



# CITY OF INDUSTRY

April 5, 2024

## NOTICE OF FILING STATUS-SENT VIA EMAIL

Application: Development Plan

Location: 17201-17301 Gale Ave

Applicant: Kimberly Yu  
Legacy Point LLC  
212 South Palm Avenue, Suite 200  
Alhambra, CA 91801  
kim@rypropertiesinc.com

**Request: A Development Plan Application proposing 597 multifamily residential units and a 16,475 square foot commercial building on 19.01 acres of undeveloped land with a current zoning designation of Automobile Zone.**

Dear Kimberly Yu:

Pursuant to California Government Code Section 65943(a), the City of Industry ("City") has completed review of your revised Development Plan application, submitted on March 7, 2024, and determined that your application is incomplete. The following list identifies those parts of the application which are required on the Submittal Requirements for Development Plan – Long Form checklist, but have not been provided, and a description of the specific information needed to complete the application:

- 1. Two (2) sets and one PDF version on CD of fully dimensioned site plan(s) to scale, clearly showing 1) legal parcel lines, 2) landscaped areas, 3) parking striping plan, 4) drive aisles and driveways, 5) existing and proposed building walls, and 6) adjacent roadways. The site plan shall include calculations showing: 1) total site area, 2) total existing building area and/or proposed building area, 3) proposed building area and code required building area, 4) code required landscaped area and proposed landscaped areas, and 5) code required parking and proposed parking.**

Please note that the submitted site plan is not fully dimensioned and must be revised to: clearly identify all property lines (all existing and proposed property lines are not shown); provide dimensions for all landscaping areas and medians (for example, west and northeast portions of residential development, median at Gale/main entry, setback for "KID'S PLAYGROUND", all landscaped areas of commercial development); provide dimensions for all parking stalls, ADA parking and paths of travel (parking stall dimensions adjacent to Leasing Office, ADA parking and path of travel on interior of parking garages), driveways/aisles/fire lanes, turning radius of all curved driveways, turning templates to

demonstrate maximize vehicle size for ingress/egress, and width of interior driveways (driveways within and into/out of parking structure); provide all building wall dimensions for all proposed structures (stairwell and balcony measurements); provide dimensions for all other site improvements, including, but not limited to, common open space areas, swimming pool(s), child play areas and equipment, trash enclosures, perimeter walls/fences (none indicated), and utility boxes. The foregoing comments apply to the site plan for both the proposed commercial and residential development.

**2. Two (2) sets – Fully dimensioned elevations (One set to be colored).**

Please note that the submitted elevations for the residential development must be revised to: provide scaled representation of all sides of all residential buildings (horizontal dimensions not provided to ensure consistency with site/floor plan, view from interior courtyard/parking structure of residential buildings not provided).

**3. Two (2) Sets – Fully dimensioned floor plan(s) with the use of each room/area clearly labeled**

Please note that fully dimensioned floor plans for the commercial structure were not provided and must be submitted for review.

**4. Completed Environmental Information Form**

Answer to Project Description No. 5, related to the type of commercial or office, whether neighborhood, city or regionally oriented, square footage, anticipated hours of operation, estimated employees per shift and number of shifts, and location of loading facilities and anticipated hours of loading/delivery operations, was not provided for proposed commercial development. . While the precise tenant may not be known, the application can indicate broad categories of intended users (office, retail, personal services, etc.) and the typical employee load, hours of operation, etc.

In addition, as indicated on Page 1, Paragraph 3 of the Environmental Information Form, “upon review of the submitted information, City Staff may request additional supporting documentation to assist in the environmental analysis of your project to ensure compliance with CEQA”. Therefore, the following items must be submitted to enable the City to prepare an Initial Study required under CEQA and will be needed for the City to begin the environmental review process.:

- a. Sewer impact study analyzing adequacy of sewers to serve the project.
- b. Evidence from relevant utility of the availability of gas, electricity, water, cable television, telephone, and any other utility service.
- c. Safe Routes to School Plan to identify safe pedestrian/bicycle routes for children to all schools serving the proposed project.
- d. Rail Transit Noise and Vibration Impact Assessment (due to location adjacent to railroad).
- e. Noise Analysis Technical Report addressing freeway and roadway noise

- f. Phase I and Phase II Environmental Assessments. Phase I, dated August 3, 2015, was partially submitted; however, please note that only Pages 1-6 were submitted and, notably, Conclusion, Opinions, and Recommendations was excluded.
- g. Human Health Risk Assessment (“HHRA”) prepared by Certified Toxicologist (due to location within San Gabriel Valley (Area 4) Superfund site; HHRA must be expanded to address any other exposure pathways identified in Phase I/II).
- h. Geological Investigation Report/Soils study, due to location within liquefaction zone.
- i. Photometric drawing, including footcandle numbers to the property line and extending beyond the property line, to determine whether the project may create substantial light or glare. Include manufacturer’s specifications sheets of proposed exterior lighting fixtures.
- j. Air Quality/Greenhouse Gas Emissions Studies & Modeling, and Energy Calculations

#### **5. Completed Construction Waste Management Plan (CWMP) form**

The CWMP form provided with the Development Plan – Long Form was not provided and must be completed and submitted for review. This form does not require the approval of any other agency.

#### **6. Property Owner Consent. If ownership is held other than by an individual, proof, in the form of a special power of attorney, authorized corporate resolution, partnership agreement or other acceptable document(s) shall be submitted to the City along with the notarized signatures of those officers authorized to sign on behalf of the corporation or partnership. Please note that our application may not be determined to be complete unless and until ownership can be verified.**

The site is owned by Legacy Point LLC. No documentation was provided that Kimberly Yu has authority to submit the application on behalf of the LLC, which is managed by Pacific Summit Properties LLC. Documentation may include excerpts from the LLCs’ operating agreements granting Ms. Yu the authority to submit project applications or other evidence of actions authorized by the operating agreements granting Ms. Yu this authority.

Once all of the foregoing items have been submitted and the application has been deemed complete, an Initial Study will be prepared in accordance with CEQA. At that time, it will be determined whether a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report will be required.

As part of your resubmittal, please provide a thorough detailed written response to each of the above comments (line by line response letter) along with three (3) sets of complete, collated, revised plans and one (1) electronic (flash drive) PDF version of the revised plans addressing the comments above.

## Status of Preliminary Application

In relation to the preliminary application, it is correct that a City determination of completeness is not required for a preliminary application. However, a preliminary application only restricts the standards that may be applied to a project if the preliminary application includes "all of the information required by subdivision (a) of Section 65941.1." (Gov't Code Section 65589.5(o)(1).) There is no provision for later correction or supplementation of the preliminary application if it does not contain all of the information required.

In any case, the preliminary application has expired and is of no further force or effect. The preliminary application was submitted on May 22, 2023. Submittal of a formal application was required within 180 days (Gov't Code Section 65941.1(d)(1)), or by November 20, 2023 (because November 18 was a Saturday), and a formal application was submitted on November 15, 2023. The City determined that the application was incomplete on December 14, 2023 and provided by email a detailed list of incomplete items and changes required to complete the application. For the preliminary application to remain in effect, the application was then required to be completed within 90 days (Gov't Code Section 65941.1(d)(2)), or by March 13, 2024.

Because the application remains incomplete 90 days after your receipt of the City's determination of December 14, 2023, the preliminary application has expired and has no further force or effect. Legacy Point must therefore comply with all of the provisions of the City's Zoning Code, including consistency with both the City's General Plan and Zoning Code designations for the property subject to the application, or apply for amendments to the General Plan and Zoning Code.

Should you have any questions, please feel free to contact me by telephone at (626) 333-2211 or email at [bhyun@cityofindustry.org](mailto:bhyun@cityofindustry.org).

Sincerely,



Bing H. Hyun,  
Assistant City Manager