single Family Residential
 Multi-Family Residential
 Group Quarters

Dwelling Units

70.00
0.00
0.00

COMMERCIAL DEVELOPMENT ACTIVITY

Commercial (less than 300,000 sq.ft.)
 Commercial (300,000 sq.ft. or more)
 Freestanding Eating & Drinking

1,000 Net Sq.Ft.²

4.00
0.00
0.00

NON-RETAIL DEVELOPMENT ACTIVITY

Lodging
 Industrial
 Office (less than 50,000 sq.ft.)
 Office (50,000-299,999 sq.ft.)
 Office (300,000 sq.ft. or more)
 Medical
 Government
 Institutional/Educational
 University (# of students)

1,000 Net Sq.Ft.²

0.00
10.00
0.00
0.00
0.00
0.00
0.00
0.00

OTHER DEVELOPMENT ACTIVITY

ENTER IF APPLICABLE
 ENTER IF APPLICABLE

Daily Trips

0.00
0.00

EXEMPTED DEVELOPMENT TOTALS

Exempted Dwelling Units
 Exempted Non-residential sq. ft. (in 1,000s)

0
0

CITY OF SAN DIMAS

Date Prepared: July 17, 2013

2013 CMP Local Development Report

Reporting Period: JUNE 1, 2012 - MAY 31, 2013

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 1: NEW DEVELOPMENT ACTIVITY**RESIDENTIAL DEVELOPMENT ACTIVITY**

Category	Dwelling Units
Single Family Residential	70.00
Multi-Family Residential	0.00
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)	4.00
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	10.00
Office (less than 50,000 sq.ft.)	0.00
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	0.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Description (Attach additional sheets if necessary)	Daily Trips
	0
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

Page 2

CITY OF SAN DIMAS

Date Prepared: July 17, 2013

2013 CMP Local Development Report

Reporting Period: JUNE 1, 2012 - MAY 31, 2013

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 2: NEW DEVELOPMENT ADJUSTMENTS

IMPORTANT: Adjustments may be claimed only for 1) development permits that were both issued and revoked, expired or withdrawn during the reporting period, and 2) demolition of any structure with the reporting period.

RESIDENTIAL DEVELOPMENT ADJUSTMENTS

Category	Dwelling Units
Single Family Residential	0.00
Multi-Family Residential	0.00
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)	0.00
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	0.00
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	0.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Description (Attach additional sheets if necessary)	Daily Trips
	0
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 3: EXEMPTED DEVELOPMENT ACTIVITY

(NOT INCLUDED IN NEW DEVELOPMENT ACTIVITY TOTALS)

Low/Very Low Income Housing	<input type="text" value="0"/>	Dwelling Units
High Density Residential Near Rail Stations	<input type="text" value="0"/>	Dwelling Units
Mixed Use Developments Near Rail Stations	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Development Agreements Entered into Prior to July 10, 1989	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged due to "calamity"	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged in Jan. 1994 Earthquake	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Total Dwelling Units	<input type="text" value="0"/>	
Total Non-residential sq. ft. (in 1,000s)	<input type="text" value="0"/>	

Exempted Development Definitions:

1. Low/Very Low Income Housing: As defined by the California Department of Housing and Community Development as follows:
 - Low-Income: equal to or less than 80% of the County median income, with adjustments for family size.
 - Very Low-Income: equal to or less than 50% of the County median income, with adjustments for family size.
2. High Density Residential Near Rail Stations: Development located within 1/4 mile of a fixed rail passenger station and that is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre is automatically considered high density.
3. Mixed Uses Near Rail Stations: Mixed-use development located within 1/4 mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing.
4. Development Agreements: Projects that entered into a development agreement (as specified under Section 65864 of the California Government Code) with a local jurisdiction prior to July 10, 1989.
5. Reconstruction or replacement of any residential or non-residential structure which is damaged or destroyed, to the extent of > or = to 50% of its reasonable value, by fire, flood, earthquake or other similar calamity.
6. Any project of a federal, state or county agency that is exempt from local jurisdiction zoning regulations and where the local jurisdiction is precluded from exercising any approval/disapproval authority. These locally precluded projects do not have to be reported in the LDR.

City Council
CURTIS W. MORRIS, Mayor
DENIS BERTONE, Mayor Pro Tem
EMMETT BADAR
JOHN EBINER
JEFF TEMPLEMAN

City Manager
BLAINE M. MICHAELIS

Assistant City Manager
Treasurer/City Clerk
KENNETH J. DURAN



Assistant City Manager of
Community Development
LAWRENCE STEVENS

Director of Public Works
KRISHNA PATEL

Director of Parks
and Recreation
THERESA BRUNS

City Attorney
J. KENNETH BROWN

May 15, 2013

Ms. Stacy Alameida
CMP Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza --M/S 99-23-2
Los Angeles, CA 90012-2952

SUBJECT: *Congestion Management Program 2013 Level of Service*

Dear Ms. Alameida:

The City of San Dimas hereby transmits the results of our biennial highway monitoring, collected in accordance with the requirements of the Congestion Management Program. The enclosed Level of Service calculations are summarized as follows:

Intersection	Date	Peak Hour	ICU	LOS
San Dimas Avenue & Arrow Highway.	5-8-13	7:30-8:30 AM	0.487	A
	5-9-13	7:30-8:30 AM	0.498	A
	AM Peak Hour	Average	0.493	A
	5-8-13	5:00-6:00 PM	0.707	C
	5-9-13	4:45-5:45 PM	0.702	C
	PM Peak Hour	Average	0.705	C

Please contact Warren Siecke, our consultant traffic engineer at (714) 745-4768 if you need more information.

Sincerely,

Krishna Patel
Director of Public Works

cc: Warren Siecke

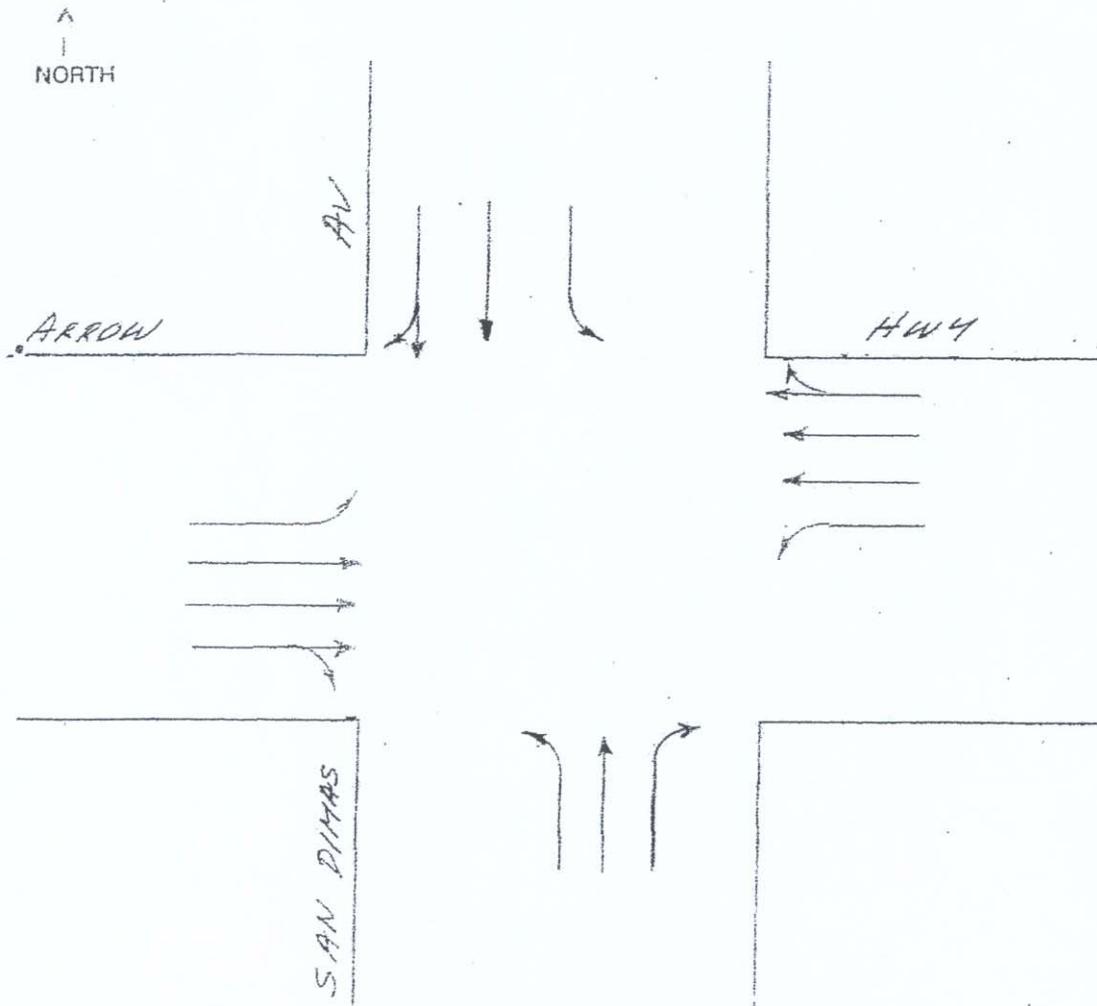
Enclosures

05-13-12/kp

INTERSECTION LAYOUT
 CMP MONITORING STATION NO. 132

INTERSECTION: SAN DIMAS AV. & ARROW HWY

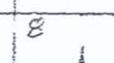
DATE: 5/13/12 DRAWN BY: WCS



LANE CONFIGURATION KEY

-  Functions as separate turn lane though not striped
- NP X am - X pm No Parking during specific hours

SIGNAL PHASING

1 	2 	3 	4 
5 	6 	7 	8 

City: SAN DIMAS
 N-S Direction: SAN DIMAS AVENUE
 W Direction: ARROW HIGHWAY

File Name : h1304011
 Site Code : 00000557
 Start Date : 5/8/2013
 Page No : 1

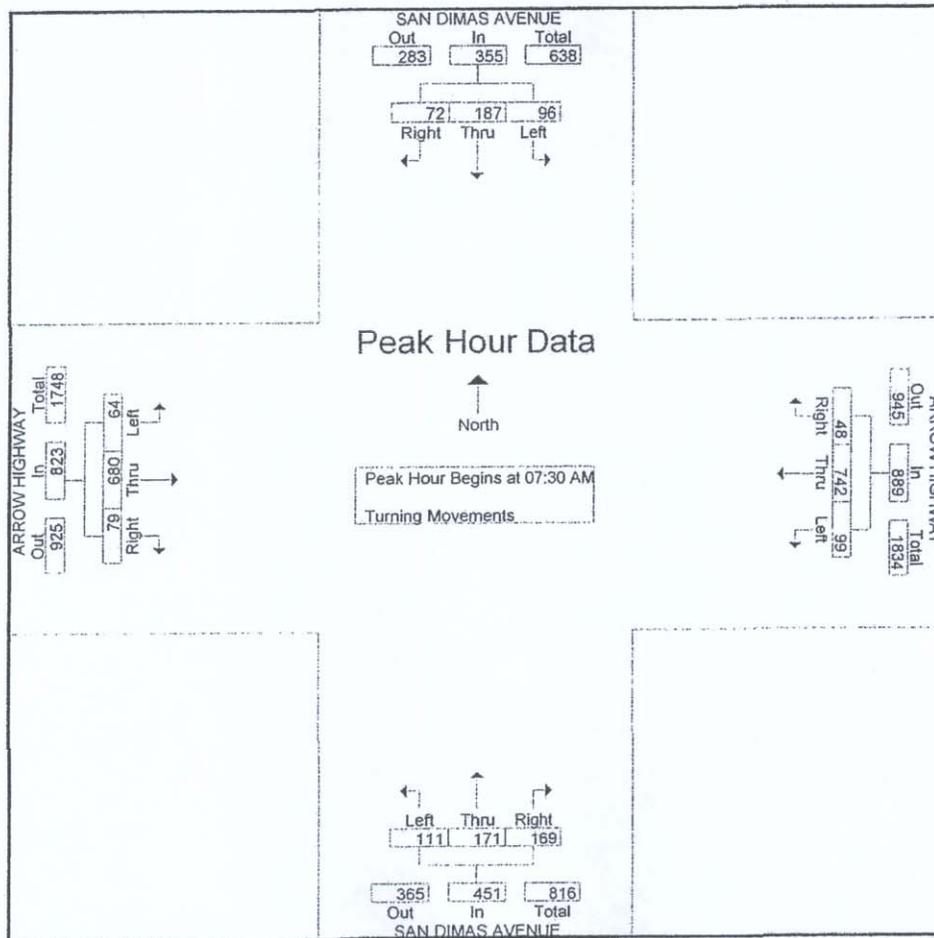
Groups Printed- Turning Movements

Start Time	SAN DIMAS AVENUE Southbound				ARROW HIGHWAY Westbound				SAN DIMAS AVENUE Northbound				ARROW HIGHWAY Eastbound				Exclu. Total	Inclu. Total	Int. Total
	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds			
07:00 AM	19	23	12	0	6	151	22	0	16	23	20	0	10	98	11	0	0	411	411
07:15 AM	22	25	16	0	11	168	15	1	22	34	23	0	16	85	13	1	2	450	452
07:30 AM	23	33	22	1	12	198	22	2	45	42	33	1	11	198	15	2	6	654	660
07:45 AM	15	35	23	0	15	204	20	1	48	42	29	0	21	185	22	0	1	659	660
Total	79	116	73	1	44	721	79	4	131	141	105	1	58	566	61	3	9	2174	2183
08:00 AM	12	54	25	0	13	165	32	3	45	52	28	2	25	165	13	0	5	629	634
08:15 AM	22	65	26	0	8	175	25	2	31	35	21	1	22	132	14	1	4	576	580
08:30 AM	21	50	24	3	5	165	19	1	21	42	26	0	15	124	20	2	6	532	538
08:45 AM	20	32	11	0	6	156	21	2	22	43	22	1	16	127	23	0	3	499	502
Total	75	201	86	3	32	661	97	8	119	172	97	4	78	548	70	3	18	2236	2254
*** BREAK ***																			
04:00 PM	20	34	21	0	11	132	32	0	32	42	32	1	33	285	41	0	1	715	716
04:15 PM	23	42	15	1	12	142	30	2	32	42	24	0	34	305	42	2	5	743	748
04:30 PM	25	32	13	2	15	132	33	1	20	35	22	0	23	298	42	1	4	690	694
04:45 PM	22	44	15	1	13	168	35	2	23	55	32	1	24	333	52	0	4	816	820
Total	90	152	64	4	51	574	130	5	107	174	110	2	114	1221	177	3	14	2964	2978
05:00 PM	32	23	22	1	22	175	42	1	33	65	24	2	23	324	44	0	4	829	833
05:15 PM	22	45	20	0	20	187	36	2	34	54	33	1	22	342	42	1	4	857	861
05:30 PM	20	55	23	2	21	165	34	0	41	75	31	1	35	324	32	0	3	856	859
05:45 PM	10	51	30	1	16	145	23	1	39	65	29	0	31	344	41	1	3	824	827
Total	84	174	95	4	79	672	135	4	147	259	117	4	111	1334	159	2	14	3366	3380
Grand Total	328	643	318	12	206	2628	441	21	504	746	429	11	361	3669	467	11	55	10740	10795
Apprch %	25.4	49.9	24.7		6.3	80.2	13.5		30	44.4	25.6		8	81.6	10.4				
Total %	3.1	6	3		1.9	24.5	4.1		4.7	6.9	4		3.4	34.2	4.3		0.5	99.5	

City: SAN DIMAS
 N-S Direction: SAN DIMAS AVENUE
 W Direction: ARROW HIGHWAY

File Name : h1304011
 Site Code : 00000557
 Start Date : 5/8/2013
 Page No : 2

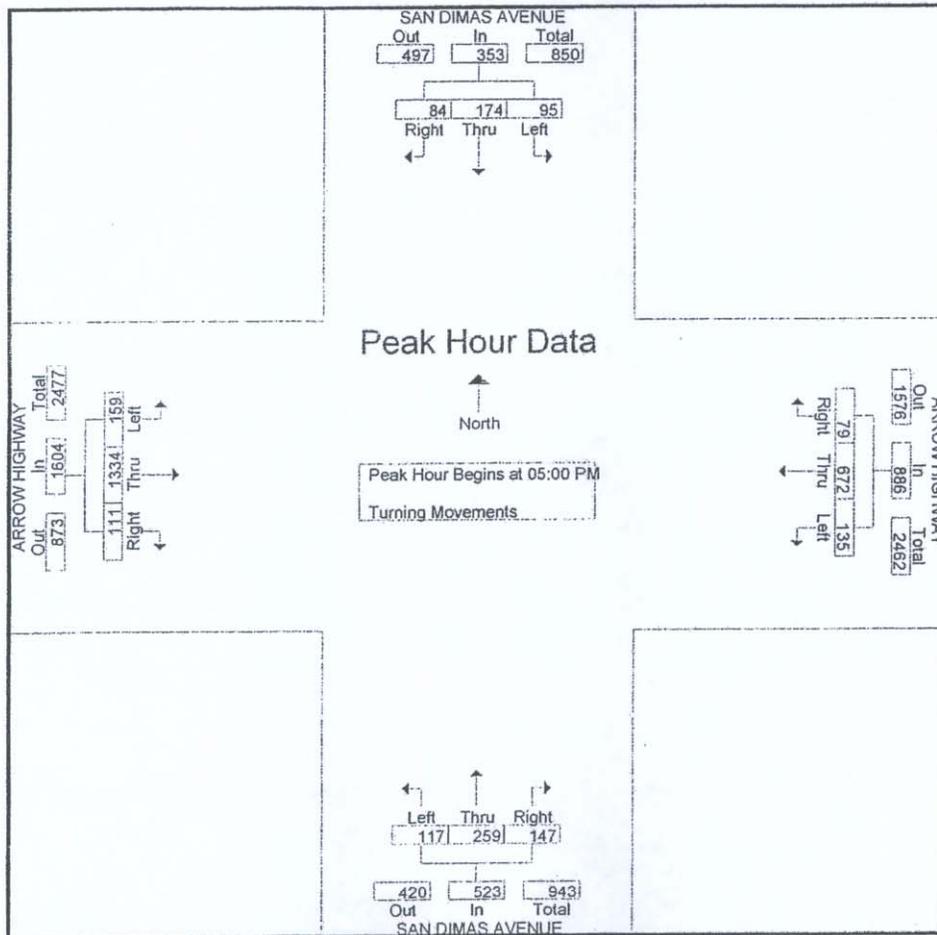
Start Time	SAN DIMAS AVENUE Southbound				ARROW HIGHWAY Westbound				SAN DIMAS AVENUE Northbound				ARROW HIGHWAY Eastbound				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	23	33	22	78	12	198	22	232	45	42	33	120	11	198	15	224	654
07:45 AM	15	35	23	73	15	204	20	239	48	42	29	119	21	185	22	228	659
08:00 AM	12	54	25	91	13	165	32	210	45	52	28	125	25	165	13	203	629
08:15 AM	22	65	26	113	8	175	25	208	31	35	21	87	22	132	14	168	576
Total Volume	72	187	96	355	48	742	99	889	169	171	111	451	79	680	64	823	2518
% App. Total	20.3	52.7	27		5.4	83.5	11.1		37.5	37.9	24.6		9.6	82.6	7.8		
PHF	.783	.719	.923	.785	.800	.909	.773	.930	.880	.822	.841	.902	.790	.859	.727	.902	.955



City: SAN DIMAS
 N-S Direction: SAN DIMAS AVENUE
 W Direction: ARROW HIGHWAY

File Name : h1304011
 Site Code : 00000557
 Start Date : 5/8/2013
 Page No : 3

Start Time	SAN DIMAS AVENUE Southbound				ARROW HIGHWAY Westbound				SAN DIMAS AVENUE Northbound				ARROW HIGHWAY Eastbound				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 05:00 PM																	
05:00 PM	32	23	22	77	22	175	42	239	33	65	24	122	23	324	44	391	829
05:15 PM	22	45	20	87	20	187	36	243	34	54	33	121	22	342	42	406	857
05:30 PM	20	55	23	98	21	165	34	220	41	75	31	147	35	324	32	391	856
05:45 PM	10	51	30	91	16	145	23	184	39	65	29	133	31	344	41	416	824
Total Volume	84	174	95	353	79	672	135	886	147	259	117	523	111	1334	159	1604	3366
% App. Total	23.8	49.3	26.9		8.9	75.8	15.2		28.1	49.5	22.4		6.9	83.2	9.9		
PHF	656	791	792	901	898	898	804	912	896	863	886	889	793	969	903	964	982



City: SAN DIMAS
 N-S Direction: SAN DIMAS AVENUE
 W Direction: ARROW HIGHWAY

File Name : h1304007
 Site Code : 00000557
 Start Date : 5/9/2013
 Page No : 1

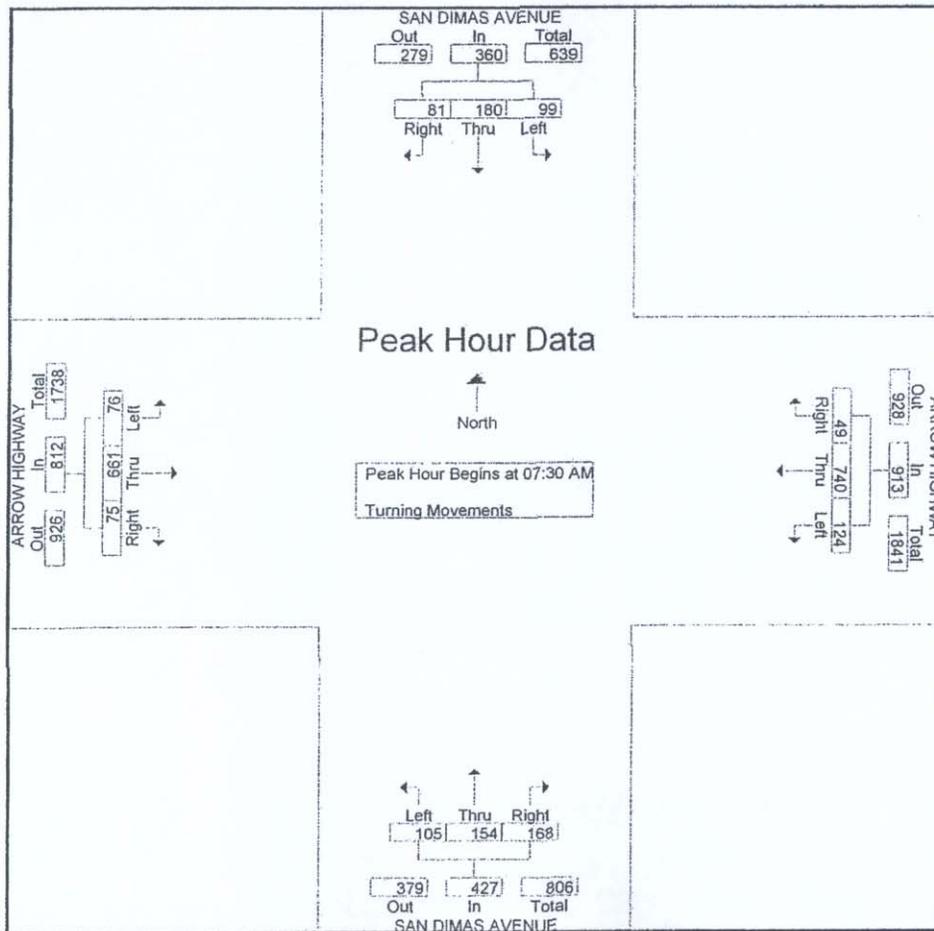
Groups Printed- Turning Movements

Start Time	SAN DIMAS AVENUE Southbound				ARROW HIGHWAY Westbound				SAN DIMAS AVENUE Northbound				ARROW HIGHWAY Eastbound				Exclu. Total	Inclu. Total	Int. Total
	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds			
07:00 AM	28	25	11	0	8	142	17	2	14	26	17	0	11	93	11	1	3	403	406
07:15 AM	19	27	17	0	10	177	15	1	23	36	28	0	5	94	13	0	1	464	465
07:30 AM	21	34	23	0	12	206	24	2	50	28	36	2	11	186	18	1	5	649	654
07:45 AM	10	32	24	0	16	194	30	1	58	50	22	1	19	186	27	2	4	668	672
Total	78	118	75	0	46	719	86	6	145	140	103	3	46	559	69	4	13	2184	2197
08:00 AM	21	63	30	0	13	174	35	1	40	45	27	0	29	177	15	0	1	669	670
08:15 AM	29	51	22	4	8	166	35	2	20	31	20	0	16	112	16	0	6	526	532
08:30 AM	33	40	24	0	6	159	17	3	18	33	24	1	17	114	21	1	5	506	511
08:45 AM	19	23	9	0	6	153	17	2	23	38	24	1	14	132	25	2	5	483	488
Total	102	177	85	4	33	652	104	8	101	147	95	2	76	535	77	3	17	2184	2201
*** BREAK ***																			
04:00 PM	27	44	18	1	12	135	37	1	31	42	26	0	32	285	56	1	3	745	748
04:15 PM	28	43	15	3	12	132	31	5	35	45	24	1	39	315	44	4	13	763	776
04:30 PM	21	44	14	0	10	142	30	0	30	45	25	1	25	284	49	1	2	719	721
04:45 PM	16	44	15	1	19	178	45	3	31	69	31	1	24	323	48	0	5	843	848
Total	92	175	62	5	53	587	143	9	127	201	106	3	120	1207	197	6	23	3070	3093
05:00 PM	23	55	27	1	20	184	29	2	39	54	25	0	35	321	47	1	4	859	863
05:15 PM	26	48	20	0	25	180	46	0	31	64	43	0	29	337	50	0	0	899	899
05:30 PM	17	53	27	1	16	151	44	2	48	53	30	1	35	308	39	0	4	821	825
05:45 PM	21	57	34	0	15	144	22	0	35	48	36	0	37	348	40	1	1	837	838
Total	87	213	108	2	76	659	141	4	153	219	134	1	136	1314	176	2	9	3416	3425
Grand Total	359	683	330	11	208	2617	474	27	526	707	438	9	378	3615	519	15	62	10854	10916
Approach %	26.2	49.8	24.1		6.3	79.3	14.4		31.5	42.3	26.2		8.4	80.1	11.5		0.6	99.4	
Total %	3.3	6.3	3		1.9	24.1	4.4		4.8	6.5	4		3.5	33.3	4.8				

City: SAN DIMAS
 N-S Direction: SAN DIMAS AVENUE
 E-W Direction: ARROW HIGHWAY

File Name : h1304007
 Site Code : 00000557
 Start Date : 5/9/2013
 Page No : 2

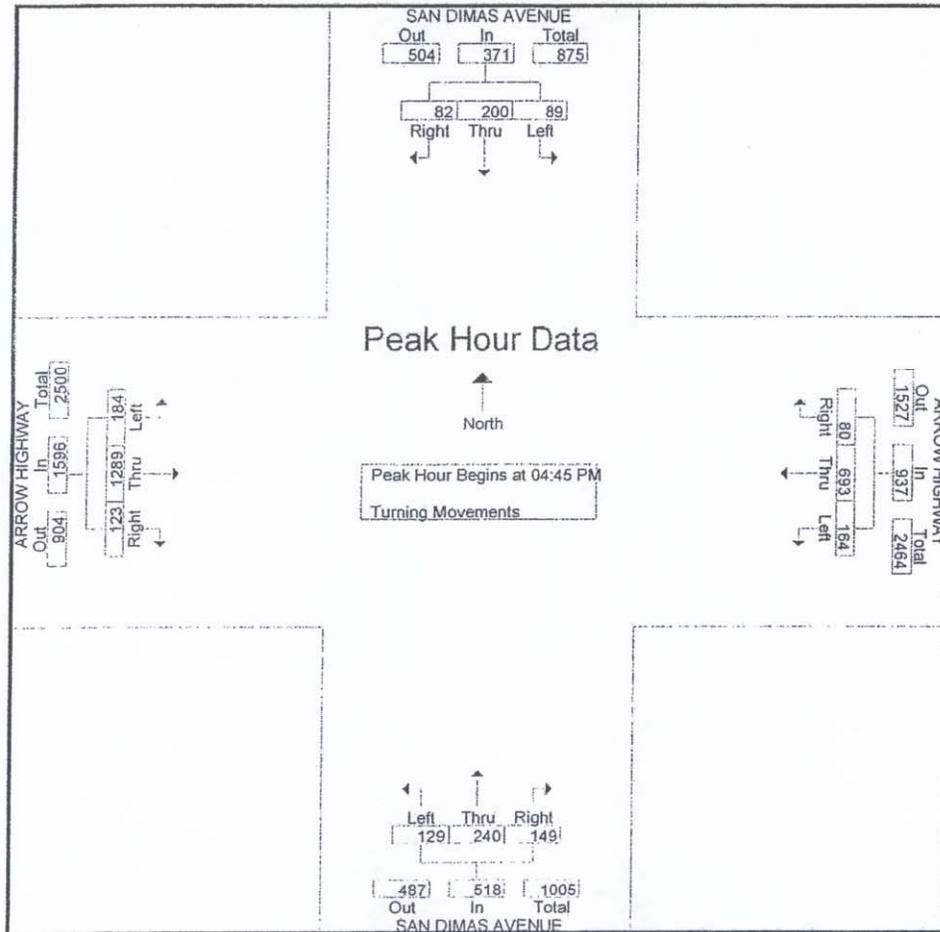
Start Time	SAN DIMAS AVENUE Southbound				ARROW HIGHWAY Westbound				SAN DIMAS AVENUE Northbound				ARROW HIGHWAY Eastbound				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	21	34	23	78	12	206	24	242	50	28	36	114	11	186	18	215	649
07:45 AM	10	32	24	66	16	194	30	240	58	50	22	130	19	186	27	232	668
08:00 AM	21	63	30	114	13	174	35	222	40	45	27	112	29	177	15	221	669
08:15 AM	29	51	22	102	8	166	35	209	20	31	20	71	16	112	16	144	526
Total Volume	81	180	99	360	49	740	124	913	168	154	105	427	75	661	76	812	2512
% App. Total	22.5	50	27.5		5.4	81.1	13.6		39.3	36.1	24.6		9.2	81.4	9.4		
PHF	.698	.714	.825	.789	.766	.898	.886	.943	.724	.770	.729	.821	.647	.888	.704	.875	.939



City: SAN DIMAS
 N-S Direction: SAN DIMAS AVENUE
 E-W Direction: ARROW HIGHWAY

File Name : h1304007
 Site Code : 00000557
 Start Date : 5/9/2013
 Page No : 3

Start Time	SAN DIMAS AVENUE Southbound				ARROW HIGHWAY Westbound				SAN DIMAS AVENUE Northbound				ARROW HIGHWAY Eastbound				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:45 PM																	
04:45 PM	16	44	15	75	19	178	45	242	31	69	31	131	24	323	48	395	843
05:00 PM	23	55	27	105	20	184	29	233	39	54	25	118	35	321	47	403	859
05:15 PM	26	48	20	94	25	180	46	251	31	64	43	138	29	337	50	416	899
05:30 PM	17	53	27	97	16	151	44	211	48	53	30	131	35	308	39	382	821
Total Volume	82	200	89	371	80	693	164	937	149	240	129	518	123	1289	184	1596	3422
% App. Total	22.1	53.9	24		8.5	74	17.5		28.8	46.3	24.9		7.7	80.8	11.5		
PHF	.788	.909	.824	.883	.800	.942	.891	.933	.776	.870	.750	.938	.879	.956	.920	.959	.952



INTERSECTION CAPACITY UTILIZATION

Intersection: San Dimas Avenue and Arrow Highway
 Condition: AM Peak Hour
 Count Date: May 8, 2013 Peak Hr: 7:30 - 8:30 AM
 Analyst: Warren Siecke Agency: San Dimas
 CMP Monitoring Station: 132

Movement	Volume	No. of Lanes	Capacity (1)	V/C Ratio	Critical V/C	Total
NB Left	111	1	1600	0.069		
NB Thru	171	1	1600	0.107	<==	
NB Right	169	1	1600	0.106		
SB Left	96	1	1600	0.060	<==	
SB Thru	187	2	3200	0.081		
SB Right	72	0	0	----		
EB Left	64	1	1600	0.040		
EB Thru	680	3	4800	0.158	<==	
EB Right	79	0	0	----		
WB Left	99	1	1600	0.062	<==	
WB Thru	742	3	4800	0.165		
WB Right	48	0	0	----		
Sum of Critical V/C Ratios						
Adjustment for Lost Time						0.100
Intersection Capacity Utilization (ICU)						0.487
Level of Service (LOS) - Refer to Table Below						A

NOTES

1. Per-lane Capacity = 1600 vehicles/hour;
dual turn capacity = 2880 vph

LOS	Maximum V/C
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	n/a

INTERSECTION CAPACITY UTILIZATION

Intersection: San Dimas Avenue and Arrow Highway
 Condition: PM Peak Hour
 Count Date: May 8, 2013 Peak Hr: 5:00 - 6:00 PM
 Analyst: Warren Siecke Agency: San Dimas
 CMP Monitoring Station: 132

Movement	Volume	No. of Lanes	Capacity (1)	V/C Ratio	Critical V/C	Total	
NB Left	117	1	1600	0.073			
NB Thru	259	1	1600	0.162	<==		
NB Right	147	1	1600	0.092			
SB Left	95	1	1600	0.059	<==		
SB Thru	174	2	3200	0.081			
SB Right	84	0	0	----			
EB Left	159	1	1600	0.099			
EB Thru	1334	3	4800	0.301	<==		
EB Right	111	0	0	----			
WB Left	135	1	1600	0.084	<==		
WB Thru	672	3	4800	0.156			
WB Right	79	0	0	----			
Sum of Critical V/C Ratios							0.607
Adjustment for Lost Time							0.100
Intersection Capacity Utilization (ICU)						0.707	
Level of Service (LOS) - Refer to Table Below						C	

NOTES

- Per-lane Capacity = 1600 vehicles/hour;
dual turn capacity = 2880 vph

LOS	Maximum V/C
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	n/a

INTERSECTION CAPACITY UTILIZATION

Intersection: San Dimas Avenue and Arrow Highway
 Condition: PM Peak Hour
 Count Date: May 9, 2013 Peak Hr: 4:45 - 5:45 PM
 Analyst: Warren Siecke Agency: San Dimas
 CMP Monitoring Station: 132

Movement	Volume	No. of Lanes	Capacity (1)	V/C Ratio	Critical V/C	Total	
NB Left	129	1	1600	0.081			
NB Thru	240	1	1600	0.150	<==		
NB Right	149	1	1600	0.093			
SB Left	89	1	1600	0.056	<==		
SB Thru	200	2	3200	0.088			
SB Right	82	0	0	----			
EB Left	184	1	1600	0.115			
EB Thru	1289	3	4800	0.294	<==		
EB Right	123	0	0	----			
WB Left	164	1	1600	0.103	<==		
WB Thru	693	3	4800	0.161			
WB Right	80	0	0	----			
Sum of Critical V/C Ratios							0.602
Adjustment for Lost Time							0.100
Intersection Capacity Utilization (ICU)						0.702	
Level of Service (LOS) - Refer to Table Below						C	

NOTES

- Per-lane Capacity = 1600 vehicles/hour;
dual turn capacity = 2880 vph

LOS	Maximum V/C
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	n/a

**MOTION BY
DIRECTOR RICHARD KATZ**

MTA Executive Management Committee

June 20, 2013

Congestion Mitigation Program

The Congestion Management Program (CMP) was enacted in 1990 as a companion to the increase in the State gas tax, enacted by voters through their approval of Proposition 111 and Proposition 108.

The Los Angeles County Metropolitan Transportation Authority (MTA) is the designated Congestion Management Agency, as authorized by State statute to develop a Congestion Management Program for Los Angeles County, which is required to allow State gas tax funds to flow to local jurisdictions.

The Los Angeles County CMP is also used by the Southern California Association of Governments to meet federal Congestion Management System requirements for the region, necessary for federal transportation funding approval.

The CMP statute also requires local jurisdictions to monitor CMP arterial and transit networks, to implement TDM and land use ordinances, and mitigate the impact of land use decisions through a Deficiency Plan.

While the Los Angeles CMP includes various performance standards including highway levels of service, transit through-put, person miles traveled for the existing "debit-credit" Deficiency Plan and Annual Vehicle Hours of Delay for the Congestion Mitigation Fee Nexus Studies, the statutory Deficiency Plan mitigation requirements are triggered by not attaining highway level of service standards on the CMP system.

The MTA Board of Directors in 2003 directed staff to consider the feasibility of implementing a Congestion Mitigation Fee to meet local mitigation responsibilities of the Deficiency Plan to replace the current "debit-credit" approach.

CONTINUED

It's MTA's responsibility to verify compliance with the CMP each February.

MTA certified the county and all local jurisdictions as being in compliance with the CMP on February 28, 2013.

Much has changed since 1990 in the interrelationship between land use and transportation, with performance metrics, and, significantly, with regard to transportation funding, such as:

- The adoption of AB 32 greenhouse gas requirements and SB 375 regional Sustainable Community Strategies requirements.
- Opportunities for additional transportation resources through state Cap and Trade auction proceeds.
- Opportunities to incentivize transit oriented development.
- Consideration of new performance measures currently under study for MAP-21.
- The adoption of Proposition A, Proposition C, and Measure R which have created significant transportation investments in Los Angeles County.

All these changes raise the question as to how helpful, relevant, and consistent the 1990 CMP statute is with 21st Century programs like AB 32, SB 375, and America Fast Forward.

1. I THEREFORE MOVE THAT the MTA Board of Directors direct the CEO to work with our Sacramento delegation to investigate, hold hearings and ascertain whether, in light of the above, the CMP is still an appropriate, useful and consistent tool aligned with our state and regional objectives.
2. I FURTHER MOVE to direct the CEO to report to the Board regarding any State findings and legislative changes to CMP statute, and in consultation with the business and environmental communities, local jurisdictions and the Southern California Association of Governments, return to the Board with a recommendation on meeting CMP requirements no later than the February 2014 Board meeting, when the Board must determine local jurisdiction conformity with CMP statute.

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Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 23, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Ken Duran, Assistant City Manager

SUBJECT: Budget adjustment to accommodate reorganization of Finance Division staffing

SUMMARY

With the recent retirement of one of the Finance Division staff members, we took this opportunity to evaluate the staffing and organization of the Division. Staff is recommending a slight staffing reorganization which requires a shift to the current budget.

BACKGROUND

The current budgeted staffing for the Finance Division includes:

- 1 Finance Manager
- 2 Senior Accounting Technicians
- 2 Accounting Technicians
- 1 40 hour part-time Senior Office Assistant
- 1 32 hour part-time Office Assistant

The 2 Accounting Technicians and part-time Senior Office Assistant and part-time Office Assistant collectively have primary responsibilities for accounts receivable – cashier/receptionist, accounts payable, document imaging for the department and various other accounting tasks. In total these functions are budgeted for a staffing equivalent of 3 ¾ full-time hours at a total cost of \$231,000 in salary and benefits.

Recently one of the Accounting Technicians retired. Given this retirement staff has taken this opportunity to evaluate the current and future staffing and needs of the division. Part of the evaluation also included the understanding that within 24 months there may be 2 to 3 additional retirements within the division.

This evaluation has led to the recommendation for a slight staffing reorganization at this time. It is recommended to eliminate the part-time Senior Office Assistant and part-time Office Assistant positions and have 3 full-time Accounting Technicians. This would change from a staffing equivalent of 3 $\frac{3}{4}$ full-time hours to a staffing equivalent of 3 full-time. The proposal would be to elevate the two existing part-time positions to full-time Accountant Technicians. Both of these positions are currently regular part-time status which means they are currently in the PERS retirement system and receive partial benefits. The revised budget in salary and benefits for the new structure would be \$200,000 this current year, a \$31,000 savings this year.

Part of the duties of the current part-time positions provide support to the other functions of the Administration Department such as counter coverage and document scanning. To assist with the loss of some of the hours for these functions we are also proposing the addition of a 20 hour per week Administrative Intern for the Department. The Department previously had an Intern position that was eliminated as a part of last year's reorganization. The addition of this position would provide additional support for the overall Department. The cost for this 20 hour per week position is \$15,000 this year.

The total cost of all of the proposed changes is \$215,000 this year, still a \$16,000 savings from the adopted budget and the equivalent of 3 $\frac{1}{2}$ full-time hours.

RECOMMENDATION

Staff recommends that the City Council authorize adjustments to the FY 13-14 budget to reflect the staffing changes as described above. These changes will meet the current staffing needs and also position the Finance Division to better prepare for staffing changes that may arise in the future.