### CITY OF CYPRESS AGENDA REPORT



TO:

Peter Grant, City Manager

FROM:

Douglas A. Dancs, P.E., Director of Community Development

MEETING OF: April 25, 2016

SUBJECT:

Public Hearing for a Conditional Use Permit for Additional Home

Spaces at 9080 Bloomfield Street - Amendment to Conditional

Use Permit No. C-197

<u>APPLICANT NAME:</u>

Mr. Abe Arrigotti, Sierra Management

PROPERTY OWNER NAME:

Kort & Scott Financial Group, LLC

PROPERTY ADDRESS AND LOCATION: 9080 Bloomfield Street (at the southeast corner of Bloomfield Street and Lincoln Avenue).

#### RECOMMENDATION

It is recommended the City Council:

- Conduct the public hearing on the application to amend Conditional Use Permit No. C-197; and
- Adopt the Resolution for Denial of Amendment to Conditional Use Permit No. C-197 without prejudice.

#### DISCUSSION

The subject property is a 31 acre mobile home park containing 305 rental spaces and centrally located recreational and laundry areas. The CUP application would add two spaces and a recreational area by removing a laundry room, manager's apartment, and clothesline area.

Attachment A shows the location of the mobile home park and the surrounding vicinity. The proposed site plan modification is shown on Attachment B - Project Plans. The project would also replace the chain link fence along the recreation area's southern perimeter with a seven-foot tall masonry wall; and install a five-foot wide landscape planter to buffer the recreational area from the new home spaces.

The application complies with the California Code and the Cypress Zoning Ordinance provisions for mobile home park developments. Setbacks for the placement of the individual mobile homes on the proposed new lots will be regulated in accordance with State and city codes and it meets city parking requirements.

### Background

On October 23, 2006, the City Council held a public hearing on and denied a similar application to add four manufactured home spaces at the park. The staff report, previous denial resolution, and minutes from that meeting are attached (Attachment E).

The 2006 application proposed to add four spaces through the removal of the manager's dwelling, laundry building and drying area. It also deleted a required recreational area (handball court). The 2006 City Council denied the application because it eliminated a recreational area and because of testimony from 15 park residents who opposed the application, citing concerns about the park's infrastructure.

The 2016 application, which requests two new home spaces will increase the recreational area, includes a letter (Attachment F) from the Lincoln Center Mobile home Park responding to "concerns set forth when this application was originally filed in October of 2006."

However, the applicant's letter does not provide sufficient information to enable the city to determine if the infrastructure concerns identified in 2006 have been resolved. Upon receiving the applicant's letter, the city requested written evaluations of the park's infrastructure from registered engineers. Specifically, the city asked for a:

- Licensed electrical engineer to assess the park's electrical and power system
- Licensed civil engineer to assess the park's sewer capacity and maintenance
- Licensed civil engineer to assess the park's storm drain system.

The applicant's response to the city is included as Attachment F. While the response provides a list of improvements and other measures constructed at the park, it does not provide sufficient evidence to determine if the electrical, sewer and storm drain systems are adequate to serve the park. Without such evidence from certified professionals, the city cannot determine if the park's 2006 infrastructure deficiencies have been remedied.

Rather, two recent sewer problems (a spill in September 2015 and a blockage on April 20, 2016) indicate the sewer system and its related maintenance may be inadequate. The September 2015 spill is particularly revealing as city crews had to respond to the spill because the park owner could not be reached. Approximately 300 gallons of untreated sewage was released and an unknown amount entered the storm drain and flowed to the ocean prior to containment.

#### Conclusion

Because the applicant has not provided sufficient information from licensed engineers to enable the city to determine if the park's 2006 infrastructure deficiencies have been corrected, it is recommended the City Council deny the CUP application without prejudice, subject to the findings in the denial resolution (Attachment D). Denying the

application without prejudice allows the applicant 90 days to provide sufficient evidence the park's infrastructure is adequate to serve 307 mobile homes.

#### **Environmental Consideration**

In accordance with the California Environmental Quality Act Guidelines (CEQA), this project is Categorically Exempt. Additionally, the project has been deemed an exempt project in accordance with the city's Water Quality Ordinance.

#### **Public Notice**

Notices of this public hearing, were posted, published, and mailed to the owners of all properties located within 300 feet of the subject parcel, as well as all homeowners within the property. Notices were also posted at the entrance to the mobile home park and on the laundry building. As of the writing of this report, staff has not received any communication regarding the project.

#### **Alternative Actions**

In the event the City Council determines the project should be approved, the City Council should continue this application and direct staff to prepare an approval resolution, subject to applicable conditions of approval.

# FISCAL IMPACT

An increase in property tax income to the city may result from the proposed improvements to the subject mobile home park.

# **LEGAL REVIEW**

The project has been reviewed by the City Attorney.

Kori Sanders

Associate Planner

Peter Grant

City Manager

**Attachments:** A – Vicinity Map

B - Project Plans

C – Existing Site Photos D - Denial Resolution

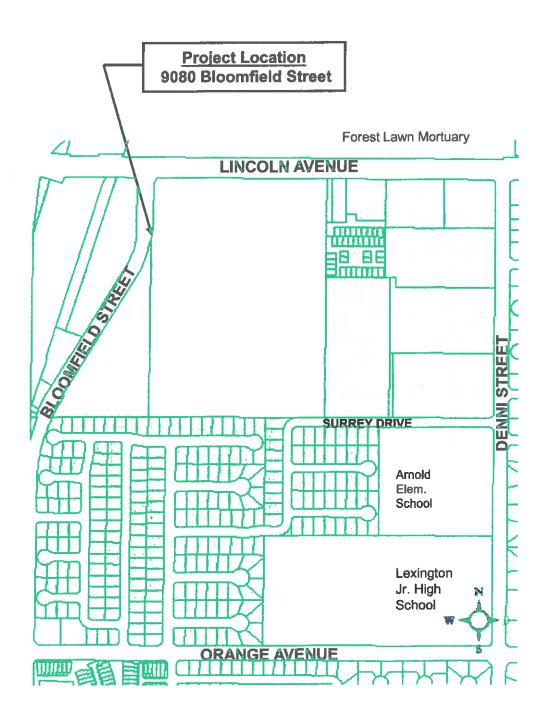
E - Previous Staff Report, Denial Resolution and

City Council Meeting Minutes from October 23, 2006

F – Support Documents from the Applicant

G - Public Hearing Radius Map

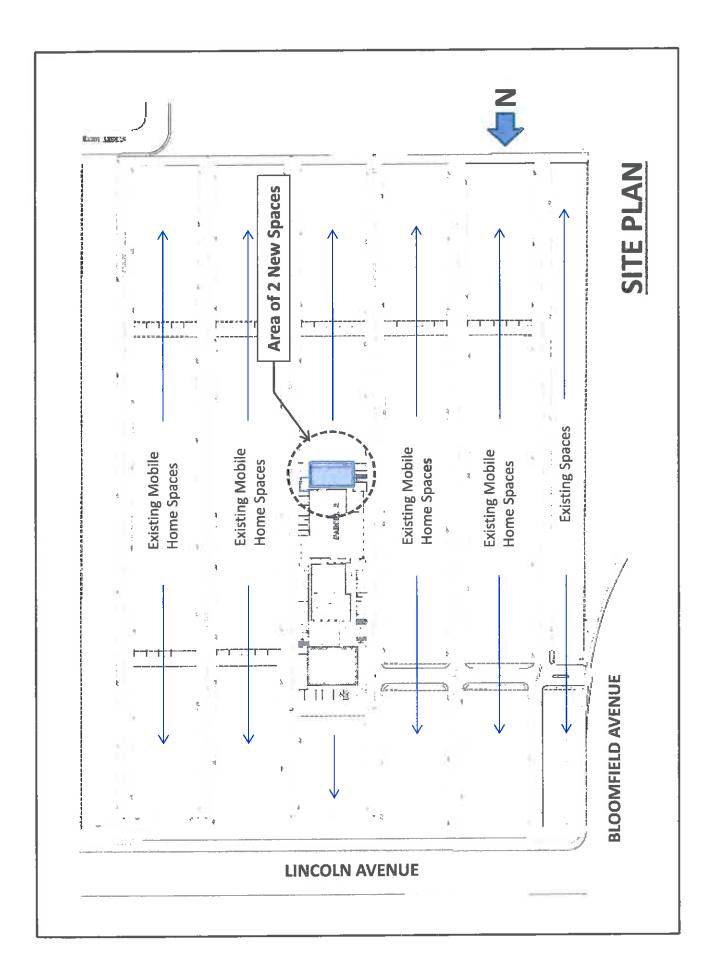
# Amendment to Conditional Use Permit No. C-197

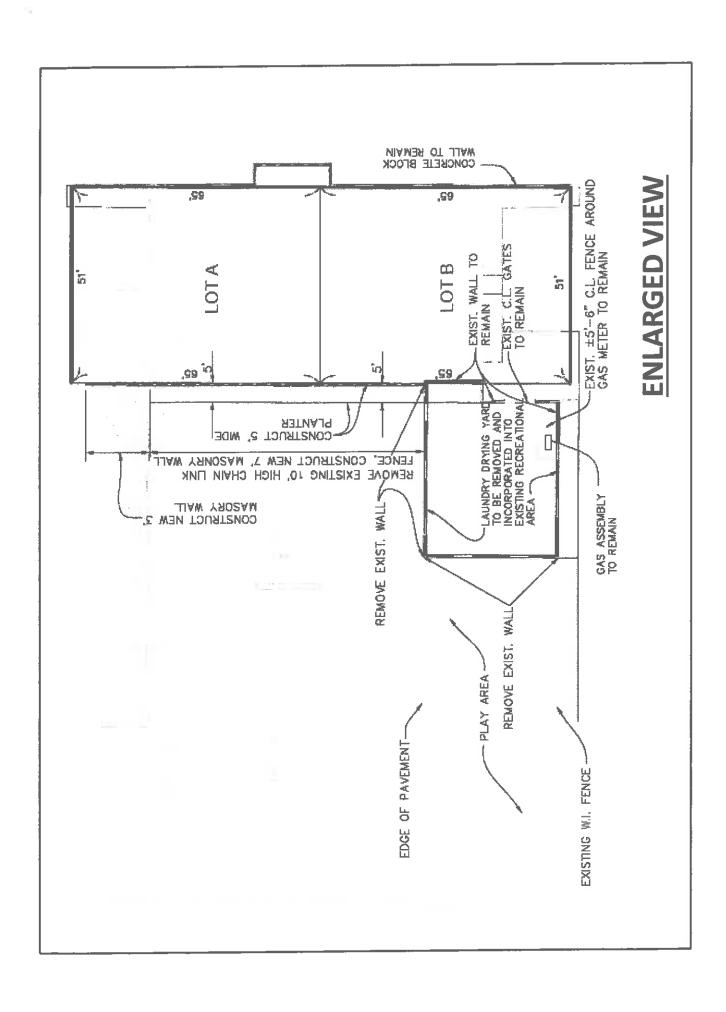


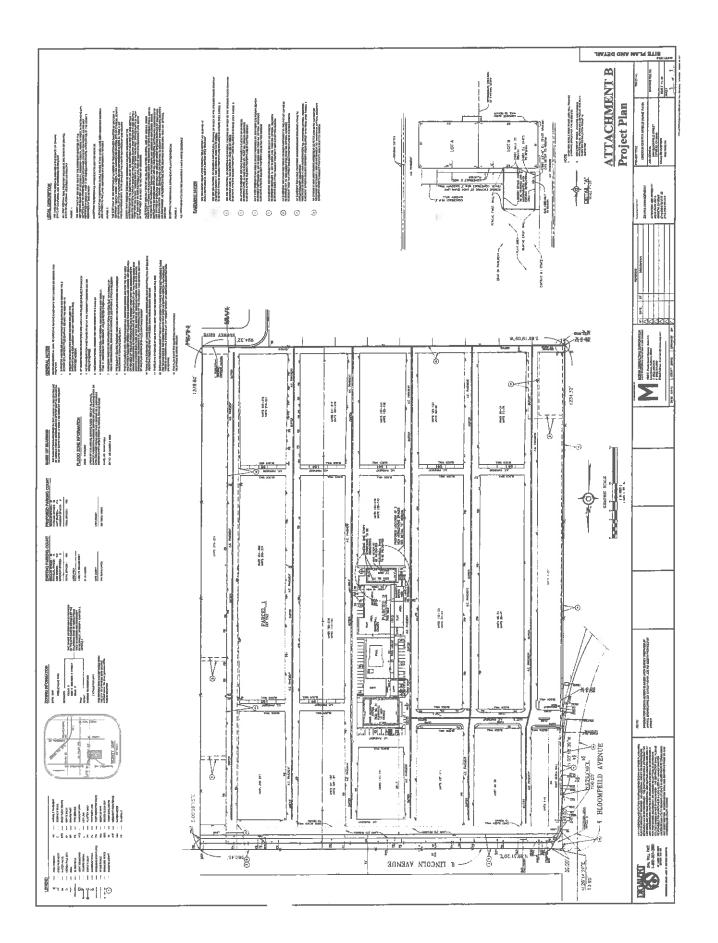
ATTACHMENT "A" VICINITY MAP District 13

# **ATTACHMENT "B"**

**Project Plans** 

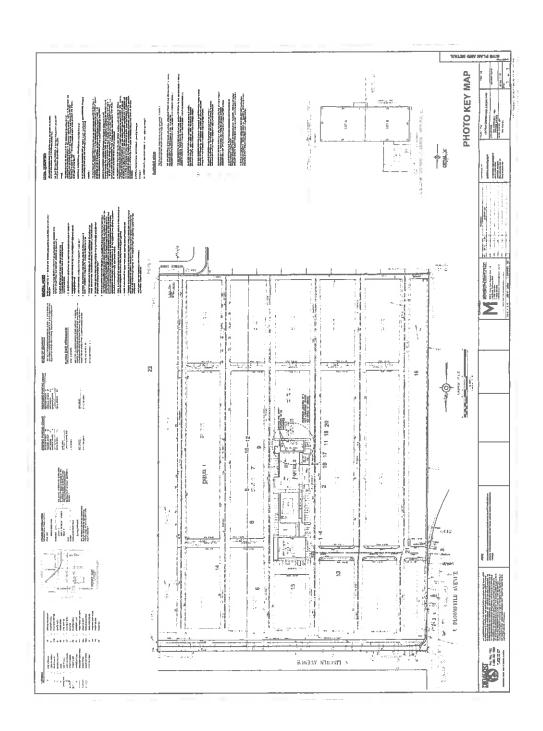






# ATTACHMENT "C"

**Existing Site Photos** 



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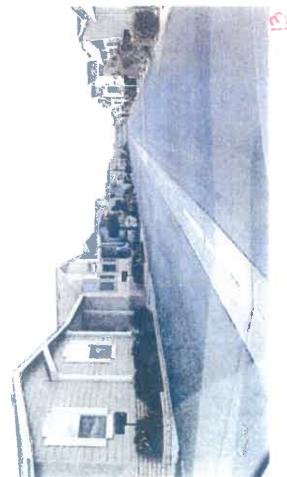








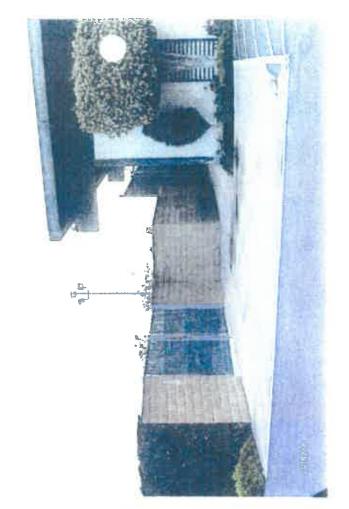






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# ATTACHMENT "D"

**Denial Resolution** 

#### RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS CONDITIONALLY DENYING AMENDMENT TO CONDITIONAL USE PERMIT NO. C-197, WITHOUT PREJUDICE, WITH AUTHORIZATION FOR THE APPLICANT TO RETURN TO THE CITY COUNCIL WITHIN 90 DAYS WITH THE REQUESTED DOCUMENTATION REGARDING THE ADEQUACY OF THE MOBILE HOME PARK INFRASTRUCTURE.

THE CITY COUNCIL OF THE CITY OF CYPRESS HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

- Section 1. That an application was filed for an amendment to Conditional Use Permit No. C-197 in accordance with the provisions of 4.19.070 of the Zoning Ordinance of the City of Cypress to allow the conversion of an existing laundry building and manager's dwelling unit into two (2) new mobile home spaces within an existing mobile home park located at 9080 Bloomfield Street within the MHP Mobile Home Park Zone.
- Section 2. That the City Council, after proper notice thereof, held a duly noticed public hearing on April 25, 2016, regarding said application in the manner provided by law.
- Section 3. That the City Council has heard and considered all of the evidence presented which includes, but is not limited to:
  - The staff report, including associated plans and attachments;
  - b. The oral presentation of staff;
  - c. Oral testimony presented at the hearing, both in favor and in opposition to the Project;
  - d. Relevant provisions of the Cypress Municipal Code, including but not limited to, Sections 4.19.070 and 2.05.040.E of the Cypress Zoning Ordinance.
  - Section 4. That in view of all of the evidence, the City Council hereby finds that:
  - a. Residents of the existing Lincoln Center Mobile Home Park ("Park") have testified at a previous public hearing held on or about October 23, 2006, regarding the existence of deficiencies in the electrical, telephone, sewer, and drainage system capacities at the Park. The applicant has not presented sufficient documentation to prove that these inadequacies have been corrected. Therefore, the proposed two (2) additional mobile home spaces, with the associated mobile homes that would be placed on them, would be detrimental to the public health, safety, or general welfare, or would be materially injurious to properties or improvements in the vicinity.
  - b. The applicant has not presented substantial evidence to dispute the existence of such deficiencies at the Park.
  - c. The applicant failed to present substantial evidence that the foregoing deficiencies have been corrected.
  - d. The proposed addition of two (2) mobile home spaces requested by the applicant, with the associated manufactured housing that would be placed thereon, would place additional demands on an already deficient electrical, telephone, sewer, and drainage system capacities at the Park.
  - e. As a consequence, based on substantial evidence, taken as a whole, the City Council finds and determines that granting the pending application will be detrimental to the public health, safety, or general welfare, or would be injurious to the existing mobile home spaces within the Park.

f.	Each of the	above	findings,	standing	alone,	is a	sufficient	basis	for	denial	of
the pending ap	olication.										

- Section 5. The City Council of the City of Cypress does hereby deny, without prejudice, the application for Amendment to Conditional Use Permit No. C-197 to allow the applicant to bring the application back within 90 days with documentation certifying the adequacy of the mobile home park.
- Section 6. Any challenge to this Resolution, and the findings set forth therein, must be filed within the 90 day statute of limitations set forth in Code of Civil Procedure § 1094.6.

PASSED AND ADOPTED by the City Council of the City of Cypress at a regular meeting held on the  $\,$  day of  $\,$  , 2016.

MAYOR OF THE CITY OF CYPRESS

ATTEST:	
CITY CLERK OF THE CIT	Y OF CYPRESS
STATE OF CALIFORNIA	) SS

I, DENISE BASHAM, City Clerk of the City of Cypress, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the said City Council held on the day of , 2016, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

CITY CLERK OF THE CITY OF CYPRESS

# ATTACHMENT "E"

Previous Staff Report, Denial Resolution and City Council Meeting Minutes from October 23, 2006

# CITY OF CYPRESS AGENDA REPORT

Item	#	
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TO:

Richard M. Storey, Acting City Manager

FROM:

Ted J. Commerdinger, Acting Community Development Director

**MEETING OF:** 

October 23, 2006

SUBJECT:

A Public Hearing Regarding Amendment No. 2 to Conditional Use Permit No. C-197, A Request to Allow Four (4) Additional Mobile Home Spaces in an Existing Mobile Home Park, Located at 9080 Bloomfield Street in the MHP Mobile Home Park Zone.

APPLICANT NAME:

R.T. Quinn & Associates

PROPERTY OWNER NAME: Kort & Scott Financial Group, LLC

PROPERTY ADDRESS AND LOCATION: 9080 Bloomfield Street (at the southeast corner of Bloomfield Street and Lincoln Avenue).

#### **RECOMMENDATION**

Based on the analysis presented in this report, staff recommends that the City Council adopt the attached Resolution presented for consideration by title only and to waive further reading, for Amendment No. 2 to Conditional Use Permit No. C-197, subject to the conditions attached hereto in Exhibit "A" of the Resolution. (Refer to Attachment C of this report).

## BACKGROUND

On July 2, 1966, the Cypress Planning Commission approved Conditional Use Permit No. C-197, allowing the construction of a mobile home park designed to accommodate 312 mobile home spaces. The development was eventually named the Lincoln Center Mobile Home Park. The typical space/lot sizes ranged from 2,600 to 3,250 square feet, with lot dimensions of 60 feet in length and ranging from 40 to 50 feet in width. The approved project plans included two (2) off-street covered parking spaces next to each mobile home and 86 open guest parking spaces located adjacent to the recreation and laundry facilities. Amenities included a recreation building, swimming pool, basketball and handball courts, and a laundry building.

The City Council approved an amendment to this Conditional Use Permit in 1991, allowing the conversion of a previous recreational vehicle storage area into three (3) additional mobile home spaces. According to City records and address maps, that addition resulted in a total of 305 mobile home spaces within the park.

Over the past 40 years, most of the original mobile homes in this park have been replaced with newer and larger models containing more amenities, including indoor

laundry facilities. Therefore, the current owners of the park propose to replace the dilapidated laundry building and the under utilized handball court with four (4) new mobile home spaces.

### DISCUSSION

# **Subject Properties and Surrounding Uses**

The subject property is a 31 acre parcel containing 305 mobile home rental spaces and centrally located recreational and laundry areas. The property is zoned MHP - Mobile Home Park.

Uses surrounding the subject property include the Forest Lawn Cemetery located to the north across Lincoln Avenue in the PS Public and Semi-Public Zone, as well as single-family tract homes located to the south in the RS-6,000 Residential Single-Family Zone. Condominium homes are located adjacent to the east and west property lines in the RM-20 Residential Multiple-Family Zone.

## **Development Plan**

The proposed project would demolish the existing abandoned laundry building, the unused outdoor clothesline drying area, and a portion of the handball courts. This land area would be converted to four (4) new manufactured home spaces. The project would include a graduated height (5' to 7' tall) screen wall between the remaining recreational area and the new coach spaces.

A new ten-foot wide recreation strip would also be created along the northern perimeter of the mobile home park. This strip would be created by constructing a new six-foot (6') tall perimeter wall that is ten feet (10') closer to Lincoln Avenue (but still located on private property). The existing northern perimeter wall would then be reduced to 42 inches (3½ feet) tall with six (6) ten-foot (10') wide pedestrian access openings. The new recreation strip would be landscaped with turf and trees, and equipped with five (5) new permanent barbeques and picnic tables.

# **Analysis**

According to Section 4.19.070 of the Cypress Zoning Ordinance, the modification or expansion of a conditionally permitted use requires an amendment to the conditional use permit if the improvements exceed \$2,500.00 in value. Therefore, the proposed conversion of the existing laundry facility and handball court to additional mobile home spaces requires an amendment to the existing Conditional Use Permit No. C-197.

The proposed site modifications must comply with current State and City development standards for mobile home parks. Upon review, staff found that the proposed site plan complied with all applicable development standards contained in the California Code of Regulations, Title 25, pertaining to mobile home park developments. The proposed plan also complies with the Cypress Zoning Ordinance provisions for mobile home park

developments (Z.O. Section 2.05.030.E) including minimum lot dimensions, access, parking, and recreational area. The setbacks for the placement of the individual mobile homes on the proposed new lots would be regulated in accordance with the overriding State Codes at the time of installation.

The City's parking provisions require one (1) covered parking space next to each mobile home and one (1) open guest space for every six (6) mobile homes. Accordingly, 309 covered parking spaces and 52 open guest spaces are required for this mobile home park, with the proposed four (4) additional mobile homes. The proposed site plan shows that, after displacing nine (9) guest spaces located in the proposed construction area, 618 covered (tandem) parking spaces and 84 open guest spaces would remain after the proposed modification.

During the preliminary design review process, staff found that the proposed mobile home park modification would not meet the City's required minimum of 150 square feet of common recreational area per mobile home space (46,350 total square feet). Accordingly, the proposed plan has been modified to provide an additional 9,400 square feet of open recreational area along the northern perimeter of the mobile home park. The new recreational area would increase the total to 48,180 square feet, thereby exceeding the minimum requirement. As previously described in the Development Plan section of this report, the new recreational area would include a ten-foot (10') wide lawn strip equipped for picnic and barbeque usage.

As stipulated in Section 5.24.060 of the Zoning Ordinance, the City may modify or add conditions of approval during the amendment process. Therefore, staff recommends that the City's standard conditions of approval be added to the existing Conditional Use Permit for this mobile home park to make it consistent with current State and local codes and regulations. For example, the standard stormwater quality conditions are included to comply with the National Pollution Discharge Elimination System (NPDES) and the County's Drainage Area Management Plan (DAMP). Also, Conditions 8 and 23 would insure proper design, installation, and maintenance of the walls and landscaping in the new recreational area located at the northern perimeter of the property. Further, Condition No. 34 references the regulatory codes specifically applicable to a mobile home park project.

In conclusion, the proposed project represents an improvement to the existing Lincoln Center Mobile Home Park, and would not increase the total number of mobile homes beyond the total approved by the original C.U.P. The existing access and driveways are adequate to accommodate the proposed four (4) new mobile home spaces, and the proposal complies with all other applicable State and City development standards. Another benefit of this project would be the addition of three (3) additional housing units within the City. This helps the City accomplish its General Plan Housing Element goal to provide a wide variety of housing types to meet the needs of all segments of the community. Therefore, staff supports the approval of the proposed project application for Amendment No. 2 to Conditional Use Permit No. C-1974

#### **Environmental Consideration**

In accordance with the California Environmental Quality Act Guidelines (CEQA), a Categorical Exemption, Class 1.I.4 and Class 3 will be filed for this project.

#### Public Notice

Notices of this public hearing, were posted, published, and mailed to the owners of all properties located within 300 feet of the subject parcel. To date, staff has not received any communication regarding the proposed project.

#### Alternative Actions

In the event that the City Council determines there are issues which should be addressed prior to taking any action on this item, the Council should continue this application and instruct staff to work with the applicant to resolve the issues. A second alternative is to make the required findings for denial and deny the project based on these findings.

## FISCAL IMPACT

A minor increase in property tax income to the City may result from the proposed improvements to the subject mobile home park.

# **LEGAL REVIEW**

The project contains no legal issues requiring review by the City Attorney.

Associate Planner

Richard M Storey Richard M. Storey Acting City Manager

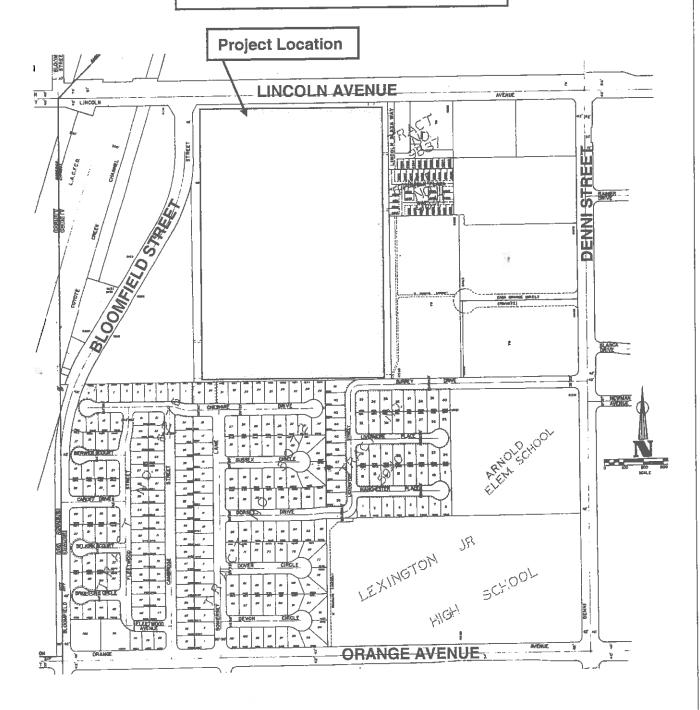
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Attachments: A – Vicinity Map

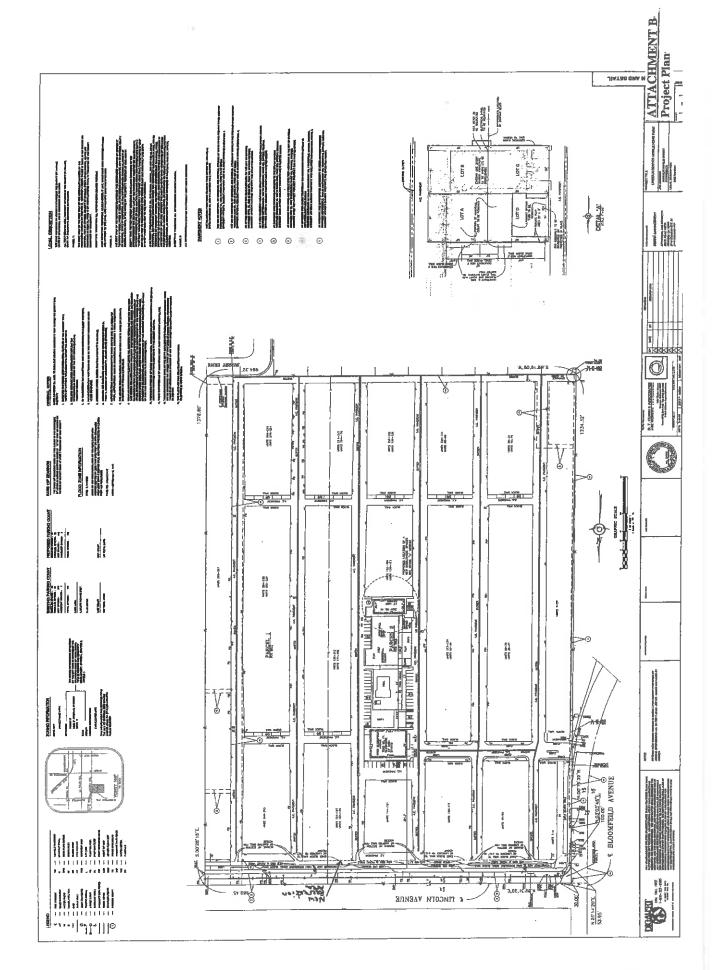
B - Project Plan

C - Resolution and Conditions of Approval

# Amendment to Conditional Use Permit No. C-197 9080 Bloomfield Street



ATTACHMENT "A" VICINITY MAP



#### RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS APPROVING AMENDMENT NO. 2 TO CONDITIONAL USE PERMIT NO. C-197 - WITH CONDITIONS.

THE CITY COUNCIL OF THE CITY OF CYPRESS HEREBY FINDS, RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

- 1. That an application was filed for a second amendment to Conditional Use Permit No. C-197 in accordance with the provisions of 4.19.070 of the Zoning Ordinance of the City of Cypress to allow the conversion of an existing laundry building and a recreational handball court into four (4) new mobile home spaces within an existing mobile home park located at 9080 Bloomfield Street within the MHP Mobile Home Park Zone.
- 2. That the City Council, after proper notice thereof, duly held a public hearing on said application as provided by law.
  - 3. That the City Council hereby finds that:
  - a. The proposed location of the conditional use is in accord with the objectives of the Zoning Ordinance and the purpose of the MHP Zone in which the site is located, which is:

Intended for the exclusive development of mobile home parks.

- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity in that:
  - (1) The proposed project is consistent with the Cypress General Plan and zoning designation of MHP Mobile Home Park.
  - (2) The project site currently provides adequate access and circulation to accommodate the proposed four (4) additional mobile home spaces.
  - (3) The conversion of the former laundry facility and handball court to mobile home spaces represents an improvement to the property, because the area is currently in disrepair and has been subject to vandalism.
  - (4) The proposed project includes the creation of additional recreational area located along the northern perimeter of the property to maintain compliance with City Code requirements for mobile home parks.
  - (5) The creation of four (4) new mobile home spaces will help the City to meet its Housing Element goal of providing a wide variety of housing for all segments of the community, including senior citizens and young families.
- c. The proposed conditional use will comply with each of the applicable provisions of the Zoning Ordinance.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Cypress does hereby approve the Amendment No. 2 to Conditional Use Permit No. C-197, subject to the conditions attached hereto as Exhibit "A".

PASSED AND ADOPTED by the City Council of the City of Cypress at a regular meeting held on the day of , 2006.

MAYOR OF THE CITY OF CYPRESS

ATTE	EST:	
CITY	CLERK OF T	HE CITY OF CYPRESS
	E OF CALIFO	SS
that th	I, DENISE B te foregoing Re day o	ASHAM, Acting City Clerk of the City of Cypress, DO HEREBY CERTIFY solution was duly adopted at a regular meeting of the said City Council held on following roll call vote:
	AYES:	COUNCIL MEMBERS:
	NOES:	COUNCIL MEMBERS:
	ABSENT:	COUNCIL MEMBERS:

-2-

CITY CLERK OF THE CITY OF CYPRESS

C-2

# EXHIBIT "A"

# AMENDMENT NO. 2 TO CONDITIONAL USE PERMIT NO. C-197 9080 BLOOMFIELD STREET

#### CONDITIONS OF APPROVAL

Plain text denotes standard conditions of approval.

Bolded conditions represent those specific to this project.

#### **GENERAL CONDITIONS**

- 1. Unless and until the project applicant and property owner sign and return a City-provided affidavit accepting these conditions of approval, there shall be no entitlement of the application. The project applicant and property owner shall have fifteen (15) calendar days to return the signed affidavit to the Community Development Department. Failure to do so will render City Council action on the application void.
- 2. The developer shall defend, indemnify, and hold harmless, the City and any agency thereof, or any of its agents, officers, and employees from any and all claims, actions, or proceedings against the City or any agency thereof, or any of its agents, officers or employees, to attack, set aside, void or annul, an approval of the City, or any agency thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project, which action is brought within the time period provided in Government Code Section 66499.37 and Public Resources Code, Division 13, CH. 4 (§ 21000 et seq. including but not by way of limitation § 21152 and 21167). City shall promptly notify the developer of any claim, action, or proceeding brought within this time period.
- 3. The developer's contractor shall provide the City with a Certificate of Insurance on City form evidencing a comprehensive liability insurance policy with a combined single limit of not less than \$500,000 each occurrence in connection with the work performed. Certificate shall include the City, its Council, officers, members of boards or commissions and employees as additional Named Insureds with respect to all claims, actions, damages, liabilities and expenses, including attorney's fees, arising out of or in connection with the work to be performed under the development executed by the Named Insured and City, including any act or omission of employees, agents, subcontractors, or their employees. Such certificate shall have a thirty (30) day cancellation notice to the City of Cypress.
- The applicant/developer shall comply with all provisions of the Code of the City of Cypress.
- 5. All applicable conditions of Conditional Use Permit No. C-197, as amended, shall be complied with prior to final sign-off of building permits for the amended project.
- 6. Within forty-eight (48) hours of the approval of this project, the applicant/developer shall deliver to the Community Development Department a check payable to the County Clerk-Recorder in the amount of Forty-Three Dollars (\$43.00) County administrative fee, to enable the City to file the Notice of Exemption pursuant to Fish and Game Code §711.4 and

California Code of Regulations, Title 14, section 753.5. If, within such forty-eight (48) hour period, the applicant/developer has not delivered to the Community Development Department the check required above, the approval for the project granted herein shall be void.

7. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.

#### **ENGINEERING CONDITIONS**

- 8. A minimum six-foot (6') tall perimeter block wall shall be provided along the North perimeter of the mobile home park development to maintain security, noise buffering, and screening along Lincoln Avenue.
- 9. FEES REQUIRED FOR IMPROVEMENTS ARE AS FOLLOWS:
  - City-wide Traffic Improvement (Per Resolution 4348 and current fee Resolution).
  - Regional Traffic Improvement (Per Resolution No. 4400).
  - Sanitary Sewer Connection (Per Orange County Sanitation District, OCSD-09).

# STORMWATER QUALITY

- 10. A Water Quality Management Plan (WQMP) shall be submitted which identifies appropriate construction and post construction as well as structural and non-structural Best Management Practices (BMP's) to City of Cypress for review and approval. Project shall also incorporate measures as specified in the County of Orange Drainage Area Management Plan (DAMP) and the Model Water Quality Management Plan (WQMP) to help control runoff. Examples of BMP's and control measures are included in the California Storm Water Best Management Practices Handbook, Industrial/Commercial and Construction Activity, and the County of Orange Drainage Area Management Plan and subsequent revisions, and the City's Local Implementation Plan.
- 11. Pursuant to the City's Water Quality Ordinance, if the City planning agency determines that the project will have a "de minimis impact" on the quality of stormwater runoff, then it may deem the project exempt from the Development Planning Program and issue a written waiver of the requirements for preparation and approval of a Water Quality Management Plan (WQMP). The applicant shall still submit the "Owner's Certification of Compliance with Minimum Requirements" and comply with the applicable construction requirements listed in Condition No. 33.i (i-x) herein.
- 12. For those applications involving New Development:
  - a. The applicant shall submit a project specific Water Quality Management Plans (Project WQMPs) in accordance with the Section A-7.6 and Exhibit A-7.IV of the

Council adopted Local Implementation Plan if the application meets any of the following criteria:

- (1) The development qualifies as one of the priority project categories listed as follows: residential development of 10 units or more; commercial and industrial development greater than 100,000 square feet including parking areas; automotive repair shop (SIC codes 5013, 5014, 5541, 7532-7534, and 7536-7539);
- (2) The development is a restaurant where the land area of development is 5,000 square feet or more including parking areas (SIC code 5812);
- (3) The development involves an impervious surface of 2,500 square feet or more located within, directly adjacent to (within 200 feet), or discharging directly to receiving water within Environmentally Sensitive Areas; or
- (4) The development involves a parking lot area of 5,000 square feet or more, or with 15 or more parking spaces, and potentially exposed to urban runoff or the development does not qualify as one of the Priority Project Categories but requires discretionary action that will include a precise plan of development (unless the Development Services Director deems the project as exempt from this requirement) or requires issuance of a non-residential plumbing permit predominantly for changes to fuel dispensers.

The applicant shall include in its WMQP identification of the relevant best management practices in the project design if such project meets one of the categories for priority project designation noted above.

- 13. For those applications involving Significant Redevelopment, where the "Significant Redevelopment" consists of development that would create or add at least 5,000 square feet of impervious surfaces on an already developed site and includes, but is not limited to: the expansion of a building footprint; addition to or replacement of a structure; replacement of an impervious surface that is not part of a routine maintenance activity; or where the "Significant Redevelopment" consist of land disturbing activities related with structural or impervious surfaces but does not include trenching and resurfacing associated with utility work; resurfacing and reconfiguring surface parking lots; or where the "Significant Redevelopment" consist of new sidewalk construction, pedestrian ramps, or bike lane on public and private existing roads; and replacement of damaged pavement. Replacement of impervious surfaces includes any activity that is not part of a routine maintenance activity where impervious material(s) are removed, exposing underlying soil during construction.
  - a. The applicant shall submit project specific Water Quality Management Plans (Project WQMPs) in accordance with the Section A-7.6 and Exhibit A-7.IV of the Council adopted Local Implementation Plan the application meets any of the following criteria:

- (1) The development qualifies as one of the priority project categories listed as follows: residential development of 10 units or more; commercial and industrial development greater than 100,000 square feet including parking areas; automotive repair shop (SIC codes 5013, 5014, 5541, 7532-7534, and 7536-7539);
- (2) Restaurant where the land area of development is 5,000 square feet or more including parking areas (SIC code 5812); impervious surface of 2,500 square feet or more located within, directly adjacent to (within 200 feet), or discharging directly to receiving water within Environmentally Sensitive Areas;
- (3) Parking lot area of 5,000 square feet or more, or with 15 or more parking spaces, and potentially exposed to urban runoff or the development does not qualify as one of the Priority Project Categories but requires discretionary action that will include a precise plan of development (unless the Development Services Director deems the project as exempt from this requirement) or requires issuance of a non-residential plumbing permit predominantly for changes to fuel dispensers.

The applicant shall include in its WMQP identification of the relevant best management practices in the project design if such project meets one of the categories for priority project designations noted above, except where the "Significant Redevelopment" results in an increase of less than fifty percent of the impervious surface of a previously existing development, and the existing development was not subject to WQMP requirements, the WMQP requirements apply only to the addition, and not to the entire development.

- 14. For those applications involving any development that is required to submit a WQMP, the applicant shall conform to the following requirements:
  - a. WQMP's for priority new or significant redevelopment must address site design BMPs, routine structural and non-structural Source Control BMPs, Treatment Control BMPs, including consideration of a regional or watershed approach, and the mechanism(s) by which long-term operation and maintenance of all structural BMPs will be provided while non-priority new or significant redevelopment must address routine structural and non-structural Source Control BMPs, consideration of Site Design BMPs, and the mechanism(s) by which long-term operation and maintenance of all structural BMPs will be provided.
  - b. The applicant shall submit the WQMP prior at one or both points in the project planning and permitting stage as determined by the Director of Development Services:
    - i. During the discretionary approval process (land use permit) of a proposed project, when the City would exercise judgment or deliberation in order to

approve or disapprove a new development or significant redevelopment project, or

- ii. During the ministerial approval process of issuing a grading, building, demolition, or similar "construction" permits in which only fixed standards or objective measures are applied.
- c. For projects that require submittal of construction plans, the applicant for plan check must incorporate all of the structural BMPs identified in an approved Project WQMP and therefore, the applicant is required to obtain approval of the final Project WQMP prior to submitting construction plans for plan check.
- d. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one or more acres of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
- e. Prior to the issuance of any building or grading permits or prior to recordation upon subdivision of land if determined applicable by Director of Development Services, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
  - i. Addresses Site Design BMPs such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas
  - ii. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP
  - iii. Incorporates Treatment Control BMPs as defined in the DAMP
  - iv. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs,
  - v. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPS, and
  - vi. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
- f. Prior to building or grading permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:

- i. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications,
- ii. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP,
- iii. Demonstrate that an adequate number of copies of the approved Project WOMP are available onsite,
- iv. Demonstrate that a mechanism or agreement acceptable to the City has been executed for the long-term funding and performance of BMP operation, maintenance, repair, and/or replacement.
- v. For industrial facilities subject to California's General Permit for Stormwater Discharges Associated with Industrial Activity as defined by Standard Industrial Classification (SIC) code, demonstrate that coverage has been obtained by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number.
- g. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs. The plan must include the following:
  - i. Structural BMPs
  - ii. Employee responsibilities and training for BMP operation and maintenance
  - iii. Operating schedule
  - iv. Maintenance frequency and schedule
  - v. Specific maintenance activities
  - vi. Required permits from resource agencies, if any
  - vii. Forms to be used in documenting maintenance activities
  - viii. Notification to Orange County Vector Control District of the structural BMPs in place
    - ix. Recordkeeping requirements (at least 5 years)
    - x. If a property owner or a private entity, such as a homeowners association (HOA), retains or assumes responsibility for operation and maintenance of structural BMPs, the applicant will require access for inspection through an agreement. Such access easements shall be binding throughout the life of the project, or until the BMPs requiring access are acceptably replaced with a BMP not requiring access. Funding for the long-term operation and maintenance of structural BMPs will be front-funded, or otherwise guaranteed via mechanisms such as approved assessment districts, or other funding mechanisms.
- h. The applicant shall obtain a separate public works permit for any BMP that is required within the public right of way. During the rainy season from October 1 to April 30, any BMP that is placed in front of a storm drain catch basin or inlet shall be placed at the beginning of the workday and removed at the end of each

workday to reduce any potential for flooding. The applicant shall monitor if rain is expected, to remove the BMP during the workday.

- i. Prior to the issuance of a building or grading permit, the applicant shall include the following as general or special notes on <u>both</u> the building and grading plan sheets for new development or significant redevelopment projects and shall adhere to the note requirements:
  - i. Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.
  - ii. Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
  - iii. Appropriate BMPs for construction-related materials, wastes, spills or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
  - iv. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
  - v. All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
  - vi. At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
  - vii. Construction sites shall be maintained in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Discharges of material other than stormwater are allowed only when necessary for performance and completion of construction practices and where they do not: cause or contribute to a violation of any water quality standard; cause or threaten to cause pollution, contamination or nuisance; or contain a hazardous substance in a quantity reportable under Federal Regulations 40 CFR Parts 117 and 302.
  - viii. Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, lime, pesticides, herbicides, wood preservatives and solvents, asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing; and super chlorinated potable water line flushings.
    - ix. During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.

- x. Dewatering of contaminated groundwater, or discharging contaminated soils via surface erosion is prohibited. Dewatering of non-contaminated groundwater requires a National Pollutant Discharge Elimination System (NPDES) permit from the respective State Regional Water Quality Control Board."
- 15. The applicant shall implement the following project specific conditions with regards to water quality:
  - a. Prior to the issuance of any building permits, the applicant shall include in the plans any urban runoff control measures deemed necessary by the Building Official for those situation where the threshold of a WQMP may not be met but where the project requires urban control runoff measures.
  - b. Prior to issuance of certificates of use and occupancy or building permits for individual tenant improvements or construction permits for a tank or pipeline, uses shall be identified and, for specified uses, the applicant shall propose plans and measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal). The chemical management measures shall be incorporated as an element of a Water Quality Management Plan and shall be subject to the approval of the City Building Official and other specified agencies such as the Fire Authority/Fire Department, the Orange County Health Care Agency and sewering agencies to ensure implementation of each agency's respective requirements. Certificates or permits may be ministerial withheld if features needed to properly manage chemicals cannot be incorporated into a previously completed building, center or complex.

# COMMUNITY DEVELOPMENT CONDITIONS

- 16. Utilities shall not be released until all conditions of approval have been met to the satisfaction of the Community Development Department.
- 17. Any expansion or modification of the approved use beyond what is approved as part of Conditional Use Permit No. C-197 (as amended on October 23, 2006) will require an additional amendment to the conditional use permit.
- 18. The developer shall provide mailbox facilities for each residence, to the satisfaction of the Public Works Director, Community Development Director, and Postmaster.
- 19. This conditional use permit may be modified or revoked by the City Council should the Council determine that the proposed use or conditions under which it is being operated or maintained is detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 20. Architectural elevations and site plans shall be reviewed and approved by the Community Development Department prior to the issuance of building permits.

Exhibit "A"
Amendment No. 2 to Conditional Use Permit No. C-197
Conditions of Approval

- 21. All architectural treatments shall be constructed as illustrated on plans and renderings submitted. The final exterior color scheme shall be submitted to City staff for review and approval prior to actually painting the structure.
- Onsite security lighting shall be arranged so that direct rays will not shine on adjacent properties or produce glare for street traffic.
- A detailed landscape and automatic irrigation plan shall be submitted to the Community Development Department for review and approval at least sixty (60) days prior to final sign-off of the building permit for the new northern perimeter wall. The plans shall illustrate the removal and replacement of any landscaping and irrigation materials that are damaged and/or displaced as a result of the new wall and open recreational area improvements. In addition, a bond shall be posted with the Public Works Department to guarantee the new landscaping against defects in plant materials and workmanship.
- 24. Unless otherwise specified, all required replacement trees shall be a minimum 24-inch box size and of a variety approved by the Community Development Director.
- 25. Landscape irrigation pipes and sprinkler heads shall be maintained in good working order so as to cover all landscaped areas.
- 26. All material storage shall occur within enclosed buildings or sheds. Exterior storage is specifically prohibited.
- All walls, fences and trash enclosures shall be maintained free of significant surface cracks, dry rot, warping, missing panels or blocks, which threaten the structure's structural integrity or graffiti which threatens the appearance.
- 28. Parking lot surfaces and pedestrian walkways shall be maintained in a safe condition such that any concrete, asphalt, or other driving or walking surfaces are free of potholes, buckled or cracked surfaces, or raised areas.
- 29. The property shall be maintained free of the accumulation of trash and debris.
- 30. Exterior building elevations shall be maintained in a safe appearance such that the buildings are free of broken, missing or significantly cracked surface finished materials.
- 31. Should substantiated complaints be received, this conditional use permit may be modified and/or revoked, subject to a public hearing.
- 32. Grading and exterior building construction activities shall be limited to the hours of between 7:00 a.m. and 8:00 p.m. Monday through Friday, between 9:00 a.m. and 8:00 p.m. on Saturday, if the City's noise standards are exceeded. Interior building construction and tenant improvements shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Saturday, only if the City's noise standards are exceeded. No construction activity

Exhibit "A"
Amendment No. 2 to Conditional Use Permit No. C-197
Conditions of Approval

shall be allowed on Sundays or federal holidays. In addition, construction equipment shall be equipped with effective muffling devices. Compliance with this measure is subject to field inspection by City staff.

33. Mechanical devices associated with the cleaning and maintenance of real property may be used within any zone between the hours of 7:00 a.m. and 8:00 p.m. on weekdays and between the hours of 8:00 a.m. and 8:00 p.m. on weekends and federal holidays. Such devices include but are not limited to stationary or mobile pumps, fans, compressors, generators, blowers, and sweepers. The use of such devices for such purposes is prohibited at all other times.

# **BUILDING CONDITIONS**

- 34. Applicant/developer shall obtain the required permits and comply with applicable provisions of the 2001 California Building, Plumbing, Electrical, and Mechanical Codes, the 2001 California Administrative Code, Title 24, the current California Code of Regulations, Title 25, pertaining to Mobile Home Parks, and the Code of the City of Cypress.
- 35. Construction bins for non-recyclable and recyclable materials generated from any construction site (residential and non-residential) must be placed "on site" out of the public right-of-way unless a permit is obtained from the Public Works Department.
- 36. A pre-grading SWPPs inspection is required prior to grading permit issuance. All required grading stormwater BMPs shall be installed and inspected by the Building Division prior to release of the grading permit.

# FIRE AUTHORITY CONDITIONS - RESIDENTIAL

37. All requirements of the Orange County Fire Marshal's Office shall be complied with prior to a Certificate of Occupancy being issued.

Effective:

10-23-2006

#### **RESOLUTION NO. 5989**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS DENYING AN AMENDMENT TO CONDITIONAL USE PERMIT NO. C-197 - WITH CONDITIONS.

THE CITY COUNCIL OF THE CITY OF CYPRESS HEREBY FINDS, RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

- 1. That an application was filed for a second amendment to Conditional Use Permit No. C-197 in accordance with the provisions of 4.19.070 of the Zoning Ordinance of the City of Cypress to allow the conversion of an existing laundry building and a recreational handball court into four (4) new mobile home spaces within an existing mobile home park located at 9080 Bloomfield Street within the MHP Mobile Home Park Zone.
- That the City Council, after proper notice thereof, duly held a public hearing on October 23, 2006, regarding said application as provided by law.
- 3. That numerous persons spoke at the hearing against the granting of the proposed Amendment to Conditional Use Permit No.C-197; and
- 4. That the City Council has heard and considered all of the evidence presented which includes, but is not limited to:
  - a. The staff report, including associated plans and attachments;
  - b. Petitions from residents of the City, including owners and occupants of mobile homes located on the Project site;
  - c. Oral testimony presented at the hearing, both in favor and in opposition to the Project;
    - d. The oral presentation of staff;
  - e. Relevant provisions of the Cypress Municipal Code, including but not limited to, Sections 4.19.070 and 2.05.040.E of the Cypress Zoning Ordinance.
  - 5. That in view of all of the evidence, the City Council hereby finds that:
  - a. The proposed removal of a portion of the existing children's recreational area would adversely impact the families residing in this mobile home park, where play activities in the street are prohibited by park rules.
  - b. The design and location of the proposed ten-foot-wide lineal park would not provide adequate usable open space for replacement of the displaced recreational area, because the width would not be practical to accommodate the same youth activities that would be displaced.
  - c. The existing Lincoln Center Mobile Home Park residents currently experience problems related to inadequate electrical, telephone, sewer, and drainage system capacities. Therefore, the proposed four (4) additional mobile home spaces, with the associated mobile homes that would be placed on them, would have an adverse impact on the health, safety, and welfare of the other residents of the same mobile home park property.
  - d. Any of the above findings, independent from the others, is sufficient grounds to deny the granting of the subject approval.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Cypress does hereby deny the Amendment to Conditional Use Permit No. C-197.

PASSED AND ADOPTED by the City Council of the City of Cypress at a regular meeting held on the 23<sup>rd</sup> day of October, 2006.

MAYOR OF THE CITY OF CYPRESS

ATTEST:

Dehiol Basham Interim City Clerk of the City of Cypress

STATE OF CALIFORNIA )
COUNTY OF ORANGE )

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I, DENISE BASHAM, Interim City Clerk of the City of Cypress, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the said City Council held on the 23<sup>rd</sup> day of October, 2006, by the following roll call vote:

AYES:

COUNCIL MEMBERS: McGill, Seymore, Luebben and Sondhi

NOES:

COUNCIL MEMBERS: None

ABSENT:

COUNCIL MEMBERS: McCoy

Place Bacham
INTERIM CITY CLERK OF THE CITY OF CYPRESS

City compel the applicant to do so. Further, the issues of leases and lease renewal are a landlord-tenant issue over which the City has no jurisdiction.

The City Attorney stated that the real issue is if the application complies with the zoning in the Specific Plan. He stated that staff interpretation of the law is not the interpretation of the law, but a best collective professional judgment; the Council can concur or respectfully disagree.

It was moved by Mayor Pro Tem Luebben that the City Council: 1) Adopt a Finding of De Minimis Impact, adopt the Mitigated Negative Declaration, and Mitigation Monitoring Program in accordance with the requirements of the California Environmental Quality Act (CEQA); and 2) Adopt the Resolution by title only, approving Conditional Use Permit No. 2006-08, subject to the conditions in Exhibit "A"; and 3) Introduce for first reading the Ordinance by title only, amending Section 4.5.1 of the Lincoln Avenue Specific Plan to eliminate the maximum front yard setback requirement within the Campus Village District of the Lincoln Avenue Specific Plan.

The motion died for lack of a second.

It was moved by Council Member McGill and seconded by Council Member Seymore, that the item be continued to the November 13, 2006 City Council meeting.

The motion was carried by the following roll call vote:

AYES: 3 COUNCIL MEMBERS: McGill, Seymore and Sondhi

NOES: 1 COUNCIL MEMBERS: Luebben ABSENT: 1 COUNCIL MEMBERS: McCoy

Item No. 2: PUBLIC HEARING REGARDING AMENDMENT NO. 2 TO CONDITIONAL USE PERMIT NO. C-197, A REQUEST TO ALLOW FOUR (4) ADDITIONAL MOBILE HOME SPACES IN AN EXISTING MOBILE HOME PARK LOCATED AT 9080 BLOOMFIELD STREET IN THE MHP MOBILE HOME PARK ZONE.

The City Attorney recused himself from the Council Chambers due to his ownership of property in the project area.

The Associate Planner provided background information on this item.

Mayor Sondhi questioned staff regarding the remaining recreational amenities and the new 10 foot recreational strip.

The Associate Planner indicated that the center of the site contains the amenities (recreation building, pool, open basketball/handball court area, laundry building and manager's unit). The additional recreational area is on the north perimeter of the site.

Mayor Sondhi questioned staff on what was to the left of the new 10 foot strip.

The Associate Planner reported that this is an unusual case, where the original property line actually ended up in the street and was dedicated an easement for the roadway so that the curb and gutter are actually behind the property line on Lincoln Avenue. The concrete block wall will be lowered to 42 inches high and openings created. She stated that a new six foot tall block wall will be constructed 10 feet into the lawn area that is on the street side of the existing block wall and that there would still be another 10 feet of lawn area on the street side of the new block wall.

Council Member McGill asked about the trees.

The Associate Planner stated that as many items as possible would be maintained and anything that was displaced would be replaced.

The public hearing was opened.

Abe Arrigotti, Kort & Scott Financial Group, stated that he would address any questions presented by the mobile home residents.

Mayor Sondhi asked if there was anyone who wished to speak in favor of the item.

Mayor Sondhi asked if there was anyone who wished to speak against the item.

The following Lincoln Center Mobile Home Park residents spoke in opposition to the project:

Gonzalo and Sean Reyes
Rosemarie Kneba
Violet Chapman
Tanya Gandara
Samii Taylor Yakovetic
Sherry Reddington
Susan Rhodes
Fred Wagner
Joseph Yakovetic
John Potter
Jim Leger
Veronica Blakeman
Sandy Deal
Teri Adams
David Higa

Mr. Arrigotti responded to concerns presented by the residents (drainage, lighting, pedestrian access, stop signs, child safety, home size, air conditioning, locked gates, telephone wiring, ADA accessibility, etc.) and to the petitions that were submitted from the residents. He requested postponing the item for 30 days to allow them to meet with residents regarding their concerns.

Mayor Sondhi questioned Mr. Arrigotti about the removal of part of the playground area.

Mr. Arrigotti suggested the possibility of reworking the design a little to reduce the amount of loss.

Mayor Pro Tem Luebben questioned the applicant on the electrical system and the usage increase today.

Mr. Arrigotti clarified that they brought in the experts when they purchased the property who told them what could be done to prevent drawing down the amperage on the system.

The public hearing was closed.

Council Member McGill questioned staff on the open space requirements for this application. He discussed mathematical open space versus practical open space.

Mayor Pro Tem Luebben commented on property owner responsibilities, fairness, and equity to the people. He stated that unless money was invested in the infrastructure, he was reluctant to approve an increase in density.

It was moved by Council Member Seymore and seconded by Mayor Pro Tern Luebben, to deny staff's recommendation to approve Amendment No. 2 to Conditional Use Permit No. C-197, a request to allow four (4) additional mobile home spaces in an existing mobile home park located at 9080 Bloomfield Street in the MHP Mobile Home Park Zone.

CITY COUNCIL MINUTES

The motion was unanimously carried by the following roll call vote:

AYES:

4 COUNCIL MEMBERS: McGill, Seymore, Luebben and Sondhi

NOES: 0 ABSENT: 1

0 COUNCIL MEMBERS: None

COUNCIL MEMBERS: McCoy

#### **RESOLUTION NO. 5989**

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS DENYING AN AMENDMENT TO CONDITIONAL USE PERMIT NO. C-197

The meeting was recessed at 9:58 p.m.

The meeting was reconvened at 10:07 p.m.

Item No. 3: PUBLIC HEARING REGARDING ZONING ORDINANCE AMENDMENT NO. 2006-06, A PROPOSAL TO AMEND THE CYPRESS CITY CODE, APPENDIX I—ZONING SECTION 3.14.050.C.7, RELATING TO DRIVEWAY LANDSCAPE BUFFER REQUIREMENTS.

The Associate Planner provided background information on this item.

The public hearing was opened.

Mayor Sondhi asked if there was anyone who wished to speak in favor of the item.

Mayor Sondhi asked if there was anyone who wished to speak against the item.

The public hearing was closed.

It was moved by Mayor Pro Tem Luebben and seconded by Council Member Seymore, that the City Council introduce for first reading the Ordinance by title only, approving Zoning Ordinance Amendment No. 2006-06.

The motion was unanimously carried by the following roll call vote:

AYES:

4 COUNCIL MEMBERS: McGill, Seymore, Luebben and Sondhi

NOES:

0 COUNCIL MEMBERS: None

ABSENT: 1

COUNCIL MEMBERS: McCoy

#### ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CYPRESS, CALIFORNIA, AMENDING SECTION 3.14.050:C.7 OF THE CYPRESS ZONING ORDINANCE RELATING TO DRIVEWAY LANDSCAPE BUFFERS.

Item No. 4: PUBLIC HEARING RELATING TO LAW ENFORCEMENT BLOCK GRANTS; CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) GRANT FUNDS.

The Police Captain provided background information on this item.

Mayor Pro Tem Luebben requested clarification because of possible misstatements in the Orange County Register this week. He clarified that this is a funding mechanism only to pay for certain salaries of existing police officers.

Council Member McGill stated that the City is very fortunate to keep receiving this grant.

The public hearing was opened.

Mayor Sondhi asked if there was anyone who wished to speak in favor of the item.

# ATTACHMENT "F"

Support Documents from the Applicant

# Lincoln Center Mobilehome Park C/o Sierra Corporate Management, Inc. 9080 Bloomfield Avenue Cypress, CA 90630

December 10, 2014

Kori Nevarez Associate Planner-Community Development Department City of Cypress 5275 Orange Avenue Cypress, CA 90630

RE: Project review-Re-submittal for Lincoln Center MHP - 9080 Bloomfield Ave.

Dear Ms. Nevarez,

I am writing in response to your previous decision to deny our application for the referenced expansion at Lincoln Center Mobile Home Park (re-application) and our subsequent desire to revise the plan to reduce the number of total units added to 1.

I ask that you reconsider your former denial given that most of the oral testimony given by the tenants of Lincoln Center Mobile Home Park at the time of the original hearing was merely hearsay and not grounded in facts. Accordingly, the City's decision to deny was truly an error inasmuch as the facilities themselves bear out the true nature and condition of the underlying property and the proposed expansion will have little to no impact save for providing an additional unit of "affordable" housing in the City of Cypress.

We continue to maintain the property to the highest of standards and respond to any and all concerns without delay. With this in mind, please review the following responses to the concerns set forth when this application was originally filed in October of 2006:

- 1. Removal of a portion of the children's recreational area-This area is no longer in play with the reduction of the addition. Accordingly, there is not issue.
- 2. The tenants claimed the electrical system was inadequate. This is simply false. This issue was investigated by Sierra Corporate Management after the hearing and the electrical concerns and no issues where found. While the system has been upgraded over the years since it was originally installed (the park was built in the 1960's), it certainly is not new but is in VERY good shape. All concerns/problems have been addressed and will continue to be addressed. I ask that you reference the enclosed spreadsheet showing the last 3 years of electrical expenses for the park. You will notice a very distinct fact. These are minor repairs given that the park has 305 homes and some 2000+ tenants. There are no "regular blackouts/brownouts" as claimed by the tenants and we continue to monitor and maintain the system in the best shape possible.

Letter to Kori Nevarez City of Cypress December 10, 2014 Page 2 of 2

3. Telephone service is inadequate: This is not a park issue as the telephone system

belongs to and is maintained by AT&T.

4. Sewer problems: Another false claim. As noted above in the electrical concerns set forth, the park has and continues to respond to any and all sewer related issues and resolves them in a timely manner. Over the past 3 years, Lincoln Center MHP has had 2 sewer related issues in 3 years reported by the park residents and all have been resolved with a sense of urgency. Please see the attached spreadsheets showing the past 3 years of calls/problems. Again, given that the park has 305 homes with some 2,000+ tenants, we see the actual "problems" perceived by the tenants as negligible at best. Additionally, we maintain a quarterly preventative maintenance program for the sewer system wherein the park lines are jetted. These are MOST of the entries noted on the spreadsheet.

5. Drainage system: The Park has addressed all of the drainage issues it can resolve. In fact, during a street renovation shortly after this issue was brought to our attention, we spent some \$75,000.00 installing additional gutters, drain lines and basins in the most southerly street in the park to help resolve some of the drainage issues and to redirect some of the drainage flow during heavy rains. Keep in mind the ENTIRE area surrounding the mobile home park itself "floods" during intense

periods of rain and we have done all we can to remedy the same.

In addition to the above, we also responded to the tenant's concerns and desire to see a "safer" ingress/egress point at the southeasterly portion of the park that most of the school children in the park use for pedestrian purposes on their way to school. In doing so, the park operator spent over \$50,000.00 designing and constructing a double set of stairs complete with landing, railing and locking gate giving them safer access to the adjacent school and streets.

We continue to respond to all resident concerns with regards to any utility issues or other park issues with a sense of urgency and resolve them in a timely manner.

In closing, I am asking that you reconsider of our permit application for Lincoln Center MHP. If there is any additional information we can provide to you that would expedite this matter, please feel free to contact me. Thank you for your time and consideration of this important issue.

Sincerely,

Abe Arrigotti President

Sierra Corporate Management

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	THE COUNTY	DESCRIPTION	COSTS	REPORT Y/N	COMMENTS
DAIR	VENDOR	是一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个			
		Sn 28. Tall street light is not working (bad ballast & lamp)	\$587.70	Yes	Inv. # 12284
_	3	Charked n	\$114.30	No	Inv. #24128
7	Subsumace Electric, mic.		\$351.80	No	Inv. #120514-003
$\neg \neg$	Berk's Electrical & Lighting	១ខ្ព	\$602.69	Yes	Inv. #24239
-	Subsurface Electric, Inc.	I inhte ranaire at clithouse	\$259.08	Yes	Inv. #24307
1	Subsurface Electric, Inc.	Chroot light renaire at an 93 & 164	\$662.76	Yes	Inv. #24231
_	Subsurface Electric, inc.	Outdet light topical out of the control of the cont	\$961.31	Yes	Inv. #24340
-	Subsurface Electric, Inc.	Sp. 200 VRIC ISpails	\$457.16	Yes	Inv. #24363
1	Subsurface Electric, Inc.	Sp. 204, 130- 2 base most a stalled time clock for bool lights	\$464.40	92	Inv. #24347
-7-	Subsurface Electric, Inc.	The falled new treater at an 142 die to no bower (2) 132-128	\$498.34	ν	Inv. #24329
			\$170.08	No	Inv. #24402
10/28/12	Subsurface Electric, Inc.	c. 18.1 repaired underground fault affecting the light @164	\$479.47	No	Inv. #24431
11/15/12	11/15/12 Subsurface Electric, Inc.	baset time clock @so164 replaced lamp and ballast	\$428.06	No	Inv. #24430
	Subsurace Electric, Ilic.		\$330.95	No	Inv. #24419
11/9/12	Subsurace Electric, Inc.	10 Diameter of the sector of t	\$107.78	No.	Inv. #24474
12/18/12	12/18/12 Subsurface Electric, Inc.	-95. Zag-	11.676.6	Statement of the statem	
			\$362.71	Yes	linv. # 4828
- 1	linc.	oriveway.	\$715.50	Š	Inv. #5174
1/24/12	Splash Plumbing		\$715.50	No	Inv. #5213
5/9/12	Splash Plumbing	Periorii qualicity ityaio seriigo de main entrance	\$309.00	Yes	Inv. #32687
5/11/12	Splash Plumbing	That caule a pured formula process.	\$715.00	Yes	Inv. #5257-P
8/10/12	Splash Plumbing	Pellolili qualiferiy iryaloʻzamig oʻziniz	\$210.00	Yes	Inv. #32958
7/3/12	Splash Plumbing	Sp. 302 (few laucet replacement)	\$444.00	ON.	Inv. #33327
8/22/12	_	Doctorm quarterly hydro-jetting service as contracted	\$715.50	No	Inv. #33823
10/31/12	-	to repair & certify backflow device	\$125.00	No	Inv. #5259
4/10/12	Ħ	126 To clear mainline back-10	\$350.00	No	Inv. #5172
10/5/12	Inc.	- CC - CC	11、個人とこれを開	The second secon	Street and statement   The Control of the Street
	The state of the s			屋	
		Gae lasking repairs at space 128	\$715.27	Yes	Inv. #0512072
5/15/12	Pacific States utiny co.	TOTAL	\$715.27		
SCHOOL STREET					
	"Conditioning		\$427.52	NO	Inv. #00040582
6/28/12	CONTRIBUTION	व सह	屋へ かんり 電		

			A STREET, SQUARE, SQUA		
			COCHE	REPORT VAN	COMMENTS
DATE	VENDOR	DESCRIPTION	cusis	ALCO DATE OF THE PARTY OF THE P	
		Se 293-to replace new photo cell	\$236.60	No	Inv. #24510
T	Subsurface Electric Inc		\$320.49	No	Inv. #24522
T	Subsurface Electric Arc		\$264.68	No	Inv. #24538
21/21/2	Subsultace Electric inc	installed new 501 AMP service cord at space 125	\$303.42	No	Inv. #13151
0 000	Color Hillity Co.	Installed weight and measure certified meter for 5 electric meters	\$1,222.56	No.	Inv. #13152
3/19/13	Pellic States Office Of	Sp 126-131 has no power	\$859.79	No	Inv. #13594
Т		1	\$847.66	No	Inv. #13616
Т		lamp. Sp.	\$760.96	No	Inv. #13719
5/21/13	The Trouble shoot and	repair	\$283.35	No	Inv. #13784
6/18/13	The sam of the same of the sam		\$894.19	SN SN	Inv. #13919
//30/13	Team Underground Electric		\$733.47	No	lnv. #14021
9/16/13	leam Underground Elect	learn Underground Lifety Inches Shorting can Chack tall light circuit at sp. 93	\$364.01	No	Inv. #14076
9/17/13	Team Underground Electric	Team Underground Electric Demoved & renlaced 50a receptable in cower bedestal	\$145.18	No	Inv. #130853
10/7/13	Pacific Landmark Elecutor	Manufacture and repaired light at space 40	\$276.32	S.	Inv. #24956
/3/13					
	Mile To The State of the State	AT POTAL PLANS Additionary NATED			
		Construction Leafing Service	\$715.50	No.	IIIN. #5340-P
3/19/13	Splash Plumbing	Qualitative main water brook in back yard area	\$2.850.00	ou	Inv. #5548
4/9/13	lnc.	Sp. 110. Iladi water Mean in book just and	\$250.00	Š	Inv. #5555
4/16/13	lnc.	FIXED DECKNOW INCREED OF TOTAL STATE OF THE PROPERTY	\$95.00	S.	Inv. #5589
5/7/13	inc.		\$325.00	<sup>Q</sup>	Inv. #5584
5/7/13	Inc.	replace Hozell dail valve at 85. 100	\$715.50	S.	Inv. #5387-P
6/18/13	Splash Plumbing		\$325.00	Š	Inv. #5858
11/4/13	Inc.	Repaired gas and water regulation 1 worlds a simples	\$447.34	9	Inv. #5862
11/12/13	Inc.	ed Old yas regulator, o	\$715.50	ON.	Inv. #5470-P
12/26/13	Spiash Plumbing	Perform Quarterly nydro-jetunig service			
			· ·	-=	
					- The state of the

VENIDOR	DESCRIPTION	COSTS	REPORT Y/N COMMENTS	COMMENTS
Victorial Control of the Company	Repaired light pole at Sp. 28	\$480.00	No	Inv. #1213157
	sp 185-190 Breaker replaced	\$339.00	ON	Inv. #25028
Subsurface Electric Inc.	Installed new breaker for sp. 185-190	\$560.30	No	Inv. #25029
Subsuliace Electric file.	new street light note at sp. 28	\$2,200.00	No	Inv. #0414124
Pacific States Clinicy Company	Sp. 132. New Jamp replacement	\$160.11	No	Inv. #25145
Surface Electric and		\$505.86	No	Inv. #25144
Subsurace Electric Inc.	Delinet & James renais at fall light noise	\$1,269,22	No	Inv. #14790
	CLC Common Common of hirst photo cell and bulb at so 301 streey light	\$536.12	ON No	Inv #0714504
CINC States Utility Collin	entroos - new nhotocell replacement	\$570.29	No	Inv #25515
Subsurface Electric Inc.	Spires - Herr process of the circuit breaker	\$149.12	No.	Inv #25543
Subsurface Electric Inc.	sper - replace few you look and shows a series of states	\$844.92	No	Inv #25542
				on stabilitation in the second of the second
1000	365			しかに アンドー というとに
Tooling Inc	It incloded sewer back up sp #89 (resident to pay)	\$225.00	No.	Inv. #6020
Piumiy, mo		\$715.50	No	Inv. #37623
Spiash Pluitibility	C. 152 Ball valve replacement	\$350.00	No	Inv. #6111
Plumoing, Inc		\$425.00	No	Inv. #6113
Humbing, inc	Sport sons is confirmed to the sons of the sons in the	\$284.92	NO	Inv. #6141
Plumbing, inc	Mast, Jepan & Court Secretary	\$105.00	No.	Inv. #6645
Plumbing, inc	Design a county backing service	\$715.50	No	Inv. #5530-P
Spiash Flumbing		\$1,300.00	No	Inv 5465
Plumbing, Inc	Installation of new foilet at women's restroom	\$376.30	No	Inv #6420
Frumbing, inc		\$225.00	o <sub>N</sub>	Inv #6252
Flumbing, inc	Special Specia	\$715.50	No	Inv #556-P
Splash Plumbing	perioriti qualitatiya bolaning como	\$165.00	SN SN	Inv #6467
Plumbing, inc		\$950.00	2	Inv #6442
Plumbing, Inc	Sp#87 - Jepair pair Of the water through the company			
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Inv. #0414171			
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\$208.32			-80.00
regular installation at sp 167			
A79/14 Pacific States Utility Co			The state of the s
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# 6360 Industrial Ave. Riverside, CA 92504 CA Lic #491957

# SUBSURFACE.ELECTRIC@YAHOO.COM PHONE:(951)354-9900 FAX:(951)354-0709

March 7, 2016

Lincoln Center Mobile Home Park 9080 Bloomfield Ave. Cypress, CA 90630

Re: Additional 2 Mobile Homes to existing electrical system

Dear Ms. Crum,

The existing system capacity will not be impacted by the addition of two mobile home spaces and the removal of one apartment unit and existing laundry room.

Thank you,

David Aldama
General Manager

Subsurface Electric, Inc.



October 30, 2015

## TO THE RESIDENTS OF LINCOLN CENTER MOBILE HOME PARK:

On October 21, 2015 a meeting was held regarding installation of two homes where the current apartment/maintenance shop are located. The following is a response to the questions that were asked during the meeting:

- 1. Will part of the playground be taken for the homes?

  RESPONSE: No. The playground will remain as it is. The current apartment and shop area will be removed and the homes will be installed in that area.
- 2. Will the utilities or sewer be impacted by the extra requirements for two more homes?

**RESPONSE:** No. There will not be any impact on the utilities or sewer with the installation of two more homes.

- 3. Would it be possible to remove building and add more parking instead of homes? **RESPONSE:** No. A new parking plan is currently being put in place that will help to control the guest parking.
- 4. Will the company use licensed General Contractors for the project?

  RESPONSE: Yes. Only licensed General Contractors will be used for the project.
- 5. Will there be city counsel meetings about the proposed project.

  RESPONSE: It is unknown at this time whether there will be city counsel meetings regarding this project.
- 6. What will happen if the residents oppose the project and it is not approved by the city?

**RESPONSE:** The buildings will remain as they are.

7. Will the rent be decreased because there would be two more homes paying? **RESPONSE:** No. The rent will not be decreased.

If you have any other questions or concerns, please put them in writing and deliver them to the park office. Thank you.

Deborah McKinney Regional Manager



Phone #714-688-0804 Fax #714-688-0814 Website www.SPLASHplumbing.com

# Service Invoice

Date	invoice#
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Sierra Corp Mgmnt - Lincoln Center 320 North Park Vista Street Anahelm CA 92806

Jobsite Location:

Sierra Corp Mgmnt - Lincoln Center MHP 9080 Bloomfield Avenue Cypress CA 90630

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Bill:Reference: 9000403607

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Scheduled Quarterly Hydrojetting Linv# 403607-

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Prop. S2201000 Plumbing Repairs.

Scheduled Guarterly Hydrojetting inv# 403607.

# LINCOLN CENTER MOBILE HOME PARK

### 9080 BLOOMFIELD AVENUE CYPRESS, CA 90630 (714) 826-6211

January 27, 2006

Dear Residents,

We thought that we would take this opportunity to share some of the "DO'S and DON'TS" that our plumber suggests we follow:

#### DO'S

- Do run only HOT water when using your garbage disposal be sure to use plenty of HOT water
- Do utilized strainers in all sinks to catch hair
- Do flush only toilet paper down toilet

#### **DON'TS**

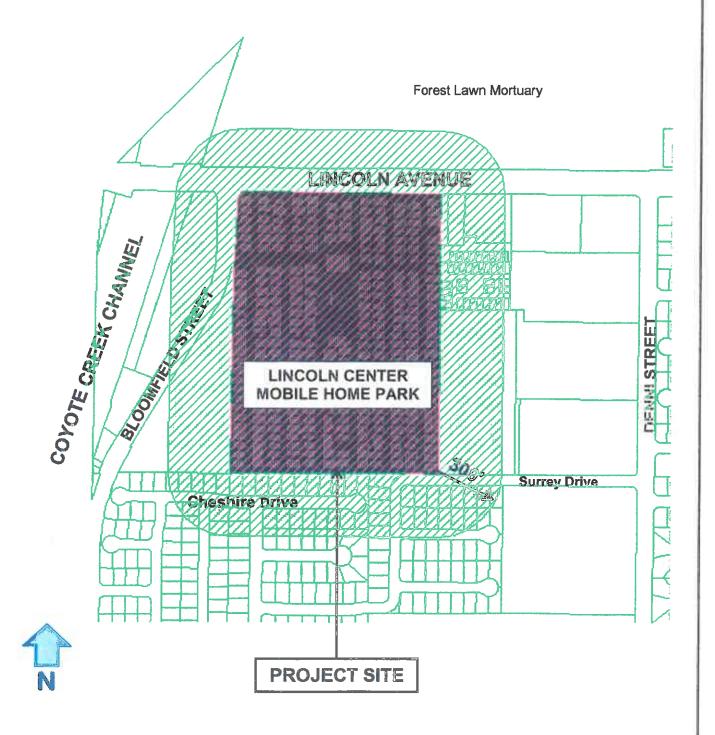
- Don't flush any feminine hygiene products down the toilet
- Don't flush paper towels/ diaper wipes down toilet
- Don't flush diapers down the toilet
- Don't flush down ANY grease in the kitchen sink or toilet use coffee cans to collect and then discard appropriately
- Don't allow excessive amounts of hair to go down drains
- Don't use any chemicals for household plumbing (i.e. liquid plumber).

All of the above "don'ts" have been the culprit of our plumbing dilemmas in the recent past. We can avoid many of our plumbing problems by being more careful and following the simple guidelines above. Our plumber has isolated the problems to your homes and should be able to pinpoint the offending home on the next call. We do not want to charge anyone for these problems but will be forced to do so. We would like to thank you in advance for your cooperation and understanding with regard to this important issue. Should you have any question or concerns regarding this notice, please contact management at (714) 826-6211.

Sincerely,

Lincoln Center Management





ATTACHMENT "G" Radius Map