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SPECIAL MEETING AGENDA

125 E. College Street, Covina, California
Council Chamber of City Hall

Tuesday, November 29, 2016

CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY/COVINA PUBLIC FINANCING AUTHORITY/COVINA HOUSING AUTHORITY JOINT MEETING

6:00 p.m.

TO THE MEMBERS OF THE COVINA CITY COUNCIL AND TO THE CITY CLERK:

NOTICE IS HEREBY GIVEN that a special meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority is hereby called to be held on Tuesday, November 29, 2016, at 6:00 p.m. in the Council Chamber located in City Hall, 125 East College Street, Covina, CA 91723. Said special meeting shall be for the purpose of conducting business in accordance with the attached Agenda. No other business will be discussed.

/s/Kevin Stapleton, Mayor of the City of Covina, California

CALL TO ORDER

ROLL CALL
Council/Agency/Authority Members Allen, Delach, Marquez, Mayor Pro Tem/Vice Chairperson Stapleton and Mayor/Chairperson King

PUBLIC COMMENTS
To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance and give it to the City Clerk/Agency/Authority Secretary. Your name will be called when it is your turn to speak. Those wishing to speak on a LISTED AGENDA ITEM will be heard when that item is addressed. Those wishing to speak on an item NOT ON THE AGENDA will be heard at this time. State Law prohibits the Council/Agency/Authority Members from taking action on any item not on the agenda. Individual speakers are limited to five minutes each.

COUNCIL/AGENCY/AUTHORITY COMMENTS
Council/Agency/Authority Members wishing to make any announcements of public interest or to request that specific items be added to future Council/Agency/Authority agendas may do so at this time.

CITY MANAGER COMMENTS

CONSENT CALENDAR – None.

All matters listed under consent calendar are considered routine, and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Council/Agency/Authority votes on them, unless a member of the Council/Agency/Authority requests a specific item be removed from the consent calendar for discussion.

PUBLIC HEARING

Environmental Impact Report (EIR) with Mitigation Monitoring and Reporting Programs and Applications for General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, and Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001. A proposed development on the 10.66 acre site (former K-mart and an existing institutional use), consisting of a residential development of 117 townhomes on approximately 6.12 acres, a Transit Center and Park and Ride on approximately 3.07 acres and a public/civic use component on approximately 1.47 acres, for property located generally at 1162 North Citrus Avenue – APN: 8406-019-019, 8406-019-020 and 177 East Covina Boulevard – APN: 8406-019-17.

Staff Recommendation:

1. Open public hearing, consider public testimony, and close the public hearing; and
2. After the close of the public hearing, if the City Council wishes to approve the land use entitlements, staff recommends that the Council make the motions and take the actions in the order as listed below:
   (a) Adopt **Resolution No. 16-7557**, A Resolution of the City council of the City of Covina, California, certifying Environmental Impact (SCH2016051053), making environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program for the iTEC Transit Oriented Mixed-Use development project (approximately 10.66acres and generally located at 1162 North Citrus avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-017;
   (b) Adopt **Resolution No. 16-7558**, approving the General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."
   (c) Adopt **Resolution No. 16-7559**, approving the Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.
   (d) Waive full reading, read by title only, and introduce for first reading **Ordinance No. 16-2068**, approving the Zone Change (ZCH) 16-002 to amend the Official Zoning

Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CSFP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)."

(e) Adopt **Resolution No. 16-7560**, approving a Vesting Tentative Tract Map (VTTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letter-lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

(f) Adopt **Resolution No. 16-7561**, approving a Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

(g) Adopt **Resolution No. 16-7562**, approving a Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park & Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

(h) Waive full reading, read by title only, and introduce for first reading **Ordinance No. 16-2069**, approving the Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

Report: **Agenda Report**

Report: **Attachment A**

Report: **Attachment B**

Report: **Attachment C**

Report: **Attachment D**

Report: **Attachment E**

Report: **Attachment F**

Report: **Attachment G**

Report: **Attachment H**

Report: **Attachment I**

Report: **Attachment J**

Report: **Attachment K**

Report: **Attachment L**

Report: **Attachment M**

Report: **Attachment N**

Report: **Attachment O**

Report: **Attachment P**

CONTINUED BUSINESS – None.

NEW BUSINESS – None.

ADJOURNMENT

The Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority will adjourn to its next regular meeting of the Council/Agency/Authority scheduled for Tuesday, December 6, 2016, at 6:30 p.m. for closed session and 7:30 p.m. for open session inside the Council Chamber, 125 East College Street, Covina, California, 91723.

Any member of the public may address the Council/Agency/Authority on any scheduled item on the agenda. Comments are limited to a maximum of five minutes per speaker unless, for good cause, the Mayor/Chair amends the time limit. Anyone wishing to speak is requested to submit a yellow Speaker Request Card to the City Clerk; cards are located near the agendas or at the City Clerk's desk.

MEETING ASSISTANCE INFORMATION: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (626) 384-5430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

If you challenge in court any discussion or action taken concerning an item on this agenda, you may be limited to raising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting.

The Covina City Clerk's Office does hereby declare that, in accordance with California Government Code Section 54954.2(a), the agenda for the Tuesday, November 29, 2016, meeting was posted on November 23, 2016, on the City's website and near the front entrances of: 1) Covina City Hall, 125 East College Street, Covina; and 2) the Covina Public Library, 234 N. Second Avenue, Covina.

MATERIALS RELATED TO AN ITEM ON THIS AGENDA, AND SUBMITTED TO THE CITY COUNCIL AFTER PUBLICATION OF THE AGENDA, ARE AVAILABLE TO THE PUBLIC IN THE CITY CLERK'S OFFICE AT 125 E. COLLEGE STREET, COVINA.

CITY OF COVINA

AGENDA REPORT

ITEM NO. PH 1

MEETING DATE: November 29, 2016

TITLE: Environmental Impact Report (EIR) with Mitigation Monitoring and Reporting Programs and Applications for General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, and Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001. A proposed development on the 10.66 acre site (former K-Mart and an existing institutional use), consisting of a residential development of 117 townhomes on approximately 6.12 acres, a Transit Center and Park and Ride on approximately 3.07 acres and a public/civic use component on approximately 1.47 acres, for property located generally at 1162 North Citrus Avenue – APN: 8406-019-019, 8406-019-020 and 177 East Covina Boulevard – APN: 8406-019-17.

PRESENTED BY: Brian K. Lee, Director of Community Development

RECOMMENDATION:

1. Open public hearing, consider public testimony, and close the public hearing; and
2. After the close of the public hearing, if the City Council wishes to approve the land use entitlements, staff recommends that the Council make the motions and take the actions in the order as listed below:

(a) Adopt Resolution No. 16-7557, A resolution of the City Council of the City of Covina, California, certifying Environmental Impact (SCH2016051053), making environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program for the iTEC Transit Oriented Mixed-Use development project (approximately 10.66 acres and generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard - APN: 8406-019-019, 8406-019-020 and 8406-017;

(b) Adopt Resolution No. 16-7558, approving the General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

(c) Adopt Resolution No. 16-7559, approving the Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP - RD (Multi-

Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

(d) Waive full reading, read by title only, and introduce for first reading Ordinance No. 16-2068, approving the Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CSFP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)."

(e) Adopt Resolution No. 16-7560, approving a Vesting Tentative Tract Map (VTTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letter-lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

(f) Adopt Resolution No. 16-7561, approving a Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

(g) Adopt Resolution No. 16-7562, approving a Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park & Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

(h) Waive full reading, read by title only, and introduce for first reading Ordinance No. 16-2069, approving the Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

BACKGROUND:

The following provides a brief background of the project from the first submittal up until the City Council hearing.

- ***January 19, 2016:*** MLC Holdings, Inc., Foothill Transit and the City of Covina entered into a Non-Binding Memorandum of Understanding (MOU) to propose a public/private partnership redevelopment of the former K-Mart site located at 1162 N. Citrus Avenue into a transit-oriented development project.

- ***January 19, 2016:*** The Covina City Council approves Deposit Agreement with MLC Holdings, Inc. and Foothill Transit respectively, to jointly share costs incurred by the City during the due diligence portion of the project entitlement process.

- ***February 16, 2016:*** City Council Study Session.
- ***May 11, 2016:*** Notice of Preparation of the project Environmental Impact Report.
- ***July 19, 2016***: City Council Study Session.
- ***September 10, 2016:*** Community Meeting held at the project site.
- ***September 13, 2016:*** Planning Commission Study Session.
- ***September 13, 2016:*** Start of the 45-day EIR public comment period.
- ***October 27, 2016***: End of the 45-day public comment period for the project EIR.
- ***November 8, 2016***: Planning Commission public hearing.
- ***November 18, 2016:*** Responded to nine (9) DEIR comment letters. The Final EIR was sent to all nine (9) commenters. The Final EIR was also posted on the City's website.

The proposed project commenced in the late summer of 2015 when MLC Holdings, Inc. approached City staff with a proposal to redevelop the former K-Mart site into a residential development. Over the following several months, discussions with MLC commenced as to what would be the appropriate future land use for the project site, numerous economic discussions on the viability of traditional commercial uses at the project site and potential development scenarios that would provide the best overall outcome for the entire City of Covina. In approximately the same time period, discussions with Foothill Transit were occurring regarding their need to provide adequate transit service to their existing customers in the Covina area. In January 2016, commencing with the approval by the City Council of the Non-Binding Memorandum of Understanding and the Deposit Agreement, discussion with MLC Holdings, Inc. and Foothill Transit were initiated on the formal development concept.

The resulting land use vision was the repurpose of the former K-Mart property into a transit-oriented mixed use project that would include a residential component, a transit component and a civic component that the City would utilize for a future public event center and/or a business innovation center. Because the proposed project is unique, there is no existing City zoning category that would accommodate the project vision. Therefore, a specific plan would need to be created.

The proposed project includes a series of land use entitlements that would facilitate the redevelopment and reuse of the former K-Mart property, and the adjoining institutional/former daycare property into an innovative reuse of a visually prominent property located within the interior of the City of Covina.

DISCUSSION:

This item was presented to the Planning Commission in a public hearing on November 8, 2016. At the conclusion of the Planning Commission meeting, the Planning Commission took the following action:

1. Adopted PC Resolution No. 2016-029PC; A resolution of the Planning Commission of the City of Covina, California, recommending to the City Council to certify the Environmental Impact Report (SCH # 2016051053) as adequately prepared in accordance with the California Environmental Quality Act and to take actions related thereto for General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (VTTM) 74512, Site Plan Review (SPR) 16-

023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-020, 8406-019-020 and 8406-019-017; and,

2. PC Resolution No. 2016-030PC; A resolution of the Planning Commission of the City of Covina, California, recommending to the City Council approve the following land use entitlements:
   - General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the Land Use designation from General Commercial (GC) to "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR – 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)";
   - Covina Forward Specific Plan (SP) 16-001;
   - Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the Zoning Designation from C-4A Commercial Zone (Regional or Community Shopping Center) and CR Commercial Zone (Recreation) to "Covina Forward Specific Plan with 6.12 acres for "CFSP – RD (Multi-Family)" and 4.54 acres for "CFSP – I" (Institutional Uses);
   - Vesting Tentative Tract Map (TTM) 74512;
   - Site Plan Review (SPR) 16-023;
   - Site Plan Review (SPR) 16-033; and,
   - Development Agreement (DA) 16-001, for the proposed development known as iTEC Transit Oriented Mixed-Use Project for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard - APN: 8406-019-020, 8406-019-020 and 8406-019-017.

In recommending that the City Council adopt the aforementioned Resolutions and Ordinances to approve the Project, the Planning Commission recommended that the City Council add a single project-related condition of approval for the Transit Center, Site Plan Review (SPR) 16-033 as follows:

"Add a physical barrier parallel with the eastern property line of the site at the southernmost segment where the bus-serving drive aisle exits for glare and noise reduction. Final design is subject to Director of Community Development's review and approval."

- **Project Location and Setting.**

The project site comprises three (3) properties owned by two (2) separate parties. All the properties are under contract with MLC Holdings, Inc. and would be subject to the provisions of the proposed Development Agreement and the proposed land use entitlements. The total project site is 10.66 acres in size. The existing institutional use/former daycare property is 10,865 square feet in size. The former K-Mart property comprises the remainder of the 10.66 acre project site. Since the former K-Mart store ceased operation in December 2014, no subsequent commercial retail use has occupied the building, although an automotive repair use utilized the former K-Mart's automobile service facility until late 2015. Access to the project site is provided via driveways located along North Citrus Avenue and East Covina Boulevard.

To the north of the project site is an existing approximate 6.20 acre multiple-family residential townhouse development. Immediately to the east is an existing low density single family detached residential neighborhood. To the south of the project site is an existing approximate 4.14 acre neighborhood commercial shopping center and an approximate 3.08 acre multiple-family apartment complex. To the west of the project site, across Citrus

Avenue is an existing low density single family detached residential neighborhood. It should be noted the approximate 21,719 square foot commercial property located on the "hard corner" of Citrus Avenue and Covina Boulevard is not part of the proposed project.

The following table provides the General Plan designation, Zoning and existing uses for the site and surrounding areas.

Table 1: Site and Surrounding Land Uses

	General Plan	Zoning	Existing Uses
Site	GC General Commercial	C-3A Commercial – Regional or Community Shopping Center and C-R Commercial Recreation	Under contract with MLC Holdings, Inc.
North	Medium Density Residential	RD (Multiple Family Residential)	Multiple family residential
South	GC General Commercial and RD (Multiple Family Residential)	C-2 Neighborhood Shopping Center and R-1-7500 (Single Family Residential)	Commercial shopping center and multiple family residential
East	Low Density Residential	R-1-7500 (Single Family Residential)	Single-family homes
West	Low Density Residential	R-1-7500 (Single Family Residential)	Single-family homes

- **Site Characteristics:**

The approximately 10.66 acre Specific Plan area is located northeast of the Citrus Avenue and Covina Boulevard intersection. Citrus Avenue abuts the Specific Plan area to the west, Covina Boulevard to the south, a residential townhouse development to the north, and a single-family residential neighborhood to the east. The project location consists of a former K-Mart store and parking lot and an existing religious use on a separate parcel located at the southeast of the project site. The former K-Mart structure is a masonry block "big box" store building of approximately 88,500 square feet in size. The building was constructed in 1968. The second property contains a former residential structure that was converted to a day care facility and subsequently an institutional use. The building is approximately 2,186 square feet in floor area.

In addition to the existing buildings, the project site is improved with an asphalt parking lot, drive aisles, landscaped planters and similar improvements typical of a commercial retail establishment. The approximate 21,719 square foot commercial property located on the "hard corner" of Citrus Avenue and Covina Boulevard is not included in the proposed project or Specific Plan.

PROPOSED LAND USE ENTITLEMENTS:

The proposed project would be implemented through the adoption of a series of land use entitlements. These land use entitlements are as follows:

- **General Plan Amendment:**

The proposed project includes the request for a General Plan Amendment from the site's current designation of GC – General Commercial into two (2) General Plan designations. The portion of the Specific Plan area (or project site) that contains the public uses (the Transit Center and the civic component) will remain as GC – General Commercial. The northerly portion of the Specific Plan area, or project site, designated for the residential component will change to High Density Residential (15 – 22 dwelling units/acre). Institutional and public uses are allowed within the GC – General Commercial land use

designation. Therefore, no alteration to the existing General Plan land use designation is necessary for the portion of the Specific Plan area, or project site, proposed for the Transit Center and the civic component. The proposed High Density Residential land use designation will provide a logical transition along Citrus Avenue, from the current Medium Density Residential townhouse complex to the north of the Specific Plan area, to the proposed Transit Center and civic use component to the south of the proposed residential component of the Specific Plan.

Typically higher building intensity is more appropriate along transit routes and arterial roads. Therefore, the High Density Residential designation serves as an appropriate buffer (transition of density) between medium-density residential area to the north and the public uses to the south. The proposed project would also contribute 117 housing units to the City's remaining unmet need for 928 housing units, reducing the unmet housing need in the City by more than 12 percent (Covina Draft Housing Element Update, dated November 15, 2010).

The southerly portion of the project site will retain the existing GC – General Commercial General Plan land use designation. Within the General Commercial land use designation, public uses, such as those proposed within the Specific Plan, are designated as compatible land use activities. Specifically, the General Plan policies the proposed project would support are presented on pages 3 – 7 of the Covina Forward Specific Plan.

- **Specific Plan:**

Due to the unique nature of the proposed development project, and the absence of an existing Covina Zoning designation that would address the mixture of proposed uses and development concept, the preparation of a Specific Plan was determined to be the best approach. The goal of the project is to create a transit-oriented project with a significant public use component. Furthermore, because of the location of the project site, one-half (1/2) mile north of the Covina Metrolink station, within close proximity to downtown Covina, there is an opportunity to create a regional destination activity that would further promote Covina in the region and continue to support Covina economic development efforts.

The Specific Plan area is comprised of three (3) Planning Areas. Planning Area No. 1 is located within the northerly portion of the Specific Plan area and is approximately 6.12 acres in size. Planning Area No. 2 occupies a central location within the interior of the Specific Plan area and is approximately 3.07 acres in size. Planning Area No. 3 is located in the most southerly portion of the Specific Plan area, immediately adjacent to Covina Boulevard, and is approximately 1.47 acres in size.

The Specific Plan area is intended for development of a transit-oriented mixed use development that includes a civic/community use component. For purposes of this Specific Plan, the land use designation for the residential component in Planning Area No. 1 will be amended to High Density Residential and will remain as General Commercial for the Transit Center and Civic/Community components in Planning Area Nos. 2 and 3. Accordingly, the intent of this Specific Plan is to provide for the orderly redevelopment of a vacant, prominent disused commercial property within the City in a manner that addresses the community's needs for transit-oriented residential development, regional transportation facilities and civic/community facilities. This Specific Plan also provides additional development and design standards and guidelines, which will ensure that each future component of the Specific Plan area are creatively and sensitively site planned and developed with high quality architectural treatments and

features, site amenities and infrastructure. This Specific Plan will therefore establish the Specific Plan area as a landmark regional destination and location within the City and will improve the overall economic vitality within the Specific Plan area, surrounding areas, and the entire City.

The complete and detailed project description is provided in the proposed Covina Forward Specific Plan ("Specific Plan") which is attached as Attachment A. The Specific Plan document contains the following:

- ***Chapter I. Introduction and Purpose of Specific Plan.*** This chapter describes the purpose of the Specific Plan; content, chapters, and components of the Specific Plan; and the Specific Plan's relationship to the City's General Plan.
- ***Chapter II. Description of Specific Plan Area.*** This chapter describes the Specific Plan area, including existing conditions; onsite structures, buildings, and uses; and the underlying General Plan and Zoning designations.
- ***Chapter III. Description of Specific Plan.*** This chapter describes the proposed project, including development concepts and intended land uses; conceptual development plans; and required conceptual utilities and services.
- ***Chapter IV. Allowable Uses.*** This chapter describes those uses permitted within the Specific Plan area.
- ***Chapter V. Development Standards.*** This chapter provides development standards to regulate future redevelopment and design within the Specific Plan area.
- ***Chapter VI. Design Guidelines.*** This chapter provides guidelines and direction on how future development should be designed, including architectural theme; building elevations and facades; 360-degree architecture; site planning and building orientation; quality of materials and colors; landscaping theme; wall and fences; signage theme; parking facility/lot layout; vehicular access and circulation; integration of pedestrian-level elements, etc.
- ***Chapter VII. Administration and Implementation.*** This chapter explains how future development within the Specific Plan area will be reviewed and approved.
- ***Chapter VIII. Attachments.*** This chapter will provide relevant exhibits and illustrations to the Specific Plan.

- **Zone Change:**

The proposed zone change will implement the Specific Plan and be consistent with the proposed General Plan land use designation. The portion of the project site that comprises Planning Area No. 1 (Residential Component) of the Specific Plan is proposed to have a General Plan land use designation of High Density Residential. Therefore, the proposed zoning designation for this portion of the project site is proposed to be Covina Forward Specific Plan – Residential, Multiple Family, or CFSP – RD (MF). The southerly portion of the project site comprises the public use features consisting of the Transit Component and the Civic Component, or Planning Area Nos 2 and 3 of the Specific Plan. This portion of the project site, the General Plan land use designation remains GC – General Commercial, but the proposed zoning designation for this portion of the project site is Covina Forward Specific Plan – Institutional Uses, or CFSP – I.

The list of allowable uses and those allowed with the approval of a Conditional Use permit is specified in the Covina Forward Specific Plan document attached as Attachment A.

- **Vesting Tentative Tract Map:**

The proposed Vesting Tentative Tract Map will create a total of thirty-five (35) parcels within the project boundaries. Currently, the project area consists of three (3) parcels; two (2) comprising the former K-Mart properties and the third the institutional/daycare property. The proposed Vesting Tentative Tract Map will result in the following:

- Elimination of the existing three (3) parcels comprising the project area;
- The creation of a total of twenty-three (23) numbered parcels and twelve (12) letter parcels as follows:
  - ✓ Residential Component (Specific Plan Planning Area No. 1): twenty-one 21 numbered lots and twelve (12) letter-lots;
  - ✓ Transit Component (Specific Plan Planning Area No. 2): one (1) numbered lot; and,
  - ✓ Civic Component (Specific Plan Planning Area No. 3): one (1) numbered lot – (includes the parcel for the "park area" and the second parcel for the "public benefit" to be conveyed to the City pursuant to the Development Agreement).

The proposed 117 residential townhomes will be spread within the twenty-one (21) numbered lots and the residential community's common area comprising the community area, driveways and pedestrian paths will form the twelve (12) lettered lots.

- **Site Plan Review (SPR) 16-023: (Residential Component)**

SPR 16-023 comprises the Residential Component. This Site Plan Review is the development plan for the Residential Component and provides for the development of 117 transit-oriented residential townhomes within the 6.12 acre portion of the project site that is designated as Planning Area No. 1 within the Covina Forward Specific Plan. The Residential Component will have a single primary access from Citrus Avenue, with a secondary emergency vehicle access-only along the northerly boundary line of Planning Area No. 1 and the overall Specific Plan.

In addition to the primary vehicular access and the secondary emergency vehicle-only access from Citrus Avenue, there will be multiple pedestrian access points along the southerly boundary line of Planning Area No. 1, which is the shared boundary line between Planning Area Nos. 1 and 2. The pedestrian access points will allow residents of the Residential Component direct access to the Transit Center immediately south of Planning Area No. 1.

The Residential Component site plan provides for a 44 foot setback along the northerly boundary of Planning Area No. 1, a minimum 16 foot front setback along the Citrus Avenue frontage, a 15 foot setback along the easterly Planning Area No. 1 boundary and a 10 foot setback along the southerly, shared boundary between Planning Area Nos 1 and 2. The site plan for Residential Component is presented as an exhibit in the Covina Forward Specific Plan.

- **Site Plan Review (SPR) 16-033: (Transit Component)**

SPR 16-033 comprises the Transit Component, which is also Planning Area No. 2 within the Covina Forward Specific Plan. As currently proposed pursuant to modifications made after community input, the Park and Ride parking structure will accommodate 372 vehicle parking spaces. The location of the parking structure will be setback approximately 58 feet from the easterly property line, a setback increase of approximately 28 feet from where the parking structure was originally proposed to be located.

In addition to the parking structure, the Transit Component includes a Transit Center comprising six (6) bus stops, a public plaza and a 4,000 – 4,500 square foot retail building. Ingress/egress vehicle access to the Transit Component will be available only from Citrus Avenue. Foothill Transit buses will ingress into the Transit Center only from Citrus Avenue, and egress from the Transit Center only onto Covina Boulevard. The buses will exit only onto Covina Boulevard will only turn right to travel westbound on Covina Boulevard after exiting. No left turns will be allowed. There will be no public ingress into the Transit Component from Covina Boulevard.

In addition to the vehicular access, there will be multiple locations for pedestrian access from the Residential Component to the north of the Transit Component. The purpose of the pedestrian access link is to strengthen and encourage the residents of the Residential Component to utilize the transportation services provided by Foothill Transit.

- **Development Agreement:**

  The Development Agreement is essentially a contract between MLC Holdings, Inc., the entity that has the project site under contract, and the City of Covina. The Development Agreement stipulates the public benefit resulting from the project, as well as conveying the expectations and responsibilities of both MLC Holdings, Inc. and the City of Covina. In addition to the land use, economic development and aesthetic improvements of the project, the public benefit the City of Covina receives will be 1.47 acres of property, which comprises Planning Area No. 3 within the Covina Forward Specific Plan.

COMMUNITY OUTREACH AND INPUT:

A critical component to the development of this Specific Plan has been public outreach and dialog with the community. To that extent, the project proponents have developed a robust community outreach and input effort as part of the Specific Plan's entitlement process. It is estimated that over 500 residents and interested community members were reached in the community outreach and input effort. It is important to note that residents were provided with contact information for outreach representatives, as accessibility was an important component of the outreach strategy. The community outreach and input effort has basically consisted of the following efforts:

- **Public Workshops:**

  The public workshops consisted of two (2) City Council Study Sessions held on February 16, 2016 and July 19, 2016; a Planning Commission Study Session held on September 13, 2016 and a community meeting at the Specific Plan area held on September 10, 2016. The September 10, 2016 community meeting was specifically geared toward the adjoining residents, with various project representatives available to provide Specific Plan information to the public and answer specific questions. The September 10, 2016 event was heavily advertised via e-mail and social media by both the outreach team and City representatives. As a result, over 60 community members met with project representatives and engaged in discussions about the Specific Plan, sharing both concerns and praises for the Specific Plan.

- **One-on-one Resident Outreach & Engagement:**

  Between the dates of April 2016 and October 2016, project representatives walked adjoining neighborhoods to the Specific Plan area and knocked door-to-door, in person to distribute Specific Plan information and solicit input. Where residents were not home or unavailable, return efforts were made; and where necessary, return visits were made to residents with follow up information and updates on the Specific Plan design revisions addressing expressed concerns. Two (2) community meetings were held on April 28, 2016 and September 7, 2016 at the Village Green Community, just south of the Specific Plan area. For those residents the outreach team

was unable to connect with in-person, an invitation to participate in the September 10, 2016 community event was extended.

- **One-on-one Business Outreach & Engagement:**

  Between the dates of April 2016 and October 2016, project representatives visited with the adjacent businesses to the south and southwest of the Specific Plan area. Specific Plan information was distributed and input solicited. A follow up visit occurred to provide businesses with updates on project design revisions. In addition to the adjacent businesses, other Covina businesses throughout the City were identified and engaged to further inform the larger Covina business community.

- **Civic and Community Groups:**

  Presentations were scheduled between April 2016 and October 2016 with various civic and community groups to further discuss the Specific Plan. A combination of large group presentations and one-on-one meetings with organization representatives occurred. This included the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club.

- **Public and Quasi-public Agencies:**

  In an effort to reach the largest possible pool of groups and individuals, outreach was conducted to interested public agencies and quasi-public agencies. Examples of this outreach to public and quasi-public agencies include the San Gabriel Valley Council of Governments Planning Technical Advisory Committee (SGCOG), Los Angeles County Metropolitan Authority (LA Metro), Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District.

- **Print and Electronic Media:**

  A wide range of print and electronic media was included in this outreach effort. This included Specific Plan flyers, public notices and FAQ brochures. A Specific Plan website was also created and was prominently featured on all print material. This website was consistently updated as the project design evolved, based on community input.

  The public outreach efforts have helped transform the project design to the ultimate version. Feedback garnered from the community, particularly from the adjacent residents, has influenced the site design and has addressed various concerns expressed by the community. Issues relating to privacy, public safety and parking have been specifically addressed through this engagement process.

DISCUSSION OF PROJECT ISSUES

Pursuant to the public outreach efforts and Planning Commission and City Council study sessions, several design and project issues were raised. As a result of those raised concerns, project design revisions and other adjustments have been incorporated into the Specific Plan and the correlating Site Plan Review for the Residential Component and the Transit Component.

- **Residential Component.**

  Concerns expressed regarding the design of the Residential Component have primarily focused on the following design features:

- **Access through the Residential Component to the single family residences to the east.**

  Residents in the single family residential properties to the east of the Residential Component expressed concern regarding potential trespasser access from the former K-Mart property into the private residences. Trespassers have continually climbed the existing retaining wall on the common property line. When the Residential Component is constructed, this problem will be mitigated, as the ability to "cut through" the neighboring single family properties to the east will be eliminated. This is because the currently vacant former K-Mart site will be no longer offer a hidden "cut through" passage because the site will be developed with residential dwelling units and the existing easterly property line wall will be enhanced through additional landscaping, decorative wall treatment, security lighting and an active community recreation area.

- **Privacy concerns of the single family residences to the east of the residential component.**

  As with privacy concerns expressed by the residents adjoining the Transit Component, the proposed Residential Component design has been sensitive to potential privacy impacts. The proposed residential site plan has a landscaped setback along the easterly property line of fifteen (15) feet or more, which will be landscaped with evergreen trees and shrubs. Only four (4) residential units will be placed along the setback and they are situated with the side façade facing the easterly property line, where the secondary windows will be oriented towards the easterly property line (as opposed to the front of the townhomes). The result is to minimize the number of windows that will be located facing the easterly property line. Furthermore, the units (and windows) along the easterly landscaped setback will be screened with landscaping and evergreen trees to maintain and enhance privacy for both the existing single family residences to the east and the future townhouse owners in the Residential Component.

  The Residential Component also features a community recreation area along the easterly setback. A single story "pool building", which is a building with restrooms, showers and storage, will be located adjacent to the easterly property line to minimize noise and provide a buffer from the outdoor swimming pool, open space patio, landscaping and barbecue area. The anticipated use of the community recreation area will be typical of residential backyard activity, which is compatible with the adjoining single family residences and rules and regulations within the community's CC&R's regarding the use of the community area; this will be managed by the Homeowner's Association and property management company.

- **Adequate on-site parking.**

  Each residential unit will have two (2) enclosed garage parking spaces. In addition to the two (2) enclosed parking spaces per unit, the Residential Component will provide 69 on site guest parking spaces distributed throughout the community. Along the Citrus Avenue frontage, on-street parking will be available to accommodate approximately ten (10) vehicles. The ratio of guest parking space per dwelling unit is .58. If Citrus Avenue on-street parking is considered, then the ratio of available guest parking rises to .67 spaces per dwelling unit.

  In addition to the vehicle parking, each residential unit is required to provide accommodations inside the garage for two (2) bicycles, such as hanging racks or wall racks. When considered with the adjoining Transit Component and Civic Components, there is potential access to 112 public parking spaces on the Civic Component and when available, 375 parking spaces within the Park and Ride parking structure. Thus, when included with the

sixty-nine (69) on-site guest parking spaces, the ten (10) parking spaces on Citrus Avenue and the potentially available 487 parking spaces within the Transit Component and Civic Component, 566 parking spaces are either on-site or within immediate proximity of the Residential Component.

It should be noted the intent of the proposed project is a transit-oriented development, where the Residential Component will have direct pedestrian access to the Transit Component and nearby Covina Metrolink station. The marketing of the Residential Component will be to attract those buyers who value the ability to live within walking distance to public transportation resources. The flexibility to commute to downtown Los Angeles and other regional employment centers via various transportation services, including the Foothill Transit Center, Metrolink and the nearby Gold Line, will be prominently featured in sales and marketing material and is expected to be strong attraction to the project.

- **Comments from the November 8, 2016 Planning Commission meeting.**

  One comment made during the November 8, 2016 Planning Commission meeting concerning the Residential Component was in regards to the proximity of the proposed residential development in relation to the existing townhouses to the north of the project site. The speaker wanted specific information on the distance between the existing townhouses north of the property line and the location of the proposed new townhomes within Planning Area No. 1. The proposed setback from the northerly property line and the northerly-most structure in Planning Area No. 1 is forty-four (44) feet. Within the setback dimension will be landscaping, interior driveway and guest parking. When combined with the existing building separation of the existing townhouses to the north to the common property line (approximately 30 feet), the proposed building separation is approximately 74 feet.

  Another concern expressed from a resident within the northerly townhouse development was a perceived lack of public outreach effort to the townhouse residents. The residents of these townhouses were contacted through a combination of the City's public notice efforts and augmented by the project team's public outreach effort. A total of eight (8) residents and/or property owners from the townhouses attended the September 10, 2016 Community Workshop at the former K-Mart property. In addition, one resident submitted a comment letter in response to the release of the Draft Environmental Impact Report.

- **Transit Component.**

Concerns expressed regarding the design of the Transit Center and Park and Ride facility have primarily focused on the following design and operational features:

- **Easterly setback of the parking structure.**

  Originally proposed, the easterly setback dimension of the Park and Ride parking structure was located approximately thirty (30) feet from the easterly property line (the shared property line with the single family residences to the east of the project site). The residents adjoining the portion of the project site adjacent to the parking structure were concerned that the proposed distance of the parking structure was too close to the easterly property line.

  The design of the parking structure has been modified to reduce the number of parking spaces from 450 to 372, thus the size of the parking structure was reduced. In addition, the location of the parking structure footprint was moved westerly where the new setback is

approximately fifty-eight (58) feet from the easterly property line. The result is the parking structure's easterly elevation will be in the same location as the existing former K-Mart building's easterly wall. Therefore, the distance between the easterly property line and the parking structure has been increased by twenty-eight (28) feet from what was originally proposed.

- **Visual screening/privacy for the single family residences to the east of the parking structure.**

  The resident immediately adjacent to the eastern perimeter of the parking structure expressed a concern relating to the potential viewshed impacts from Foothill Transit patrons parking on the second and third levels of the structure. The residents expressed concern with the open parking structure design, as it provided commuters with a direct view into the resident's backyard and rear windows. In addition to project revisions that increased the parking structure setback from thirty (30) feet to approximately fifty-eight (58) feet, the design will also include a solid concrete wall that will be built along the easterly elevation of the parking structure, on the second and third levels. Additional height was also added to the original proposed wall at the top level, from a three (3) foot parapet to a 6 feet, 6 inches solid concrete wall. The result will be that patrons parking on the top and middle deck will not have a view to the east, towards the adjacent single family residences.

  In addition to the concrete screen wall, the increased setback between the easterly property line and the parking structure will allow for increased landscape planting of evergreen trees to further reduce potential visual impacts. The evergreen trees within this increased buffer zone will be planted in an "off-set pattern" resembling a triangular or "zig-zag" pattern when viewed from above. The result of the "off-set, zig-zag" planting pattern is essentially a double row of evergreen trees, creating a more robust tree buffer.

  The original parking structure design was to incorporate a "green wall" design feature, where climbing vine plant material will grow upwards along screen mesh material attached to the facades of the parking structure. The "green wall" design feature continues to be proposed. The combination of (1) the increased setback and landscaped buffer of the parking structure; (2) the solid concrete wall on the second level along the eastern elevation; (3) the addition of the 6 foot, 6 inch concrete screen wall along the easterly edge of the top deck of the structure and (4) the originally proposed "green wall" design feature will mitigate potential visual and privacy concerns of the easterly single family residences.

- **The buffer along easterly bus exit driveway onto Covina Boulevard.**

  Adjoining residents expressed concern about the close proximity of the bus exit driveway along the eastern property line in relation to the common property line. The setback dimension originally proposed was five (5) feet. The originally proposed five (5) foot setback along the easterly property line would incorporate a landscape buffer. The revised design would increase the landscape buffer setback to twenty (20) feet. The fifteen (15) foot increase in landscape buffer would provide increased space to create the "triangle" evergreen tree planting arrangement proposed in the parking structure landscape buffer.

  In response to the concerns expressed by public speakers at the November 8, 2016 Planning Commission meeting, the Planning Commission added the project condition to Site Plan Review (SPR) 16-033 as follows:

"Add a physical barrier parallel with the eastern property line of the site at the southernmost segment where the bus-serving drive aisle exits for glare and noise reduction. Final design is subject to Director of Community Development's review and approval."

In response to the November 8, 2016 Planning Commission meeting, Foothill Transit has analyzed the interface between the residences to the east of the project site and the bus exit driveway. In addition to the twenty (20) foot landscaped buffer, a plant screening fence system, installed at a minimum height of 8 feet from finish grade of Foothill Transit's property (Planning Area No. 2) will provide a screen barrier abutting the existing property line wall. The combination of proposed evergreen trees and the plant screen shield will be sufficient to mitigate the potential for light and glare spillage intrusion from the buses exiting the Transit Center. The modified screen barrier is attached as Attachment L.

- **Public safety within the Transit Center.**

One of the concerns consistently expressed by the public was regarding public safety. The primary public safety feature proposed to be utilized within the Transit Center and parking structure will be the Covina Police Department's real-time surveillance camera system. Currently, Covina Police utilizes the real-time surveillance camera system within the downtown area, City Hall, Heritage Park and Cougar Park. The benefit of the surveillance camera system is that it is monitored 24/7 by Covina Police Department personnel. The Police Dispatcher and Watch Commander both have a real-time video feed at their respective work stations. Suspicious activities that are observed by the Police Dispatcher and/or Watch Commander can immediately be addressed by directing Covina Police to the potential issue. The real-time surveillance camera system has been extremely effective in reducing public safety issues within the downtown area, City Hall, Heritage Park and Cougar Park.

One comment expressed at the November 8, 2016 Planning Commission meeting was skepticism that the real-time surveillance camera system will actually be monitored 24/7. The real-time camera surveillance system is currently monitored 24/7 by Covina Police Department (CPD) personnel and with the additional cameras installed at the Transit Center, will continue to be monitored 24/7. The CPD is a 24/7 operation and critical operational systems are in effect 24/7/365. The CPD dispatcher and the Watch Commander both have real-time monitor screens at their work stations. When potential public safety concerns are viewed on the real-time monitors, the CPD dispatcher and/or Watch Commander dispatches Covina Police resources that are in the field to the location in question. In addition, because trained CPD personnel are viewing the real-time surveillance monitor feed, the dispatcher and/or Watch Commander is able to provide a significantly higher and more relevant threat assessment to the responding Covina Police personnel than they might otherwise receive from a call-for-service.

In addition to the installation of the real-time camera surveillance system, the Transit Center will have a dedicated parking space for CPD vehicles. Covina Police out on patrol in the community will be able to always have an accessible location to park their police vehicle at the Transit Center.

- **Operational concerns with the bus operations.**

  Residents also expressed concern regarding potential operational impacts associated with the Transit Center and Park and Ride facility. One misconception shared by residents concern was that the Transit Center was comparable to a bus depot, a place where buses are sheltered and where bus service is provided 24/7. On the contrary, the proposed Transit Center will provide Foothill Transit Commuter Express service to downtown Los Angeles. The patrons of this service are existing residents within the Covina community who currently park on city streets and private parking areas to use the existing Foothill Transit commuter bus service.

  Foothill Transit's Commuter Express will service the proposed Transit Center between 5:30 a.m. to 8:30 a.m. and 4:30 p.m. to 7:00 p.m. every 30 minutes, Monday through Friday only. Commuter Express service will not operate on weekends or holidays. Approximately 6 to 8 Commuter Express buses will travel to the Transit Center in the morning and 6 to 8 buses in the afternoon hours.

  It should be noted, the existing Foothill Transit local line 281, which currently operates and stops on the corner of Citrus Avenue and Covina Boulevard, will continue to operate Monday through Friday between 5:00 a.m. and 9:00 p.m., every 30 minutes. On weekends and holidays, Line 281 will operate from 7:00 a.m. to 7:00 p.m. every 60 minutes. When Foothill Transit buses are not operating, there will be minimal activity at the Transit Center. There will be no late night operations and weekend service for the local bus line will be very limited.

  Another concern expressed was the potential noise and emissions of the Foothill Transit bus fleet. Currently, all Foothill Transit buses are either Compressed Natural Gas (CNG) or electric powered bus vehicles. Foothill Transit does not operate any gasoline or diesel-powered buses. In addition, Foothill Transit has a goal to transition their entire bus fleet to 100% electric powered by 2030. Therefore, noise and emissions concerns typically associated with conventional gasoline or diesel-powered buses will not be a factor at the Foothill Transit facility. Attached as Attachment M is a letter from Doran J. Barnes, Executive Director of Foothill Transit addressing operational policies and procedures in response to concerns raised at the November 8, 2016 Planning Commission meeting.

- **Civic Component.**

  Concerns expressed regarding the design of the Civic Component have primarily focused on the following design features:

  - **Potential noise and activity impacts associated with the Event Center.**

    The proposed uses for the Civic Component are a community event center, a business incubator/innovation center, or other recreation type use, or a combination of these uses. Other than the conceptual design, the actual design of the Civic Component has not proceeded through the Site Plan Review application process. The actual and detailed design of the Civic Component will require Site Plan Review as articulated in the Covina Forward Specific Plan. Therefore, specific design issues will be addressed as part of that formal design approval process. In addition, the on-site availability of alcohol in conjunction with banquet uses will require the approval of a conditional use permit.

- **Comments from the November 8, 2016 Planning Commission meeting.**

  One of the concerns expressed at the November 8, 2016 Planning Commission meeting was potential neighborhood impacts resulting from the operation of a public assembly activity at the proposed Event Center. Specifically, impacts associated with alcohol consumption related impacts from the activities held at the proposed Event Center. Operational issues associated with the on-site consumption of alcohol are always relevant, and as such, the ability to provide on-site alcohol service requires the approval of a Conditional Use Permit. Through the Conditional Use Permit process, appropriate operational conditions and restrictions can be placed on uses that propose the ability to provide on-site alcohol consumption. Furthermore, as a City-owned facility, City personnel will be present at the facility whenever it is in use, thus, on-site City supervision of the activities will always occur.

FISCAL IMPACT:

Pursuant to the provisions of City Council Resolution No. 15- 7351, any proposed General Plan Amendment changing the land use designation from commercial or light industrial to residential requires the preparation of an economic impact assessment. As a component to the various project reports, studies and assessments, a project specific economic impact assessment was prepared. The resulting report is attached and is titled the "Covina Forward Revenue and Cost Summary". The conclusion of the report states as follows:

> *"Total current annual revenues to the City of Covina from the project site are $16,354. Total annual stabilized direct revenues to the City of Covina from the Covina Forward Project are anticipated to be $129,493. In addition off site sales in Covina from new project residents are projected to be $39,000 annually with an indirect economic multiplier of $90,000 to $140,000 annually for Covina economy. New jobs resulting from the Covina Forward Project will be 82 to 98."* (Source: Covina Forward Revenue and Cost Summary – November 2016, Williams & Foster)

In addition, the economic impact assessment estimates an indirect multiplier effect that the project will generate, as follows:

> *"The development of the proposed projects associated with Covina Forward will also produce indirect economic impact for Covina because several of the uses (Foothill Transit Center, Community Event Center and office development) will be more regional in nature and draw people from nearby communities such as Azusa, Glendora, San Dimas and West Covina. People residing in adjacent neighborhoods and communities will not only use the facilities contained in Covina Forward, but also purchase additional goods and services in nearby Covina stores, restaurants and fueling stations.*
>
> *The 117 new Townhomes will also bring more consumers of goods and services for nearby Covina businesses. The projected spending from residents of the new town homes is estimated to produce an additional $39,000 in annual sales tax revenue. This indirect-multiplier effect could produce an additional $90,000 to $140,000 annually in sales tax revenue, along with assisting in new job creation for nearby Covina businesses. The increase in sales tax revenue will help offset the loss of sales tax revenue resulting from the closure of the Kmart store."* (Source: Covina Forward Revenue and Cost Summary – November 2016, Williams & Foster)

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):
Pursuant to CEQA) and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, et seq, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the required 30-day review period. Furthermore, the NOP was posted at the Los Angeles County Registrar Office and the City of Covina City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Subsequent to the EIR Notice of Preparation, a State Clearinghouse number was assigned as follows: SCH # 2016051053 - Covina Transit-Oriented Mixed-Use Development Project. Input was received during this period from public agencies and the general public regarding environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

The City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the "Draft EIR") for the Project, including all necessary technical studies and reports in support of the Draft EIR. In September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

The Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR. A Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

On November 8, 2016, the Planning Commission held a public hearing and received public testimony on the project, including the adequacy of the DEIR. Subsequently, on November 18, 2016 the City responded to nine (9) DEIR comment letters. The Final EIR was sent to all nine (9) commenters. It should also be noted that on November 21, 2016 the Final EIR was posted on the City's website.

The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines. The Planning Commission has reviewed and considered the Draft and, in the exercise of its independent judgment, recommends that the City Council certify the EIR, make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project. The Planning Commission recommends that the mitigation measures set forth therein be made applicable to the Project. The Planning Commission further finds that substantial evidence in light of the whole record supports the conclusion, as found in the Draft EIR that the Project will not result in any significant effect on the environment following the incorporation of mitigation. Public agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Draft EIR and the Project. Therefore,

the Planning Commission finds that the project will not have a significant effect on the environment and recommends to that the City Council certify the Covina Transit-Oriented Mixed-Use Development Project Environmental Impact Report (EIR) with Mitigation Monitoring and Reporting Programs (SCH # 2016051053).

Respectfully submitted,

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Brian K. Lee
Director of Community Development

ATTACHMENTS:

Attachment A: Covina Forward Specific Plan

Attachment B: Resolution No. 16-7557, A resolution of the City Council of the City of Covina, California, certifying Environmental Impact (SCH2016051053), making environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program for the iTEC Transit Oriented Mixed-Use development project (approximately 10.66 acres and generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard - APN: 8406-019-019, 8406-019-020 and 8406-019-17

Attachment C: Resolution No. 16-7558, A resolution of the City Council of the City of Covina, California approving the General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the Land Use Designation from "General Commercial" to "Covina Forward Specific Plan" for approximately 10.66 acres of land with 6.12 acres designated for "High Density Residential 15 – 22 dwelling units per acre" and 4.54 acres designated for "General Commercial" for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment D: Resolution No. 16-7559, A resolution of the City Council of the City of Covina, California establishing the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP – RD (Multi-Family)" and 4.54 acres for "CFSP – I (Institutional Use)" and establishing special development standards and design guidelines for the proposed iTEC Transit Oriented Mixed-Use development for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment E: Ordinance No. 16-2068, An ordinance of the City Council of the City of Covina, California, amending the Official Zoning Map of the City of Covina by changing the zoning designation from "C-3A Commercial Zone (Regional or Community Shopping Center)" and "C-R Commercial Zone (Recreation)" to "Covina Forward Specific Plan" with 6.12 acres zoned for "RD (Multi-Family)" and 4.54 acres zoned for "I (Institutional Use)" for the proposed iTEC Transit Oriented Mixed-Use development for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment F: Resolution No. 16-7560, A resolution of the City Council of the City of Covina, California, approving a Vesting Tentative Tract Map 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letter lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units and 2 lots (Lots 22 and 23) on approximately 4.54 acres for Public/Transit and Public/Civic Uses, for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment G: Resolution No. 16-7561, A resolution of the City Council of the City of Covina, California, approving a Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area, generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment H: Resolution No. 16-7562, A resolution of the City Council of the City of Covina, California, approving a Site Plan Review (SPR) 16-033 for the construction of a Transit Center up to a six-bay bus plaza, a park & ride vehicle parking structure and a 4,800 square foot retail building for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment I: Ordinance No. 16-2069, An ordinance of the City Council of the City of Covina, California, approving and adopting a Development Agreement between MLC Holdings, Inc. and the City of Covina related to a proposed development consisting of 117 for-sale townhouse units on approximately 6.12 acres, the conveyance of 1.11 acres to the City and the conveyance of 0.351 acres to the City for parkland, for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment J: Covina Forward Revenue and Cost Summary

Attachment K: November 8, 2016 Planning Commission Staff Report and PC Resolutions

Attachment L: Proposed Screen Barrier – Foothill Transit Center (Per PC Condition)

Attachment M: Letter from Foothill Transit Executive Director regarding Foothill Transit bus operations policies and procedures

Attachment N: Final EIR under separate cover (posted on the City's website)

Attachment O: Development Plan for SPR 16-023

Attachment P: Development Plan for SPR 16-033

the Planning Commission finds that the project will not have a significant effect on the environment and recommends to that the City Council certify the Covina Transit-Oriented Mixed-Use Development Project Environmental Impact Report (EIR) with Mitigation Monitoring and Reporting Programs (SCH # 2016051053).

Respectfully submitted,

Brian K. Lee
Director of Community Development

ATTACHMENTS:

Attachment A: Covina Forward Specific Plan

Attachment B: Resolution No. 16-7557, A resolution of the City Council of the City of Covina, California, certifying Environmental Impact (SCH2016051053), making environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program for the iTEC Transit Oriented Mixed-Use development project (approximately 10.66 acres and generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard - APN: 8406-019-019, 8406-019-020 and 8406-019-17

Attachment C: Resolution No. 16-7558, A resolution of the City Council of the City of Covina, California approving the General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the Land Use Designation from "General Commercial" to "Covina Forward Specific Plan" for approximately 10.66 acres of land with 6.12 acres designated for "High Density Residential 15 – 22 dwelling units per acre" and 4.54 acres designated for "General Commercial" for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment D: Resolution No. 16-7559, A resolution of the City Council of the City of Covina, California establishing the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP – RD (Multi-Family)" and 4.54 acres for "CFSP – I (Institutional Use)" and establishing special development standards and design guidelines for the proposed iTEC Transit Oriented Mixed-Use development for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment E: Ordinance No. 16-2068, An ordinance of the City Council of the City of Covina, California, amending the Official Zoning Map of the City of Covina by changing the zoning designation from "C-3A Commercial Zone (Regional or Community Shopping Center)" and "C-R Commercial Zone (Recreation)" to "Covina Forward Specific Plan" with 6.12 acres zoned for "RD (Multi-Family)" and 4.54 acres zoned for "I (Institutional Use)" for the proposed iTEC Transit Oriented Mixed-Use development for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment F: Resolution No. 16-7560, A resolution of the City Council of the City of Covina, California, approving a Vesting Tentative Tract Map 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letter lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units and 2 lots (Lots 22 and 23) on approximately 4.54 acres for Public/Transit and Public/Civic Uses, for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment G: Resolution No. 16-7561, A resolution of the City Council of the City of Covina, California, approving a Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area, generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment H: Resolution No. 16-7562, A resolution of the City Council of the City of Covina, California, approving a Site Plan Review (SPR) 16-033 for the construction of a Transit Center up to a six-bay bus plaza, a park & ride vehicle parking structure and a 4,800 square foot retail building for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment I: Ordinance No. 16-2069, An ordinance of the City Council of the City of Covina, California, approving and adopting a Development Agreement between MLC Holdings, Inc. and the City of Covina related to a proposed development consisting of 117 for-sale townhouse units on approximately 6.12 acres, the conveyance of 1.11 acres to the City and the conveyance of 0.351 acres to the City for parkland, for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard – APN: 8406-019-019, 8406-019-020 and 8406-019-017.

Attachment J: Covina Forward Revenue and Cost Summary

Attachment K: November 8, 2016 Planning Commission Staff Report and PC Resolutions

Attachment L: Proposed Screen Barrier – Foothill Transit Center (Per PC Condition)

Attachment M: Letter from Foothill Transit Executive Director regarding Foothill Transit bus operations policies and procedures

Attachment N: Final EIR under separate cover (posted on the City's website)

Attachment O: Development Plan for SPR 16-023

Attachment P: Development Plan for SPR 16-033

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Attachment A:

Covina Forward Specific Plan

COVINA FORWARD SPECIFIC PLAN

NOVEMBER 29, 2016

DRAFT

DRAFT

Covina Forward Specific Plan

Lead Agency:
City of Covina
125 E. College Street
Covina, CA 91723
November 29, 2016

Covina Forward Specific Plan

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I. INTRODUCTION AND PURPOSE OF SPECIFIC PLAN

A. Purpose and Intent of Specific Plan

The purpose of the Covina Forward Specific Plan (Specific Plan) is to provide a land use mechanism to guide the redevelopment of the project site into a transit-oriented mixed use development with new public uses, residential and commercial uses and related public improvements within the plan area.

The development standards and Design Guidelines in this Specific Plan supersede those development standards contained in the City of Covina ("City") General Plan and Zoning Code as related to the Specific Plan area. If this Specific Plan is silent in regards to certain development standards and/or design guidelines, those standards and guidelines contained in the City General Plan and the Zoning Code shall apply.

The Specific Plan will guide future redevelopment by accomplishing the following:

1. Encouraging the planned development of the properties within the plan area and permitting comprehensive site planning and building designs;

2. Providing a more flexible regulatory procedure by which the objectives of the City's General Plan and Zoning Code can be realized;

3. Encouraging creative approaches to the use of land through variation in siting of buildings and the appropriate mixing of public use, residential and commercial land uses and activities;

4. Enhancing the appearance of the community through creative design of buildings, structures, open space and facilities;

5. Reducing, when appropriate, the amount of public and private improvements normally required by other similar public/private developments;

6. Eliminating and prevent the spread of blight;

7. Revitalizing, redeveloping, and upgrading the properties within the Specific Plan area;

8. Strengthening the City's economic base;

9. Realizing the Specific Plan area's full economic potential due to its geographic proximity;

10. Encouraging private reinvestment into neighboring properties;

11. Elevating the City's image within the East San Gabriel Valley region; and

12. Adding transportation alternatives and amenities to provide services to the City's residents and businesses.

B. Content, Chapters, and Components of Specific Plan

This Specific Plan is prepared in accordance with the authority granted to the City pursuant to California Government Code, Title 7, Division I, Chapter 3, Article 8, Sections 65450 through 65457. The Government Code authorizes cities to adopt specific plans either by resolution as policy or by ordinance as regulation. A Planning Commission hearing and City Council hearing are required. Specific Plans must be adopted by the City Council to be in effect.

This Specific Plan is a policy and a regulatory document that establishes policies, development standards, and design guidelines to regulate and guide future redesign and redevelopment of the plan area. It establishes the type, location, intensity, character, and infrastructure for redevelopment to take place. This Specific Plan allows the City to consider redevelopment plans for the entire plan area, rather than judge each development project and element separately, and also shapes future development by responding to the physical constraints of the site and coordinating future commercial development, parking design, and circulation and public facility improvements. Future development or site plans proposed for the plan area must be consistent with this Specific Plan.

This Specific Plan is comprised of the following chapters and addresses the following components:

Chapter I. Introduction and Purpose of Specific Plan. This chapter describes the purpose of the Specific Plan; content, chapters, and components of the Specific Plan; and the Specific Plan's relationship to the City's General Plan.

Chapter II. Description of Specific Plan Area. This chapter describes the Specific Plan area, including existing conditions; onsite structures, buildings, and uses; and the underlying General Plan and Zoning designations.

Chapter III. Description of Specific Plan. This chapter describes the proposed project, including development concepts and intended land uses; conceptual development plans; and required conceptual utilities and services.

Chapter IV. Allowable Uses. This chapter describes those uses permitted within the Specific Plan area.

Chapter V. Development Standards. This chapter provides development standards to regulate future redevelopment and design within the Specific Plan area.

Chapter VI. Design Guidelines. This chapter provides guidelines and direction on how future development should be designed, including architectural theme; building elevations and facades; 360-degree architecture; site planning and building orientation; quality of materials and colors; landscaping theme; wall and fences; signage theme; parking facility/lot layout; vehicular access and circulation; integration of pedestrian-level elements, etc.

Chapter VII. Administration and Implementation. This chapter explains how future development within the Specific Plan area will be reviewed and approved.

Chapter VIII. Attachments. This chapter will provide relevant exhibits and illustrations to the Specific Plan.

C. Relationship to the City's General Plan.

This Specific Plan is viewed as a means of implementing the objectives of the City's General Plan. The Specific Plan area possesses significant opportunity to address several General Plan objectives, including encouraging new economic development opportunities, revitalizing a key north/south corridor in the community, provide new services to the community, closing existing regional transportation gaps and adding new ownership housing opportunities for the community. The following General Plan objectives apply:

1. Land Use Element; II.B.1.a (page A-3).

Accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service, and environmental constraints.

2. Land Use Element; II.B.1.b (page A-3).

Maintaining and/or accommodating the expansion of existing and accommodating new commercial and industrial businesses as a high priority for reasons pertaining to employment, sales tax generation, and related economic development benefits and City image enhancements.

3. Land Use Element; II.B.5.b (page A-7).

Accommodating future growth with adequate general public facilities, such as water mains, parks and schools.

4. Land Use Element; III.C.1. a.2.a through h (page A-10).

Ensure that major land use change proposals, particularly those regarding vacated schools, utility sites, and other institutional surplus properties, carefully consider many factors, including, but not limited to:

a. Land use impacts, on both neighborhood and citywide levels.

b. Street capacity, public facilities, and other infrastructure impacts.

c. Effects on the local circulation, public transportation, and regional circulation/transportation networks.

d. The local economy.

e. The provision of services and utilities.

f. All relevant environmental and physical constraints and resources.

g. Covina's image and character.

h. The quality of life for Covina residents, workers, shoppers, and others.

5. Land Use Element; III.C.2.a.1. (page A-12).

Permit development at density ranges and quantities that reflect existing and desired scales of building construction and revitalization in the community, as well as physical and environmental constraints, that address the intent of regional housing obligations, that will allow for moderate future growth, and that will not inhibit the City's ability to meet street capacities and to provide other infrastructure, adequate community services, and utilities.

6. Land Use Element; III.C.2.a.8. (page A-13).

Encourage the construction of owner-occupied housing.

7. Land Use Element; III.C.3.a.8. (page A-15).

Accommodate new and expanded commercial and industrial development in a manner that considers various Federal, State, and/or regional planning measures to reduce traffic congestion, air pollution, waste generation, polluted water runoff, and other problems.

8. Land Use Element; III.C.3.a.9. (page A-15).

Ensure that the overall amount, locations, and timing of development reflect community desires, and needs as well as physical and environmental constraints and will not inhibit the City's ability to meet street capacities and to provide other infrastructure, utilities, and adequate community services.

9. Land Use Element; III.C.3.a.10. (page A-15).

Pay particular attention to the special needs and character of the downtown, continue appropriate economic revitalization, physical enhancement, and use refinement activities that will attain a greater variety retail businesses, attract more people, and generate more sales tax and overall vitality, and consider incorporating mixed uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips.

10. Land Use Element; III.D.1.a.6. (page A-17).

Require that parcels developed for commercial or industrial uses, when abutting residential properties, incorporate buffers that adequately protect the residential properties from noise, light, trash, visual and environmental disturbances, vehicular traffic, and other factors. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic features.

11. Land Use Element; III.D.1.a.7. (page A-17).

Provide for the continuation of existing and development of new or expanded public streets and facilities, storm drains and other infrastructure, parking amenities, and utilities to support the City's land uses and meet all needs.

12. Land Use Element; III.D.1.a.13. (page A-17).

Permit mixed uses (residential and commercial) in appropriate areas in the downtown and, if possible, elsewhere, in a manner consistent with special, applicable standards, to provide needed housing in an alternative setting and to complement district-wide physical and economic revitalization activities.

13. Land Use Element; III.F.1.a. (page A-24).

Develop and implement a land use plan that maintains and strengthens the fiscal health of the City by allocating a sufficient amount of residential, commercial, and industrial uses at suitable locations and by establishing sufficient, reasonable development intensity standards.

14. Land Use Element; III.F.1.c. (page A-24).

Attract a greater variety of commercial retail and office uses to provide for shopping, eating, service, administrative, and other needs of Covina and area residents, to enhance the community's image, and to bolster economic development efforts.

15. Land Use Element; III.F.1.p. (page A-25).

Recognize, monitor, and understand economic, social, and other forces that continue to shape Covina's development, such as increasing population, market demand factors, commuting patterns, rising land values, greater foreign investment, changing household formations, and shifting demographic structure.

16. Circulation Element; II.B.10. (page B-3).

Maintaining and improving local transportation programs.

17. Circulation Element; II.B.11. (page B-3).

Through liaison efforts, ensuring that regional-oriented buses and the Metrolink Commuter Rail Station adequately serve Covina.

18. Circulation Element; II.B.19. (page B-4).

Reconciling Covina's circulation and transportation needs with those of the overall region.

19. Circulation Element; IV.C.22. (page B-31).

Ensure that the street network accommodates, to the greatest extent feasible, public transportation routes and stops.

20. Circulation Element; IV.D.7. (page B-32).

Accommodate the linking of the Covina Metrolink Commuter Rail Station and other public transit depots to feeder transportation, to the greatest extent feasible.

21. Circulation Element; IV.D.9. (page B-32).

Consider proximity to public transit, among other factors, in evaluating housing projects and facilities for senior citizens and the disabled.

22. Circulation Element; IV.G.4. (page B-34).

Reconcile the community's traffic, transportation, accessibility, circulation, parking, and overall infrastructure situations, needs, and desires with corresponding regional issues and concerns, to the greatest degree feasible.

23. Circulation Element; IV.G.5. (page B-34).

Balance the City's obligation to address certain traffic, circulation and general infrastructure-related deficiencies with Covina's need to accommodate residential and nonresidential growth or to continue with ongoing community-wide economic development, commercial revitalization, neighborhood preservation and affordable housing activities/programs.

24. Circulation Element; IV.G.11. (page B-35).

Concentrate, to the greatest extent practicable, major developments and mixed use in areas, centers, or clusters near or along transit corridors or adjoining bus stops or the Covina Metrolink Commuter Rail Station.

25. Circulation Element; IV.G.12. (page B-35).

Recognize and appropriately handle and coordinate the interrelationship between transportation and circulation systems and land use matters in accommodating desired growth and in evaluating development imports.

II. DESCRIPTION OF SPECIFIC PLAN AREA

A. Location of Specific Plan Area

The approximately 10.66 acre Specific Plan area is located northeast of the Citrus Avenue and Covina Boulevard intersection (See Exhibit 1). Citrus Avenue abuts the Specific Plan area to the west, Covina Boulevard to the south, a residential townhouse development to the north, and a single-family residential neighborhood to the east.

The Specific Plan area is comprised of three (3) Planning Areas (See Exhibit 2). Planning Area No. 1 is located within the northerly portion of the Specific Plan area and is approximately 6.12 acres in size. Planning Area No. 2 occupies a central location within the interior of the Specific Plan area and is approximately 3.07 acres in size. Planning Area No. 3 is located in the most southerly portion of the Specific Plan area, immediately adjacent to Covina Boulevard, and is approximately 1.47 acres in size.

The Specific Plan area is comprised of Assessor Parcel Numbers 8406-019-017, 8406-019-019 and 8406-019-020.

B. Existing Structures, Buildings and Uses within Specific Plan Area

The Specific Plan area is currently improved with two (2) separate buildings described as Buildings 1 and 2. The following describes each of the two (2) buildings and Exhibit 4 includes photographs of the buildings.

1. ***Building 1.*** This building, a former K-Mart retail store, is an approximately 88,500 square foot masonry "big box" building that was constructed in 1968.

2. ***Building 2.*** This building is a former residential structure that was converted to a day care facility and subsequently an institutional use. The building is approximately 2,186 square feet in floor area.

C. Existing General Plan Designation and Zoning Classification

The Specific Plan area is presently designated General Commercial (CG) by the City's General Plan and zoned Regional or Community Shopping Center (C-3A) by the City's Zoning Code. The C-3A zone is intended to provide for planned, unified shopping centers at community and regional levels. A "community shopping center" is defined as a trading center serving specialized needs of families in a community neighborhood area. A "regional shopping center" is defined as a trading center offering greater variety of general merchandise, apparel and home furnishings to families located in a larger area than is served by a neighborhood community shopping center.

Properties to the east are zoned R-1-7,500 (Single-Family Residential – 7,500 sq. ft. minimum lot area) and designated "Low Density Residential." Properties to the north are zoned PCD/RD-4,000 (Planned Community Development/Multiple Family – 4,000 sq. ft. minimum lot area per dwelling unit) and designated (MDR) Medium Density Residential 7 – 14 units/acre. Some properties to the south are zoned C-2 (Neighborhood Shopping Center) and designated "General Commercial," and others are zoned PCD/RD-1250 (Planned Community Development/Multiple Family-1,250 sq. ft. minimum lot area per dwelling unit) and designated "High Density Residential." Properties to the west, on the opposite side of Citrus Avenue, are zoned R-1-7,500 and designated "Low Density Residential." (See Exhibit 3)

III. DESCRIPTION OF SPECIFIC PLAN

A. Development Concept

The Specific Plan area is intended for development of a transit-oriented mixed use development that includes a civic/community use component. For purposes of this Specific Plan, the land use designation for the residential component in Planning Area No. 1 will be amended to High Density Residential and will remain as General Commercial for the Transit Center and Civic/Community components in Planning Area Nos. 2 and 3. Accordingly, the intent of this Specific Plan is to provide for the orderly redevelopment of a vacant, prominent disused commercial property within the City in a manner that addresses the community's needs for transit-oriented residential development, regional transportation facilities and civic/community facilities. This Specific Plan also provides additional development and design standards and guidelines, which will ensure that each future component of the Specific Plan area are creatively and sensitively site planned and developed with high quality architectural treatments and features, site amenities and infrastructure. This Specific Plan will therefore establish the Specific Plan area as a landmark regional destination and location within the City and will improve the overall economic vitality within the Specific Plan area, surrounding areas, and the entire City.

Unless otherwise provided, this Specific Plan supersedes the development and design standards contained in the City General Plan and Zoning Code and constitutes the zoning standards, requirements and guidelines for the Specific Plan area. Any standards, requirements and guidelines contained the City's General Plan and the Covina Municipal Code ("CMC") that is not expressly addressed in this Specific Plan will apply to the Specific Plan Area.

B. Conceptual Development Plan

The following describes the Conceptual Development Plan for the Specific Plan area, including future land uses and density; access and circulation improvements; landscaping; architectural treatment and features; signs; and infrastructure improvements.

1. Future Land Uses and Density

The Specific Plan area is comprised of three (3) Planning Areas. The Planning Areas are described as follows (see Exhibit 4):

a. **Planning Area No. 1.** Planning Area No. 1 is the residential component and is approximately 6.12 acres located in the northerly-most portion of the Specific Plan area. Planning Area No. 1 is designed for a transit-oriented attached single-family residential use, within the framework of a planned residential development. Planning

Area No. 1 will have a pedestrian and fire emergency access link to Planning Area No. 2, which is the Transit Center component. Vehicular ingress and egress to Planning Area No. 1 shall only be permitted from Citrus Avenue. Planning Area No. 1 shall have a maximum density of 22 dwelling units per acre and accommodate a maximum of 120 residential units with parking, an accessory common area, recreation facilities and other amenities. (See Exhibit 5)

b. **Planning Area No. 2.** Planning Area No. 2 is the Transit Center component. Planning Area No. 2 is an approximate 3.07 acre site that will allow the development of a "Park and Ride" vehicle parking structure that would accommodate between 350 – 400 vehicles. In addition to the parking structure, an approximate 4,000 – 4,500 square foot retail structure will be located and oriented adjacent to the Citrus Avenue street frontage. An approximate 5,500 – 6,000 square foot pedestrian plaza area will separate the approximate 4,000 – 4,500 square foot retail building and the Park and Ride parking structure.

In addition to the retail building, parking structure and pedestrian plaza, a six (6) bay bus plaza will be aligned along the southerly edge of Planning Area No. 2. The pedestrian plaza and the bus plaza will be accessible to Planning Area No. 3 (the Civic/Community component) to the south. Vehicular ingress and egress access for commuters using the Park and Ride parking structure shall only be available from Citrus Avenue. Buses entering the bus plaza will ingress from Citrus Avenue and egress westerly onto Covina Boulevard. There will be no vehicle ingress into Planning Area No. 2 from Covina Boulevard. (See Exhibit 6)

c. **Planning Area No. 3.** Planning Area No. 3 is the Civic/Community component. This planning area is approximately 1.461 acres in size and can accommodate a potential menu of civic- or community-oriented uses, such as an approximate 10,000 square foot civic center, an approximate 5,000 square foot technology-oriented business incubator, approximately 5,000 – 10,000 square feet of professional office space, or an approximate 10,000 – 15,000 square foot senior citizen/community center. The specific development project will be subject to the Development Review process pursuant to the provisions of this Specific Plan. In addition, a surface public parking lot that would accommodate approximately 112 vehicles would be provided. (See Exhibit 7)

The public use component of the Specific Plan, which encompasses Planning Area Nos. 2 and 3, is intended to meet community and regional demands for increased efficiency in public transportation options and linkages as well as provide a need for a civic or community facility space. It is envisioned, when fully built-out, the boundary between Planning Area Nos. 2 and 3 will be visually seamless. Pedestrians will be able to access the public plaza space envisioned to be built within both Planning Areas.

2. **Access and Circulation Improvements**

Access to the Specific Plan area is available from Citrus Avenue on the west and Covina Boulevard to the south. Planning Area No. 1 shall have vehicular ingress and egress access from Citrus Avenue only. Planning Area No. 1 shall have no vehicular access onto Covina Boulevard. In addition, restricted emergency access to Planning Area No. 1 shall be available from Citrus Avenue adjacent to the northerly property line. Pedestrian access and emergency access from Planning Area No. 1 to Planning Area No. 2 will be available via a restricted pedestrian gate along the mutual property line separating Planning Area Nos. 1 and 2.

Planning Area No. 2 shall have access from both Citrus Avenue and Covina Boulevard. Ingress and egress vehicular access shall be available from Citrus Avenue to the Park and Ride parking structure. In addition, access to parking for the approximate 4,000 – 4,500 square foot retail building will only be available via the parking structure ingress/egress driveway. The bus plaza for bus transit and restricted emergency access shall have ingress-only from Citrus Avenue and egress-only onto Covina Boulevard. Thus, buses will enter into the bus plaza transit plaza from Citrus Avenue, alight at one (1) of the six (6) bus bays for passenger loading, then exit onto Covina Boulevard. There shall be no ingress to Planning Area No. 2 from Covina Boulevard. Buses exiting onto Covina Boulevard will turn right (westbound) to begin their designated route. There will be no left turn (eastbound) exiting onto Covina Boulevard for the buses. Pedestrian access between Planning Area No. 2 and 3 will not be restricted, and the design of the pedestrian plazas proposed to be located in both Planning Area Nos. 2 and 3 will be designed to function harmoniously and to encourage pedestrian traffic and interaction between the two Planning Areas.

Vehicular access ingress and egress for Planning Area No. 3 shall only be available from Covina Boulevard. The ingress/egress vehicular access for Planning Area No. 3 will be separate from the bus egress access onto Covina Boulevard from Planning Area No. 2. There will be no vehicular access from Planning Area No. 3 into Planning Area No. 2. (See Exhibit 8)

3. **Landscaping**

One of the primary contributors to unifying the aesthetic and visual quality of the Specific Plan area is a landscaping palette and plan that applies to the entire Specific Plan area. No single feature of site design and development is as cost-effective as landscaping in creating a positive image and sustaining that image even as the building and redevelopment of Specific Plan area proceeds over time.

Consistent and cohesive landscaping creates a visual framework within which development can evolve and mature. The landscaping concept for this Specific Plan is to focus particularly on entry points, main access drives, perimeter frontages, parking lot planters, public plazas, and landscaping around future commercial buildings. The landscape palette shall consist of drought-tolerant plant materials, including southern California appropriate tree species.

Where possible, landscaping shall be combined with site lighting to create visually inspiring public spaces. The landscape design concept shall also incorporate the principles of "defensible space planning" where clear viewsheds are maintained in the Specific Plan area from the Citrus Avenue and Covina Boulevard rights-of-way. (See Exhibit 9)

4. **Architectural Treatment and Features**

Consistency in architectural style and thematic details will enhance the overall image of the Specific Plan area. It is desirable to achieve a consistent "look" throughout the Specific Plan area by establishing design and architectural standards and guidelines for the development within the Specific Plan area. The Specific Plan area is intended to be a regional destination and transportation link for the City that also provides quality market-rate residential housing in a transit-oriented design philosophy. Accordingly, the architectural and design theme and style for the overall Specific Plan area, the individual development components that will comprise the Specific Plan area, and common amenities and improvements must be distinctive, and acknowledge the City's citrus agricultural heritage. (See Exhibit 10)

5. **Signs**

It is essential for the uses within the Specific Plan area to be clearly identified for the public. At the same time, it is equally important to install signage that contributes to the positive image of the Specific Plan area and the City. The three (3) Planning Areas will have different signage goals. Planning Area No. 1 signage is intended to provide residential community identification signage, along with on-site directional and informational signage. Planning Area No. 2 sign requirements will be both commercial (for the commercial retail building)

and public use identification signage. In addition, informational signage will be located throughout the Transit Center, public plaza, and parking structure. Signage requirements for Planning Area No. 3 will be consistent with what is typically associated with public facilities and public plaza spaces. However, the overall signage design philosophy throughout the entire Specific Plan area should convey the following impressions: the identity of the business (in regards to Planning Area No. 2), the identity of the destination (ie., the entrance into Planning Area No. 1), the public use purpose (ie., the Transit Center, Civic/Community component, etc.), a sense of quality, and a consistency throughout the Specific Plan area that ties in with the architectural theme for the Specific Plan area.

6. **Infrastructure Improvements and Public Services**

a. **Water Improvements**

Water service is provided by Azusa Light & Water (ALW). ALW's service area encompasses about 14.2 square miles in the San Gabriel Valley including a portion of five cities and portions of unincorporated Los Angeles County. ALW's water supplies come from a combination of imported water from the Metropolitan Water District (which imports water from the Colorado River and the Sacramento-San Joaquin Bay Delta), groundwater from 11 municipal water wells, and local surface water (diversions from the San Gabriel River and the Morris Reservoir). Normally groundwater and local surface water diversions are sufficient to supply the service area, but ALW has the ability to import water from MWD in emergency situations.

b. **Sewer Improvements**

The City's sanitary sewer collection system is managed by the City's Public Works Department. An 8-inch public sewer collection line parallels N. Citrus Avenue adjacent to the Specific Plan area. The City's sewer lines ultimately connect to trunk sewers operated by the Sanitation Districts of Los Angeles County (SDLAC) for transmission, treatment and disposal. The Specific Plan area is located within SDLAC District 22, which is one of the seventeen districts that form the Joint Outfall System (JOS). This system provides sewage treatment, reuse and disposal for residential, commercial, and industrial users.

c. **Drainage Improvements**

The site slope gradients are generally one percent (1%) or less directing drainage in the westerly and southerly directions (toward the North Citrus Avenue and East Covina Boulevard intersection). Stormwater

runoff is eventually collected through inlets, catch basins and underground storm drains maintained either privately or by the City. The Los Angeles County Flood Control District (LACFCD) maintains the larger stormwater conduits in the Specific Plan area, which direct urban runoff to the nearest wash, creek or river. The nearest LACFCD storm drain facilities consist of curb inlets and grates on the corner of E. Cypress Street and North Citrus Avenue, which connect to a 42-inch reinforced concrete pipe. LACFCD storm drains eventually discharge to Big Dalton Wash, which joins Walnut Creek, which then joins the San Gabriel River. Therefore, the "receiving waters" for the project (i.e., all waters within the flow network downstream of the project site) include Big Dalton Wash, Walnut Creek, the San Gabriel River and the Pacific Ocean.

The redevelopment of the Specific Plan area would decrease the impervious surface coverage on the Specific Plan area, which is currently about 95%. The development of the Specific Plan area consistent with this Specific Plan would likely result in a decrease in peak flow rates and volumes for all storm scenarios because the development will incorporate more landscaping elements, which will aid to slow runoff and allow for subsurface percolation.

d. **Police Protection Services**

The Covina Police Department ("CPD") provides police protection services to the City, including the Specific Plan area. The CPD station is located at 444 N. Citrus Avenue and is located approximately .5 miles south of the Specific Plan area. In addition to traditional police patrol protocol, the public uses to be located in Planning Area Nos. 2 and 3 shall incorporate security cameras that can be monitored by police personnel from the CPD station so that the CPD Watch Commander or Dispatcher, upon viewing suspicious activity, may dispatch police resources to the Specific Plan area.

e. **Fire Protection Services**

Fire protection and emergency services shall be provided by the County of Los Angeles Consolidated Fire Protection Department (County Fire Department). The Specific Plan area will likely receive all first response services from Fire Station No. 154, located at 401 North Second Avenue, approximately .5 miles to the south. Two (2) additional stations may provide backup personnel or equipment, including Fire Station 152, located at 807 West Cypress Avenue, and, Station 153, located at 1577 East Cypress Avenue.

IV. ALLOWABLE USES

The following uses are permitted in the Specific Plan area subject to the development standards and guidelines set forth in this Specific Plan, and where applicable, the City's General Plan and the CMC. Commercial uses that are not listed may be allowed by the Planning Commission and the City Council pursuant to Chapter 17.60 of the CMC. The intent of this Specific Plan is to facilitate the development of a comprehensive, transit-oriented development with a range of uses, including public uses that would benefit greatly from being located on a significant north/south arterial. It is not the intent to allow any, or all commercial uses. The following permitted uses are considered appropriate for the Specific Plan area, given the intended purposes and development concepts established for the Specific Plan area by this Specific Plan.

A. Planning Area No. 1. Residential Component.

1. **Permitted Uses.** 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 Planning Commission and the City Council may deem (pursuant to Chapter 17.60 of the CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

   a. Attached, single-family residential;

   b. Accessory community recreation facilities; and

   c. Ancillary in-home business uses, subject to the provisions of CMC Section 17.26.035, In-Home Business License.

B. Planning Area No. 2. Transit Center Component.

1. **Permitted Uses.** 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 Planning Commission and the City Council may deem (pursuant to Chapter 17.60 of the CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

   a. Public parking for park and ride transit users;

   b. Public transportation transit center, such as boarding and alighting from public transportation vehicles; informational kiosks/signage, transit store, bicycling storage racks and similar activities;

c. Commercial retail building activities pursuant to the provisions of Section 17.38.020.B. of Chapter 17.38 of the CMC, C-2 Commercial Zone (Neighborhood Shopping Center);

d. Public plazas and open space; and

e. Electric bus and electric vehicle charging stations.

2. **Uses Permitted Subject to a Conditional Use Permit.**

a. Liquor, on-sale, in conjunction with a bona fide eating establishment.

C. Planning Area No. 3. Civic/Community Component.

1. **Permitted Uses.** 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 Planning Commission and the City Council may deem (pursuant to Chapter 17.60 of the CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

a. Administrative and professional offices;

b. Community and event public assembly center;

c. Education and recreation activities as part of a community and event public assembly center;

d. Museum, galleries and similar uses as part of a community and event public assembly center;

e. Ancillary retail sales, such as gift shops, food and beverages sales;

f. On-site food service as part of a community and event public assembly center;

g. Public plazas and open space;

h. Public parking;

i. Public informational kiosks and signage; and

j. Electric vehicle charging stations.

2. **Uses Permitted Subject to a Conditional Use Permit.**

a. Liquor, on-sale, in conjunction with on-site food service as part of a community and event public assembly center; and,

b. Entertainment, in conjunction with a community event and public assembly center, subject to the requirements of CMC Chapter 5.28, Entertainment, of the CMC.

V. DEVELOPMENT STANDARDS

This Specific Plans contains special development standards that pertain to the Specific Plan area. The development standards required under this Specific Plan supersede the same development standards set forth in the City's Zoning Code. Because of the unique mixture of transit-oriented residential development, transit-oriented public development and civic- and community-oriented uses, this Specific Plan incorporates the City's Zoning Code development standards only to the extent expressly cited in this Specific Plan or not otherwise specifically addressed in this Specific Plan. The following lists those development standards that shall regulate future development and design within the Specific Plan area. The following also either describes those special development standards that pertain only to the Specific Plan area or references those sections from the CMC that apply. The architecture and site planning for any future development within the Specific Plan area will be reviewed and approved pursuant to the following development standards. Those standards that are not addressed in this document must revert to the applicable standards required under the CMC.

A. Planning Area No. 1. Residential Component. The property development standards contained in this Section V.A. and those development standards in Chapter 17.28 of the CMA not expressly addressed in this Specific Plan shall apply to all land and buildings in Planning Area No. 1.

1. **Minimum Lot Area Standards:**

   a. Minimum lot area for Planning Area No. 1: 6.12 acres.

   b. Minimum lot area for new numbered lots: 6,000 square feet.

2. **Minimum Yard Standards:**

   a. Minimum front structural setback from Citrus Avenue public right-of-way: 15 feet.

   b. Minimum side structural setback from the north and south boundaries of Planning Area No. 1: 10 feet.

   c. Minimum rear structural setback from the east boundary of Planning Area No. 1: 15 feet.

   d. Minimum interior structural setbacks: No minimum structural setbacks for interior property lines.

   e. Minimum interior curb setbacks: 7 feet from the side of a building to the face of an interior curb.

3. **Minimum Building Separation Standards:**

a. Minimum front door to front door separation: 20 feet.

b. Minimum side to side structure separation: 10 feet.

c. Minimum separation between facing garage doors: 30 feet.

4. **Vehicle Parking:**

a. 2 enclosed vehicle parking spaces per unit (garage spaces) shall be required. Required enclosed parking (garage spaces) shall not be obstructed for use for vehicle parking.

b. .5 vehicle parking spaces per unit (includes uncovered guest parking and handicapped parking spaces) shall be required in the interior common area.

c. Access to on-street parking along the Citrus Avenue public right of way shall be available pursuant to the provisions of the CMC.

d. Access to the public parking lot within Planning Area No. 3 shall be available pursuant to the provisions of the CMC. Nothing in this Specific Plan shall prohibit the residential component HOA to enter into a shared parking agreement with the City for the overnight use of the public parking lot.

5. **Landscaping Standards:**

All landscaping shall be installed per the conceptual landscape plan approved by City. In addition to building architecture, the soft and hardscape designs and guidelines shall define the character of Citrus Commons. The selected plant palette shall enhance the entry, paseos, parks, streets and dwelling units in Planning Area No. 1. The palette and proposed guidelines shall be responsive to the local climate and the special circumstances associated with HOA-owned/managed landscaping. The following are specific recommendations for the landscape plan:

a. All plant materials shall be served by an automatic underground irrigation system utilizing backflow devices and weather sensing smart controller(s). All above ground irrigation elements shall be screened.

b. All new trees shall be staked or provided with a greater support design.

c. New trees planted within 5 feet of hardscape shall have deep root linear root barriers a min. of 10 feet long, 5 feet on both sides of trunk.

d. Ground cover shall be spaced to ensure total infill within twelve months of planting.

e. Only live plant materials (not simulated) shall be used in landscaped areas (trees, shrubs, and ground cover).

f. Selection of plant materials shall be based on year-round beauty (deciduous color, spring flower, branching patterns) as well as form, texture, shape, and ultimate growth. Selection of plant materials shall be based on year-round beauty as well as form, texture, shape and ultimate growth (examples of year round beauty may include: evergreen trees and shrubs, deciduous trees with fall foliage color - yellow, orange, red, or purple - winter, spring, or summer flowers in colors to complement the color selections of the building and site, several flowering plant species shall be used to provide at least two seasons of flowering in the year, tree branching and canopy structure may be columnar, vase, open, round, or spreading in form deciduous color, spring flower, branching patterns).

g. Plant species shall be tolerant of the local environmental-conditions and relatively free from pests and disease.

h. Plant species that are native or well-adapted to local climatic conditions, and require less water and maintenance, are recommended.

i. All street trees shall be deep-rooted, canopy-type trees suited to urban conditions.

j. Landscaping shall generally be provided to soften architecture and hardscape.

k. Planting shall occur around building perimeters to reduce building scale and to integrate development into surrounding neighborhood.

l. Planting and irrigation shall be designed to satisfy the California State Model Water Efficient Landscape Ordnance.

6. **Fencing and Wall Standards:**

a. **Northerly boundary:** The existing decorative masonry wall adjacent to existing townhome project shall be preserved. Any necessary repairs to the existing masonry wall shall match the existing wall.

b. **Easterly boundary:** The existing masonry wall adjacent to existing single-family residential shall be preserved. Any necessary repairs to the existing masonry wall shall match the existing wall.

c. **Southerly boundary:** The visual and pedestrian connection to proposed retail, transit and community uses (Planning Area No. 2) shall be emphasized by a decorative wrought-iron fence. This fence shall include four (4) gated access points that shall be identified by decorative masonry pilasters and an arbor structure. Decorative paving will also be provided. Gates shall be locked to prevent non-resident public access. Residents will be provided with access keys or cards for security purposes.

d. **Recreation Area:** Decorative wrought-iron fencing with masonry pilasters will provide security fencing around the pool complex per the California Code of Regulations (Title 22), California Building Code (Title 24) and California Health and Safety Code requirements. Two (2) entry locations into the swimming pool area will be identified by decorative masonry pilasters and arbor structures.

7. **Lighting Standards:**

Lighting within the Residential Component shall be designed in a manner that will ensure reasonable illumination levels to provide for appropriate public safety, pursuant to consultation with the Covina Police Department. Lighting within the Residential Component shall be designed in a "pedestrian-friendly" manner, meaning the overall height of light standards shall not exceed 25 feet and will placed in a manner that will ensure minimal light spillage onto adjoining properties to the north and east of the Residential Component. Light fixture shall incorporate glare shields if necessary. A maximum light spillage of not to exceed one (1) footcandle, as measured from twenty (20) feet from the property line of the Specific Plan area, onto properties to the north and east. The lighting design shall incorporate decorative light standards and fixtures that are compatible with the Residential Component's building architecture and are also compatible and complimentary with the lighting standards fixtures of Planning Area No. 2 (Transit Component).

8. **Mechanical Equipment Standards:**

Mechanical equipment shall be placed in locations that are reasonably screened from public view. Rooftop equipment shall be screened from view on all four (4) sides. Mechanical equipment screening techniques may include, but not be limited to, landscaping, structural elements such as steel mesh or decorative metal. Wood or similar material shall not be used for rooftop screening of mechanical equipment.

9. **Sign Standards:**

Signage for the Residential Component will include information and directional signage, address numbering, and Community Identification. A master sign plan shall be prepared and submitted for review and be approved as part of the overall Residential Component design and development approval process.

10. **Storage:**

Storage within the individual residential units shall not displace required interior garage parking spaces. Notwithstanding temporary facilities required from contractors or similar workers employed for specifically approved tasks, no storage structures shall be allowed to be placed within the Residential Component.

B. **Planning Area No. 2. Transit Center Component.** The property development standards contained in this Section V.B. and those development standards in Chapter 17.42 of the CMA not expressly addressed in this Specific Plan shall apply to all land and buildings in Planning Area No. 2.

1. **Lot area standard for Planning Area No. 2:** 3.07 acres.

2. **The following development standard matrix shall apply:**

AREA DISTRIBUTION (Net Area)	Acres/Sq. FT.	% of Net Project Area
Building Coverage	1.15 Acres (50,160 SF)	37.35%
Landscape Coverage	0.63 Acres (27,654 SF)	20.00%
Vehicular Coverage (Including parking, drive aisles, etc.)	1.31 Acres (57,239 SF) excludes parking structure	42.65%
Floor Area Ratio	0.97	

FLOOR AREA DISTRIBUTION BY PROPOSED USE (Based on Net Area)			
Area of Building Pad	**No. of Stories**	**Gross Floor Area**	**Proposed Use**
Retail Building: 4,390 SF	1	4,390 SF	Retail (Merchantile Occupancy)
Parking Structure: 45,770 SF	3	125,391 SF	Parking (S-2 Occupancy)

PARKING (Calculate Each Use Within a Building Separately)			
Type of Use	**Parking Ratio**	**# Spaces Req.**	**# Spaces Provided**
Retail	1/330 GSF	14	14
Parking	0	0	372
Total:		14	386

3. **Minimum Yard Standards:**

a. Minimum front structural setback from Citrus Avenue public right-of-way: 10 feet.

b. Minimum side structural setback from the north boundary of Planning Area No. 2: 10 feet. No minimum setback between Planning Area Nos. 2 and 3.

c. Minimum rear structural setback from the east boundary of Planning Area No. 2: 58 feet.

d. Minimum interior building separation: 20 feet shall separate the parking structure and the retail building.

4. **Sign Standards:**

a. Retail Commercial building. The provisions of Chapter 17.74 of the CMC shall apply.

b. Informational and directional signage. Informational and directional signage, including bus stop signs, is permitted pursuant to the provisions of Chapter 17.74 of the CMC.

c. Public facility identification. Foothill Transit logos on the parking structure, including bus stops signage, is permitted.

C. Planning Area No. 3. Civic/Community Component.

1. **Minimum lot area standard for Planning Area No. 3:** 1.47 acres.

2. **Minimum Yard Standards:**

a. Minimum Covina Boulevard setback from the public right-of-way: 10 feet.

b. Minimum interior structural setback between Planning Area Nos. 2 and 3: 10 feet.

c. Minimum setback from the easterly boundary of Planning Area No. 3: 5 feet.

3. **Building and improvement location.** The placement of the building and parking lot improvements within Planning Area No. 3 shall be in substantial conformance with the Conceptual Site Plan illustrated in Exhibit 11.

4. Maximum Building Height: Two (2) stories or 35 feet, whichever less.

VI. DESIGN GUIDELINES

A. Design Goals and Objectives

These Design Guidelines are intended to promote high quality development that will:

1. Facilitate high quality architecture and design.
2. Contribute to a positive physical image and identity of the City.
3. Provide for both convenient auto access and safe and attractive pedestrian access.
4. Reinforce and establish a distinct architectural image.
5. Establish attractive, inviting, imaginative and functional site design.
6. Facilitate and encourage pedestrian activity and mitigate adverse automotive patterns.
7. Enhance surrounding neighborhoods, the Specific Plan area and the City.
8. Minimize excessive or incompatible impacts of noise, light, traffic and/or visual character.
9. Integrate stormwater Best Management Practices (BMPs) into the site design.

B. Design Guidelines

The quality of the site design is one of the most important measures of the Specific Plan area's impact on the community and will be given high priority in the review of development proposals for each Planning Area. The following Design Guidelines are intended to establish an expectation of quality development features in the Specific Plan area through architectural theme and site planning and include:

a. Site Planning and Building Orientation

b. Parking Lot Layout

c. Vehicular Access and Circulation

d. Storage and Loading

e. Pedestrian-Level Elements

f. Landscaping Theme

g. Walls and Fences

h. Architectural Theme

i. Building Elevations and Facades

j. Retail/Office/Quasi-Public Guidelines

k. Transit Center/Park & Ride Development Guidelines

l. Quality Materials and Colors

m. Signage Theme and Types

n. Lighting

o. Accessibility

1. **Site Planning and Building Orientation**

a. Buildings should be designed and located in such a manner to maximize the use of land, provide adequate and appealing landscaping and other site amenities.

b. Buildings should be placed and oriented in such a manner as to be sensitive to adjoining residential land uses, create a vibrant street edge appearance along Citrus Avenue and Covina Boulevard.

c. All primary entries should face onto Citrus Avenue or onto Covina Boulevard for Planning Area No. 3. An interior pedestrian linkage between all Planning Areas is to be provided. Facility entries that do not front directly onto a street should be connected to a street via a landscaped or decorative hardscaped pedestrian plazas or walkways.

d. Placement and design of structures should facilitate and encourage pedestrian activity and convey a visual link to the street and sidewalks.

2. **Parking Lot Layout**

a. Parking areas should provide safe, convenient, and efficient access for vehicles and pedestrians.

b. All off-street parking stall dimensions shall be designed and constructed in accordance with Title 17 of the CMC.

c. Parking lots should be designed to ensure that all vehicle movements will occur onsite. No vehicle should have to enter onto a public street in order to circulate throughout the same parking lot.

d. Parking lots should be designed to maintain landscaped planter areas within the parking fields.

e. The parking structure shall be designed to only allow vehicles to access or exit the facility onto Citrus Avenue. The parking structure will be designed to minimize adverse impacts to adjoining uses through the incorporation of adequate setbacks, "green-screen" designs, location of lighting to provide adequate security and use of decorative materials.

3. **Vehicular Access and Circulation**

Since the Specific Plan area is bounded by major arterials, the primary mode of access to this area is anticipated to be by automobile and bus. However, provisions for bicycle storage and access shall be provided. Pedestrian movements will result mainly from patrons who drive to the Specific Plan area, exit their automobiles and then access the Transit Center, residential uses and civic/community facilities. Pedestrian activity within the Specific Plan area, especially in the designated public plaza areas, is encouraged. Therefore, attention should be made to design safe and efficient vehicle circulation and for pedestrian safety. The following are Design Guidelines associated with vehicular access and circulation:

a. The number of driveway access points onto the public arterials should be kept to a minimum, as proposed in the Conceptual Site Plan. The number, locations and width of driveways shall be subject to the approval of the Planning Commission based on the recommendation of the City Engineer.

b. Parking lots should be designed to ensure that all vehicle movements will occur onsite. No vehicle may enter onto a public street in order to circulate throughout the same parking lot.

c. The parking structure will be designed to only allow vehicles to access or exit the facility onto Citrus Avenue.

d. Buses access into Planning Area No. 2 shall only occur from Citrus Avenue. Buses will only exit and travel westbound onto Covina Boulevard from Planning Area No. 2.

4. **Storage and Loading**

a. Materials should not be permanently stored outside of residences or buildings. Materials stored inside residences shall not displace required parking.

b. For commercial uses and civic/community uses, materials should only be stored and loaded in designated areas. These areas should be designated by striping and/or use of decorative bollards.

c. Loading areas or waste disposal areas should be visually screened from views from the public street or areas of high public use. Such visual screening techniques could include "wing walls," decorative trash enclosures, landscaped walls or screening.

5. **Pedestrian-Level Elements**

Safe pedestrian access is critical to the success of any development. Pedestrian and automobile movements should be considered and integrated into the design of the Specific Plan area. The intent is to reduce traffic-related hazards, while establishing a more pedestrian-inviting image.

a. Provide sidewalks at least six (6) feet in width along all sides of the lot that abut a public or private right-of way.

b. Construct landscaped or decorative hardscaped connecting walkways and public plazas and adjoining uses at pedestrian connection points. Pedestrian walkways that cross vehicle driveways shall be appropriately marked in a decorative manner that is complimentary to the overall design theme.

c. Provide continuous internal pedestrian walkways, no less than four (4) feet in width, from the public sidewalk or right-of-way to the principal buildings or residences on the site. Walkways should connect focal points of pedestrian activity such as, the bus bays, pedestrian plazas, street and driveway crossings, building, facility and store entry points, and should feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials.

d. Provide sidewalks, no less than 5 feet in width, along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Such sidewalks should be located at least six (6) feet from the

façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade.

e. Distinguish all internal pedestrian walkways from driving surfaces through the use of durable surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs should be installed to designate pedestrian walkways.

f. Utilize decorative bollards, planters, or other physical and visual obstacles to separate pedestrian movements from automobile and bus movements.

6. **Landscaping Theme**

Landscaping is an integral component of the Specific Plan's overall design. The intent of these landscaping guidelines is to ensure uniformity to the site and establish a "sense of place" with both functional and aesthetic considerations. In general, elements in landscaping should include:

a. Intensified perimeter landscaping shall be installed, such as trees with a minimum of 24 inch box, increased tree densities pursuant to the direction of a certified landscaped architect or arborist, and robust use of drought-tolerant shrubbery and ground cover.

b. Plantings should create a year-round visual interest through the use of seasonal color, texture, and heights.

c. Landscaping along Citrus Avenue and Covina Boulevard should be consistent with adjoining landscaping.

d. All landscaping should be installed prior to issuance of any Certificate of Occupancy for each construction phase.

e. Drought tolerant, California native or naturally-adapted species that minimally rely on year-round irrigation should be utilized.

f. Parking lots should be designed to maintain landscaped planter areas within the parking areas.

g. Unless incorporating "bio-swale" style landscaped planters, the perimeter of all landscaped parking lot planters within the parking lot areas should be constructed with six (6)-inch Portland Cement concrete curbs.

h. The use of decorative permeable concrete and pavers are encouraged within all landscaped areas, public plazas, pedestrian areas or paved surfaces.

7. **Walls and Fences**

Walls and fences are essential as a project-wide design element and therefore, must be consistent with the "feel" of the project.

a. Avoid extensive, bare, and plain stretches of wall surface.

b. Permitted materials for walls should include brick, stucco, stamp or decorative masonry and wrought iron/steel tube fencing. No wood, vinyl and/or chain-linked fences are allowed.

c. The design of the walls and fences should include pilasters, wall caps, crowns, or other architectural features. Pilasters should be spaced every one hundred (100) feet, and at all wall and/or fence corners.

8. **Architectural Theme**

a. Consistency in architectural style and thematic details will enhance the overall image of the Specific Plan area. It is desirable to achieve a consistent "look" throughout the Specific Plan area. The Specific Plan area is intended to be a major destination and community asset. Accordingly, the architectural and design theme and style for the overall Specific Plan, the individual buildings, facilities and residential development that will comprise the Specific Plan area, and common amenities and improvements must be well designed and distinctive. The intent is to have project architecture that is representative of the City and its rich history.

b. Building architecture should utilize consistent themes that do not conflict in design technique and application. Architectural styles and treatments should not duplicate the design of neighboring facades. Rather, it should be a compatible design concept that embraces mid-century traditional architectural philosophy.

9. **Building Elevations and Facades**

a. All building elevations should have varied architectural treatments comprising of different colors, materials, wall heights and planes, and/or textures.

b. Unique and enhanced treatments that act to unify the site are encouraged, including, but not limited to, trellises and building façade articulation.

c. Color should be used to create visual interest and scale.

d. Buildings should be divided into distinct massing elements. Building facades should be articulated with architectural elements and details. Building heights should be at finished grade.

e. Four-side architecture should be provided. Side and rear façades should be designed consistently with the architectural style and treatments of the front (primary) façade.

10. **Retail/Office/Quasi-Public Guidelines**

a. Building heights should not exceed 36 feet (maximum).

b. All roof mechanical equipment should be screened from public views. Whenever possible, screening should be accomplished by primary building elements, such as a parapet wall, rather than an add-on screen after the building is constructed.

11. **Transit Center/Park & Ride Development Guidelines**

a. The parking structure shall incorporate a "green-screen" design concept to "soften" the northerly, easterly and southerly elevations of the parking structure.

b. The major design elements of the parking structure, such as the elevator and stairwell tower, entrance portals and other prominent elevation sections may be treated with decorative elements such as decorative concrete, metal, faux architectural simulated wood, and similar materials. Use of decorative accent lighting is encouraged. A solar canopy on the upper level deck of parking structure may be incorporated.

c. Interior and infrastructure components of the parking structure may utilize concrete masonry unit (CMU) blocks within the interior if CMUs are colored and textured to be complimentary with the overall architectural design theme.

12. **Quality Materials and Colors**

Materials used for the exterior of any building or facility should be of a quality that is appropriate and consistent with the chosen architectural style. Recommended base materials include: ceramic tile, colored stucco, and brick and stone veneer. Architectural steel elements and quality perforated metals may be utilized as accent features for the parking structure. In addition, for utility and infrastructure components of buildings, such as the elevator core for the parking structure, exposed CMU may be acceptable if they are integrally colored and provide for textured or finished surfaces that are otherwise not associated with a standard gray CMU block. Materials such as plywood, rustic wood, plain concrete, sheet pressboard or vinyl siding should be avoided.

13. **Signage Theme and Types**

Signage should be architecturally integrated into and be complimentary to the overall architectural goals for the Specific Plan area and may include: residential community identification signage; tenant signs; street right of way informational signs; and monument style identification signs. Signs should be appropriately located to identify uses from the public right of way. Appropriately scaled signage that adjoins public plaza spaces is permitted. All signage shall be subject to the applicable provisions set forth in Title 17 of the CMC.

14. **Lighting**

Lighting shall be designed to provide for sufficient illumination to ensure for an appropriate level of public safety, without creating off-site nuisance light and glare spillage impacts. The use of decorative and accent lighting is encouraged to provide a vibrant and creative night-time viewshed of the project. Decorative lighting standards within the Specific Plan area shall be architecturally consistent and compatible with the primary building architectural theme elements.

15. **Accessibility**

Pedestrian and bicycle access between the Planning Areas shall be made available to encourage the residents of Planning Area No. 1 (Residential Component) to utilize the transportation services to be provided within Planning Area No. 2 (Transit Component) and the civic/community uses to be located in Planning Area No. 3 (Civic/Community Component). Vehicular access between the Planning Areas shall not be provided, other than for emergency and public safety access.

VII. ADMINISTRATION AND IMPLEMENTATION

A. Specific Plan Implementation

This Specific Plan provides for a unique mix of residential, public and commercial uses within the designated Specific Plan area. The City recognizes the Specific Plan area as a landmark place in the City and therefore, proposes to establish customized development and design regulations and standards that accommodate and respond to the needs of the development.

It is intended that all City review requirements and processes be consolidated into a single process as much as possible. Accordingly, the Development Review Process described in this document has been established to streamline the City's process for reviewing future commercial development and design within the Specific Plan area. The Development Review Process provides the City with the opportunity to ensure the development proposals comply with the development and design standards contained in this Specific Plan document and other relevant requirements of the City.

B. Zoning Code Consistency

Any requirements and standards not addressed by this Specific Plan shall be subject to the requirements of Title 17 of the CMC. In the event of a conflict between the provisions of Title 17 of the CMC and the provisions of this Specific Plan, the provisions of this Specific Plan shall control.

C. Development Review Process and Procedures

All buildings and structures shall be designed and developed in conformance with those development standards, guidelines, and provisions contained in this Specific Plan and otherwise applicable standards contained in the CMC. All development projects shall undergo a Site Plan Review Process pursuant to the provisions of CMC Chapter 17.64 and as follows:

1. Site Plan Review

All development projects within the Specific Plan area are subject to the Site Plan Review procedures set forth in Chapter 17.64, Site Plan Review, of the CMC.

2. Determination of Similarity of Use

When an unlisted use is proposed for a Planning Area or when classification of an unlisted use is requested, it shall be the duty of the Planning Commission and the City Council to determine whether the proposed unlisted use is similar and not more obnoxious or detrimental to the public health, safety and welfare pursuant to Chapter 17.60 of the CMC.

3. **Appeal Provisions**

An applicant may file an appeal of the approval authority pursuant to the provisions of Chapter 17.64.080 of the CMC.

4. **Required Findings**

In addition to the provisions of Chapter 17.64 of the CMC, the following findings shall be made for Site Plan Review development proposals:

a. The project is consistent with the provisions of this Specific Plan.

b. The project's design and building architecture is complimentary and compatible with other projects within this Specific Plan.

c. The project's building design and architecture incorporates interesting materials, design features, varying building planes, roof lines and accent features.

d. The overall project design and architecture are of high quality and innovative design, use quality construction materials, and creatively use landscape and hardscape materials in order to create a "signature" development for the City.

5. **Review and Approval Authority**

The Director of Community Development's responsibilities shall include administering, interpreting and enforcing all requirements of this Specific Plan, including the acceptance and processing of all land use permit applications. The Director of Community Development may refer matters involving development issues to the Planning Commission, and may consult the City Attorney on questions of interpretation.

6. **Amendments to Specific Plan Provisions**

The Specific Plan provisions are intended to be flexible and responsive to the needs of the City and future development within the Specific Plan area. Furthermore, the Site Plan Review Process is intended to ensure future development comply with those development and design standards contained in this Specific Plan document and other relevant requirements of the City. Therefore, separate design-related approvals are not generally required. The provisions of this Specific Plan also offer interpretive flexibility to the Community Development Director that should accommodate most future development.

It should be noted that this Specific Plan does provide relief for those future developments that deviate from those standards and provisions contained in this Specific Plan, including Minor Modifications to approved development projects.

7. Minor Modification

Minor Modifications encompass minor and reasonable deviations or alterations to project plans. The Community Development Director shall consider the following Minor Modifications:

a. A Minor Modification to approved plans that do not create a noticeable difference in the exterior of the building design. Such minor alterations would not include the elimination of approved building materials.

b. A Minor Modification to the site plan where it can be demonstrated that such modifications will not substantially alter the locations of structures and uses and will not result in alteration of any plan features such as plaza areas, number of parking spaces, and/or similar items.

c. A Minor Modification shall not result in a substantial quantifiable alteration to the approved development plan greater than ten percent (10%) in the instances where building size, setback distances, amount of required landscaped area or similar quantifiable distances and building and open spaces sizes are considered. For example, if a Minor Modification for a previously approved setback of five (5) feet is requested, the greatest alteration that may be granted in the Minor Modification is a six (6) inch reduction to the previously approved five (5) foot setback to 4 feet, 6 inches.

8. Amendments to the Specific Plan

Projects that deviate from those standards and requirements contained in the Specific Plan, which are not considered Minor Modifications, require an Amendment to the Specific Plan. Any Amendment to the Specific Plan requires Planning Commission and City Council approval, pursuant to the provisions of the CMC.

VIII. ATTACHMENTS

Exhibit 1.	Vicinity Map
Exhibit 2.	Planning Area Map
Exhibit 3.	General Plan Land Use Designations and Zoning
Exhibit 4.	Planning Areas – Property Use
Exhibit 5.	Planning Area No. 1 – Conceptual Development Plan
Exhibit 6.	Planning Area No. 2 – Conceptual Development Plan
Exhibit 7.	Planning Area No. 3 – Conceptual Development Plan
Exhibit 8.	Access and Circulation
Exhibit 9.	Landscaping Examples
Exhibit 10.	Architectural Treatment Examples
Exhibit 11.	Civic/Community Component Use Site Plan.

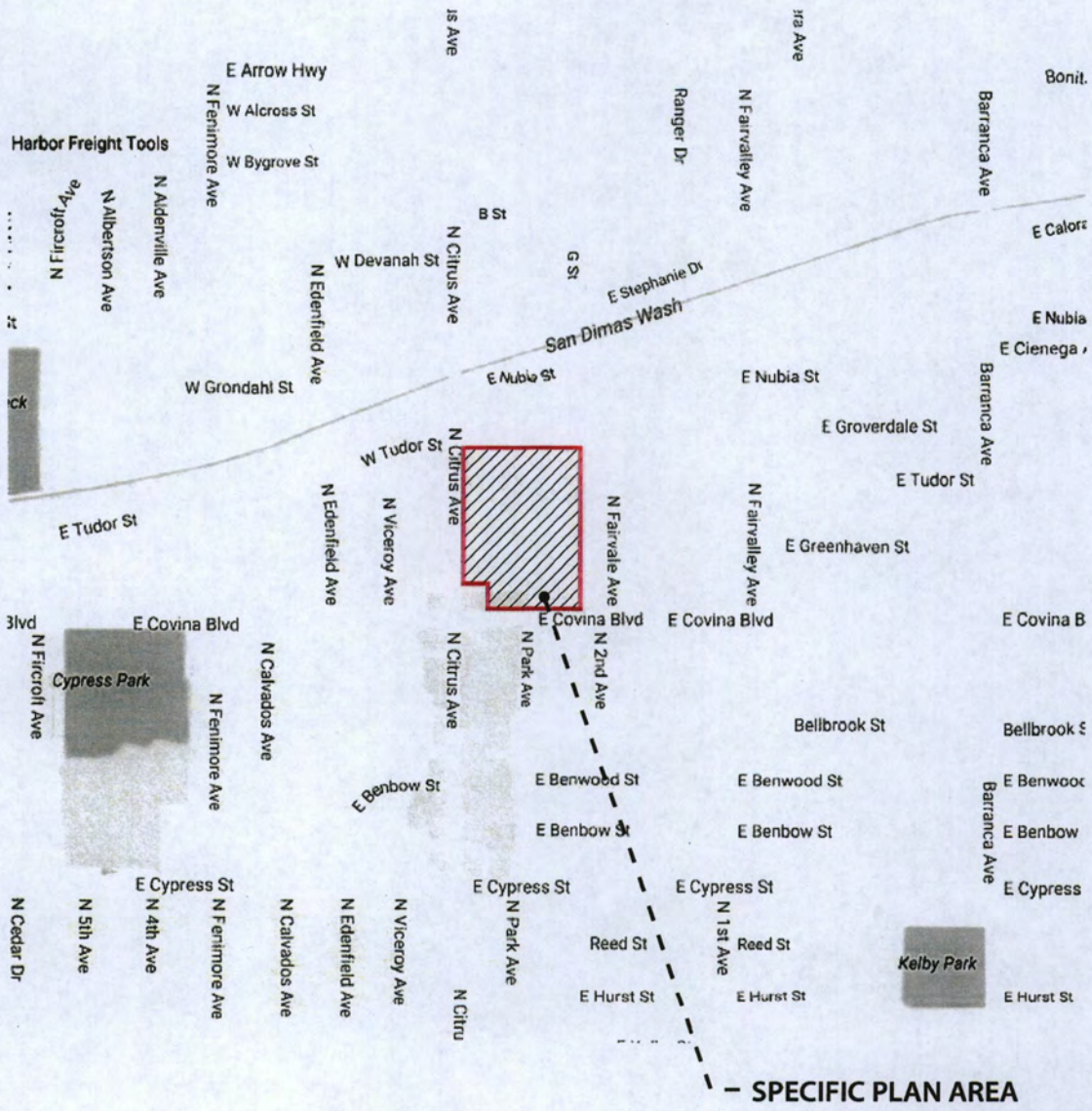


Exhibit 1

VICINITY MAP

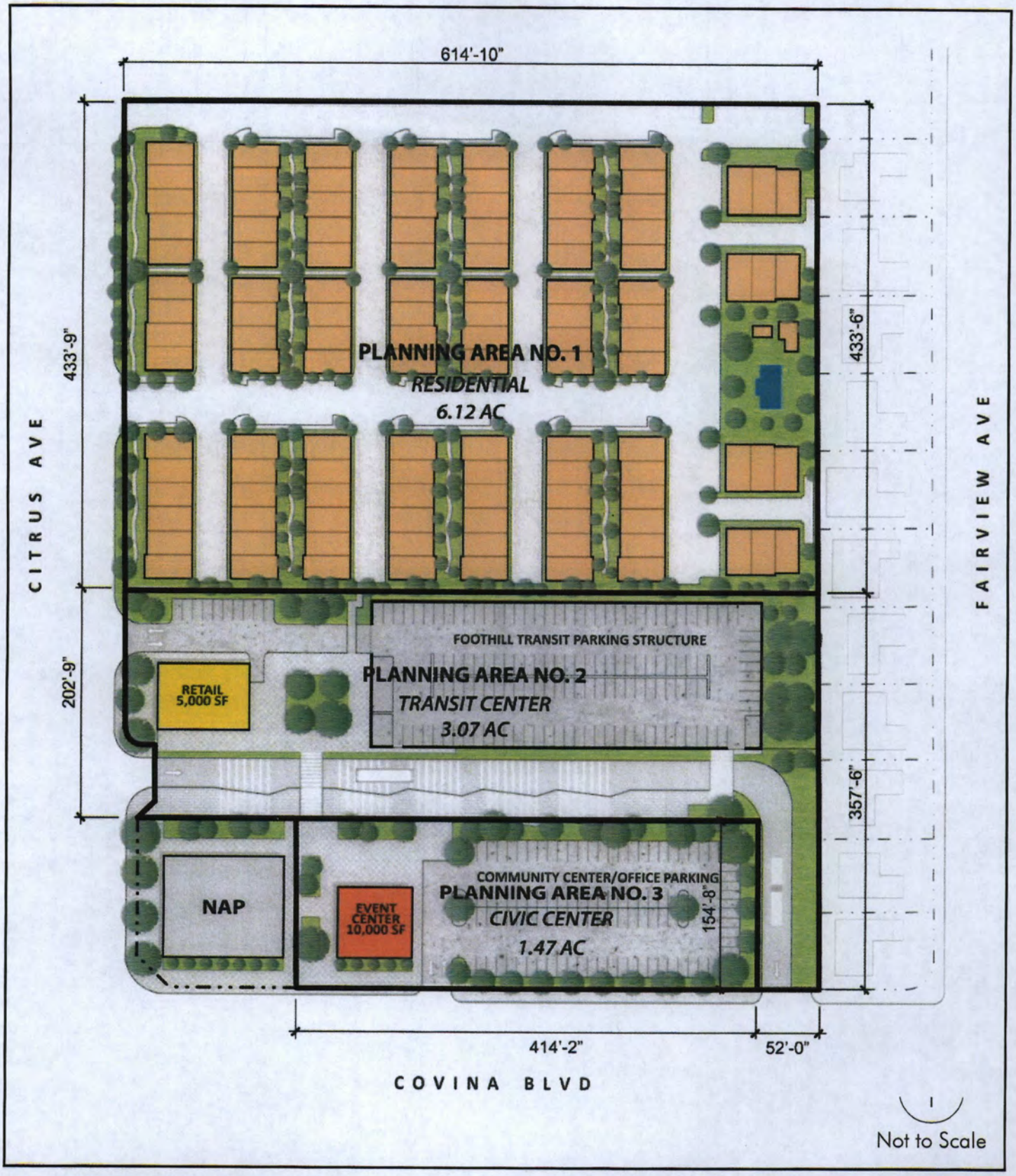


Exhibit 2

PLANNING AREA MAP

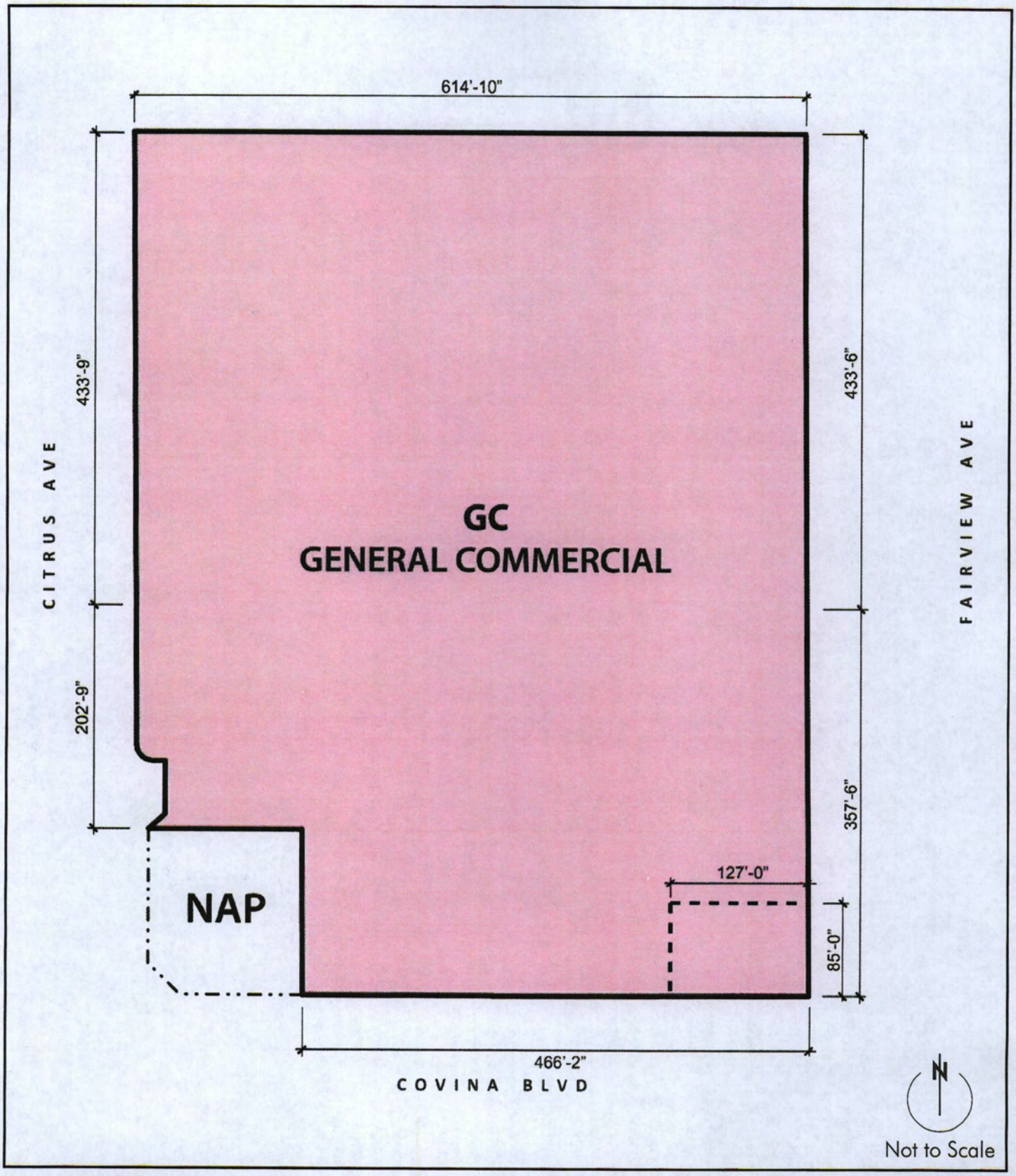


Exhibit 3.1

GENERAL PLAN - EXISTING

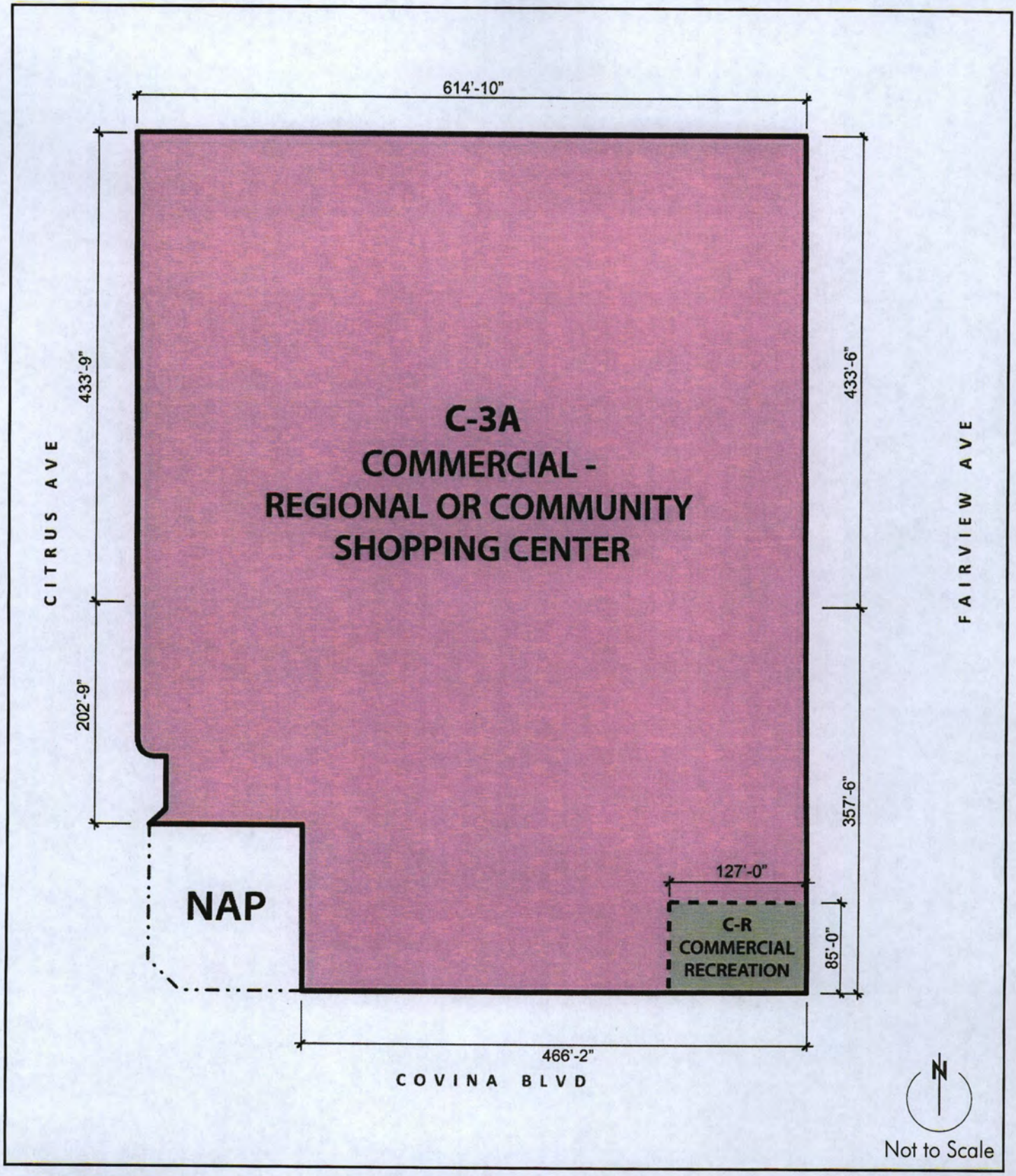


Exhibit 3.2

ZONING - EXISTING

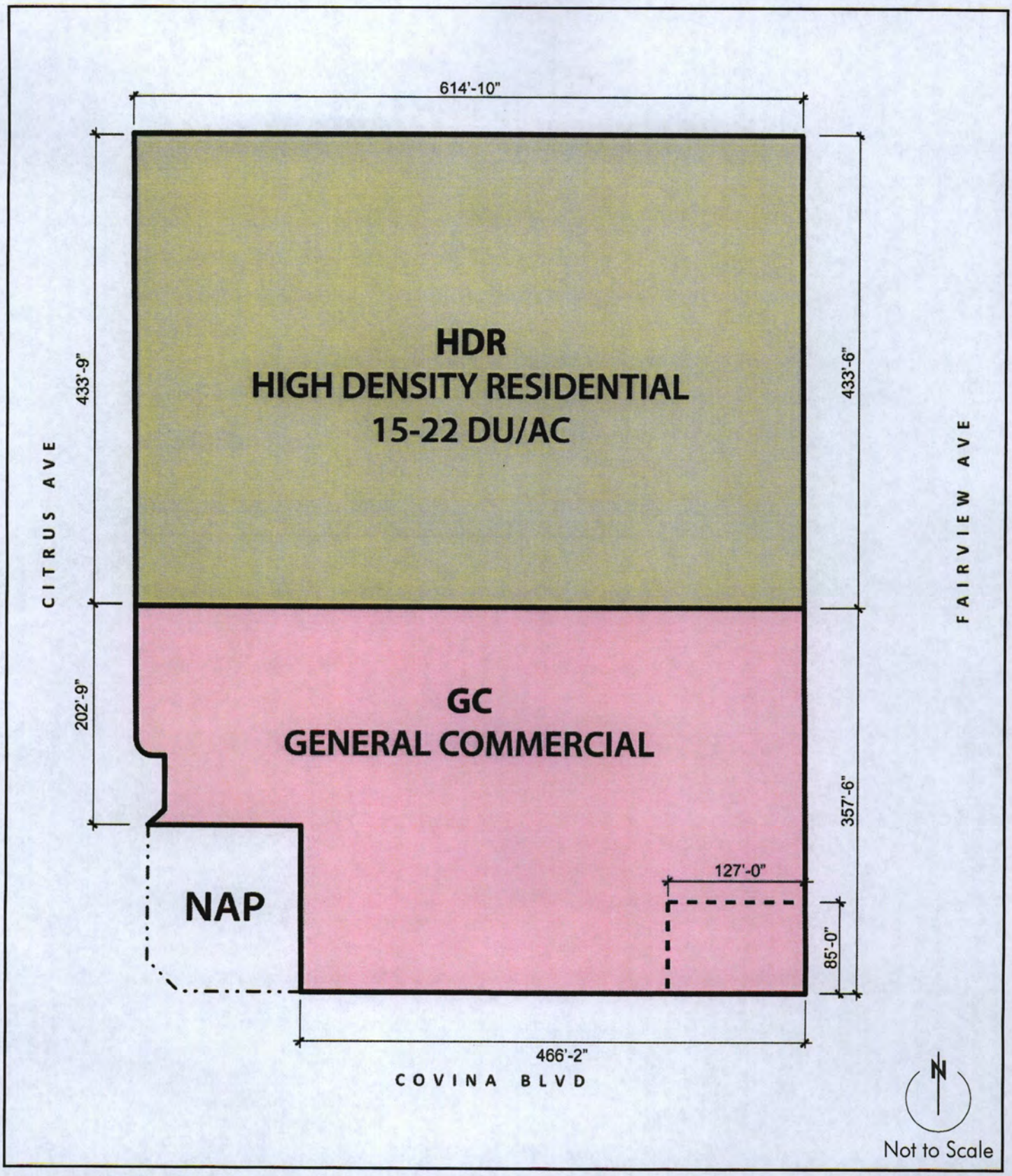


Exhibit 3.3

GENERAL PLAN - PROPOSED

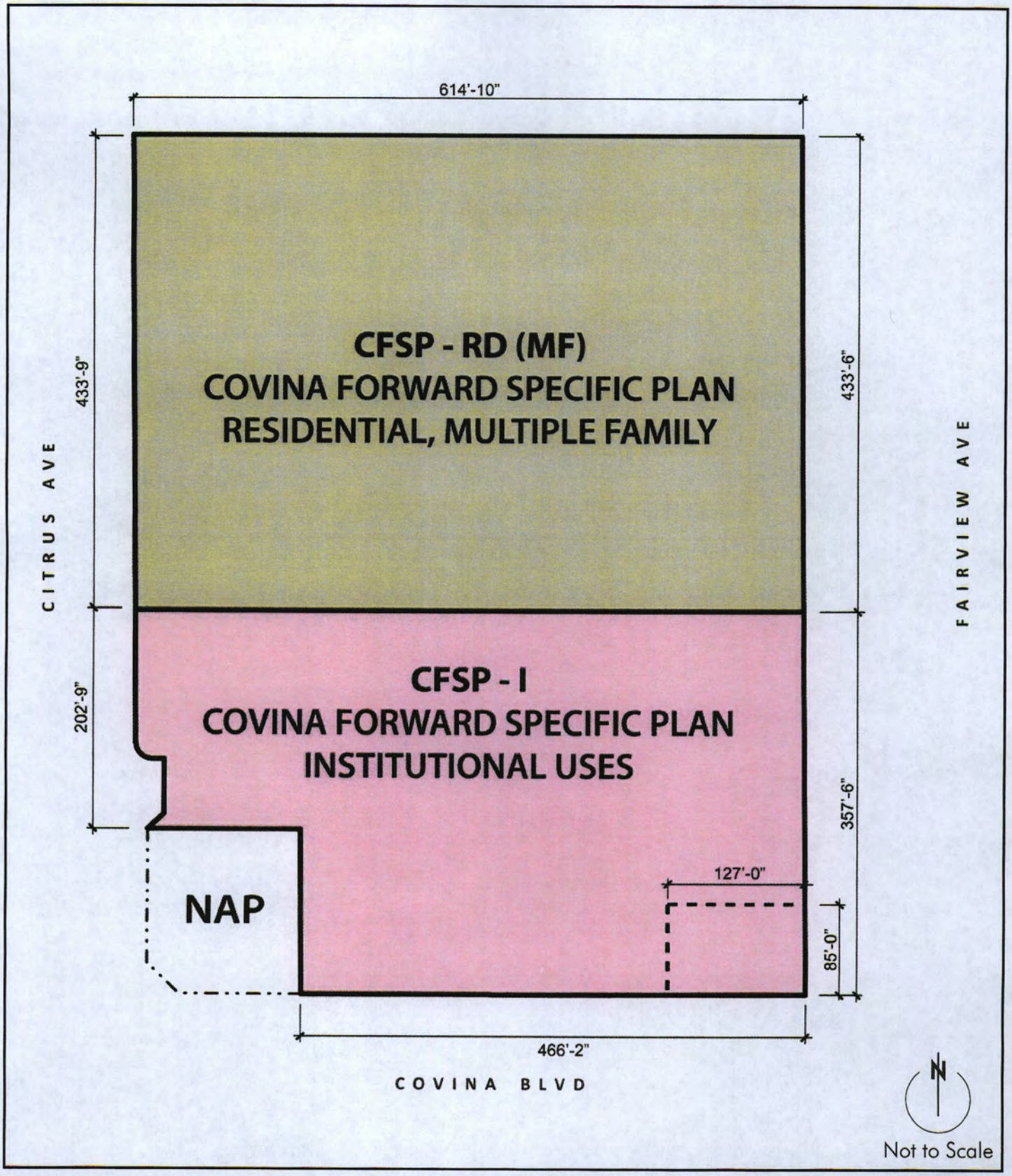


Exhibit 3.4

ZONING - PROPOSED

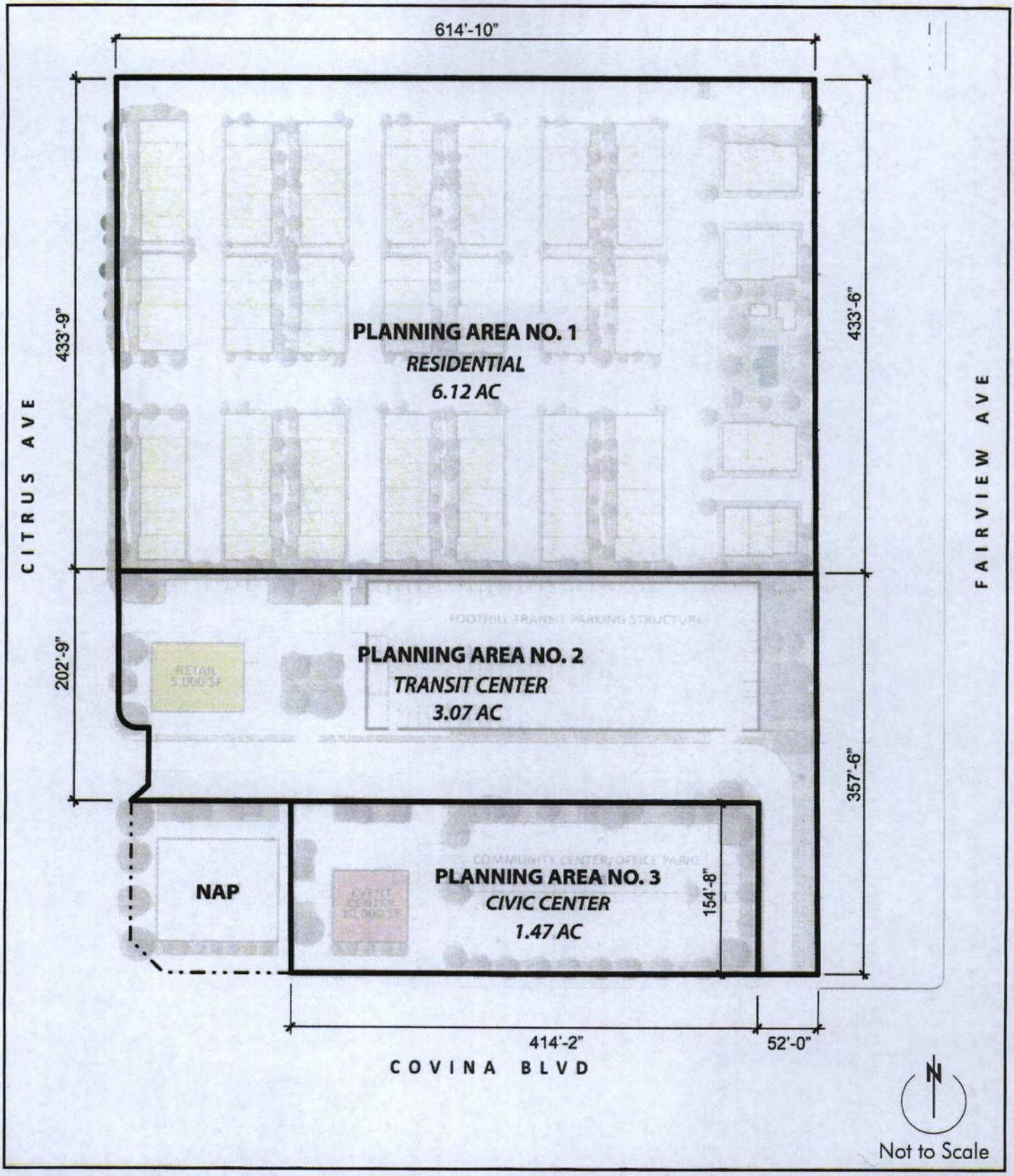


Exhibit 4

PLANNING AREAS

Exhibit 5

PLANNING AREA NO. 1
CONCEPTUAL DEVELOPMENT PLAN

Project Summary

Site Area: 6.12 Acres

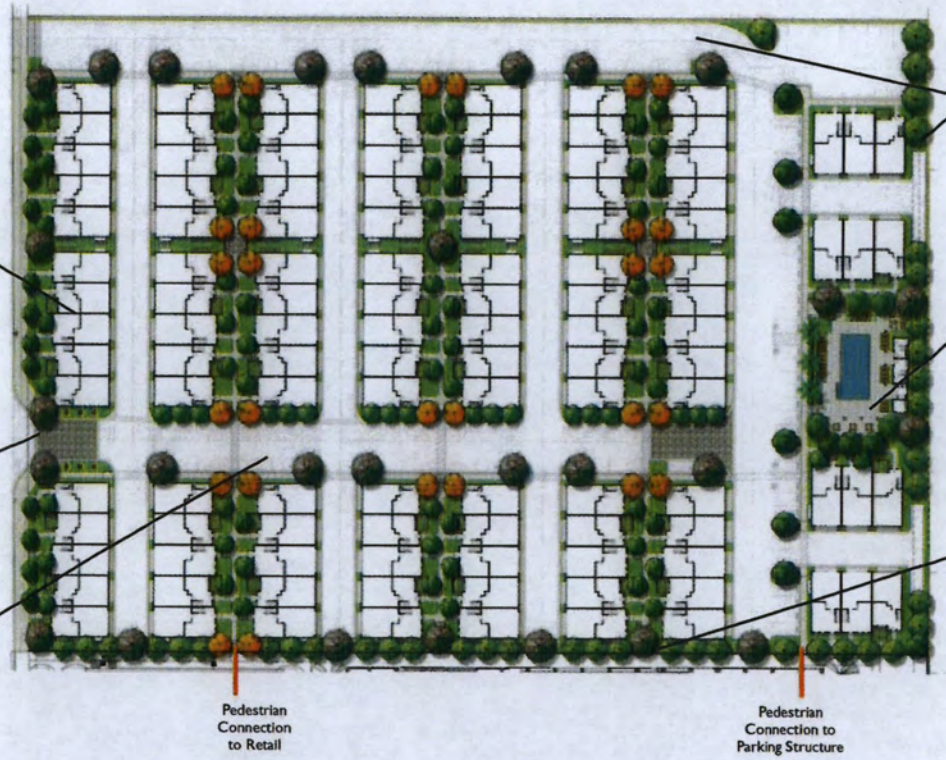
Total Units: 117 Homes

Density: 19.1 DU/AC

Three-Story Townhomes
- 3-plex and 5-plex buildings
- 3 & 4 bedroom homes with 2-car garage
- Private decks and patios
- Alley loaded garages with front doors facing Citrus Avenue to provide exceptional streetscene

Project Entry
- Enhanced paving and landscaping create sense of arrival
- Pavers and narrow curb section provide traffic calming at intersection

Main Entry Promenade
- Tree lined street with parking on one side
- Sidewalk on the south side allows a direct pedestrian link to the common area
- Connections to paseos
- Common Area serves as visual focal point



Adjacencies
- Street along northerly boundary provides a buffer between new homes and existing homes to the north
- Side-on configuration along east boundary and additional setback preserves privacy of existing homes to the east

Common Area
- Provides a visual focal point for the entry drive and a social focal point for the community
- Provides a recreation area for the exclusive use of residents
- Includes pool, pool deck, restrooms, drinking fountain, barbecue and shower.

Paseos
- Provide connections to retail, transit and civic uses in key locations
- Activated to encourage social interaction and passive recreation.
- Defined and themed by landscape features

N

Not to Scale

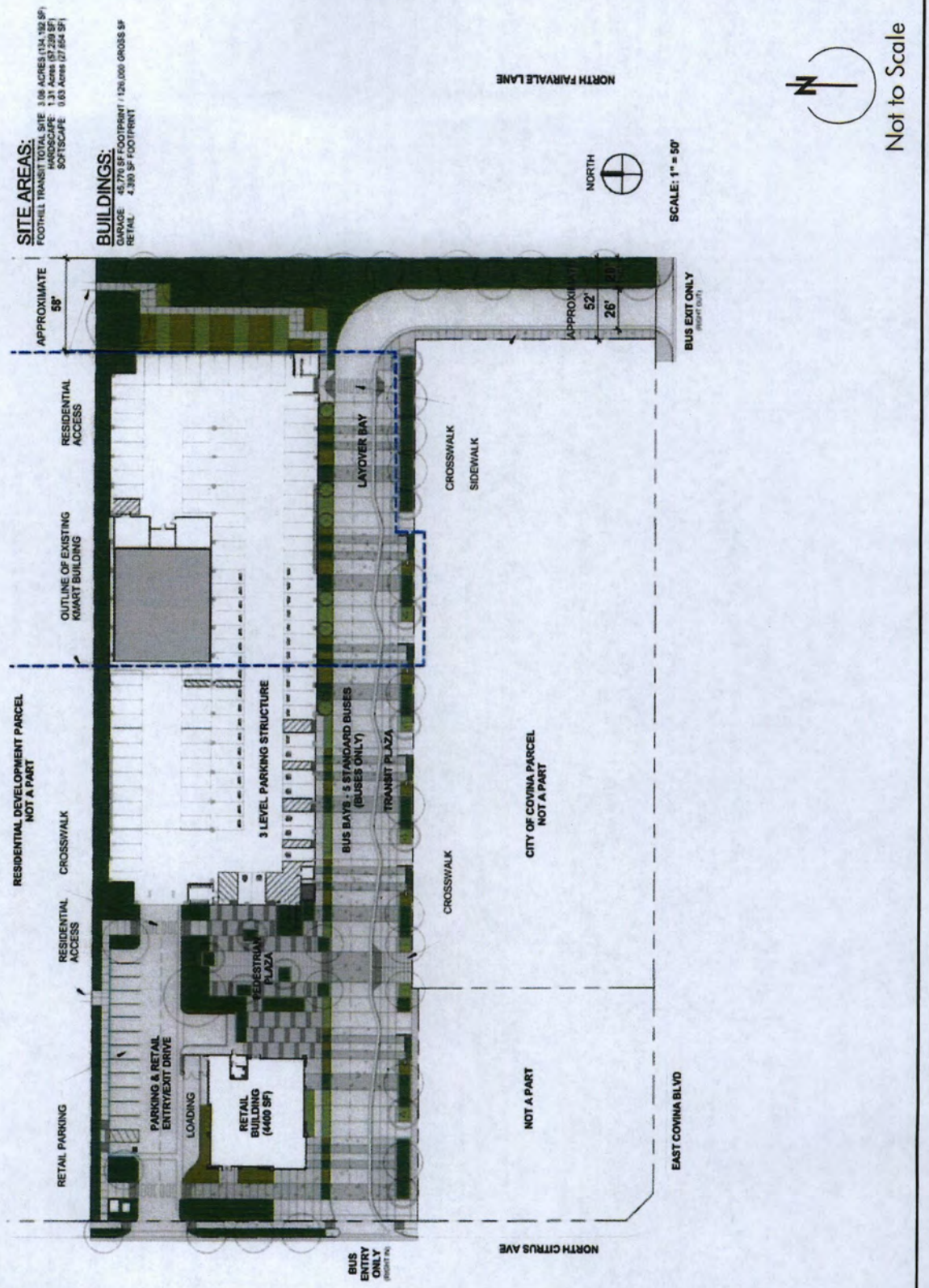


Exhibit 6

PLANNING AREA NO. 2
CONCEPTUAL DEVELOPMENT PLAN

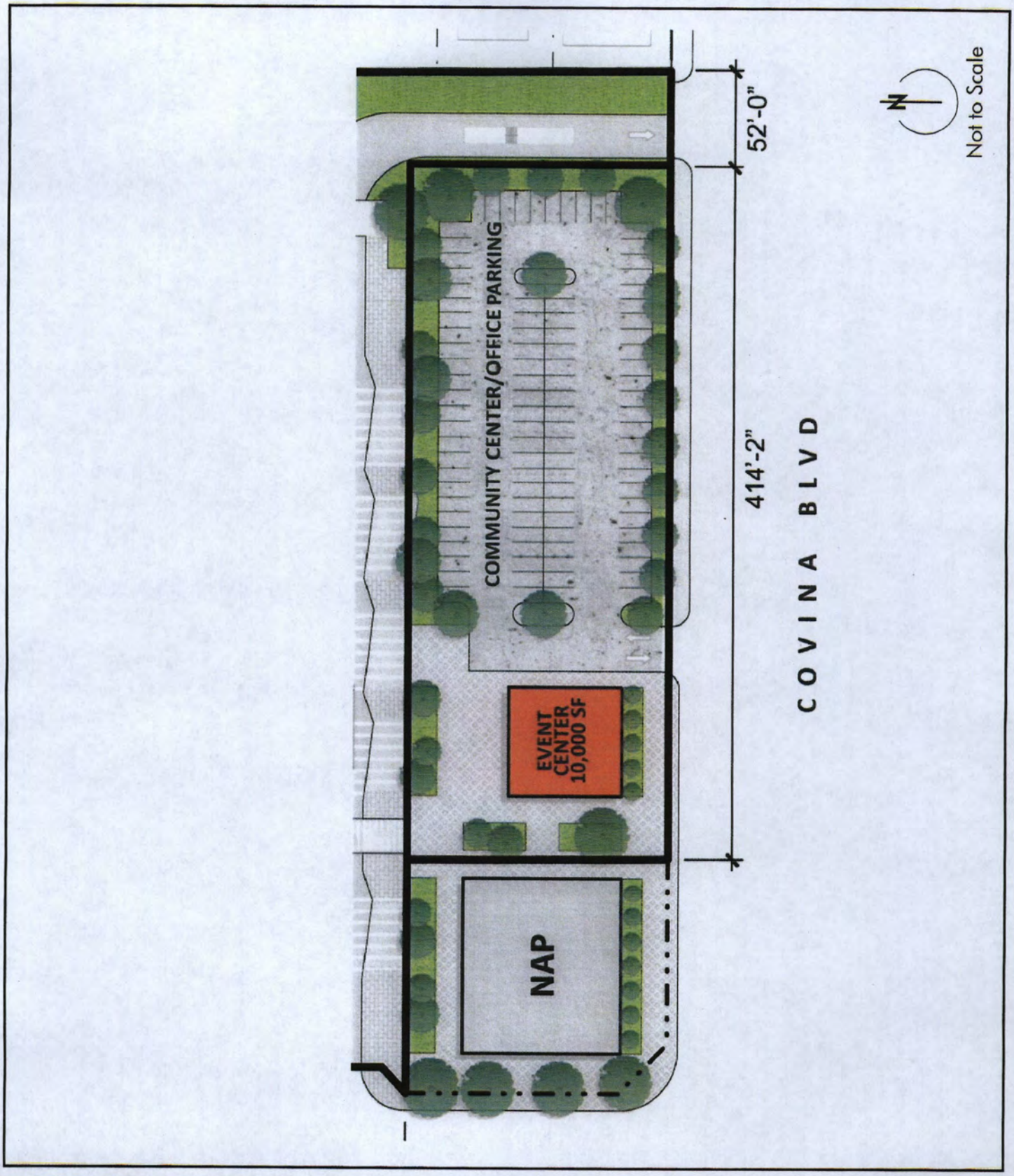


Exhibit 7

PLANNING AREA NO. 3
CONCEPTUAL DEVELOPMENT PLAN

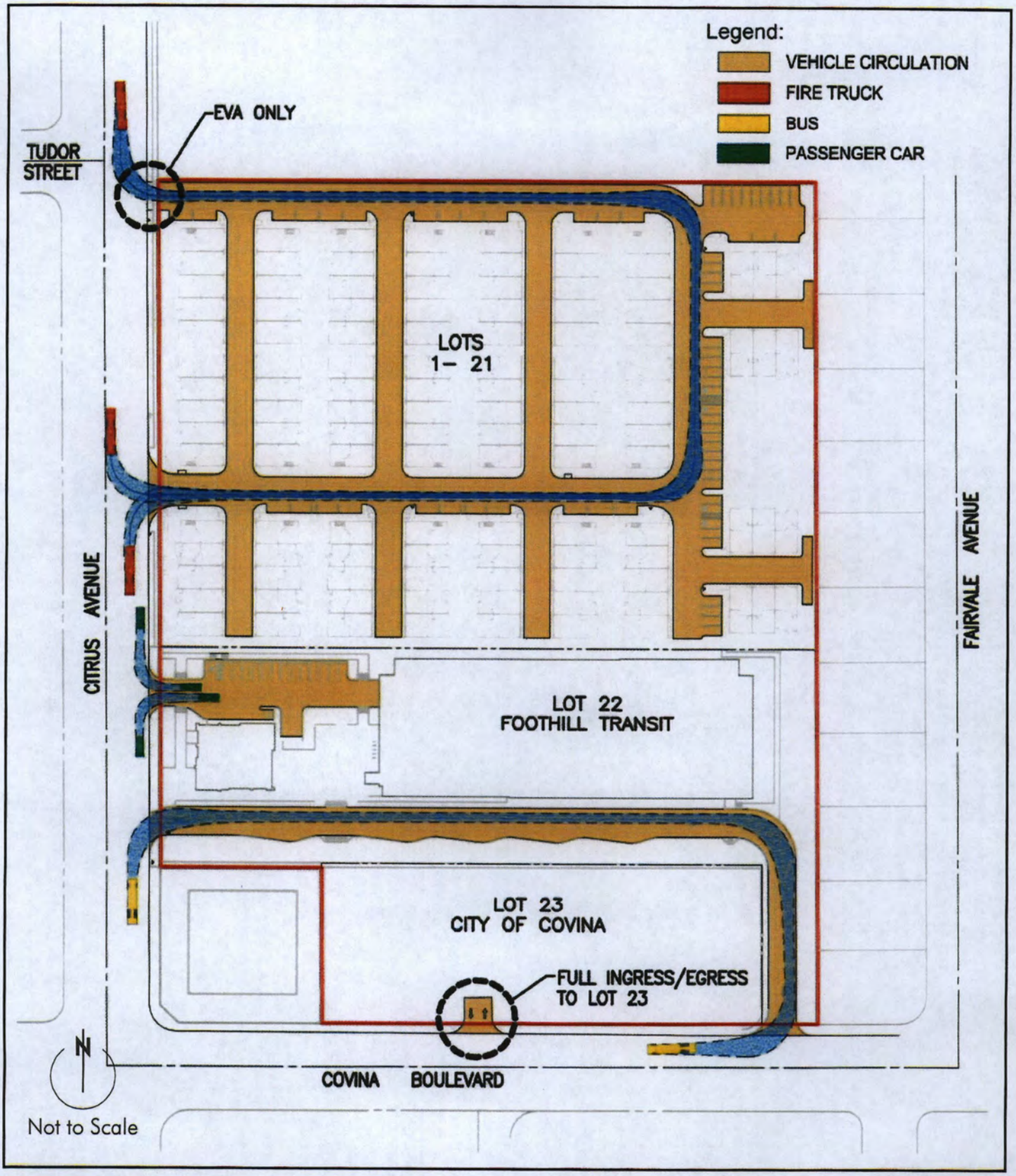


Exhibit 8

ACCESS AND CIRCULATION

PLANT PALETTE (Partial List)

TREES

GENUS / SPECIES	COMMON NAME	WUCOLS
ARBUTUS X 'MARINA'	ARBUTUS STANDARD	L
CERCIDIUM SPECIES	PALO VERDE	L
CHITALPA TASHKENTENSIS	PINK DAWN TREE	L
LAGERSTROEMIA INDICA	CRAPE MYRTLE	M
MAGNOLIA G. 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	M
MELALEUCA QUINQUENERVIA	CAJEPUT TREE	L
PHOENIX DACTILYFERA	DATE PALM (25'-0" MIN. BTH)	L
PYRUS 'CHANTICLEER'	NCN	M
RHUS LANCEA	AFRICAN SUMAC	L
TRISTANIA CONFERTA	BRISBANE BOX	M

SHRUBS

GENUS / SPECIES	COMMON NAME	WUCOLS
AEONIUM X PSEUDO-TABULAEFORMUS	AEONIUM SAUCER PLANT	L
AGAVE ATTENUATA	CENTURY PLANT	L
ANIGOZANTHOS FLAVIDUS	KANGAROO PAW	L
CALLISTEMON V. 'LITTLE JOHN'	DWARF WEEPING BOTTLEBRUSH	L
DIANELLA TASMANICA	FLAX LILY	M
LIGUSTRUM J. 'TEXANUM'	DWARF JAPANESE PRIVET	M
LIRIOPE MUSCARI	BIG BLUE LILY TURF	M
LOMANDRA LONGIFOLIA 'BREEZE'	MAT RUSH	L
MAHONIA AQUAFOLIUM	OREGON GRAPE	L
PODOCARPUS MACROPHYLLUS	YEW PINE	M
PRUNUS CAROLINIANA 'COMPACTA'	CAROLINA CHERRY	M
RHAPHIOLEPIS INDICA	INDIAN HAWTHORN	M
ROSMARINUS SPP	NCN	L

GROUNDCOVER

GENUS / SPECIES	COMMON NAME	WUCOLS
FESTUCA OVINA GLAUCA	BLUE SHEEP FESCUE	L
LIRIOPE SPICATA	CREEPING LILY TURF	M
OPHIOPOGON JAPONICUS	MONDO GRASS	M
SENECIO MANDRALISCAE	BLUE FINGER	L
ROSMARINUS SPP	PROSTRATE ROSEMARY	L

PLANT IMAGES

TREES

ARBUTUS MARINA

CHITALPA TASHKENTENSIS

LAGERSTROEMIA INDICA

MAGNOLIA G. 'LITTLE GEM'

MELALEUCA QUINQUENERVIA

PHOENIX DACTYLIFERA

TRISTANIA CONFERTA

SHRUBS

CALLISTEMON LITTLE JOHN

DIANELLA TASMANICA

AEONIUM SPP.

ANIGOZANTHOS

PODOCARPUS M.

AGAVE ATTENUATA

PRUNUS C.

RAPHIOLEPIS SPP.

ROSMARINUS SPP.

MAHONIA AQUIFOLIUM

GROUNDCOVER

FESTUCA O. GLAUCA

LIRIOPE SPICATA

OPHIOPOGON JAPONICUS

SENECIO M.

ROSMARINUS SPP.

Exhibit 9.1

LANDSCAPING EXAMPLES

'Desert Museum' Palo Verde

Upright European Hornbeam

Purple Fernleaf Acacia

California Sycamore

'Purple Tower' Crape Myrtle

'Donard Gold' Monterey Cypress

Compact Carolina Cherry Laurel

Blue Fescue Grass

Bay Laurel

Dwarf Fountain Grass

Bottlebrush

Indian Hawthorn

Lantana

Upright Stonecrop

Agapanthus

Kangaroo Paw

Yellow Trumpet Vine

Coral Vine

Giant Burmese Honeysuckle Vine

'Balboa Sunset' Trumpet Creeper Vine

Exhibit 9.2

LANDSCAPING EXAMPLES

Pitched Gable roof with Rafter Tail

Decorative metal balcony with awning

Brackets support cantilever over paneled garage doors

Entry enhanced through awning, front door color application and landscaping

Paseo entry announced with Arbor and landscape treatments

Building articulation and corners enhanced through color and material application

Exhibit 10.1

ARCHITECTURAL TREATMENT EXAMPLES

Exhibit 10.2

ARCHITECTURAL TREATMENT EXAMPLES

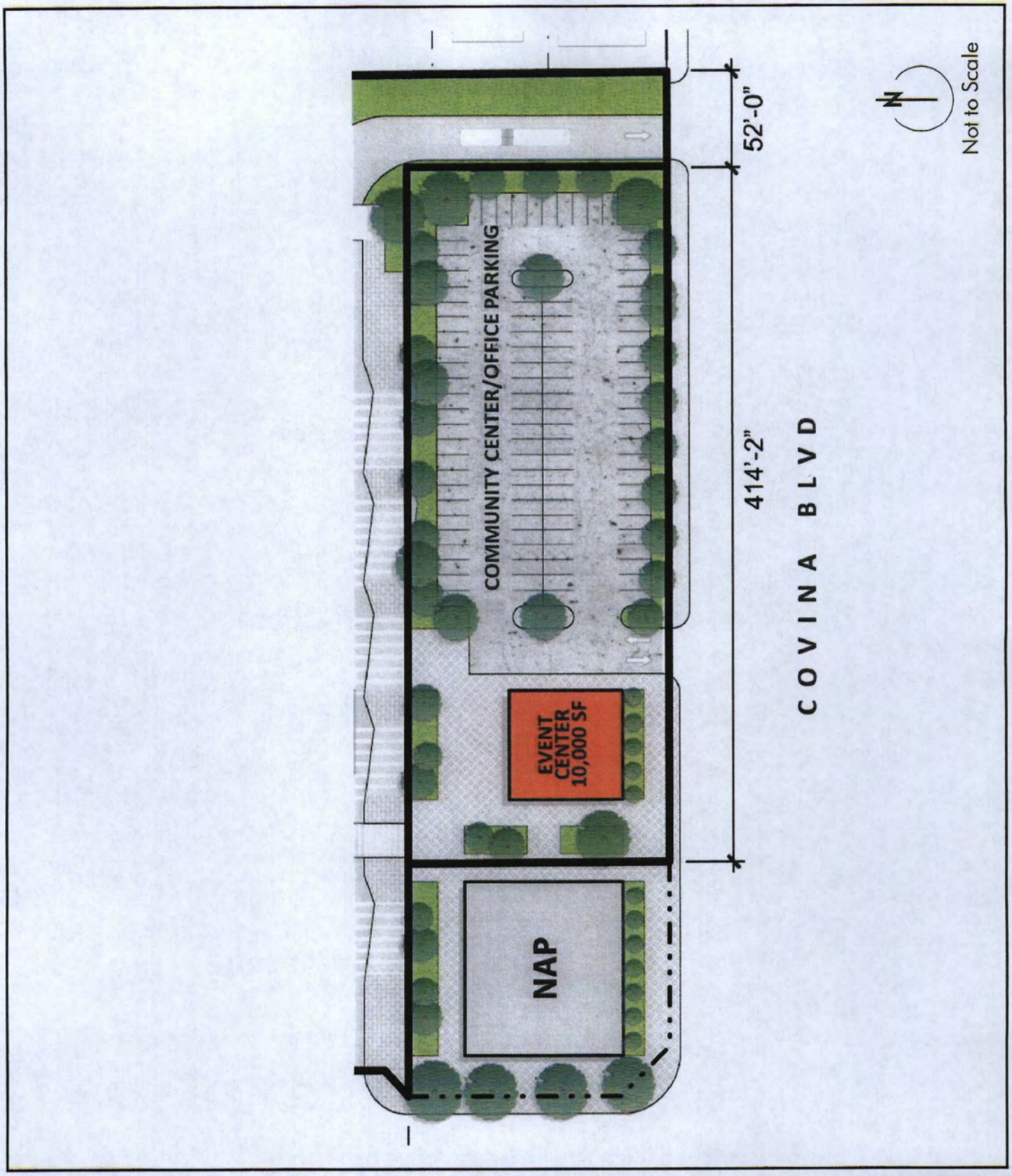


Exhibit 11

CIVIC COMPONENT USE SITE PLAN

Attachment B:

Resolution No. 16-7557

Certifying the EIR (SCH 2016051053), making environmental findings and adopting a Mitigation Monitoring and Reporting Program

RESOLUTION NO. 16-7557

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT (SCH2016051053), MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE iTEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT PROJECT (APPROXIMATELY 10.66 ACRES AND GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD - APN: 8406-019-019, 8406-019-020 and 8406-019-17).

WHEREAS, MLC Holdings, Inc. (MLC) has an equitable interest for the real properties (project site) located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-17). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently use for a day care center.

WHEREAS, the iTEC Transit Oriented Mixed-Use development consists of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT (FT) proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with 3 levels parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. The City of Covina (COVINA) proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses, such as but not limited to, approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project, iTEC Transit Oriented Mixed-Use development, necessitates the following land use discretionary entitlements:

a. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC will make an irrevocable offer to dedicate 1.11 acres of the project site to COVINA and the conveyance of 0.351 acres of the project site for parkland to COVINA.

b. A General Plan Amendment (GPA) 16-001 to change the land use designation for the 10.66-acre project site from the existing General Commercial (GC) designation to the Covina Forward Specific Plan with 6.12 acres for High Density Residential (HDR - 15 to 22 dwelling units per acre) and the remainder 4.54 acres as General Commercial (GC).

c. A Covina Forward Specific Plan (SP) 16-001 with special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use

development.

d. A Zone Change (ZCH) 16-002 to change the zoning designation for 10.66-acre project site from the existing C-3A Commercial Zone (Regional or Community Shopping Center) to the Covina Forward Specific Plan with 6.12 acres zoned for RD (Multi-Family) and the remainder 4.54 acres zoned for Institutional Use/Zone.

e. A Vesting Tentative Tract Map (TTM) 74512 for the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

f. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space.

g. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, a retail building of up to 4,800 square feet.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the Project. The purpose of the community outreach was to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributed project information and solicited input with follow-up contacts for project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. It included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A project specific website was created and consistently updated as the project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of COVINA conducted study sessions to review the development concepts of the iTEC Transit Oriented Mixed-Use development and provided directions to staff. Both Study Sessions were open to the general public and the immediate neighborhood were invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the Project site specifically geared toward the adjacent residents with various project representatives available to provide project information to the public and answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concern and praise for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project, iTEC Transit Oriented Mixed Use Development. Speakers raised both concern and praise for the Project.

WHEREAS, the Project, iTEC Transit Oriented Mixed-Use development, is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. (CEQA) and the State CEQA Guidelines (14 Cal. Code Regs. sections 15000, et seq.) (CEQA Guidelines).

WHEREAS, pursuant to CEQA, COVINA is the lead agency for the Project.

WHEREAS, pursuant to CEQA, City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. Accordingly, pursuant to CEQA Guidelines section 15082(a), a Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and the COVINA City Clerk's office. Input was obtained from public agencies and the general public regarding the environmental issues and concerns that may potentially result from the Project during this review period. COVINA received four comment letters in response to the NOP. Copies of these comment letters are provided in Appendix A of the Draft EIR.

WHEREAS, COVINA subsequently contracted for the independent preparation of a Draft Environmental Impact Report (Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts were identified in the Draft EIR.

WHEREAS, a Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The Draft EIR was available at City Hall, City Clerk Office or the Community Development Department, Planning Division, located at 125 E. College Street, Covina, CA, 91723, or at www.covinaca.gov. COVINA received nine (9) comment letters.

WHEREAS, on November 8, 2016, at a duly noticed public hearing as prescribed by law, the COVINA Planning Commission considered the proposed project and any comments received prior to or at the public hearing, at which time COVINA staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed

project and the Draft EIR and the Mitigation Monitoring and Reporting Program. Following consideration of the entire record of information received at the public hearing and due consideration of the Project, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 2016-029PC, incorporated herein by this reference, recommending that the City Council certify and adopt the EIR and the Mitigation Monitoring and Reporting Program prepared for the Project.

WHEREAS, COVINA prepared written responses to all comments timely received on the Draft EIR, and those responses to comments are incorporated into the Final Environmental Impact Report (Final EIR), which is comprised of the Draft EIR and all appendices thereto, and the Final EIR (consisting of the public comments, responses to those comments, and revisions to the Draft EIR).

WHEREAS, the responses to comments were distributed to all public agencies and members of the public that submitted comments on the Draft EIR in November 2016, at least 10 days prior to certification of the Final EIR, and the written responses to comments also were made available for public review on COVINA's web site and at COVINA's offices.

WHEREAS, on November 14, 2016, the Intent to Adopt the DEIR was noticed in the San Gabriel Valley Tribune, and notice of public hearing was also sent to all property owners within 300 feet of the Project site.

WHEREAS, on November 29, 2016, at a duly noticed public meeting, the City Council of the City of Covina held a public hearing on the Project and received presentations; asked questions and received answers and information; and heard and considered additional public testimony.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, after reviewing the Final EIR and considering all oral and written information regarding the Project presented before and during that hearing, the City Council hereby finds and determines as follows:

SECTION 1. The City Council hereby finds that the above recitals are true and correct, and hereby incorporates them herein as though set forth in full by this reference.

SECTION 2. The City Council hereby finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final EIR and the Project.

SECTION 3. The findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence which has been presented at the hearings before the Planning Commission and City Council, the various study sessions, and in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings on which this

Resolution is based are on file for public examination during normal business hours at City Hall (located at 125 E. College Street, Covina, CA 91723; the custodian of these records is the City Clerk). Each of those documents is incorporated herein by reference.

SECTION 4. The City Council has independently reviewed and considered the contents of the Final EIR prior to rendering a decision on the Project. The City Council hereby finds that the Final EIR reflects the independent judgment of the City. The City Council further finds that the additional information provided in the staff reports, in comments on the Draft EIR, the responses to comments on the Draft EIR, and the evidence presented in written and oral testimony at the City Council and Planning Commission hearings, does not constitute new information requiring recirculation of the EIR under CEQA. None of the information presented to the Planning Commission or City Council has deprived the public of a meaningful opportunity to comment upon an environmental impact of the Project or a feasible mitigation measure or alternative that COVINA has declined to implement.

SECTION 5. The City Council finds that the comments regarding the Draft EIR and the responses to those comments have been received by the City; that the Planning Commission and City Council received information and public testimony regarding the adequacy of the EIR; and that the City Council has reviewed and considered all such documents and testimony and the Final EIR prior to making its determination on the Project. The City Council, pursuant to CEQA Guidelines section 15090, hereby certifies that the Final EIR has been completed in compliance with CEQA.

SECTION 6. Section 15091 of the CEQA Guidelines requires that the City, before approving the Project, make one or more of the following written finding(s) for each significant effect identified in the Final EIR accompanied by a brief explanation of the rationale for each finding:

(a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR; or,

(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or,

(c) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

These required findings are contained in the Findings set forth in Exhibit A to this Resolution, which is attached hereto and incorporated herein by this reference.

SECTION 7. Public Resources Code section 21081.6 requires the City to prepare and adopt a mitigation monitoring and reporting program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The City Council hereby adopts the mitigation measures set forth in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit B and incorporated herein by this reference, and

imposes each mitigation measure as a condition of Project approval.

SECTION 8. The City Council hereby directs the Director of Community Development to prepare and file a Notice of Determination with the County Clerk under Title 14, California Code of Regulations Section 15075.

SECTION 9. This Resolution shall become effective upon adoption.

SECTION 10. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this 29th day of November, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-7559 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 29th day of November 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "A"

EIR Findings

Findings of Fact

Covina Transit-Oriented Mixed-Use Development Project Environmental Impact Report SCH No. 2016051053

Prepared for:

City of Covina
126 East College Street
Covina, California 91723
Contact: Brian K. Lee, AICP

Prepared by:

DUDEK
38 N. Marengo Avenue
Pasadena, California 91101
Contact: Ruta K. Thomas, REPA

NOVEMBER 2016

Printed on 30% post-consumer recycled material.

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Acronym/Abbreviation	Definition

CHAPTER 1.0
INTRODUCTION

1.1 Purpose

This statement of findings addresses the environmental effects associated with the Covina Transit-Oriented Mixed-Use Development Project (proposed project) that are described in the Environmental Impact Report (EIR) for the project. This statement is made pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), specifically Public Resources Code Sections 21081 and 21081.6 and the CEQA Guidelines (14 CCR 15000 et seq.), specifically Section 15091.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require that the lead agency, in this case the City of Covina (City), prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. CEQA Guidelines Section 15091 states, in part, that:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In accordance with Public Resource Code Section 21081 and CEQA Guidelines Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable," in which case the lead agency must adopt a formal statement of

overriding considerations. The Final EIR for the proposed project identified potentially significant effects that could result from project implementation. However, the City finds that the inclusion of certain mitigation measures as part of project approval will reduce all of the potentially significant effects to less than significant. As such, a statement of overriding considerations prepared pursuant to CEQA Guidelines Section 15093 is not required for this project.

As required by CEQA, in adopting these findings, the City also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The City finds that the MMRP, which is included in the Final EIR and is incorporated by reference and made a part of these findings, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

As required by CEQA, the City finds that the Final EIR for the project reflects the City's independent review and judgment. In accordance with the provisions of CEQA and the CEQA Guidelines, the City adopts these findings as part of its certification of the Final EIR.

1.2 Organization of the Findings of Fact

The content and format of this CEQA Findings of Fact is designed to meet the latest CEQA statutes and Guidelines. The Findings of Fact is organized into the following sections:

Chapter 1, Introduction outlines the organization of this document and identifies the location and custodian of the record of proceedings.

Chapter 2, Project Description summarizes the proposed project, including its location, and provides a list of project objectives.

Chapter 3, CEQA Review and Public Outreach describes the steps that the City has undertaken to comply with the CEQA statutes and Guidelines as they relate to public input, review, and participation during the preparation of the Draft and Final EIRs.

Chapter 4, Impacts Determined Not to Be Significant or Less than Significant provides a list of those environmental issue areas where no reasonably foreseeable impacts would occur and provides a list of those impacts determined to be below the threshold of significance without the incorporation of mitigation measures.

Chapter 5, Impacts Determined to be Less than Significant with Mitigation provides findings for all potentially significant environmental impacts for which implementation of identified feasible mitigation measures would avoid or substantially reduce the environmental impacts to less than significant levels.

Chapter 6, Findings on Project Alternatives provides a summary of the alternatives considered for the project and describes the associated findings.

Chapter 7, Other CEQA Findings addresses the City's findings regarding growth inducing impacts, significant irreversible environmental changes, recirculation, and the mitigation monitoring and reporting program.

CHAPTER 2.0
PROJECT DESCRIPTION

2.1 Project Location

The proposed project site is located in the City of Covina in the southeastern portion of Los Angeles County, approximately 22 miles east of downtown Los Angeles. The proposed project site is composed of a former K-Mart property, located at 1162 North Citrus Avenue, and an existing private school property, located at 177 East Covina Boulevard. The project site encompasses approximately 10.66 acres on three parcels (Assessor's Parcel Numbers 8406-019-019, 8406-019-020, and 8406-019-017). The proposed project is located in an urban setting and is bounded by North Citrus Avenue to the west, East Covina Boulevard to the south, and residential developments to the north and east.

2.2 Project Summary

The proposed project would involve a General Plan Amendment and Specific Plan to develop a mixed-use transit-oriented development project. The proposed project would consist of three primary components: 1) a Transit Center and Park & Ride facility; 2) the Covina Innovation, Technology, and Event Center (iTEC)—an event center and professional office/business incubator space; and 3) residential townhome units. The proposed project is a result of coordination between three distinct entities, each of which would design, own, and operate their respective portion of the overall mixed-use development. The City would design, own, and operate the iTEC component; MLC Holdings, Inc./Meritage Homes (MLC) would develop the residential townhome component; and Foothill Transit would design, own, and operate the Transit Center and Park & Ride facility. Each of these project components is summarized below.

Transit Center and Park & Ride Facility. The Transit Center and Park & Ride facility would be located south of the residential component and north of the Covina iTEC component of the proposed project, consisting of a parking structure, transit-related retail, a bus depot, and electric bus charging stations. The Transit Center and Park & Ride facility would comprise approximately 2.99 acres of the total 10.66-acre project site. The parking structure would be located adjacent to the proposed residential uses, with ingress along North Citrus Avenue and egress along East Covina Boulevard, and would be approximately three levels in height and approximately 50,000 square feet in footprint. The parking structure would support approximately 350 to 400 parking stalls. Retail uses adjacent to the parking structure would consist of an approximately 4,800-square foot retail building. Bus bays would be located south of the parking structure for bus loading and unloading of passengers and for use during bus layovers. A proposed "Covina Express Line" and the existing local line #281 would stop at the transit center.

Covina Innovation, Technology, and Event Center (iTEC). The iTEC would be situated in the southeastern portion of the project site and would consist of the following uses (square footages are approximate): 10,000 square feet of event center space; 11,000 square feet of business/technology incubation areas that would provide shared workspace for small-scale and start-up businesses, as well as professional office space; and an outdoor plaza/public space area of 20,000 square feet. Additionally, 35,000 square feet of surface parking would be adjacent to the iTEC to the east with 111 spaces allocated for the event center. The iTEC would be a maximum of two stories (up to approximately 35 feet in height). The iTEC component of the proposed project would comprise approximately 1.55 acres of the total 10.66-acre project site.

Residential Townhome Units. The residential component of the proposed project would consist of up to 120 for-sale townhome units, covering roughly 6.12 acres in the northern portion of the project site. Each unit would average approximately 1,900 square feet in size, for a total residential square footage of approximately 228,000 square feet. The three-story residential buildings would be no more than 36 feet in height to the top of the roof (29 feet to the eaves) and configured in a courtyard arrangement allowing interaction between residents. The units are expected to include small private patios at the ground level to allow for outdoor living. This component of the overall proposed project would include a private recreation area of approximately 7,400 square feet along the eastern site boundary. The residential component would include two attached garage parking spaces for each unit (up to 240) and approximately .58 on-site guest parking stalls per unit (up to 69), for a total of approximately over 300 spaces.

2.3 Project Objectives

The proposed project is a result of coordination between three distinct entities, each of which would design, own, and operate their respective portion of the overall mixed-use development. The City would design, own, and operate the iTEC component; MLC would develop the residential townhome component to be sold at a later time to a separate operator; and Foothill Transit would design, own, and operate the Transit Center and Park & Ride facility. As such, the proposed project objectives include City objectives, Foothill Transit objectives, and objectives of the applicant. (Note: The City is an applicant, along with Foothill Transit and MLC)

The City and Foothill Transit's objectives are as follows:

- Repurpose the project site with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences.
- Revitalize the project site with a development that creates a regional destination to attract new visitors to Covina, raise the positive image profile of Covina in the region and meet the daily needs of Covina residents and businesses.

- Introduce an innovative use of the property that will have a positive impact upon adjoining commercial properties.
- Close a north/south "transportation gap" that currently exists between the Metro Gold Line, the Covina Metrolink Station, and the Interstate 10 Freeway.
- Add new high-quality residences that will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network.

Additionally, Foothill Transit's objectives are also as follows:

- Increase the regional accessibility and mobility of bus patrons within Covina and nearby cities.
- Provide a transit center and parking facility in an area that will satisfy the parking demands for Foothill Transit customers, while decreasing on-street parking along city streets parallel to the proposed transit center location.
- Reduce automobile vehicle miles traveled (VMT) and associated emissions to benefit air quality.
- Include facility design features that minimize environmental impacts on surrounding land uses.

MLC's objectives are as follows:

- Create a mixed-use, transit-oriented project in the City of Covina.
- Incorporate a new residential community into an existing core of nearby retail services, restaurants, theatres and transit amenities.
- Minimize the impact to the regional environment through the incorporation of a mixed-use, transit oriented community.
- Provide a dedicated community area that includes a swimming pool, barbeque area, associated furniture, showers and restrooms for residents and guests of the community to enjoy time relaxing with family and friends.
- Provide an opportunity for residents to minimize the use of their cars and reduce the time spent commuting and reallocate that time to spend with family.
- Build homes and deliver the American dream in a sustainable and environmentally friendly manner.

2.4 Discretionary Actions

The proposed project would require the following land use entitlements to allow for multi-family residential development and public use development on the former commercial site:

1. Development Agreement with Purchase Agreement of 1.5 acres for Public Use;
2. General Plan Amendment to change 10.66 acres from the existing General Commercial (GC) land use designation to the Covina Forward Specific Plan land use designation;
3. Specific Plan to create a transit-oriented mixed-use development consisting of a residential component, a transit center component, and a civic/community use component, and to establish three distinct Planning Areas as follows:
   a. Planning Area 1 – A transit-oriented attached single-family residential development on approximately 6.12 acres that will allow up to a maximum density of 22 dwelling unit per acre with accessory common area, recreation facilities and other amenities, as well as a pedestrian access link to Planning Area 2;
   b. Planning Area 2 – A transit center on approximately 2.99 acres that will allow a transit center of up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, a retail building of up to 4,800 square feet, and approximately 5,000 square foot of pedestrian plaza accessible to Planning Area 3;
   c. Planning Area 3 – A civic component on approximately 1.55 acres that will envision accommodating a potential menu of civic-oriented uses, such as but not limited to, approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center. A surface parking area will be provided to service the civic uses;
4. Zone Change to change the 10.66-acre project site from the existing C-3A Commercial Zone (Regional or Community Shopping Center) to the Covina Forward Specific Plan Zone;
5. Subdivision map (Tentative Tract Map 74512) for the public use parcels and the for-sale residential development; and
6. Site Plan Review for the residential development and public use development.

CHAPTER 3.0
CEQA REVIEW AND PUBLIC OUTREACH

Pursuant to CEQA Guidelines Section 15082, the City issued a Notice of Preparation (NOP) dated May 11, 2016, to the State Clearinghouse, agencies, organizations, interested parties, and the public. The NOP is intended to encourage interagency communication regarding the proposed project so that agencies, organizations, and individuals are afforded an opportunity to respond with specific comments and/or questions regarding the scope and content of the EIR. In accordance with CEQA Guidelines Section 15082(a), a copy of the NOP was posted at the Los Angeles County Clerk's office. The NOP was also made available at the Covina City Clerk's office (125 College Street, Covina, California, 91723) and on its website during the public scoping period. The NOP was posted in the San Gabriel Valley Tribune newspaper on May 11, 2016. Copies of the NOP were sent to agencies via certified mail. The public scoping period ended on June 14, 2016. The City received four letters in response to the NOP. Copies of these comment letters have been provided in Appendix A of the EIR.

The Draft EIR was made available for public review and comment pursuant to CEQA Guidelines Section 15087. The 45-day public review period for the Draft EIR started on September 13, 2016, and ended on October 27, 2016. At the beginning of the public review period, 15 copies of the Draft EIR and one copy of the Notice of Completion (NOC) were submitted to the State Clearinghouse. Relevant agencies also received electronic copies of the documents. A Notice of Availability (NOA) and a copy of the Draft EIR on compact disc (CD) were distributed to 16 interested parties. The NOA was filed with the Los Angeles County Clerk and published in the San Gabriel Valley Tribune newspaper on September 13, 2016. The NOA described where the document was available and how to submit comments on the Draft EIR. The NOA and Draft EIR were also made available for public review at the Covina City Clerk's office (125 College Street, Covina, California, 91723), at the Covina Public Library (234 North Second Avenue, Covina, California, 91723), and on the City's website. The 45-day public review period provided interested public agencies, groups, and individuals the opportunity to comment on the contents of the Draft EIR.

During the Draft EIR public review period, the City received 9 comment letters on the Draft EIR. The 2016 Final EIR, which contains written responses to these letters, was completed and distributed on November 18, 2016. Distribution of the Final EIR entailed providing copies of the Final EIR to public agencies and organizations that received and/or commented on the Draft EIR, and notifying individuals who commented on the Draft EIR of the Final EIR availability. The Final EIR was made available to the public on the City's website and at the City Clerk's office on November 21, 2016. The Final EIR was prepared and distributed in accordance with CEQA Guidelines Section 15088(b), which requires that written responses be provided to commenting agencies at least 10 days prior to certifying an EIR.

3.1 Custodian and Location of Records

The documents and other materials that constitute the record of proceedings upon which the City's approval is based are located at the address below:

City of Covina, Planning Division
125 East College Street
Covina, California 91723

The City's Planning Division is the custodian of such documents and other materials that constitute the record of proceedings. The record of proceedings is provided in compliance with Public Resources Code section 21081.6(a)(2) and CEQA Guidelines section 15091(e).

CHAPTER 4.0
IMPACTS DETERMINED NOT TO BE SIGNIFICANT OR TO BE LESS THAN SIGNIFICANT

The following impacts were evaluated in the Draft EIR and determined to be below a level of significance due to the design, location, and scope of the proposed project and/or through adherence with existing laws, codes, and statutes. Based on the environmental analysis presented in the Draft EIR and the comments received by the public on the Draft EIR, no substantial evidence was submitted to or identified by the City indicating that the project would have a potentially significant impact with respect to the environmental categories listed below. Support for the environmental impact conclusions listed below are provided throughout Chapter 3.0, Environmental Analysis, of the Draft EIR.

4.1 Aesthetics

- Implementation of the proposed project would have a less than significant impact on scenic vistas.
- Implementation of the proposed project would have no impact on scenic resources within a state scenic highway.
- Implementation of the proposed project would have a less than significant impact on the existing visual character and quality of the site and its surroundings.

4.2 Agriculture and Forest Resources

- Implementation of the proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland).
- Implementation of the proposed project would have no impact on existing zoning for agricultural use or a Williamson Act contract.
- Implementation of the proposed project would have no impact relative to forest land, timberland, or timberland zoned Timberland Production.
- Implementation of the proposed project would have no impact relative to loss of forest land or conversion of forest land to non-forest use.
- Implementation of the proposed project would have no impact relative to changes in the existing environment that could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

4.3 Air Quality

- Implementation of the proposed project would result in a less than significant impact relative to conflicts with the applicable air quality plan.
- Implementation of the proposed project would result in a less than significant impact relative to violation of air quality standards.
- Implementation of the proposed project would result in a less than significant impact relative to cumulatively considerable net increases in criteria pollutants.
- Implementation of the proposed project would result in a less than significant impact relative to objectionable odors.

4.4 Biological Resources

- Implementation of the proposed project would have no impact on riparian habitats or other sensitive natural communities.
- Implementation of the proposed project would have no impact on federally protected wetlands.
- Implementation of the proposed project would result in a less than significant impact relative to conflicts with local policies or ordinances protecting biological resources.
- Implementation of the proposed project would have no impact relative to conflicts with adopted habitat conservation plans.

4.4 Cultural Resources

- Implementation of the proposed project would have a less than significant impact on historical resources.
- Implementation of the proposed project would have a less than significant impact on tribal cultural resources.

4.5 Geology and Soils

- Implementation of the proposed project would result in a less than significant impact relative to risk involving rupture of a known earthquake fault.
- Implementation of the proposed project would have no impact relative to exposure of people or structures to risk involving landslides.
- Implementation of the proposed project would have a less than significant impact relative to soil erosion and topsoil loss.
- Implementation of the proposed project would have no impact relative to alternative wastewater disposal systems.

4.6 Greenhouse Gas Emission

- Implementation of the proposed project would have less than significant impacts relative to greenhouse gas emissions.
- Implementation of the proposed project would have less than significant impacts relative to conflicts with plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouses gases.

4.7 Hazards and Hazardous Materials

- Implementation of the proposed project would result in no impact relative to safety hazards caused by proximity to public airports.
- Implementation of the proposed project would result in no impact relative to safety hazards caused by proximity to private airstrips.
- Implementation of the proposed project would result in less than significant impacts relative to implementation of adopted emergency response plans and emergency evacuation plans.
- Implementation of the proposed project would result in less than significant impacts relative to safety hazards from wildland fire.

4.8 Hydrology/Water Quality

- Implementation of the proposed project would result in less than significant impacts relative to water quality standards and waste discharge requirements.
- Implementation of the proposed project would have a less than significant impact on groundwater supply and recharge.
- Implementation of the proposed project would result in less than significant impacts relative to alterations in existing drainage patterns in a manner that would result in erosion or siltation.
- Implementation of the proposed project would result in less than significant impacts relative to alterations in existing drainage patterns in a manner that would result in flooding.
- Implementation of the proposed project would have less than significant impacts relative to volume and water quality of stormwater runoff.
- Implementation of the proposed project would have a less than significant impact relative to degradation of water quality.
- Implementation of the proposed project would result in no impact relative to placement of housing within a 100-year flood hazard area.

- Implementation of the proposed project would result in no impact relative to impeding or redirecting flood flows.
- Implementation of the proposed project would result in less than significant impacts relative to risks involving flooding, including flooding as a result of levee or dam failure.
- Implementation of the proposed project would result in no impact relative to exposure of people or structures to risk of seiche, tsunami, or mudflow.

4.9 Land Use and Planning

- Implementation of the proposed project would result in less than significant impacts relative to physical divisions of an established community.
- Implementation of the proposed project would result in less than significant impacts relative to conflicts with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.
- Implementation of the proposed project would have no impact relative to conflicts with adopted habitat conservation plans or natural community conservation plans.

4.10 Mineral Resources

- Implementation of the proposed project would have no impact on known mineral resources of value to the region or the residents of the state.
- Implementation of the proposed project would have no impact on locally important mineral resource recovery sites.

4.11 Noise

- Implementation of the proposed project would have no impact relative to excessive noise levels from a public airport.
- Implementation of the proposed project would have no impact relative to excessive noise levels from a private airstrip.

4.12 Population and Housing

- Implementation of the proposed project would result in less than significant impacts relative to population growth.
- Implementation of the proposed project would result in no impact relative to displacement of housing.
- Implementation of the proposed project would result in no impact relative to displacement of people.

4.13 Public Services

- Implementation of the proposed project would result in less than significant impacts relative to the need for new or physically altered government facilities, including for fire protection, police protection, schools, parks, and recreational facilities.

4.14 Recreation

- Implementation of the proposed project would result in less than significant impacts relative to recreational facilities.
- Implementation of the proposed project would result in less than significant impacts relative to construction or expansion of recreational facilities.

4.15 Transportation/Traffic

- Implementation of the proposed project would result in less than significant impacts relative to conflicts with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system.
- Implementation of the proposed project would result in less than significant impacts relative to conflicts with the applicable congestion management program.
- Implementation of the proposed project would have no impact on air traffic patterns.
- Implementation of the proposed project would result in no impact relative to hazards caused by a roadway design feature or an incompatible roadway use.
- Implementation of the proposed project would result in less than significant impacts relative to emergency access.
- Implementation of the proposed project would result in less than significant impacts relative to conflicts with adopted policies, plans, or programs for public transit, bicycles, or pedestrian facilities and would have less than significant impacts relative to the performance or safety of such facilities.

4.16 Utilities and Service Systems

- Implementation of the proposed project would result in less than significant impacts relative to exceedances in the wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board.
- Implementation of the proposed project would result in less than significant impacts to water and wastewater treatment facilities.
- Implementation of the proposed project would result in less than significant impacts relative to stormwater drainage facilities.

- Implementation of the proposed project would result in less than significant impacts on water supply.
- Implementation of the proposed project would result in less than significant impacts on wastewater treatment capacity.
- Implementation of the proposed project would result in less than significant impacts on landfill capacity.

  Implementation of the proposed project would result in less than significant impacts relative to compliance with solid waste regulations.

4.17 Cumulative Impacts

The proposed project would result in no cumulative impacts or less than significant cumulative impacts for the following environmental issue areas: agriculture and forestry resources, air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation and traffic, utilities and service systems.

CHAPTER 5.0
IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

The following summary describes impacts of the project that, without mitigation, would result in significant adverse impacts. However, upon implementation of the mitigation measures provided in the EIR, these impacts would be considered less than significant.

5.1 Aesthetics

Finding 5.1(A). The proposed project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Support for this environmental impact conclusion is fully discussed in Section 3.1, Aesthetics, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to aesthetics were developed for the proposed project and are listed below.

MM-AES-1 New sources of exterior lighting on the project site shall be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east. Exterior overhead lighting shall also be of the minimum required intensity to provide for safety and security of project residents and visitors. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources in the area.

MM-AES-2 Prior to the issuance of building permits, the project applicants shall prepare and submit to the City for review a photometric study for the proposed residential townhome development and parking structure to ensure that off-site residential land uses to the north and east are not subjected to unnecessary light spillover and trespass. A detailed lighting plan shall be developed for the residential townhome development and parking structure and shall be utilized by a qualified photometric specialist to prepare the photometric study. If excessive light spillover is identified in the photometric, then appropriate measures including but not limited to use of lower intensity lighting shall be considered to avoid unnecessary light spillover and trespass.

Facts in Support of Finding 5.1(A). The proposed project site is located in an urbanized area of the City in which existing sources of nighttime lighting and glare operate. Despite the proposed project's location in an area where existing (and similar) sources of nighttime lighting operate, the project site is located immediately adjacent to existing residential development to the north and east. If improperly installed and maintained, new lighting associated with proposed project

components could spillover from the project site to adjacent residential uses and affect existing nighttime views. Implementation of mitigation measures MM-AES-1 and MM-AES-2 would ensure potential impacts are reduced to a less-than-significant level by requiring lighting to be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east, requiring the minimum intensity of lighting necessary for safety and security purposes, and requiring nighttime operation of new lighting sources to be consistent with existing lighting sources in the area so that lighting impacts are not measurably increased. In addition, the City will require a photometric study for the proposed residential component of the project and parking structure to ensure that off-site residential uses to the north and east are not subjected to unnecessary light spillover. This mitigation measure will further ensure that new lighting sources create only less than significant impacts.

The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant aesthetic impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant aesthetic impacts of the proposed project identified in the EIR.

5.2 Air Quality

Finding 5.2(A). The proposed project could expose sensitive receptors to substantial pollutant concentrations on a short term basis only, during construction. Support for this environmental impact conclusion is fully discussed in Section 3.3, Air Quality, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to exposure of sensitive receptors to substantial pollutant concentrations were developed for the proposed project and are listed below.

MM-AQ-1 The following dust control measures shall be implemented by the contractor/builder to reduce fugitive dust PM_{10} and $PM_{2.5}$ emissions generated during earthmoving construction activities of all three components of the proposed project:

a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the project site and to create a crust after each day's activities cease.

b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the

project site. At a minimum, this would include wetting down such areas later in the morning, after work is completed for the day, and whenever winds exceed 15 miles per hour.

c. Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

d. Speeds on unpaved roads shall be reduced to less than 15 miles per hour.

e. All grading and excavation operations shall be halted when wind speeds exceed 25 miles per hour.

f. Dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday.

g. All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be covered and/or a minimum 2 feet of freeboard shall be maintained.

h. At a minimum, at each vehicle egress from the project site to a paved public road, a pad consisting of washed gravel (minimum size: 1 inch) shall be installed and maintained in clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by the SCAQMD).

i. Any additional requirements of SCAQMD Rule 403 shall be reviewed and complied with.

MM-AQ-2 During project demolition, site preparation, and grading activities, off-road equipment with engines rated at 75 horsepower or greater, shall meet Tier 3 engine standards or better. An exemption from these requirements may be granted by the City of Covina in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Los Angeles County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment. Based on the anticipated equipment for these phases, this measure would be applicable to, but not limited to, excavators, graders, rubber tired dozers, and tractors/loaders/backhoes used during earth moving activities.

Facts in Support of Finding 5.2(A). Construction activities associated with the proposed project would result in temporary sources of on-site fugitive dust and construction equipment emissions.

Based on South Coast Air Quality Management District's (SCAQMD) *Final Localized Significance Threshold Methodology* (2009) guidance, construction activities related to the project would exceed the Localized Significance Thresholds (LSTs) for PM_{10} and $PM_{2.5}$. Therefore, site-specific construction impacts during construction of the project could be potentially significant. However, diesel equipment would be subject to the California Air Resources Board's Airborne Toxic Control Measures (ATCM) for in-use off-road diesel fleets, which would minimize diesel particulate matter emissions. In addition, mitigation measures MM-AQ-1 and MM-AQ-2 would ensure that localized emissions of PM_{10} and $PM_{2.5}$ are reduced to levels below significance thresholds by requiring specific and detailed dust control measures be implemented by the contractor/builder to reduce fugitive dust PM_{10} and $PM_{2.5}$ emissions generated during earthmoving construction activities of all three components of the proposed project, and requiring off-road equipment with engines rated at 75 horsepower or greater to meet Tier 3 engine standards or better during project demolition, site preparation, and grading activities, unless exempted as stated.

The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant air quality impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid potentially significant air quality impacts of the proposed project identified in the EIR.

5.3 Biological Resources

Finding 5.3(A). The proposed project could have a substantial adverse effect on species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Support for this environmental impact conclusion is fully discussed in Section 3.4, Biological Resources, of the Draft EIR.***Mitigation Measures.*** Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to special-status species, migratory wildlife, and native wildlife nursery sites were developed for the proposed project and are listed below.

MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius

surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors.

If active nests are found (California Department of Fish and Wildlife defines "active" as any nest that is under construction or modification; U.S. Fish and Wildlife Service defines "active" as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.

MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required.

If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist,

by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).

Facts in Support of Finding 5.3(A). The proposed project includes the removal of on-site trees and the demolition of existing on-site structures. In the event that special-status birds and/or bats are using the project site for nesting or roosting during construction, removal of the existing trees and structures would have the potential to adversely affect or kill the bird(s) and/or bat(s). Indirect impacts could also be caused by construction noise and increased human activity on the project site, having the potential to disturb nesting, breeding, and/or roosting activities. Mitigation measures MM-BIO-1 and MM-BIO-2 reduce potential impacts to protected bird and bat species. Mitigation measure MM-BIO-1 requires preconstruction nesting bird surveys to be conducted prior to ground disturbing activities within the general nesting season, as well as avoidance measures, including implementation of associated avoidance buffers and potential monitoring, to ensure that direct and indirect impacts to active nests are avoided, if detected. Mitigation measure MM-BIO-2 requires preconstruction bat surveys to be conducted prior to ground disturbing activities (including tree impacts and demolition work), as well as avoidance and minimization measures that should be employed should special-status bats be identified during preconstruction surveys (i.e., maintain avoidance buffers, seasonal restrictions to avoid maternity roosts, and eviction techniques for non-breeding special-status bat roosts, if detected). Indirect effects due to construction noise and increased human activity would be minimized with the implementation of mitigation measure MM-BIO-2, which requires avoidance buffers associated with active special-status bat roosts, as well as eviction techniques for nonbreeding special-status bat roosts, if detected. Construction activities are proposed to occur during daylight hours; thus, impacts to foraging bats are not anticipated due to the implementation of proposed project activities. The project site is developed and located within an urban environment; thus, currently providing low-quality habitat for bats, if present. The project site would remain developed post-construction; thus, long-term indirect impacts to special-status bats are anticipated to be minimal. Furthermore, mitigation measures MM-BIO-1 and MM-BIO-2 would

ensure that if any protected bird and bat species are present on the project site, the individuals would be avoided and disturbances would be minimized.

The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant biological impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid potentially significant air quality impacts of the proposed project identified in the EIR.

Finding 5.3(B). The proposed project could also interfere substantially with the movement of native resident wildlife species or with the use of native wildlife nursery sites. Support for this environmental impact conclusion is fully discussed in Section 3.4, Biological Resources, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to special-status species, migratory wildlife, and native wildlife nursery sites were developed for the proposed project and are listed below.

MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors.

If active nests are found (California Department of Fish and Wildlife defines "active" as any nest that is under construction or modification; U.S. Fish and Wildlife Service defines "active" as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be

clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.

MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required.

If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the

construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).

Facts in Support of Finding 5.3(B). Existing on-site trees would be removed as part of the proposed project. Tree removal and construction activities could adversely affect or kill individual birds, in the event that any are nesting in trees located on, or adjacent to, the project site. Additionally, existing on-site structures would be removed during construction. Demolition of such structures and other construction-related disturbances could adversely affect or kill individual bats, in the event that any were to be roosting in the existing structures. Construction activities would also elevate noise levels and could cause disturbance to nesting or roosting birds and bats. Construction activities may occur during breeding, reproduction, and juvenile rearing periods for nesting birds (i.e., between September 1–February 28). Thus, there is potential for construction activities to negatively affect breeding or reproduction of species on, or adjacent to, the project site. Implementation of mitigation measure MM BIO-1, which requires preconstruction nesting bird surveys, avoidance buffers, and monitoring for construction activities proposed to occur during the nesting bird season (March 1 through August 31, and as early as February 1 for raptors) would reduce potential direct and indirect impacts to nesting and migratory birds to below a level of significance. Implementation of mitigation measure MM-BIO-2, which requires conducting preconstruction bat roost surveys prior to construction activities (i.e., tree trimming/removal activities and demolition work), avoidance buffers, seasonal restrictions to avoid maternity roosts, and eviction techniques for non-breeding special status bat roosts, if detected, would reduce potential direct and indirect impacts to roosting bats to below a level of significance.

The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant biological impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid potentially significant air quality impacts of the proposed project identified in the EIR.

5.4 Cultural Resources

Finding 5.4(A). The proposed project could cause a substantial adverse change in the significance of an archaeological resource. Support for this environmental impact conclusion is fully discussed in Section 3.5, Cultural Resources, of the Draft EIR.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize significant adverse impacts related to archaeological resources was developed for the proposed project as listed below.

MM-CUL-1 **Inadvertent Discovery of Archaeological Resources.** In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

Facts in Support of Finding 5.4(A). No previously recorded archaeological resources were identified within the project site as a result of the records search, nor were any archaeological resources identified in close proximity to the project site. Further, no archaeological resources were identified within the project site as a result of the pedestrian survey (the entire project site is developed and contains no exposed ground surface). However, during the City's AB 52 coordination efforts, Native American group(s) expressed concerns regarding the project site's sensitivity for cultural resources. Therefore, in an abundance of caution, the EIR concludes that the potential exists for unknown archaeological resources to be inadvertently unearthed during earth-moving activities associated with construction of the proposed project. In the unexpected event that construction activities unearth intact cultural or archaeological materials, a potentially significant impact could result. Mitigation Measure MM-CUL-1 reduces this potential impact to less than significant by requiring that in the event archaeological resources are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist can evaluate the significance of the find and determine what appropriate measures to take.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1), and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cultural resources impacts of the proposed project identified in the EIR.

Finding 5.4(B). The proposed project would also have the potential to adversely affect unique paleontological resources, resulting in potentially significant impacts. Support for this environmental impact conclusion is fully discussed in Section 3.5, Cultural Resources, of the Draft EIR.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize significant adverse impacts related to paleontological resources was developed for the proposed project as listed below.

MM-CUL-2 **Paleontological Mitigation Program.** Prior to commencement of any grading activity on-site, the City, Foothill Transit and MLC shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or qualified designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).

Facts in Support of Finding 5.4(B). Past excavation and trenching activities in the area surrounding the project site have encountered paleontological resources in older Quaternary alluvial deposits. According to the records search results received from the Natural History Museum of Los Angeles County (LACM), the closest fossil locality to the project site within Quaternary alluvial deposits is located in English Canyon, southwest of the City of Chino (LACM 1728; McLeod 2016). This locality yielded Pleistocene age mammals, including extinct horse (Equus) and camel (Camelops) remains at depths between 15 and 20 feet below the ground surface (McLeod, 2016). However, no paleontological resources were identified within the project site as a result of the institutional records search or desktop geological review. Furthermore, the project site is located within an area that has been previously developed and is likely underlain by fill materials, at least in part. As such, the project site is not anticipated to be underlain by unique geologic features. Nonetheless, while the project site has been heavily disturbed by urban development over the years, intact paleontological resources may be present below the original layer of fill material. Given the proximity of past fossil discoveries in the surrounding area and the underlying alluvial fan deposits, the EIR conservatively concludes that the project site is moderately to highly sensitive for supporting paleontological resources. Mitigation Measure MM-CUL-2 reduces this potential impact to less than significant by requiring a qualified paleontologist to attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered, and to take specified steps should

paleontological resources (e.g., fossils) be unearthed during grading (including temporarily halting and/or diverting grading activity to allow recovery of paleontological resources, roping off the area of discovery with a 50-foot radius buffer).

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1), and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cultural resources impacts of the proposed project identified in the EIR.

Finding 5.4(C). The proposed project would also have the potential to cause impacts relating to human remains, resulting in potentially significant impacts. Support for this environmental impact conclusion is fully discussed in Section 3.5, Cultural Resources, of the Draft EIR.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize significant adverse impacts related to human was developed for the proposed project as listed below.

MM-CUL-3 **Inadvertent Discovery of Human Remains.** In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Facts in Support of Finding 5.4(C). No prehistoric or historic burials were identified within the project site as a result of the records search. However, the possibility of encountering human remains within the proposed project site exists, and therefore the EIR conservatively concludes that there is a potentially significant impact in this regard. Mitigation Measure MM-CUL-3 reduces this impact to less than significant by requiring certain procedures to be followed in the event of a discovery of human remains. Specifically, the discovery of human remains would require handling in accordance with Health & Safety Code § 7050.5, which requires the County

Coroner to be notified, and Public Resources Code § 5097.98, which states that in the event that human remains are discovered during construction, construction activity shall be halted and the area shall be protected until consultation and treatment can occur as prescribed by law.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1), and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cultural resources impacts of the proposed project identified in the EIR.

5.5 Geology and Soils

Finding 5.5(A). Potentially significant effects were identified for the proposed project in the following sub-areas related to geology and soils:

- The proposed project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.
- The proposed project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.
- The proposed project may be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, potentially resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- The proposed project may be located on expansive soil, creating substantial risk to life or property.

Support for these environmental impact conclusions is fully discussed in Section 3.6, Geology and Soils, of the Draft EIR.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), a feasible measure that can minimize significant adverse impacts related to geology and soils was developed for the proposed project and is provided below.

MM-GEO-1 Prior to the construction phase, the proposed project shall be designed in accordance with the recommendations from the site-specific Geotechnical Evaluation. In the event that changes are made in the recommendations set forth in the final geotechnical report, the project design shall be updated in accordance with those changes. Prior to the issuance of a building permit, the City of Covina, Foothill Transit and MLC Holdings, Inc./Meritage Homes shall submit the final

design and construction plans for review and approval by the City Building Official or designee and the City Engineer or designee. The final design and construction plans shall show that the recommendations from the Geotechnical Evaluation regarding earthwork, design, foundation, retaining wall, garden wall, soil corrosivity, import soils, concrete slabs, sidewalks, and driveways have been incorporated into the final design.

Facts in Support of Finding 5.5(A). Generally, adequate engineering and construction techniques have been developed to reduce the risk of damage to structures from ground shaking, liquefaction, or unstable soils to acceptable levels. Here, the proposed project would be required to be designed to resist seismic forces in accordance with the criteria contained in the California Building Code, including Section 1613 earthquake load requirements. Furthermore, the proposed project would be designed and built in accordance with the applicable recommendations provided in the geotechnical evaluation, included as mitigation measure MM-GEO-1.

With respect to liquefaction issues, the project site is not located within a State of California Seismic Hazard Zone for liquefaction. Additionally, based on a review of groundwater levels in the vicinity of the project site, the depth to regional groundwater is greater than 100 feet below existing grade. Furthermore, the First American Master Property Disclosure Report notes that the project site is not located within a seismic hazard liquefaction zone. As such, the potential for liquefaction at the project site is low. Design and construction of the proposed project in accordance with the California Building Code and local requirements, as well as adherence to the recommendations provided in the site-specific geotechnical evaluation (mitigation measure MM-GEO-1), would minimize public exposure to earthquake risks, such as liquefaction, to the extent practicable.

With respect to soils, based on a site reconnaissance, evidence of ancient landslides or slope instabilities on the project site was not observed as the site is relatively flat. Given the underlying geologic conditions, the potential for lateral spreading is considered to be remote for the project site. Compliance with current California Building Code and seismic design recommendations in accordance with mitigation measure MM-GEO-1 would result in less than significant impacts with mitigation incorporated related to lateral spreading. Furthermore, according to the results of the laboratory testing, one sample of alluvial deposits tested indicated a "very low" expansion potential when tested in accordance with American Society for Testing Materials (ASTM) D 4829. The proposed townhomes shall be constructed in accordance with the California Building Code and Post-Tensioning Institute (PTI) design methodology. As such, it is not expected that expansive soils are present on the project site. Incorporation of site-specific geotechnical recommendations in accordance with mitigation measure MM-GEO-1, compliance with the California Building Code, and design review by the City as part of the building permit process would minimize the potential for the proposed project to be compromised by expansive soils, in the event that such soils were to be present on the project site.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant geology and soils impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant geology and soils impacts of the proposed project identified in the EIR.

5.6 Hazards and Hazardous Materials

Finding 5.6(A). Potentially significant effects were identified for the proposed project in that the proposed project could create a potentially significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials..

Support for this environmental impact conclusion is fully discussed in Section 3.8, Hazards and Hazardous Materials, of the Draft EIR.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize the significant adverse impacts related to hazards and hazardous materials was developed for the proposed project as provided below.

MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.

Facts in Support of Finding 5.6(A). Relatively small amounts of commonly used hazardous substances, such as gasoline, diesel fuel, lubricating oil, grease, and solvents would be used during construction of the proposed project. The project contractor and construction crews would be required to comply with all applicable regulations governing the use of hazardous materials. In addition, compliance with existing environmental regulations would ensure that the public and environment is protected through sound construction training programs and practices and through the installation of environmental protective measures/best management practices (BMPs) on the construction site. Consequently, use of these materials for their intended purpose would not pose a significant risk to the public or environment. Once construction is complete, construction-related hazardous materials would no longer remain on-site. Demolition of existing structures would involve removal and disposal of the existing building materials. Because some

buildings, especially those constructed prior to the mid-1970s, have the potential to contain hazardous building materials such as asbestos-containing materials (ACM) or lead-based paint (LBP), the EIR conservatively concludes that there is a potentially significant impact related to hazardous materials. An asbestos/LBP survey was not conducted as part of the Phase I ESA. Due to the age of the existing building (K-Mart building was constructed in 1968), the potential for ACM and LBP exist. Mitigation Measure MM-HAZ-1 reduces potential impacts to less than significant by requiring that prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician, and that the report document material types, conditions, and general quantities, along with photos of positive materials and diagrams; demolition plans and contract specifications must incorporate any abatement procedures for the removal of material containing asbestos and/or lead based paint to ensure less than significant impacts.

Hazardous materials that could be used once the proposed project is constructed would include chemical reagents, solvents, fuels, paints, cleansers, pesticides, fertilizers, and miscellaneous organics and inorganics that are used as part of building and grounds maintenance, as well as vehicle maintenance. The project would be required to comply with all federal, state, and local laws regulating the management, use, storage, and transportation of hazardous materials. Specifically regarding household hazardous materials associated with the proposed residential development, the Sanitation Districts of Los Angeles County operates a Household Hazardous and Electronic Waste Program that facilitates safe disposal of household hazardous wastes such as motor oil, paint, florescent light bulbs, batteries, etc. The program includes one-day events hosted in cities throughout Los Angeles County, several solvents/ Automotive/Flammables/Electronics Collection Centers situated throughout Los Angeles County, and two permanent household hazardous waste collection centers (one in Palmdale and another in Signal Hill) (LACSD 2016). Through compliance with local, state, and federal regulations, and the incorporation of mitigation measure MM-HAZ-1, implementation of the proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant hazardous materials impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant impacts of the proposed project related to hazards and hazardous materials that are identified in the EIR.

Finding 5.6(B). Potentially significant effects were identified for the proposed project in that the proposed project could create a potentially significant hazard to the public or the environment

through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize the significant adverse impacts related to hazards and hazardous materials was developed for the proposed project as provided below.

MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.

Facts in Support of Finding 5.6(B). Demolition of existing structures would involve removal and disposal of the existing building materials. Some buildings, especially those constructed prior to the mid-1970s, have the potential to contain hazardous building materials such as ACM and LBP; accordingly, the EIR conservatively concludes that the project has the potential to create a significant impact in this regard. An asbestos/LBP survey was not conducted as part of the Phase I ESA. Due to the age of the existing building (K-Mart building was constructed in 1968), the potential for ACM and LBP exist. Implementation of mitigation measure MM-HAZ-1 will ensure potential impacts from ACM and LBP are less than significant.

During operation, the project would not involve the use of acutely hazardous materials. Regulations are in place at the federal, state, and local level that require hazardous materials to be stored, handled, and transported in a manner that minimizes the potential for their release into the environment. Upon compliance with these regulations and incorporation of mitigation measure MM-HAZ-1, the likelihood of upset or accident conditions involving hazardous materials used during project construction and/or operation would be reduced to the extent practicable and would be less than significant.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant hazardous materials impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant impacts of the proposed project related to hazards and hazardous materials that are identified in the EIR.

Finding 5.6(C). Potentially significant effects were identified for the proposed project in that the proposed project potentially could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize the significant adverse impacts related to hazards and hazardous materials was developed for the proposed project as provided below.

MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.

Facts in Support of Finding 5.6(C). Fairvalley Continuation High School is located approximately 0.2 mile northeast of the project site. Cypress Elementary School is located approximately 0.3 mile southwest of the project site. (California Department of Education 2014). Project construction activities may involve the use of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Implementation of mitigation measure MM HAZ-1 would ensure that ACM or LBP that may be in the structures that are being demolished are handled and disposed of in a safe manner, and would ensure that children, teachers, staff, and visitors at the nearby schools are not exposed to hazardous materials during construction. Potential impacts therefore would be reduced to less than significant.

During operation, the project would not involve the use of acutely hazardous materials. Regulations are in place at the federal, state, and local level that require hazardous materials to be stored, handled, and transported in a manner that minimizes the potential for their release into the environment. Compliance with existing regulations would ensure that children, teachers, staff, and visitors at the nearby schools are not exposed to hazardous materials during operation.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant hazardous materials impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been

required in, or incorporated into the proposed project that mitigate or avoid the potentially significant impacts of the proposed project related to hazards and hazardous materials that are identified in the EIR.

Finding 5.6(D). Potentially significant effects were identified for the proposed project in that the proposed project could potentially be located on a site containing hazardous materials.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize the significant adverse impacts related to hazards and hazardous materials was developed for the proposed project as provided below.

MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.

MM-HAZ-2 Prior to obtaining a certificate of occupancy, the removal of the underground storage tank shall be permitted and completed in accordance with the Los Angeles County Fire Department Health Hazardous Materials Division protocol.

MM-HAZ-3 Prior to obtaining a certificate of occupancy, the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm. At a minimum, soil samples shall be analyzed for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Should visually stained soil be observed in the reservoir pit area, additional soil samples shall be collected to further evaluate subsurface impact. Should TPH, VOCs, or PCBs be detected in the soil sample(s), the environmental consult shall advise the City of Covina about additional steps to be taken, which may include regulatory agency notification and remediation. Additional sampling may also be required prior to the disposal of the hydraulic lift units.

Facts in Support of Finding 5.6(D). Multiple analyses have been conducted in connection with potential hazardous materials on the site. Based on a review of the environmental database report, the former K-Mart and Penske Auto Center on the project site were listed in environmental database reports primarily due to the automotive service portion of the former business operation. However, no violations were found in the database.

As it relates to this specific potential sub-area impact, GeoTek, an environmental consultant, was granted access to the existing structure on August 18, 2015. At the time of the site visit, six hydraulic lift units were identified in the automotive shop area; three dismantled to the surface and three patched with concrete. Based on observations, it was not known if the units had been removed or if the concrete was patched. Based on GeoTek's experience with auto service facilities, underground hydraulic lift mechanisms could have impacted the sub-surface environment over time, primarily with petroleum hydrocarbons and poly-cholorinated biphenysl (PCBs). There is also a historic underground waste-oil storage tank registered for the project site. As such, mitigation measure MM-HAZ-2 will reduce potential impacts to less than significant by requiring that removal of the underground storage tank be permitted and occur in compliance with specified protocols.

Furthermore, it was determined that because the project site has historically possessed an UST which may still be present on-site, and may also have hydraulic lift mechanisms, the project site would not pass a Tier I Vapor Encroachment Screen. Consequently, in lieu of a Tier II Vapor Encroachment Study, mitigation measures MM-HAZ-2 and MM-HAZ-3 are incorporated. MM-HAZ-2 is described above; MM-HAZ-3 reduces impacts to less than significant by requiring that the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm, with additional steps to be taken as described in the mitigation measure.

Finally, GeoTek noted that a hydraulic trash compactor was present on-site. Historic evidence suggested that the trash compactor was installed on the project site after the 1979 ban of PCBs in the United States. Additionally, no visual evidence of spills or leaks associated with the trash compactor was noted at the time of the site reconnaissance. In addition to the site reconnaissance, GeoTek conducted an interview in the form of a "User Questionnaire" with Mr. Lester Tucker (a representative of MLC Holdings Inc.). Based on the "User Questionnaire" provided by Mr. Tucker, Mr. Tucker was not aware of any environmental clean-up liens or activity use limitations, and has no knowledge of past uses related to specific chemicals, chemical spills, or environmental cleanups on the project site. Mr. Tucker did indicate, however, that there may be asbestos in the building. Due to the age of the existing building (K-Mart building was constructed in 1968) and the potential for ACM and LBP to exist, the implementation of mitigation measure MM HAZ-1 will ensure potential impacts from ACMs and LBPs are less than significant based on compliance with specified standards.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant hazardous materials impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially

significant impacts of the proposed project related to hazards and hazardous materials that are identified in the EIR.

5.7 Noise

Finding 5.7(A). Potentially significant noise effects were identified for the proposed project in that the proposed project could result in exposure of persons to or generation of noise levels in excess of applicable standards, resulting in potentially significant impacts.

Support for this environmental impact conclusion is fully discussed in Section 3.12, Noise, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize the significant adverse impacts related to noise were developed for the proposed project and are provided below.

MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m. Monday through Saturday, and not at all during other hours or on Sundays or public holidays. This condition shall be listed on the project's final design to the satisfaction of the City Engineering Department.

MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit:

- The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department.
- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.

- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.
- If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.

MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.

MM-NOI-4 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.

MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.

MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.

MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally, sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City's 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.

Facts in Support of Finding 5.7(A). Although nearby off-site residences would be exposed to elevated construction noise levels, the exposure would be short-term, and would cease upon project construction. It is anticipated that construction activities associated with the proposed project would take place between 7:00 a.m. and 8:00 p.m., and would not take place on Sundays or public holidays, and would therefore, not violate City of Covina Municipal Code or General Plan standards for construction. However, construction noise levels would be substantially higher than existing ambient daytime noise levels (as shown in Table 3.12-2 of the Draft EIR). Therefore, noise impacts from construction are considered potentially significant. Mitigation Measure MM-NOI-1 would place limits on the permitted time and day for construction activities, and MM-NOI-2 would require adherence to specific measures related to the location of construction equipment, the proximity of various pieces of construction equipment to one another, use of noise barriers, and use of other noise reduction measures.

With respect to operational noise impacts from the Transit Center and Park & Ride Facility, noise levels from the proposed Transit Center and Park & Ride facility during peak commute hours (early morning and early evening hours) are anticipated to be approximately 63 dBA Leq at a distance of 30 feet. The proposed parking structure's location as currently envisioned is located within approximately 30 feet from the nearest residential property boundary, located to the east. Ground-floor level parking structure noise would be shielded from adjacent residences by the planned 8-foot high perimeter wall. However, noise from upper floors of the parking structure would likely not be effectively shielded by the project's perimeter wall. If the walls of the parking structure are open on the east-facing side, the City of Covina's standards for the residences east of the project site (55 dBA Leq daytime and 45 dBA Leq nighttime) would be exceeded. Implementation of mitigation measure MM NOI-3 would reduce noise impacts from the parking structure to a less than significant level by requiring that the parking structure be designed such that the easternmost side of the structure is not open, so as to prevent noise from the upper floors from emanating directly into the adjacent area.

In addition, the retail/commercial portion of the Transit Center and Park & Ride Facility component and the iTEC component both have the potential to generate noise from HVAC equipment. HVAC equipment located on the ground or on the rooftop of the retail space would have the potential to generate high noise levels. The specific details (location, size, manufacturer, and model) of the equipment have not yet been determined. Noise levels generated by HVAC equipment vary, but typically range from approximately 50 dBA to 65 dBA at a distance of 50 feet (City of Santa Ana 2010). For a single point source such as a piece of mechanical equipment, the sound level normally decreases by approximately 6 dBA for each doubling of distance from the source under "hard-surface" conditions typical of a developed commercial site. HVAC noise levels have the potential to exceed the City's noise standard (45 dBA Leq nighttime) for stationary-source noise at the low-density residential uses to the east and west if located within approximately 500 feet of the nearest existing noise-sensitive receptors to the project site (assuming a clear line-of sight between the source and receiver). Also, HVAC noise levels have the potential to exceed the City's noise standard (50 dBA Leq nighttime) at the existing and proposed onsite medium-density residential uses to the north and south if located within approximately 350 feet. Implementation of mitigation measure MM NOI-4 would reduce noise impacts from HVAC equipment to a less than significant level by requiring an acoustical analysis which will ensure that equipment specifications and plans incorporate measures that will achieve relevant noise limits.

Regarding the residential development component, contemplated recreational facilities within the project site would include a pool and green space area, which would be located along the eastern side of the project site. During daytime and evening hours, noise from most of these uses would not be disruptive, because ambient noise levels are higher during these hours, and typical activities in the daytime and evening are less prone to disruption by noise. At night, however, pool noise could be loud enough to disrupt sleep and other activities at adjacent on-site and neighboring off-site residences. Implementation of mitigation measure MM NOI-5 would reduce noise impacts from recreational noise to a less than significant level by requiring signs to be posted at the recreation area prohibiting noisy activities between 10:00 p.m. and 7:00 a.m.

Noise impacts could also occur due to traffic. As shown in Table 3.12-10 of the Draft EIR, the results of the noise modeling indicate that on-site noise levels at the facades with a direct view of North Citrus Avenue (represented by M5 and M6) would range from 66 to 67 dBA Ldn. These noise levels would exceed the City Noise/Land Use Compatibility noise standard for medium-density residential land uses of 65 dBA Ldn. Because the project's proposed balconies and patio areas are subject to the 65 dBA Ldn noise standard, noise mitigation is required for these exterior areas. In order to achieve the desired noise reduction (a minimum of 1 to 2 decibels reduction) Mitigation Measure MM-NOI-6 requires a noise barrier with a minimum height of 5 feet to be constructed along the length of each of the balconies / patio areas with predicted traffic noise levels exceeding 65 dB Ldn (i.e., units with balconies fronting on North Citrus Avenue). The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar

material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks. With the implementation of mitigation measure MM NOI-6, the resultant noise level would meet the City's noise standard of 65 dBA Ldn or lower.

Finally, the data shown in Table 3.12-10 of the Draft EIR indicate that the future noise levels would range up to 67 dBA Ldn at the facades of the residences adjacent to North Citrus Avenue (i.e., M5 through M9). Thus, the unmitigated interior noise level within the habitable rooms of these dwelling units could exceed the 45 dBA Ldn noise criterion. Mitigation Measure MM-NOI-7 requires that specified actions be implemented and a subsequent interior noise analysis be conducted such that the resultant noise level would meet the State and City interior noise standard of 45 dBA Ldn.

The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant noise impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant noise impacts of the proposed project that are identified in the EIR.

Finding 5.7(B). Potentially significant noise effects were identified for the proposed project in that the proposed project could result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, resulting in potentially significant impacts. Support for this environmental impact conclusion is fully discussed in Section 3.12, Noise, of the Draft EIR.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible mitigation that can minimize the significant adverse impacts related to noise was developed for the proposed project as provided below.

MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit:

- The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department.

- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.
- If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.

Facts in Support of Finding 5.7(B). Construction activities that might expose persons to excessive ground-borne vibration or ground-borne noise could cause a potentially significant impact. Ground-borne vibration information related to construction activities has been collected by the California Department of Transportation (Caltrans 2004). Information from Caltrans indicates that continuous vibrations with a peak particle velocity of approximately 0.1 inch/second begin to annoy people. The heavier pieces of construction equipment, such as bulldozers, would have peak particle velocities of approximately 0.089 inch/second or less at a distance of 25 feet (DOT 2006). Ground-borne vibration is typically attenuated over short distances. At the residential backyard distance to the construction area (approximately 30 feet) and with the anticipated construction equipment, the peak particle velocity would be approximately 0.068 inch/second. This vibration level would exceed the City of Covina's vibration threshold of perceptibility of 0.01 inch/second. Vibration is very subjective, and some people may be annoyed at continuous vibration levels near the level of perception (or approximately a peak particle velocity of 0.01 inch/second). Although construction activities would not use construction equipment that would result in continuous vibration levels that typically annoy people, since some residential backyards are approximately 30 feet from the construction area, residences could be temporary annoyed with the use of some construction equipment. Implementation of mitigation measure MM NOI-2 would ensure residences are notified of construction activities and provided contact information in the event they wish to report a noise- or vibration-related complaint, and would reduce impacts to less than significant.

The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant noise impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant noise impacts of the proposed project that are identified in the EIR.

Finding 5.7(C). Potentially significant noise effects were identified for the proposed project in that the proposed project could result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, resulting in potentially significant impacts.

Support for this environmental impact conclusion is fully discussed in Section 3.12, Noise, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize the significant adverse impacts related to noise were developed for the proposed project and are provided below.

MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.

MM-NOI-4 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.

MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.

MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.

MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally, sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City's 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.

Facts in Support of Finding 5.7(C). As discussed above in Finding 5.7(A), long-term operational noise would result from the various project components including the parking structure, retail uses, the event center, and residential uses. The proposed project would also generate off-site traffic noise along adjacent roadways (North Citrus Avenue and East Covina Boulevard) as well as overall traffic noise at the project site. As discussed under item 3.12(A), mitigation measures are identified to ensure that operation of the proposed project would not exceed applicable noise standards or otherwise result in a substantial permanent increase in ambient noise levels. Upon implementation of mitigation measures MM-NOI-3 through MM-NOI-7, operational noise impacts would be less than significant with mitigation incorporated.

The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant noise impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant noise impacts of the proposed project that are identified in the EIR.

Finding 5.7(D). Potentially significant noise effects were identified for the proposed project in that the proposed project could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, resulting in potentially significant impacts.

Support for this environmental impact conclusion is fully discussed in Section 3.12, Noise, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize the significant adverse impacts related to noise were developed for the proposed project and are provided below.

MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m. Monday through Saturday, and not at all during other hours or on Sundays or public holidays. This condition shall be listed on the project's final design to the satisfaction of the City Engineering Department.

MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit:

- The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department.
- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.
- If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce

noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.

Facts in Support of Finding 5.7(D). As discussed under Finding 5.7(D), the proposed project would result in temporary noise increases during the planned construction period. The temporary increases in ambient noise levels would vary depending on the location of the construction activities and the type of equipment being used. The estimated construction noise levels at nearby noise-sensitive land uses are summarized in Table 3.12-7 of the Draft EIR. Temporary noise increases at adjacent existing and future noise-sensitive land uses from construction activities are considered potentially significant; however, with the implementation of mitigation measures MM-NOI-1 and MM-NOI-2, temporary noise impacts from construction activities would be less than significant with mitigation incorporated.

The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant noise impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant noise impacts of the proposed project that are identified in the EIR.

5.8 Cumulative Impacts

Pursuant to CEQA Guidelines Section 15130, the following findings identify potentially significant cumulative impacts and the project's incremental contribution to those impacts. For the following environmental resource areas, the project's incremental effect would not be cumulatively considerable, after implementation of applicable mitigation measures.

Aesthetics

Finding. Lighting and building materials associated with cumulative development in the project area, in combination with the lighting and building materials of the proposed project, could combine to create a cumulatively significant impact in the category of aesthetics. Support for this environmental impact conclusion is fully discussed in Section 3.1, Aesthetics, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential aesthetic effects. These measures, MM-AES-1 and MM-AES-2, are listed in Section 5.1 of this document. These feasible measures would reduce the project's incremental aesthetic effect to below a level of significance.

Facts in Support of Finding. Similar to the proposed project, lighting and building materials associated with cumulative development would be subject to review and approval by the City of Covina Planning Department. Because detailed information regarding proposed lighting and

building materials for cumulative projects is not currently known, in an abundance of caution the EIR has concluded that the project has a potential cumulative aesthetic impact due to lighting issues. However, while lighting for the proposed project would be provided throughout the project site, to ensure minimal sky glow and light trespass onto adjacent properties, mitigation measures MM-AES-1 and MM-AES-2 would be implemented. With the implementation of these mitigation measures, the proposed project would not contribute considerably to a potential significant cumulative impact, and cumulative aesthetic impacts would be less than significant.

The City finds that mitigation measures MM-AES-1 and MM-AES-2 are feasible, are adopted, and will reduce the potentially significant cumulative aesthetic impact of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of aesthetics that are identified in the EIR.

Biological Resources

Finding. The project site contains suitable bird nesting and bat roosting habitat that could be used by special-status species and/or migratory and nesting bird species protected under the Migratory Bird Treaty Act. Development of the proposed project in combination with the development of other project sites in the area that also contain suitable bird nesting and bat roosting habitat could result in a cumulatively considerable effect to biological resources. Support for this environmental impact conclusion is fully discussed in Section 3.4, Biological Resources, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential effects relative to special-status species, migratory birds, and nesting birds. These measures, MM-BIO-1 and MM-BIO-2, are listed in Section 5.3 of this document. These feasible measures would reduce the project's incremental biological effect to below a level of significance.

Facts in Support of Finding. The proposed project would have a less than significant effect with mitigation incorporated relative to special-status species and wildlife movement. While the project site contains suitable bird nesting and bat roosting habitat, which could potentially be used by special-status species and/or species that are protected under the Migratory Bird Treaty Act and could, combined with other project, create a cumulative biological resources impact, with implementation of mitigation measures MM-BIO-1 and MM-BIO-2, the project's effects would be less than significant; as such, the proposed project would not considerably contribute to a cumulatively significant impact to special-status species or wildlife movement, nor would it lead to a new cumulatively significant impact.

The City finds that mitigation measures MM-BIO-1 and MM-BIO-2 are feasible, are adopted, and will reduce the potentially significant cumulative biological impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of biological resources that are identified in the EIR.

Cultural Resources

Finding. The project site and the sites of related development projects in the area have the potential to contain previously unknown, buried archaeological resources, paleontological resources, and/or human remains. In the event that such resources are significant under CEQA and are damaged during construction activities, construction at the project site and at the sites of related development projects in the area could potentially result in a cumulatively significant impact to cultural resources. Support for this environmental impact conclusion is fully discussed in Section 3.5, Cultural Resources, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential effects relative to archaeological resources, paleontological resources, and human remains. These measures, MM-CUL-1, MM-CUL-2, and MM-CUL-3, are listed in Section 5.4 of this document. These feasible measures would reduce the project's potential incremental effect on cultural resources to below a level of significance.

Facts in Support of Finding. The City finds that mitigation measures MM-CUL-1, MM-CUL-2, and MM-CUL-3 are feasible, are adopted, and will reduce the proposed project's contribution to potentially significant cumulative impacts to cultural resources to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of cultural resources that are identified in the EIR.

Geology and Soils

Finding. The project site and the sites of related development projects in the area have the potential to be affected by seismic hazards and unstable geologic conditions. Development of the proposed project in combination with other projects has the potential to create cumulative impacts related to geology and soils; for example, an increased number of persons and structures could become susceptible to geologic hazards that are present in the City and surrounding areas, such as seismic ground shaking, seismic-related ground failure, geologic instability, and soil

expansion. Support for this environmental impact conclusion is fully discussed in Section 3.6, Geology and Soils, of the Draft EIR.

Mitigation Measure. A Feasible measure has been developed for the proposed project to address its potential effects relative to geology and soils. This measure, MM-GEO-1, is provided in Section 5.5 of this document. This feasible measure would reduce the project's potential incremental effect related to geology and soils to below a level of significance.

Facts in Support of Finding. The City finds that mitigation measure MM-GEO-1 is feasible, is adopted, and will reduce the potentially significant cumulative geology and soils impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of geology and soils that are identified in the EIR.

Noise

Finding. The proposed project would result in long-term operational noise. A cumulative impact could result if noise produced during operation of the proposed project were to combine with noise produced from the operations of the related projects to create a cumulatively significant permanent increase in ambient noise levels. As such, development of the proposed project in combination with the related projects could result in a cumulatively significant noise impact. Support for this environmental impact conclusion is fully discussed in Section 3.12, Noise, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential effects relative to long-term operational noise. These measures, MM-NOI-3, MM-NOI-4, MM-NOI-5, MM-NOI-6, and MM-NOI-7, are provided in Section 5.7 of this document. These feasible measures would reduce the project's potential incremental effect related to noise to below a level of significance.

Facts in Support of Finding. The City finds that mitigation measures MM-NOI-3, MM-NOI-4, MM-NOI-5, MM-NOI-6, and MM-NOI-7 are feasible, are adopted, and will reduce the potentially significant cumulative noise impacts of the proposed project to less than significant levels by reducing to less than significant the project's potential contribution to cumulative noise impacts. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative noise impacts of the proposed project that are identified in the EIR.

CHAPTER 6.0
FINDINGS ON PROJECT ALTERNATIVES

Chapter 4.0, Alternatives, of the EIR discusses several alternatives to the proposed project in order to present a reasonable range of options. The alternatives evaluated included: No Project (Vacant K-Mart Building) Alternative, No Project (Planned Development) Alternative, Corner Parcel Acquisition Alternative, Reduced iTEC Alternative, and Reduced iTEC with Senior Center Alternative.

6.1 Alternative 1 – No Project (Vacant K-Mart Building) Alternative

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of "no project" along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. As specified in Section 15126.6(e)(3)(B) of the CEQA Guidelines, the no project alternative for a development project consists of the circumstance under which a proposed project does not proceed. As stated in Section 15126.6(e)(2) of the CEQA Guidelines, the lead agency is required to examine conditions that are reasonably expected to occur in the foreseeable future if the project were not approved. It is reasonably foreseeable that the K-Mart site would continue to remain vacant. Therefore, Alternative 1 assumes that the environmental conditions of the project site at the time that the Notice of Preparation was released (May 2016) would remain in place. Under Alternative 1, the K-Mart building and parking lot would remain vacant and unused and the private school would continue its operations, consistent with May 2016 environmental conditions.

Environmental Effects

Construction impacts associated with the proposed project would be avoided because no development would occur on the project site under the No Project (Vacant K-Mart Building) Alternative. Maintenance activities would occur as needed to maintain the existing facilities. Operational impacts associated with the proposed project would be avoided because no changes to the project site would occur. Overall, Alternative 1 would result in decreased environmental impacts relative to the proposed project. Support for this conclusion is fully discussed in Section 4.2.1, Alternative 1, of the Draft EIR.

Finding

The project site is currently an unutilized, vacant site that has a degraded appearance. Under Alternative 1, the generally vacant and degraded appearance of the project site would be maintained and the proposed project's improvements relative to design and landscaping would

not occur. Unlike the proposed project, Alternative 1 would not implement General Plan policies that pertain to providing better links to transit and mixed uses. Further, this alternative would not achieve any of the objectives of the proposed project. It would not repurpose the project site with an innovative development concept, would not revitalize the project site with a development that creates a regional destination, would not introduce an innovative use of the property, and would not close the north/south transportation gap between exiting transportation facilities. It would not help meet a need for entry-level homeownership opportunities, would not provide a transit center and parking facility, and would not increase accessibility for bus patrons. It would fail to incorporate a new residential community into the existing core of nearby commercial services and would fail to introduce a transit-oriented development into the project area. Under Alternative 1, the site would remain underutilized and would not contribute to the housing or the employment stock of the City. Rather, Alternative 1 would proliferate a sense of urban blight in the area.

For the reasons described above, the City rejects Alternative 1 because it fails to meet the project's underlying purpose of establishing a mixed-use and transit-oriented development at the project site. The City hereby finds that failure to meet the project's underlying purpose is an independent ground for rejecting Alternative 1 and by itself, independent of any other reason, justifies rejection of Alternative 1.

Furthermore, Alternative 1 would not meet the project objectives that support this underlying purpose. The City hereby finds that failure to meet the project objectives is an independent ground for rejecting Alternative 1 and by itself, independent of any other reason, justifies rejection of Alternative 1. As such, the City finds that this alternative is not desirable or feasible and finds that the project is preferred over this alternative.

6.2 Alternative 2 – No Project (Planned Development) Alternative

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of "no project" along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. As specified in Section 15126.6(e)(3)(B) of the CEQA Guidelines, the no project alternative for a development project consists of the circumstance under which a proposed project does not proceed. As stated in Section 15126.6(e)(2) of the CEQA Guidelines, the lead agency is required to examine conditions that are reasonably expected to occur in the foreseeable future if the project were not approved. While it is reasonably foreseeable that the K-Mart building would continue to remain vacant (as described in Alternative 1 above), it is also reasonably foreseeable that if that proposed project were not approved, the project site would support a business similar to K-Mart in the future, because the project site has existing infrastructure to support a commercial use. Alternative 2 assumes that a similar commercial tenant would occupy the vacant building and would use the associated surface parking lot. Because the on-site commercial structure has been vacant for several years, Alternative 2

assumes that the new commercial tenant would make improvements to the project site and to the existing commercial structure. Improvements are anticipated to consist of re-surfacing the existing surface parking lot, exterior improvements to the existing structure, and interior modifications to the existing structure. The former K-Mart business also included a supplementary automotive service facility, which had approximately 12 service stalls. Depending on the new commercial tenant, renovations could potentially involve removal of the existing hydraulic lift units and underground waste-oil storage tank on the project site that were associated with the previous automotive service facility. The existing landscaping would generally be retained and the K-Mart building would be retained. The private school would also remain in place, and its operation would continue in a manner consistent with existing conditions.

Environmental Effects

Construction activities for Alternative 2 would be minor relative to the construction activities that would be required for the proposed project. The construction activities for Alternative 2 would require fewer truck trips, fewer construction workers, less construction waste, and a shorter duration of construction when compared to the proposed project. Less ground disturbance would be required, since the existing on-site buildings and landscaping would remain in place. As such, construction-related impacts would generally decrease when compared to the proposed project. Operation would involve vehicular trips to and from the project site, since the new commercial tenant would require employees and would result in customers traveling to and from the project site. These vehicular trips would be associated with off-site traffic noise, air emissions, and greenhouse gas emissions that would represent an increase over the baseline conditions of the project site. However, the number of trips associated with a new commercial tenant is anticipated to be less than those caused by the proposed project, which includes residential, commercial, and transit uses. The new commercial tenant would also cause an increase in on-site noise sources relative to existing conditions due to the presence of additional people on the project site and the need for stationary noise sources, such as HVAC equipment. However, the noise produced is anticipated to be less than that of the proposed project. Overall, when compared to the proposed project, Alternative 2 would have reduced environmental impacts. Support for this conclusion is fully discussed in Section 4.2.2, Alternative 2, of the Draft EIR.

Finding

Unlike the proposed project, Alternative 2 would not implement General Plan policies that pertain to providing better links to transit and mixed uses. Further, Alternative 2 would not achieve any of the project objectives. It would not repurpose the project site with an innovative development concept, would not revitalize the project site with a development that creates a regional destination, would not introduce an innovative use of the property, and would not close the north/south transportation gap between exiting transportation facilities. It would not help

meet the need for entry-level homeownership opportunities, would not provide a transit center and parking facility, and would not increase the accessibility for bus patrons. It would fail to incorporate a new residential community into an existing core of nearby commercial services and would fail to introduce a transit-oriented development into the area. While Alternative 2 would improve the appearance of the site and would provide employment at the site, it would not increase the City's housing stock and would not create a modernized, innovative, transit-oriented, and community-oriented space within the City.

For the reasons described above, the City rejects Alternative 2 because it fails to meet the project's underlying purpose of establishing a mixed-use and transit-oriented development at the project site. The City hereby finds that failure to meet the project's underlying purpose is an independent ground for rejecting Alternative 2 and by itself, independent of any other reason, justifies rejection of Alternative 2.

Furthermore, Alternative 2 would not meet the project objectives that support this underlying purpose. The City hereby finds that failure to meet the project objectives is an independent ground for rejecting Alternative 2 and by itself, independent of any other reason, justifies rejection of Alternative 2. As such, the City finds that this alternative is not desirable or feasible and finds that the project is preferred over this alternative.

6.3 Alternative 3 – Corner Parcel Acquisition Alternative

The City does not currently control the lot that is located on the northeast corner of Covina Boulevard and Citrus Avenue. (This lot is currently occupied by a strip mall of approximately 21,719 square feet). As such, the proposed project does not include any development on this lot. However, Alternative 3 assumes that the City would successfully acquire this corner lot and would develop it as part of the proposed project. The configuration of the iTEC would be slightly modified to account for the incorporation of the corner lot into the project site. (Development of the residential townhomes and Transit Center and Park & Ride Facility would be the same as the proposed project.) Under Alternative 3, the event center and the office areas within the iTEC would be divided into two separate structures. The events center would be located in the southwestern corner of the site and would be 10,000 square feet in size. This building would be one story in height. To the east of the event center would be a separate building containing professional office space. This building would total 11,000 square feet. Of this area, approximately 5,000 square feet would be dedicated to business incubator use. This building would be one story in height. All other components of the iTEC would remain the same as the proposed project.

Environmental Effects

The key difference between Alternative 3 and the proposed project is the configuration of the iTEC and the height of the iTEC. Under Alternative 3, the uses contained within the iTEC would

be distributed amongst two separate buildings: an event center and an office building containing both professional office space and business incubation space. The iTEC that would be developed as part of the proposed project would be two stories in height (approximately 35 feet), while the buildings comprising the iTEC under Alternative 3 would be one story (approximately 25 to 28 feet) in height. As such, the iTEC buildings proposed under Alternative 3 would be reduced in height compared to the proposed project. While the proposed two-story iTEC building would be compatible with existing development in the project area and would not substantially obstruct any scenic vistas, developing single-story iTEC buildings would reduce impacts in the category of aesthetics when compared to the proposed project. The existing development in the project area consists of low-rise buildings that are generally one to three stories in height. The single-story iTEC buildings would be less visually prominent, as they would be on the low end of the range of typical building heights in the project area. Additionally, the single-story iTEC buildings could reduce the degree to which the proposed project would obstruct views of the San Gabriel Mountains. As such, Alternative 3 would reduce impacts that were identified for the proposed project relative to aesthetics. Aside from the reconfiguration of the iTEC building and a reduction in the proposed project's aesthetic impact, all other project components and resulting environmental impacts for Alternative 3 would be the same as those that have been identified for the proposed project. Support for these conclusions is fully discussed in Section 4.2.3, Alternative 3, of the Draft EIR.

Finding

Alternative 3 would meet all the project objectives. Alternative 3 would also slightly reduce the proposed project's impacts in the category of scenic vistas and visual character and quality. However, the environmental analysis in the EIR determined that the proposed project would result in less than significant impacts in these categories; as such, Alternative 3 would not avoid or reduce any potentially significant impacts.

Furthermore, the City has not acquired the corner parcel. As explained above, the City would need to control this parcel in order to approve Alternative 3. Because the City was unable to acquire this parcel, the City rejects Alternative 3 in favor of the proposed project. The City hereby finds that inability to acquire the land necessary for Alternative 3 is an independent ground for rejecting Alternative 3 and by itself, independent of any other reason, justifies rejection of Alternative 3.

6.4 Alternative 4 – Reduced iTEC Alternative

Under this alternative, the size of the proposed iTEC building would be reduced to 12,000 square feet from the proposed project's size of 21,000 square feet. The reduced iTEC and would be one story (approximately 25 to 28 feet) in height and would accommodate an event center and business incubator space. No professional office space would be provided within the iTEC. All other components of the iTEC would remain the same. The corner lot that would become part of

the project site under Alternative 3 would not be part of the project. The residential and transit portions of the project would remain the same as the proposed project.

Environmental Effects

The key difference between Alternative 4 and the proposed project is the height and size of the iTEC. The iTEC that would be developed under the proposed project would be two stories (approximately 35 feet in height), while the iTEC that would be developed under Alternative 4 would be one story (approximately 25 to 28 feet) in height. As such, the iTEC building proposed under Alternative 4 would be reduced in height relative to the proposed project. While the proposed two-story iTEC building would be compatible with existing development in the project area and would not substantially obstruct any scenic vistas, the one story (approximately 25 to 28 feet) iTEC building that would be developed under Alternative 4 would reduce impacts in the category of aesthetics when compared to the proposed project. The existing development in the project area consists of low-rise buildings that are generally one to three stories in height. An iTEC building of a reduced height would be less visually prominent and could reduce the degree to which the proposed project would obstruct views of the San Gabriel Mountains. As such, Alternative 4 would reduce impacts that were identified for the proposed project relative to aesthetics.

A reduction in the size of the iTEC building by 9,000 square feet as compared with the proposed project could slightly reduce construction and operational impacts, when compared to the proposed project. As such, air quality impacts, noise impacts, and traffic and transportation impacts would be slightly reduced when compared with the proposed project. However, the same mitigation measures identified for air quality and noise in Chapter 3.0 of the EIR would still be required, since a slight reduction in the square footage of the iTEC would not eliminate the need for mitigation measures in these categories. For all other impact categories, the elimination of 9,000 square feet of floor area from the proposed iTEC would not change the construction or operational scenarios of the project to the extent that the impacts identified for the proposed project would be avoided, reduced, or increased. As such, all other environmental impacts for Alternative 4 would be the same as those that have been identified for the proposed project.

Finding

Alternative 4 is generally identical to the proposed project, with the exception of reduced square footage for the iTEC building. No professional office space would be provided in the iTEC building under Alternative 4. This change would not substantially affect the extent to which Alternative 4 would meet the project objectives. For example, reducing the iTEC by 9,000 square feet would not substantially reduce the extent to which the project would revitalize and repurpose the project site with an innovative development that would raise the positive image profile of Covina. Additionally, changes to the iTEC would not change the extent to which Alternative 4 would meet objectives pertaining to development of transit and residential uses.

Elimination of the proposed professional office space from the proposed iTEC may slightly reduce the extent to which Alternative 4 would meet the needs of Covina businesses. However, the iTEC would still provide business incubation space and would support overall economic growth in the area. As such, most of the basic project objectives would be met by Alternative 4.

Alternative 4 would result in slightly reduced environmental effects related to the proposed project and has been identified as the environmentally superior alternative, not including the two "no project" alternatives. However, as described in Chapter 5.0 of this document, all of the proposed project's potentially significant impacts have been reduced below a level of significance with incorporation of mitigation measures. As such, approval of Alternative 4 in place of the proposed project would not avoid, reduce, or eliminate any significant and unavoidable environmental impacts, since none would occur under the proposed project. Furthermore, Alternative 4 would not reduce environmental effects to the extent that the proposed project's impacts would be eliminated or even to the extent that the mitigation measures listed in Chapter 5.0 above would no longer be required.

While Alternative 4 would meet most of the project's basic objectives, the smaller iTEC building that would be developed under Alternative 4 is less desirable than the larger iTEC that would be developed under the proposed project. The iTEC will foster a greater sense of community at the proposed development and will provide a unique and innovative space for residents and businesses in Covina, and potentially those in surrounding communities as well. The City aims to maximize the iTEC space in order to provide more amenities for community members and local businesses. Under Alternative 4, less space would be provided for the innovative, community-oriented, and local business–friendly uses that are proposed for the iTEC. Additionally, the smaller iTEC that would be developed under Alternative 4 would omit professional office space, thereby lessening the extent to which the project would support local businesses and provide for employment at the project site. Additionally, without the professional office space, the iTEC would provide fewer new and innovative spaces for local businesses in a transit-oriented and mixed-use space. For these reasons, the City finds the proposed project to be more desirable than Alternative 4. The City hereby finds that each of these specified reasons is an independent ground for rejecting Alternative 4 and by itself, independent of any other reason, justifies rejection of Alternative 4. Due to the marginal difference in environmental effect between the proposed project and Alternative 4, and due to the desirability of the proposed project over Alternative 4, the City rejects Alternative 4 in favor of the proposed project.

6.5 Alternative 5 – Reduced iTEC with Senior Center Alternative

Under this alternative, the size of the proposed iTEC building would be reduced to 15,000 square feet from the proposed project's size of 21,000 square feet. The iTEC building would be one story (approximately 25 to 28 feet) in height. The office space area would no longer be part of the iTEC. Instead, the iTEC would accommodate an event center and a senior center. All other components of the iTEC would remain the same. The corner lot that would become part of the

project site under Alternative 3 would not be part of the project. The residential and transit portions of the project would remain the same as the proposed project.

Environmental Effects

The key difference between Alternative 5 and the proposed project is the height and size of the iTEC. The iTEC that would be developed under the proposed project would be two stories (approximately 35 feet in height), while the iTEC that would be developed under Alternative 5 would be one story (approximately 25 to 28 feet) in height. The iTEC building proposed under Alternative 5 would be reduced in height when compared to the proposed project. While the proposed 35-foot iTEC building would be compatible with existing development in the project area and would not substantially obstruct any scenic vistas, the one-story (approximately 25 to 28 feet tall) iTEC building that would be developed under Alternative 5 would reduce impacts in the category aesthetics when compared to the proposed project. The existing development in the project area consists of low-rise buildings that are generally one to three stories in height. An iTEC building of a reduced height would be less visually prominent and could reduce the degree to which the proposed project would obstruct views of the San Gabriel Mountains. As such, Alternative 5 would reduce impacts that were identified for the proposed project relative to aesthetics.

A reduction in the size of the iTEC building by 6,000 square feet as compared with the proposed project could slightly reduce construction and operational impacts, when compared to the proposed project. As such, air quality impacts, noise impacts, and traffic and transportation impacts would be slightly reduced when compared with the proposed project. However, the same mitigation measures identified for air quality and noise in Chapter 3.0 of this EIR would still be required, since a slight reduction in the square footage of the iTEC would not eliminate the requirement for mitigation in these categories. For all other impact categories aside from aesthetics, air quality, noise, and traffic, the elimination of 6,000 square feet of floor area from the proposed iTEC would not change the construction or operational scenarios of the project to the extent that the impacts identified for the proposed project would be avoided, reduced, or increased. As such, all other environmental impacts for Alternative 5 would be the same as those that have been identified for the proposed project.

Finding

Alternative 5 is generally identical to the proposed project, with the exception of reduced square footage for the iTEC building from 21,000 square feet under the proposed project to 15,000 square feet. No professional office space or business incubation space would be provided in the iTEC building that would be developed under Alternative 5. Instead, a senior center would be provided within the iTEC, along with the event center space. This change would not substantially affect the extent to which Alternative 5 would meet the project objectives. For example, reducing the iTEC by 6,000 square feet and eliminating the office component would not substantially

affect the extent to which the project would revitalize and repurpose the project site with an innovative development that would raise the positive image profile of Covina. Additionally, the iTEC that is proposed under Alternative 5 would not change the extent to which this alternative would meet objectives pertaining to development of transit and residential uses. Elimination of the proposed office space and business incubation space from the proposed iTEC may slightly reduce the extent to which Alternative 5 would meet the needs of Covina businesses. However, the iTEC would still support overall economic growth in the area. As such, most of the basic project objectives would be met by Alternative 5.

Alternative 5 would result in slightly reduced environmental effects when compared with those of the proposed project. However, as described in Chapter 5.0 of this document, all of the proposed project's potentially significant impacts have been reduced below a level of significance with incorporation of mitigation measures. As such, Alternative 5 would not result in avoidance or reduction in significance for any potentially significant and unavoidable environmental impacts, as none would occur. Furthermore, Alternative 5 would not reduce environmental effects to the extent that any of the impacts identified for the proposed project would be avoided or to the extent that the mitigation measures identified in the EIR would no longer be required.

While Alternative 5 would meet most of the project's basic objectives, the smaller iTEC building that would be developed under Alternative 5 is less desirable than the larger iTEC that would be developed under the proposed project. The iTEC will foster a greater sense of community at the proposed development and will provide a unique and innovative space for residents and businesses in Covina, and potentially those in surrounding communities as well. The City aims to maximize the iTEC space in order to provide more amenities for community members and local businesses. Under Alternative 5, less space would be provided for the innovative, community-oriented, and local business–friendly uses that are proposed for the iTEC. Additionally, the smaller iTEC that would be developed under Alternative 5 would omit professional office space and business incubation space thereby lessening the extent to which the project would support local businesses and lessening the extent to which the project would provide for employment at the project site. Additionally, without the professional office space and business incubation space, the iTEC would not provide new and innovative spaces for local businesses in a transit-oriented and mixed-use space. For these reasons, the City finds the proposed project to be more desirable than Alternative 5, since it would provide for a larger iTEC with both business incubation space and professional office space. While a senior center is also an important community-building feature in the City, the provision of a senior center at the project site is not an objective of the proposed project. Furthermore, upon development of the two other project components (residential and transit uses), the site will contain entry-level homeownership opportunities and transit uses that would, in part, provide transportation opportunities for working professionals from the residential component of the project and surrounding neighborhoods. Seniors attending the senior center that would be developed under Alternative 5

would have convenient access to transit on the project site as well. However, overall, a senior center on the project site would be incongruous with the project concept of combining entry-level homeownership opportunities, commuting opportunities through alternative transportation, and on-site employment opportunities and business growth opportunities for small and local businesses. As such, the City considers innovative business incubation spaces and professional office spaces more desirable for the project site when compared to a senior center. Furthermore, this alternative would not reduce or avoid any potentially significant environmental effects of the proposed project, as none have been identified. The City hereby finds that each of these specified reasons is an independent ground for rejecting Alternative 5 and by itself, independent of any other reason, justifies rejection of Alternative 5. Due to the marginal difference in environmental effect between the proposed project and Alternative 5, and due to the desirability of the proposed project over Alternative 5 for the reasons described above, the City rejects Alternative 5 in favor of the proposed project.

CHAPTER 7.0
OTHER CEQA FINDINGS

Findings Regarding Growth Inducing Impacts

The CEQA Guidelines Section 15126.2(d) requires that an EIR analyze ways in which projects may "foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Section 3.13, Population and Housing, and Section 5.4, Growth Inducing Impacts, of the EIR specifically address whether the proposed project would induce substantial population growth. As explained in Section 3.13 and Section 5.4, the proposed project would have the potential to cause a direct increase in population of 360 people in the City. However, as substantiated in these sections, the addition of 360 people to the City would not exceed population projections and is not considered a substantial increase. The proposed project would also provide employment on the project site. However, the number of new jobs would be within employment growth projections, and it is anticipated that most of the jobs associated with the proposed project would be filled by existing City residents or by residents of neighboring cities in the densely populated Los Angeles metropolitan area. Therefore, it is not anticipated that the employment generated by the proposed project would lead to a substantial influx of residents to the City. The growth-inducing effects of providing additional employment opportunities at the project site would be minor. As such, the proposed project would not result in significant adverse secondary effects related to induced growth. Overall, the proposed revitalization of the project site would not result in substantial population growth or exceed local population projections. Based on the conclusions outlined above and the analysis provided in Sections 3.13 and 5.4 of the EIR, the City finds that the proposed project would not directly or indirectly induce substantial population growth.

Findings Regarding Significant Irreversible Environmental Changes

California Public Resources Code, Section 21100(b)(2)(B), and Section 15126.2(c) of the CEQA Guidelines require that an EIR analyze the extent to which the proposed project's primary and secondary effects would impact the environment and commit nonrenewable resources to uses that future generations will not be able to reverse. Nonrenewable resources that would be used on-site during construction and operation include natural gas, other fossil fuels, water, concrete, steel, and lumber. The proposed project would result in the commitment of such resources. Section 5.3, Significant Irreversible Environmental Changes, of this EIR specifically addresses the extent to which the project would commit nonrenewable resources. As substantiated and described in Section 5.3, the utilities that service the City, the City itself, and the design of the proposed project are all subject to regulations that are working to reduce the amount of nonrenewable resources that are committed to development projects. Additionally, the proposed project has incorporated voluntary sustainable design factors to go beyond the requirements. As

such, the proposed project is not anticipated to consume substantial amounts of nonrenewable resources, such as energy, in a wasteful manner, and the proposed project would not result in significant impacts from consumption of utilities. Based on the conclusions outlined above and the analysis provided in Section 5.3 of the EIR, the City finds that although irreversible environmental changes would result from the proposed project, such changes would not be considered significant.

Findings Regarding Recirculation

The City finds that the EIR does not require recirculation under CEQA (CEQA Section 21092.1, CEQA Guidelines Section 15088.5). CEQA Guidelines Section 15088.5 requires recirculation of an EIR prior to certification of the Final EIR when "significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review." As described in CEQA Guidelines Section 15088.5:

> New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:
>
> 1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
> 2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
> 3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it;
> 4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

In addition, CEQA Guidelines Section 15088.5(b) provides that "recirculation is not required where the new information added to the EIR merely clarifies and amplifies or makes insignificant modifications in an adequate EIR."

As such, the City makes the following findings:

1. None of the public comments submitted to the City regarding the EIR present any significant new information that would require the EIR to be recirculated for public review.

2. No new or modified mitigation measures are proposed that would have the potential to create new significant environmental impacts.

3. The EIR adequately analyzed project alternatives and there are no feasible project alternatives or mitigation measures considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the project.

4. The EIR was not fundamentally and basically inadequate and conclusory in nature and did not preclude meaningful public review and comment.

The new information in the Final EIR has been provided merely to clarify or amplify information in the Draft EIR. The new information does not reveal that the project would cause significant new impacts not previously identified in the Draft EIR.

Findings Regarding the Mitigation Monitoring and Reporting Program

In accordance with CEQA and the CEQA Guidelines, the City must adopt a mitigation monitoring and reporting program (MMRP) to ensure that the adopted mitigation measures are implemented. The City adopts, and incorporates as conditions of approval of the proposed project, the mitigation measures set forth in the MMRP to reduce the potentially significant impacts of the project to below a level of significance. The City makes the finding that the measures included in the MMRP constitute changes or alterations which avoid or substantially lessen the potentially significant environmental effects of the proposed project on the environment.

EXHIBIT "B"

Mitigation Monitoring and Reporting Program

Due to the volume of the Project Draft EIR, it is available at the City Clerk's office or the Community Development Department, Planning Division

Project EIR (SCH 2016051053) Findings of Facts andthe Mitigation Monitoring and Reporting Program for Covina Transit-Oriented Mixed-Use Development Project

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
Aesthetics						
MM-AES-1 New sources of exterior lighting on the project site shall be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east. Exterior overhead lighting shall also be of the minimum required intensity to provide for safety and security of project residents and visitors. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources in the area.	Project planning and operation	Project applicants	City of Covina Planning Division and Building & Safety Department			
MM-AES-2 Prior to the issuance of building permits, the project applicants shall prepare and submit to the City of Covina for review a photometric study for the proposed residential townhome development and parking structure to ensure that off-site residential land uses to the north and east are not subjected to unnecessary light spillover and trespass. A detailed lighting plan shall be developed for the residential townhome development and parking structure and shall be utilized by a qualified photometric specialist to prepare the photometric study. If excessive light spillover is identified in the photometric, then appropriate measures including but not limited to use of lower intensity lighting shall be considered to avoid unnecessary light spillover and trespass.	Project planning and permitting	Project applicants (MLC Holdings Inc. and Foothill Transit); qualified photometric specialist	City of Covina Planning Division and Building & Safety Department			
Air Quality						
MM-AQ-1 The following dust control measures shall be implemented by the	Construction	Contractor/builder	City of Covina			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
contractor/builder to reduce fugitive dust PM_{10} and $PM_{2.5}$ emissions generated during earthmoving construction activities of all three components of the proposed project: a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the project site and to create a crust after each day's activities cease. b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the project site. At a minimum, this would include wetting down such areas later in the morning, after work is completed for the day, and whenever winds exceed 15 miles per hour. c. Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation. d. Speeds on unpaved roads shall be reduced to less than 15 miles per hour. e. All grading and excavation operations shall be halted when wind speeds exceed 25 miles per hour. f. Dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday. g. All trucks hauling dirt, sand, soil, or other loose material to	(earthmoving activities)		Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
and from the construction site shall be covered and/or a minimum 2 feet of freeboard shall be maintained. h. At a minimum, at each vehicle egress from the project site to a paved public road, a pad consisting of washed gravel (minimum size: 1 inch) shall be installed and maintained in clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by the SCAQMD). i. Any additional requirements of SCAQMD Rule 403 shall be reviewed and complied with.						
MM-AQ-2 During project demolition, site preparation, and grading activities, off-road equipment with engines rated at 75 horsepower or greater, shall meet Tier 3 engine standards or better. An exemption from these requirements may be granted by the City of Covina in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Los Angeles County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment. Based on the anticipated equipment for these phases, this measure would be applicable to, but not limited to, excavators, graders, rubber tired dozers, and tractors/loaders/backhoes used during earth moving activities.	Construction (demolition, site preparation, and grading)	Contractor/builder	City of Covina Planning Division			
Biological Resources						
MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately	Prior to construction; during constructio	Contractor/builder; qualified biologist	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors. If active nests are found (California Department of Fish and Wildlife defines "active" as any nest that is under construction or modification; United States Fish Wildlife Service defines "active" as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations	n (if active nests are identified)					

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City of Covina within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.						
MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required. If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the	Prior to construction; during construction (if active bat roosts identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).						
Cultural Resources						
MM-CUL-1 Inadvertent Discovery of Archaeological Resources. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under	Construction	Contractor/builder; qualified archaeologist	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.						
MM-CUL-2 Paleontological Mitigation Program. Prior to commencement of any grading activity on-site, the City, Foothill Transit and MLC shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or qualified designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).	Prior to and during grading activity	Project applicants; contractor/builder; qualified paleontologist	City of Covina Planning Division			
MM-CUL-3 Inadvertent Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent	Construction (ground disturbance)	Contractor/builder	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be. Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.						
Geology and Soils						

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
MM-GEO-1 Prior to the construction phase, the proposed project shall be designed in accordance with the recommendations from the site-specific Geotechnical Evaluation. In the event that changes are made in the recommendations set forth in the final geotechnical report, the project design shall be updated in accordance with those changes. Prior to the issuance of a building permit, the City of Covina, Foothill Transit and MLC Holdings, Inc./Meritage Homes shall submit the final design and construction plans for review and approval by the City Building Official or designee and the City Engineer or designee. The final design and construction plans shall show that the recommendations from the Geotechnical Evaluation regarding earthwork, design, foundation, retaining wall, garden wall, soil corrosivity, import soils, concrete slabs, sidewalks and driveways have been incorporated into the final design.	Project planning and permitting	Project applicants	City of Covina Planning Division and Building & Safety Department			
Hazards and Hazardous Materials						
MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.	Prior to demolition; during demolition (if hazardous building materials are identified)	Project applicants; contractor/builder	City of Covina Planning Division and Building & Safety Department			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
MM-HAZ-2 Prior to obtaining a certificate of occupancy, the removal of the underground storage tank shall be permitted and completed in accordance with the Los Angeles County Fire Department Health Hazardous Materials Division protocol.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department; Los Angeles County Fire Department Health Hazardous Materials Division			
MM-HAZ-3 Prior to obtaining a certificate of occupancy, the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm. At a minimum, soil samples shall be analyzed for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Should visually stained soil be observed in the reservoir pit area, additional soil samples shall be collected to further evaluate subsurface impact. Should TPH, VOCs, or PCBs be detected in the soil sample(s), the environmental consult shall advise the City of Covina about additional steps to be taken, which may include regulatory agency notification and remediation. Additional sampling may also be required prior to the disposal of the hydraulic lift units.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department			
Noise						
MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m.	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
Monday through Saturday, and not at all during other hours or on Sundays or public holidays. This condition shall be listed on the project's final design to the satisfaction of the City Engineering Department.						
• MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit: • The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment. • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department. • Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. • During construction, stationary construction equipment shall be	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
placed such that emitted noise is directed away from or shielded from sensitive receptors. • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party. • If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.						
MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.	Project planning and permitting	Project applicant (Foothill Transit)	City of Covina Planning Division			
MM-NOI-4 Because heating, ventilation,	Project	Project	City of			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.	planning and construction	applicants; acoustical specialist	Covina Planning Division			
MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.	Project operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.	Project planning and operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation	Project planning and	Project applicant (MLC	City of Covina Planning			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally, sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City's 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.	construction	Holdings Inc.)	Division			

Attachment C:

Resolution No. 16-7558

Approving the General Plan Amendment (GPA) 16-001

ATTACHMENT C
RESOLUTION NO. 16-7558

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (GPA) 16-001 TO AMEND THE LAND USE MAP CHANGING THE LAND USE DESIGNATION FROM "GENERAL COMMERCIAL" TO "COVINA FORWARD SPECIFIC PLAN" FOR APPROXIMATELY 10.66 ACRES OF LAND WITH 6.12 ACRES DESIGNATED FOR "HIGH DENSITY RESIDENTIAL 15-22 DWELLING UNITS PER ACRE" AND 4.54 ACRES DESIGNATED FOR "GENERAL COMMERCIAL" FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina ("COVINA"), Foothill Transit ("FT") and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for

"CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CSFP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letter-lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park & Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the Project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that an Environmental Impact Report ("EIR") was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation ("NOP") was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received nine comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter.

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council approve General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023 and Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001.

WHEREAS, on November 29, 2016, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-7557 certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-7557 and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on November 29, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, said City Council does hereby find and decide that this General Plan Amendment is consistent with and supports the City's General Plan for the following reasons:

a. The project site (APN: 8406-019-019, 8406-019-020 and 8406-019-017) is an underutilized properties generally located east of North Citrus Avenue and north of East Covina Boulevard. The project site encompasses approximately 10.66 acres on three parcels. The largest portion of the project site contains the former K-Mart building approximately 88,000 square feet and a sea of parking areas, which has been vacant since December 2014. Nuisance problems such as homeless persons, graffiti and other unwanted activities have occurred on the project site. The Project, iTEC Transit Oriented Mixed-Use development with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will repurpose the project site with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Project will have a positive impact upon adjoining commercial properties, raise the positive profile of Covina in the region and meet the daily needs of Covina residents and businesses. The Project meets the General Plan Policy to "accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service and environmental constraints." (Land Use Element II.B.1a) The Project meets another General Plan Policy by "accommodating expansion of existing and new commercial and industrial businesses as high priority for reasons pertaining to employment sales tax generation and related economic development benefits and City image enhancement." (Land Use Element II.B.1b)

b. The Project, iTEC Transit Oriented Mixed-Use development with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will provide an appropriate mixing of public use, residential and commercial land use activities. The Project will meet the General Plan Policy of "... will attain a greater variety of retail businesses, attract more people, and general more sales tax and overall vitality, and consider incorporating mixed-uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips." (Land Use Element III.C.a.10)

c. The project site is a unique opportunity for the redevelopment of an underutilized site for infill development and the addition of new high-quality residences, which will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network (Land Use Element III C.1.a.6)

d. The residential component of the project is designed with the common recreation facilities placed closer to the existing single-family residents, as well as minimize the number of townhouse units along the east property boundary and maintain a setback of 15 feet. The 3 levels parking structure of the transit center is setback exactly at the same building line of the existing K-Mart building away from the existing single-family residents to the east side. Instead of existing parking spaces along the east property boundary, the transit center will provide a landscape buffer 20 feet wide with evergreen trees and appropriate shrubs, which will minimize the intrusion of privacy. Furthermore, the parking structure will have a green wall and that is consisting of metal trellis work with landscaping and vines, which will provide further privacy to the existing single-family residents. By this proposed design, the Project is consistent with the General Plan Policy in that it has incorporated sufficient physical and visual buffers to ensure compatibility. Such buffer elements include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and to adequately protect the single family residents or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. (Land Use Element III.D.1.a.6)

e. The Project with a transit center for up to 6 bus-bays plaza, a park & ride facility with 3 levels of parking structure accommodating between 350 and 400 vehicles provide a north/south "transportation gap" that currently exists between the Metro Gold Line, the Covina Metrolink Station, and the Interstate 10 Freeway. The Project supports the General Plan Policy to maintain and improve local transportation programs. (Circulation Element II.B.10)

f. The Project is being developed as a transit-oriented mixed-use development with a mix of residential use, a transit use and a civic/community use. The project site is located at a major transportation corridor of North Citrus and a secondary/collector street of East Covina Boulevard Avenue and is within half a mile from the Metrolink Commuter Train Station. The Project meets the General Plan Policy of "concentrate, to the greatest extent possible, major developments and mixed use in areas, centers, or clusters near or along transit corridors or adjoining bus stops or the Covina Metrolink Commuter Rail Station. (Circulation Element IV.G.11)

g. The Project supports the General Plan Policy by developing an underutilized infill site in a neighborhood that could use physical enhancement. The Project will result in the construction of owner-occupied housing, addresses the deficiency in public/civic use and parkland by dedicating approximately 1.55 acres of the site for the development of a community event center, open space plaza and surface parking. (Land Use Element III C.1.a.27, C.2.a.1, and C.2.a.8)

h. The creation and adoption of a Covina Forward Specific Plan is an implementation tool of the General Plan, which allows a more flexible application of development standards and design guidelines. The adoption of the Covina Forward Specific Plan with the proposed land use categories would ensure compatibility with surrounding land uses and further the policies identified in the City's General Plan. (Land Use Element C.1.a.25)

i. The Project would include reconstruction of the existing public sidewalk around the external perimeter of the project site, including a landscaped parkway according to the City's requirements. These requirements further the General Plan Policy that requires developers to mitigate development impacts in the form of street improvements and public dedications as well as other reasonable requirements. (Land Use Element C.1.a.26)

j. The residential component would provide needed housing to enable the City to provide dwelling units according to the Regional Housing Needs Assessment (RHNA) under the Housing Element of the General Plan. The proposed 117 townhouse units would contribute to the City's remaining unmet need of 991 housing units, thus reducing the unmet housing need in the City by more than 11.8 percent. The Housing Element requires the City to adopt policies and practices that encourage the development of housing in the community, which has also been declared to be a matter of Statewide policy. (Covina Draft Housing Element Update, dated November 15, 2010).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve General Plan Amendment GPA 16-001 and amend the General Plan Land Use Element, Land Use Map for the described real properties in the City of Covina, County of Los Angeles, State of California, as follows:

a. Assessor's Parcel Map numbers 8406-019-019, 8406-019-20 and 8406-019-17 are amended from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for High Density Residential (HDR - 15 to 22 dwelling units per acre) and 4.54 acres for General Commercial (GC), as shown in Exhibit "A" and incorporated herein by this reference as though set forth in full. The proposed change in land use designation will accommodate the proposed iTEC Transit Oriented Mixed Use development.

SECTION 4. City Manager Authorization. The City Manager is hereby authorized and directed to take all steps necessary to implement the General Plan related amendments described herein.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 6. Effective Date. This Resolution shall be effective upon adoption.

SECTION 7. Certification. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND PASSED this 29th day of November, 2016.

City Council of Covina, California

BY: _____
Kevin Stapleton, Mayor

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-7558 was duly adopted by the City Council of the City of Covina at a SPECIAL meeting held on the 29th day of November, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

_____
SHARON F. CLARK, Chief Deputy City Clerk

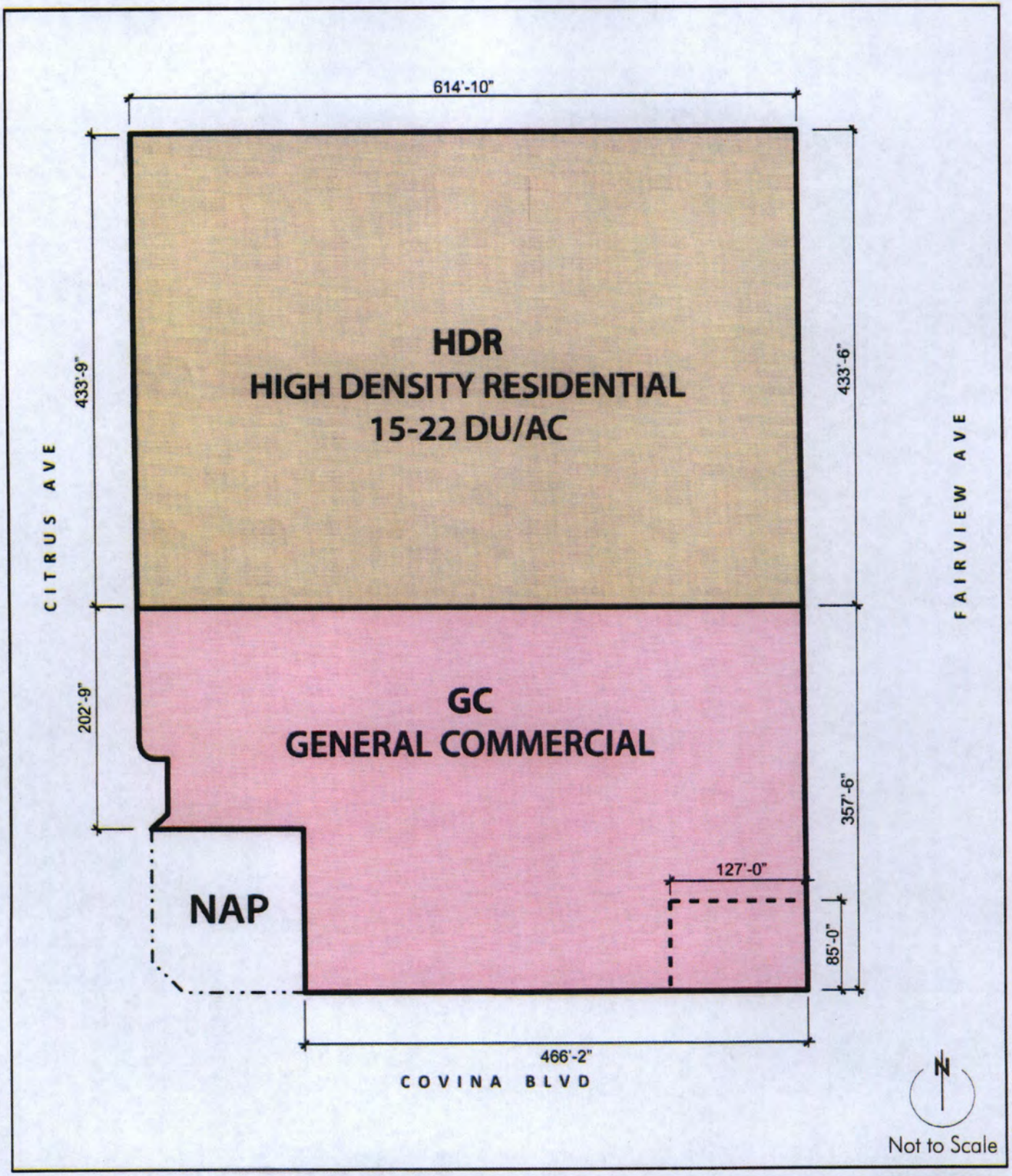

Exhibit A
GPA 16-001 COVINA FORWARD SPECIFIC PLAN (CFSP)

GENERAL PLAN - PROPOSED

Attachment D:

Resolution No. 16-7559

Approving the Covina Forward Specific Plan (SP) 16-001

ATTACHMENT D
RESOLUTION NO. 16-7559

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, ESTABLISHING THE "COVINA FORWARD SPECIFIC PLAN (CFSP)" WITH 6.12 ACRES FOR "CFSP - RD (MULTI-FAMILY)" AND 4.54 ACRES FOR "CSFP - I (INSTITUTIONAL USE)" AND ESTABLISHING SPECIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into the iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for

"CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received nine comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter..

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council approve the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001.

WHEREAS, on November 29, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-7557 certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-7557 and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on November 29, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project prior to and at the public hearing

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA,

CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and written, and after being fully informed, said City Council does hereby find and decide that the Covina Forward Specific Plan 16-002 is consistent with the public interest and with the City's General Plan for the follow reasons:

a. The establishment of the Specific Plan is consistent with the General Plan for the City of Covina and with all applicable requirements of State law and other ordinances of the City. The Specific Plan will allow the development of a transit oriented mixed-use development for the project site with 117 for-sale townhouse units on 6.12 acres, and a transit center and a park & ride facility together with the City's civic use and community event center on 4.54 acres. The Specific Plan will repurpose the project site area with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Specific Plan will meet the General Plan Policy to "accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service and environmental constraints." (Land Use Element II.B.1a) With the Zone Change to Covina Forward Specific Plan, the transit oriented mixed-use project will meet the General Plan Policy by "accommodating expansion of existing and new commercial and industrial businesses as high priority for reasons pertaining to employment sales tax generation and related economic development benefits and City image enhancement." (Land Use Element II.B.1b)

b. Through the establishment of the Specific Plan and with the Zone Change, the transit oriented mixed-use project with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will provide an appropriate mixing of public use, residential and commercial land use activities. The Specific Plan will meet the General Plan Policy of "... will attain a greater variety of retail businesses, attract more people, and general more sales tax and overall vitality, and consider incorporating mixed-uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips." (Land Use Element III.C.a.10)

c. The Specific Plan will meet the General Plan Policy to facilitate, through zoning provisions and applicable procedures, infill development, development of now-underutilized or vacant parcels, and, where necessary, redevelopment of deteriorating properties, particularly for housing creation and rehabilitation and economic development purposes. This Specific Plan project site area is a unique opportunity

for the redevelopment of an underutilized site for infill development and the addition of new high-quality residences, which will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network (Land Use Element III C.1.a.6)

d. Through the Zone Change to Covina Forward Specific Plan, the project will maintain a 15 feet setback for units along the east property boundary, will maintain a 59 feet building setback for the 3 levels parking structure, which is no closer than the same setback for the existing K-Mart building, and will provide a 20-foot wide landscape buffer to minimize the intrusion of privacy. Such buffer elements are consistent with the General Plan Policy in that it has incorporated sufficient physical and visual buffers to ensure compatibility. (Land Use Element III D.1.a.6)

e. Through the Specific Plan, the project site area will include reconstruction of the existing public sidewalk around the external perimeter of the project site, including a landscaped parkway according to the City's requirements. These requirements further the General Plan Policy that requires developers to mitigate development impacts in the form of street improvements and public dedications as well as other reasonable requirements. (Land Use Element C.1.a.26)

f. The residential component of the Specific Plan would provide needed housing to enable the City to provide dwelling units according to the Regional Housing Needs Assessment (RHNA) under the Housing Element of the General Plan. The proposed 117 townhouse units would contribute to the City's remaining unmet need for 991 housing units, reducing the unmet housing need in the City by more than 11.8 percent. The Housing Element requires the City to adopt policies and practices that encourage the development of housing in the community, which has also been declared to be a matter of Statewide policy. (Covina Draft Housing Element Update, dated November 15, 2010).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Covina Forward Specific Plan (SP) 16-00 for the following described real properties in the City of Covina, County of Los Angeles, California, as follows:

a. The "Covina Forward Specific Plan (CFSP)" is hereby established for Assessor's Parcel Map Numbers 8406-019-019, 8406-019-020 and 8406-019-017 with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CSFP - I (Institutional Use/Zone)" as shown in **Exhibit "A"**, attached herein and incorporated by this reference as though set forth in full.

SECTION 4. Consistency with General Plan. On November 29, 2016, the City Council adopted Resolution No.16-7558, which Resolution amended the Land Use Map of the Covina General Plan to change the land use designations from the "General Commercial (GC)" to the "Covina Forward Specific Plan" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)." Therefore, the

foregoing amendment outlined in this Resolution is consistent with the goals and policies of the General Plan for the City of Covina.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 6. City Manager Authorization. The City Manager is hereby authorized and directed to take all steps necessary to implement the General Plan related amendments described herein.

SECTION 7. Effective Date. This Resolution shall be effective upon adoption

SECTION 8. Certification. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this 29th day of November, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-7559 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 29th of November 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

_____
SHARON F. CLARK, Chief Deputy City Clerk

COVINA FORWARD SPECIFIC PLAN

NOVEMBER 29, 2016

DRAFT

DRAFT

Covina Forward Specific Plan

Lead Agency:
City of Covina
125 E. College Street
Covina, CA 91723
November 29, 2016

Covina Forward Specific Plan

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I. INTRODUCTION AND PURPOSE OF SPECIFIC PLAN

A. Purpose and Intent of Specific Plan

The purpose of the Covina Forward Specific Plan (Specific Plan) is to provide a land use mechanism to guide the redevelopment of the project site into a transit-oriented mixed use development with new public uses, residential and commercial uses and related public improvements within the plan area.

The development standards and Design Guidelines in this Specific Plan supersede those development standards contained in the City of Covina ("City") General Plan and Zoning Code as related to the Specific Plan area. If this Specific Plan is silent in regards to certain development standards and/or design guidelines, those standards and guidelines contained in the City General Plan and the Zoning Code shall apply.

The Specific Plan will guide future redevelopment by accomplishing the following:

1. Encouraging the planned development of the properties within the plan area and permitting comprehensive site planning and building designs;

2. Providing a more flexible regulatory procedure by which the objectives of the City's General Plan and Zoning Code can be realized;

3. Encouraging creative approaches to the use of land through variation in siting of buildings and the appropriate mixing of public use, residential and commercial land uses and activities;

4. Enhancing the appearance of the community through creative design of buildings, structures, open space and facilities;

5. Reducing, when appropriate, the amount of public and private improvements normally required by other similar public/private developments;

6. Eliminating and prevent the spread of blight;

7. Revitalizing, redeveloping, and upgrading the properties within the Specific Plan area;

8. Strengthening the City's economic base;

9. Realizing the Specific Plan area's full economic potential due to its geographic proximity;

10. Encouraging private reinvestment into neighboring properties;

11. Elevating the City's image within the East San Gabriel Valley region; and

12. Adding transportation alternatives and amenities to provide services to the City's residents and businesses.

B. Content, Chapters, and Components of Specific Plan

This Specific Plan is prepared in accordance with the authority granted to the City pursuant to California Government Code, Title 7, Division I, Chapter 3, Article 8, Sections 65450 through 65457. The Government Code authorizes cities to adopt specific plans either by resolution as policy or by ordinance as regulation. A Planning Commission hearing and City Council hearing are required. Specific Plans must be adopted by the City Council to be in effect.

This Specific Plan is a policy and a regulatory document that establishes policies, development standards, and design guidelines to regulate and guide future redesign and redevelopment of the plan area. It establishes the type, location, intensity, character, and infrastructure for redevelopment to take place. This Specific Plan allows the City to consider redevelopment plans for the entire plan area, rather than judge each development project and element separately, and also shapes future development by responding to the physical constraints of the site and coordinating future commercial development, parking design, and circulation and public facility improvements. Future development or site plans proposed for the plan area must be consistent with this Specific Plan.

This Specific Plan is comprised of the following chapters and addresses the following components:

Chapter I. Introduction and Purpose of Specific Plan. This chapter describes the purpose of the Specific Plan; content, chapters, and components of the Specific Plan; and the Specific Plan's relationship to the City's General Plan.

Chapter II. Description of Specific Plan Area. This chapter describes the Specific Plan area, including existing conditions; onsite structures, buildings, and uses; and the underlying General Plan and Zoning designations.

Chapter III. Description of Specific Plan. This chapter describes the proposed project, including development concepts and intended land uses; conceptual development plans; and required conceptual utilities and services.

Chapter IV. Allowable Uses. This chapter describes those uses permitted within the Specific Plan area.

Chapter V. Development Standards. This chapter provides development standards to regulate future redevelopment and design within the Specific Plan area.

Chapter VI. Design Guidelines. This chapter provides guidelines and direction on how future development should be designed, including architectural theme; building elevations and facades; 360-degree architecture; site planning and building orientation; quality of materials and colors; landscaping theme; wall and fences; signage theme; parking facility/lot layout; vehicular access and circulation; integration of pedestrian-level elements, etc.

Chapter VII. Administration and Implementation. This chapter explains how future development within the Specific Plan area will be reviewed and approved.

Chapter VIII. Attachments. This chapter will provide relevant exhibits and illustrations to the Specific Plan.

C. Relationship to the City's General Plan.

This Specific Plan is viewed as a means of implementing the objectives of the City's General Plan. The Specific Plan area possesses significant opportunity to address several General Plan objectives, including encouraging new economic development opportunities, revitalizing a key north/south corridor in the community, provide new services to the community, closing existing regional transportation gaps and adding new ownership housing opportunities for the community. The following General Plan objectives apply:

1. Land Use Element; II.B.1.a (page A-3).

Accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service, and environmental constraints.

2. Land Use Element; II.B.1.b (page A-3).

Maintaining and/or accommodating the expansion of existing and accommodating new commercial and industrial businesses as a high priority for reasons pertaining to employment, sales tax generation, and related economic development benefits and City image enhancements.

3. Land Use Element; II.B.5.b (page A-7).

Accommodating future growth with adequate general public facilities, such as water mains, parks and schools.

4. Land Use Element; III.C.1. a.2.a through h (page A-10).

Ensure that major land use change proposals, particularly those regarding vacated schools, utility sites, and other institutional surplus properties, carefully consider many factors, including, but not limited to:

a. Land use impacts, on both neighborhood and citywide levels.

b. Street capacity, public facilities, and other infrastructure impacts.

c. Effects on the local circulation, public transportation, and regional circulation/transportation networks.

d. The local economy.

e. The provision of services and utilities.

f. All relevant environmental and physical constraints and resources.

g. Covina's image and character.

h. The quality of life for Covina residents, workers, shoppers, and others.

5. Land Use Element; III.C.2.a.1. (page A-12).

Permit development at density ranges and quantities that reflect existing and desired scales of building construction and revitalization in the community, as well as physical and environmental constraints, that address the intent of regional housing obligations, that will allow for moderate future growth, and that will not inhibit the City's ability to meet street capacities and to provide other infrastructure, adequate community services, and utilities.

6. Land Use Element; III.C.2.a.8. (page A-13).

Encourage the construction of owner-occupied housing.

7. Land Use Element; III.C.3.a.8. (page A-15).

Accommodate new and expanded commercial and industrial development in a manner that considers various Federal, State, and/or regional planning measures to reduce traffic congestion, air pollution, waste generation, polluted water runoff, and other problems.

8. Land Use Element; III.C.3.a.9. (page A-15).

Ensure that the overall amount, locations, and timing of development reflect community desires, and needs as well as physical and environmental constraints and will not inhibit the City's ability to meet street capacities and to provide other infrastructure, utilities, and adequate community services.

9. Land Use Element; III.C.3.a.10. (page A-15).

Pay particular attention to the special needs and character of the downtown, continue appropriate economic revitalization, physical enhancement, and use refinement activities that will attain a greater variety retail businesses, attract more people, and generate more sales tax and overall vitality, and consider incorporating mixed uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips.

10. Land Use Element; III.D.1.a.6. (page A-17).

Require that parcels developed for commercial or industrial uses, when abutting residential properties, incorporate buffers that adequately protect the residential properties from noise, light, trash, visual and environmental disturbances, vehicular traffic, and other factors. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic features.

11. Land Use Element; III.D.1.a.7. (page A-17).

Provide for the continuation of existing and development of new or expanded public streets and facilities, storm drains and other infrastructure, parking amenities, and utilities to support the City's land uses and meet all needs.

12. Land Use Element; III.D.1.a.13. (page A-17).

Permit mixed uses (residential and commercial) in appropriate areas in the downtown and, if possible, elsewhere, in a manner consistent with special, applicable standards, to provide needed housing in an alternative setting and to complement district-wide physical and economic revitalization activities.

13. Land Use Element; III.F.1.a. (page A-24).

Develop and implement a land use plan that maintains and strengthens the fiscal health of the City by allocating a sufficient amount of residential, commercial, and industrial uses at suitable locations and by establishing sufficient, reasonable development intensity standards.

14. Land Use Element; III.F.1.c. (page A-24).

Attract a greater variety of commercial retail and office uses to provide for shopping, eating, service, administrative, and other needs of Covina and area residents, to enhance the community's image, and to bolster economic development efforts.

15. Land Use Element; III.F.1.p. (page A-25).

Recognize, monitor, and understand economic, social, and other forces that continue to shape Covina's development, such as increasing population, market demand factors, commuting patterns, rising land values, greater foreign investment, changing household formations, and shifting demographic structure.

16. Circulation Element; II.B.10. (page B-3).

Maintaining and improving local transportation programs.

17. Circulation Element; II.B.11. (page B-3).

Through liaison efforts, ensuring that regional-oriented buses and the Metrolink Commuter Rail Station adequately serve Covina.

18. Circulation Element; II.B.19. (page B-4).

Reconciling Covina's circulation and transportation needs with those of the overall region.

19. Circulation Element; IV.C.22. (page B-31).

Ensure that the street network accommodates, to the greatest extent feasible, public transportation routes and stops.

20. Circulation Element; IV.D.7. (page B-32).

Accommodate the linking of the Covina Metrolink Commuter Rail Station and other public transit depots to feeder transportation, to the greatest extent feasible.

21. Circulation Element; IV.D.9. (page B-32).

Consider proximity to public transit, among other factors, in evaluating housing projects and facilities for senior citizens and the disabled.

22. Circulation Element; IV.G.4. (page B-34).

Reconcile the community's traffic, transportation, accessibility, circulation, parking, and overall infrastructure situations, needs, and desires with corresponding regional issues and concerns, to the greatest degree feasible.

23. Circulation Element; IV.G.5. (page B-34).

Balance the City's obligation to address certain traffic, circulation and general infrastructure-related deficiencies with Covina's need to accommodate residential and nonresidential growth or to continue with ongoing community-wide economic development, commercial revitalization, neighborhood preservation and affordable housing activities/programs.

24. Circulation Element; IV.G.11. (page B-35).

Concentrate, to the greatest extent practicable, major developments and mixed use in areas, centers, or clusters near or along transit corridors or adjoining bus stops or the Covina Metrolink Commuter Rail Station.

25. Circulation Element; IV.G.12. (page B-35).

Recognize and appropriately handle and coordinate the interrelationship between transportation and circulation systems and land use matters in accommodating desired growth and in evaluating development imports.

II. DESCRIPTION OF SPECIFIC PLAN AREA

A. Location of Specific Plan Area

The approximately 10.66 acre Specific Plan area is located northeast of the Citrus Avenue and Covina Boulevard intersection (See Exhibit 1). Citrus Avenue abuts the Specific Plan area to the west, Covina Boulevard to the south, a residential townhouse development to the north, and a single-family residential neighborhood to the east.

The Specific Plan area is comprised of three (3) Planning Areas (See Exhibit 2). Planning Area No. 1 is located within the northerly portion of the Specific Plan area and is approximately 6.12 acres in size. Planning Area No. 2 occupies a central location within the interior of the Specific Plan area and is approximately 3.07 acres in size. Planning Area No. 3 is located in the most southerly portion of the Specific Plan area, immediately adjacent to Covina Boulevard, and is approximately 1.47 acres in size.

The Specific Plan area is comprised of Assessor Parcel Numbers 8406-019-017, 8406-019-019 and 8406-019-020.

B. Existing Structures, Buildings and Uses within Specific Plan Area

The Specific Plan area is currently improved with two (2) separate buildings described as Buildings 1 and 2. The following describes each of the two (2) buildings and Exhibit 4 includes photographs of the buildings.

1. ***Building 1.*** This building, a former K-Mart retail store, is an approximately 88,500 square foot masonry "big box" building that was constructed in 1968.

2. ***Building 2.*** This building is a former residential structure that was converted to a day care facility and subsequently an institutional use. The building is approximately 2,186 square feet in floor area.

C. Existing General Plan Designation and Zoning Classification

The Specific Plan area is presently designated General Commercial (CG) by the City's General Plan and zoned Regional or Community Shopping Center (C-3A) by the City's Zoning Code. The C-3A zone is intended to provide for planned, unified shopping centers at community and regional levels. A "community shopping center" is defined as a trading center serving specialized needs of families in a community neighborhood area. A "regional shopping center" is defined as a trading center offering greater variety of general merchandise, apparel and home furnishings to families located in a larger area than is served by a neighborhood community shopping center.

Properties to the east are zoned R-1-7,500 (Single-Family Residential – 7,500 sq. ft. minimum lot area) and designated "Low Density Residential." Properties to the north are zoned PCD/RD-4,000 (Planned Community Development/Multiple Family – 4,000 sq. ft. minimum lot area per dwelling unit) and designated (MDR) Medium Density Residential 7 – 14 units/acre. Some properties to the south are zoned C-2 (Neighborhood Shopping Center) and designated "General Commercial," and others are zoned PCD/RD-1250 (Planned Community Development/Multiple Family-1,250 sq. ft. minimum lot area per dwelling unit) and designated "High Density Residential." Properties to the west, on the opposite side of Citrus Avenue, are zoned R-1-7,500 and designated "Low Density Residential." (See Exhibit 3)

III. DESCRIPTION OF SPECIFIC PLAN

A. Development Concept

The Specific Plan area is intended for development of a transit-oriented mixed use development that includes a civic/community use component. For purposes of this Specific Plan, the land use designation for the residential component in Planning Area No. 1 will be amended to High Density Residential and will remain as General Commercial for the Transit Center and Civic/Community components in Planning Area Nos. 2 and 3. Accordingly, the intent of this Specific Plan is to provide for the orderly redevelopment of a vacant, prominent disused commercial property within the City in a manner that addresses the community's needs for transit-oriented residential development, regional transportation facilities and civic/community facilities. This Specific Plan also provides additional development and design standards and guidelines, which will ensure that each future component of the Specific Plan area are creatively and sensitively site planned and developed with high quality architectural treatments and features, site amenities and infrastructure. This Specific Plan will therefore establish the Specific Plan area as a landmark regional destination and location within the City and will improve the overall economic vitality within the Specific Plan area, surrounding areas, and the entire City.

Unless otherwise provided, this Specific Plan supersedes the development and design standards contained in the City General Plan and Zoning Code and constitutes the zoning standards, requirements and guidelines for the Specific Plan area. Any standards, requirements and guidelines contained the City's General Plan and the Covina Municipal Code ("CMC") that is not expressly addressed in this Specific Plan will apply to the Specific Plan Area.

B. Conceptual Development Plan

The following describes the Conceptual Development Plan for the Specific Plan area, including future land uses and density; access and circulation improvements; landscaping; architectural treatment and features; signs; and infrastructure improvements.

1. Future Land Uses and Density

The Specific Plan area is comprised of three (3) Planning Areas. The Planning Areas are described as follows (see Exhibit 4):

a. **Planning Area No. 1.** Planning Area No. 1 is the residential component and is approximately 6.12 acres located in the northerly-most portion of the Specific Plan area. Planning Area No. 1 is designed for a transit-oriented attached single-family residential use, within the framework of a planned residential development. Planning

Area No. 1 will have a pedestrian and fire emergency access link to Planning Area No. 2, which is the Transit Center component. Vehicular ingress and egress to Planning Area No. 1 shall only be permitted from Citrus Avenue. Planning Area No. 1 shall have a maximum density of 22 dwelling units per acre and accommodate a maximum of 120 residential units with parking, an accessory common area, recreation facilities and other amenities. (See Exhibit 5)

b. **Planning Area No. 2.** Planning Area No. 2 is the Transit Center component. Planning Area No. 2 is an approximate 3.07 acre site that will allow the development of a "Park and Ride" vehicle parking structure that would accommodate between 350 – 400 vehicles. In addition to the parking structure, an approximate 4,000 – 4,500 square foot retail structure will be located and oriented adjacent to the Citrus Avenue street frontage. An approximate 5,500 – 6,000 square foot pedestrian plaza area will separate the approximate 4,000 – 4,500 square foot retail building and the Park and Ride parking structure.

In addition to the retail building, parking structure and pedestrian plaza, a six (6) bay bus plaza will be aligned along the southerly edge of Planning Area No. 2. The pedestrian plaza and the bus plaza will be accessible to Planning Area No. 3 (the Civic/Community component) to the south. Vehicular ingress and egress access for commuters using the Park and Ride parking structure shall only be available from Citrus Avenue. Buses entering the bus plaza will ingress from Citrus Avenue and egress westerly onto Covina Boulevard. There will be no vehicle ingress into Planning Area No. 2 from Covina Boulevard. (See Exhibit 6)

c. **Planning Area No. 3.** Planning Area No. 3 is the Civic/Community component. This planning area is approximately 1.461 acres in size and can accommodate a potential menu of civic- or community-oriented uses, such as an approximate 10,000 square foot civic center, an approximate 5,000 square foot technology-oriented business incubator, approximately 5,000 – 10,000 square feet of professional office space, or an approximate 10,000 – 15,000 square foot senior citizen/community center. The specific development project will be subject to the Development Review process pursuant to the provisions of this Specific Plan. In addition, a surface public parking lot that would accommodate approximately 112 vehicles would be provided. (See Exhibit 7)

The public use component of the Specific Plan, which encompasses Planning Area Nos. 2 and 3, is intended to meet community and regional demands for increased efficiency in public transportation options and linkages as well as provide a need for a civic or community facility space. It is envisioned, when fully built-out, the boundary between Planning Area Nos. 2 and 3 will be visually seamless. Pedestrians will be able to access the public plaza space envisioned to be built within both Planning Areas.

2. **Access and Circulation Improvements**

Access to the Specific Plan area is available from Citrus Avenue on the west and Covina Boulevard to the south. Planning Area No. 1 shall have vehicular ingress and egress access from Citrus Avenue only. Planning Area No. 1 shall have no vehicular access onto Covina Boulevard. In addition, restricted emergency access to Planning Area No. 1 shall be available from Citrus Avenue adjacent to the northerly property line. Pedestrian access and emergency access from Planning Area No. 1 to Planning Area No. 2 will be available via a restricted pedestrian gate along the mutual property line separating Planning Area Nos. 1 and 2.

Planning Area No. 2 shall have access from both Citrus Avenue and Covina Boulevard. Ingress and egress vehicular access shall be available from Citrus Avenue to the Park and Ride parking structure. In addition, access to parking for the approximate 4,000 – 4,500 square foot retail building will only be available via the parking structure ingress/egress driveway. The bus plaza for bus transit and restricted emergency access shall have ingress-only from Citrus Avenue and egress-only onto Covina Boulevard. Thus, buses will enter into the bus plaza transit plaza from Citrus Avenue, alight at one (1) of the six (6) bus bays for passenger loading, then exit onto Covina Boulevard. There shall be no ingress to Planning Area No. 2 from Covina Boulevard. Buses exiting onto Covina Boulevard will turn right (westbound) to begin their designated route. There will be no left turn (eastbound) exiting onto Covina Boulevard for the buses. Pedestrian access between Planning Area No. 2 and 3 will not be restricted, and the design of the pedestrian plazas proposed to be located in both Planning Area Nos. 2 and 3 will be designed to function harmoniously and to encourage pedestrian traffic and interaction between the two Planning Areas.

Vehicular access ingress and egress for Planning Area No. 3 shall only be available from Covina Boulevard. The ingress/egress vehicular access for Planning Area No. 3 will be separate from the bus egress access onto Covina Boulevard from Planning Area No. 2. There will be no vehicular access from Planning Area No. 3 into Planning Area No. 2. (See Exhibit 8)

3. Landscaping

One of the primary contributors to unifying the aesthetic and visual quality of the Specific Plan area is a landscaping palette and plan that applies to the entire Specific Plan area. No single feature of site design and development is as cost-effective as landscaping in creating a positive image and sustaining that image even as the building and redevelopment of Specific Plan area proceeds over time.

Consistent and cohesive landscaping creates a visual framework within which development can evolve and mature. The landscaping concept for this Specific Plan is to focus particularly on entry points, main access drives, perimeter frontages, parking lot planters, public plazas, and landscaping around future commercial buildings. The landscape palette shall consist of drought-tolerant plant materials, including southern California appropriate tree species.

Where possible, landscaping shall be combined with site lighting to create visually inspiring public spaces. The landscape design concept shall also incorporate the principles of "defensible space planning" where clear viewsheds are maintained in the Specific Plan area from the Citrus Avenue and Covina Boulevard rights-of-way. (See Exhibit 9)

4. Architectural Treatment and Features

Consistency in architectural style and thematic details will enhance the overall image of the Specific Plan area. It is desirable to achieve a consistent "look" throughout the Specific Plan area by establishing design and architectural standards and guidelines for the development within the Specific Plan area. The Specific Plan area is intended to be a regional destination and transportation link for the City that also provides quality market-rate residential housing in a transit-oriented design philosophy. Accordingly, the architectural and design theme and style for the overall Specific Plan area, the individual development components that will comprise the Specific Plan area, and common amenities and improvements must be distinctive, and acknowledge the City's citrus agricultural heritage. (See Exhibit 10)

5. Signs

It is essential for the uses within the Specific Plan area to be clearly identified for the public. At the same time, it is equally important to install signage that contributes to the positive image of the Specific Plan area and the City. The three (3) Planning Areas will have different signage goals. Planning Area No. 1 signage is intended to provide residential community identification signage, along with on-site directional and informational signage. Planning Area No. 2 sign requirements will be both commercial (for the commercial retail building)

and public use identification signage. In addition, informational signage will be located throughout the Transit Center, public plaza, and parking structure. Signage requirements for Planning Area No. 3 will be consistent with what is typically associated with public facilities and public plaza spaces. However, the overall signage design philosophy throughout the entire Specific Plan area should convey the following impressions: the identity of the business (in regards to Planning Area No. 2), the identity of the destination (ie., the entrance into Planning Area No. 1), the public use purpose (ie., the Transit Center, Civic/Community component, etc.), a sense of quality, and a consistency throughout the Specific Plan area that ties in with the architectural theme for the Specific Plan area.

6. **Infrastructure Improvements and Public Services**

a. **Water Improvements**

Water service is provided by Azusa Light & Water (ALW). ALW's service area encompasses about 14.2 square miles in the San Gabriel Valley including a portion of five cities and portions of unincorporated Los Angeles County. ALW's water supplies come from a combination of imported water from the Metropolitan Water District (which imports water from the Colorado River and the Sacramento-San Joaquin Bay Delta), groundwater from 11 municipal water wells, and local surface water (diversions from the San Gabriel River and the Morris Reservoir). Normally groundwater and local surface water diversions are sufficient to supply the service area, but ALW has the ability to import water from MWD in emergency situations.

b. **Sewer Improvements**

The City's sanitary sewer collection system is managed by the City's Public Works Department. An 8-inch public sewer collection line parallels N. Citrus Avenue adjacent to the Specific Plan area. The City's sewer lines ultimately connect to trunk sewers operated by the Sanitation Districts of Los Angeles County (SDLAC) for transmission, treatment and disposal. The Specific Plan area is located within SDLAC District 22, which is one of the seventeen districts that form the Joint Outfall System (JOS). This system provides sewage treatment, reuse and disposal for residential, commercial, and industrial users.

c. **Drainage Improvements**

The site slope gradients are generally one percent (1%) or less directing drainage in the westerly and southerly directions (toward the North Citrus Avenue and East Covina Boulevard intersection). Stormwater

runoff is eventually collected through inlets, catch basins and underground storm drains maintained either privately or by the City. The Los Angeles County Flood Control District (LACFCD) maintains the larger stormwater conduits in the Specific Plan area, which direct urban runoff to the nearest wash, creek or river. The nearest LACFCD storm drain facilities consist of curb inlets and grates on the corner of E. Cypress Street and North Citrus Avenue, which connect to a 42-inch reinforced concrete pipe. LACFCD storm drains eventually discharge to Big Dalton Wash, which joins Walnut Creek, which then joins the San Gabriel River. Therefore, the "receiving waters" for the project (i.e., all waters within the flow network downstream of the project site) include Big Dalton Wash, Walnut Creek, the San Gabriel River and the Pacific Ocean.

The redevelopment of the Specific Plan area would decrease the impervious surface coverage on the Specific Plan area, which is currently about 95%. The development of the Specific Plan area consistent with this Specific Plan would likely result in a decrease in peak flow rates and volumes for all storm scenarios because the development will incorporate more landscaping elements, which will aid to slow runoff and allow for subsurface percolation.

d. **Police Protection Services**

The Covina Police Department ("CPD") provides police protection services to the City, including the Specific Plan area. The CPD station is located at 444 N. Citrus Avenue and is located approximately .5 miles south of the Specific Plan area. In addition to traditional police patrol protocol, the public uses to be located in Planning Area Nos. 2 and 3 shall incorporate security cameras that can be monitored by police personnel from the CPD station so that the CPD Watch Commander or Dispatcher, upon viewing suspicious activity, may dispatch police resources to the Specific Plan area.

e. **Fire Protection Services**

Fire protection and emergency services shall be provided by the County of Los Angeles Consolidated Fire Protection Department (County Fire Department). The Specific Plan area will likely receive all first response services from Fire Station No. 154, located at 401 North Second Avenue, approximately .5 miles to the south. Two (2) additional stations may provide backup personnel or equipment, including Fire Station 152, located at 807 West Cypress Avenue, and, Station 153, located at 1577 East Cypress Avenue.

IV. ALLOWABLE USES

The following uses are permitted in the Specific Plan area subject to the development standards and guidelines set forth in this Specific Plan, and where applicable, the City's General Plan and the CMC. Commercial uses that are not listed may be allowed by the Planning Commission and the City Council pursuant to Chapter 17.60 of the CMC. The intent of this Specific Plan is to facilitate the development of a comprehensive, transit-oriented development with a range of uses, including public uses that would benefit greatly from being located on a significant north/south arterial. It is not the intent to allow any, or all commercial uses. The following permitted uses are considered appropriate for the Specific Plan area, given the intended purposes and development concepts established for the Specific Plan area by this Specific Plan.

A. Planning Area No. 1. Residential Component.

1. **Permitted Uses.** 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 Planning Commission and the City Council may deem (pursuant to Chapter 17.60 of the CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

    a. Attached, single-family residential;

    b. Accessory community recreation facilities; and

    c. Ancillary in-home business uses, subject to the provisions of CMC Section 17.26.035, In-Home Business License.

B. Planning Area No. 2. Transit Center Component.

1. **Permitted Uses.** 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 Planning Commission and the City Council may deem (pursuant to Chapter 17.60 of the CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

    a. Public parking for park and ride transit users;

    b. Public transportation transit center, such as boarding and alighting from public transportation vehicles; informational kiosks/signage, transit store, bicycling storage racks and similar activities;

c. Commercial retail building activities pursuant to the provisions of Section 17.38.020.B. of Chapter 17.38 of the CMC, C-2 Commercial Zone (Neighborhood Shopping Center);

d. Public plazas and open space; and

e. Electric bus and electric vehicle charging stations.

2. **Uses Permitted Subject to a Conditional Use Permit.**

a. Liquor, on-sale, in conjunction with a bona fide eating establishment.

C. Planning Area No. 3. Civic/Community Component.

1. **Permitted Uses.** 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 Planning Commission and the City Council may deem (pursuant to Chapter 17.60 of the CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

a. Administrative and professional offices;

b. Community and event public assembly center;

c. Education and recreation activities as part of a community and event public assembly center;

d. Museum, galleries and similar uses as part of a community and event public assembly center;

e. Ancillary retail sales, such as gift shops, food and beverages sales;

f. On-site food service as part of a community and event public assembly center;

g. Public plazas and open space;

h. Public parking;

i. Public informational kiosks and signage; and

j. Electric vehicle charging stations.

2. **Uses Permitted Subject to a Conditional Use Permit.**

a. Liquor, on-sale, in conjunction with on-site food service as part of a community and event public assembly center; and,

b. Entertainment, in conjunction with a community event and public assembly center, subject to the requirements of CMC Chapter 5.28, Entertainment, of the CMC.

V. DEVELOPMENT STANDARDS

This Specific Plans contains special development standards that pertain to the Specific Plan area. The development standards required under this Specific Plan supersede the same development standards set forth in the City's Zoning Code. Because of the unique mixture of transit-oriented residential development, transit-oriented public development and civic- and community-oriented uses, this Specific Plan incorporates the City's Zoning Code development standards only to the extent expressly cited in this Specific Plan or not otherwise specifically addressed in this Specific Plan. The following lists those development standards that shall regulate future development and design within the Specific Plan area. The following also either describes those special development standards that pertain only to the Specific Plan area or references those sections from the CMC that apply. The architecture and site planning for any future development within the Specific Plan area will be reviewed and approved pursuant to the following development standards. Those standards that are not addressed in this document must revert to the applicable standards required under the CMC.

A. Planning Area No. 1. Residential Component. The property development standards contained in this Section V.A. and those development standards in Chapter 17.28 of the CMA not expressly addressed in this Specific Plan shall apply to all land and buildings in Planning Area No. 1.

1. **Minimum Lot Area Standards:**

   a. Minimum lot area for Planning Area No. 1: 6.12 acres.

   b. Minimum lot area for new numbered lots: 6,000 square feet.

2. **Minimum Yard Standards:**

   a. Minimum front structural setback from Citrus Avenue public right-of-way: 15 feet.

   b. Minimum side structural setback from the north and south boundaries of Planning Area No. 1: 10 feet.

   c. Minimum rear structural setback from the east boundary of Planning Area No. 1: 15 feet.

   d. Minimum interior structural setbacks: No minimum structural setbacks for interior property lines.

   e. Minimum interior curb setbacks: 7 feet from the side of a building to the face of an interior curb.

3. **Minimum Building Separation Standards:**

a. Minimum front door to front door separation: 20 feet.

b. Minimum side to side structure separation: 10 feet.

c. Minimum separation between facing garage doors: 30 feet.

4. **Vehicle Parking:**

a. 2 enclosed vehicle parking spaces per unit (garage spaces) shall be required. Required enclosed parking (garage spaces) shall not be obstructed for use for vehicle parking.

b. .5 vehicle parking spaces per unit (includes uncovered guest parking and handicapped parking spaces) shall be required in the interior common area.

c. Access to on-street parking along the Citrus Avenue public right of way shall be available pursuant to the provisions of the CMC.

d. Access to the public parking lot within Planning Area No. 3 shall be available pursuant to the provisions of the CMC. Nothing in this Specific Plan shall prohibit the residential component HOA to enter into a shared parking agreement with the City for the overnight use of the public parking lot.

5. **Landscaping Standards:**

All landscaping shall be installed per the conceptual landscape plan approved by City. In addition to building architecture, the soft and hardscape designs and guidelines shall define the character of Citrus Commons. The selected plant palette shall enhance the entry, paseos, parks, streets and dwelling units in Planning Area No. 1. The palette and proposed guidelines shall be responsive to the local climate and the special circumstances associated with HOA-owned/managed landscaping. The following are specific recommendations for the landscape plan:

a. All plant materials shall be served by an automatic underground irrigation system utilizing backflow devices and weather sensing smart controller(s). All above ground irrigation elements shall be screened.

b. All new trees shall be staked or provided with a greater support design.

c. New trees planted within 5 feet of hardscape shall have deep root linear root barriers a min. of 10 feet long, 5 feet on both sides of trunk.

d. Ground cover shall be spaced to ensure total infill within twelve months of planting.

e. Only live plant materials (not simulated) shall be used in landscaped areas (trees, shrubs, and ground cover).

f. Selection of plant materials shall be based on year-round beauty (deciduous color, spring flower, branching patterns) as well as form, texture, shape, and ultimate growth. Selection of plant materials shall be based on year-round beauty as well as form, texture, shape and ultimate growth (examples of year round beauty may include: evergreen trees and shrubs, deciduous trees with fall foliage color - yellow, orange, red, or purple - winter, spring, or summer flowers in colors to complement the color selections of the building and site, several flowering plant species shall be used to provide at least two seasons of flowering in the year, tree branching and canopy structure may be columnar, vase, open, round, or spreading in form deciduous color, spring flower, branching patterns).

g. Plant species shall be tolerant of the local environmental-conditions and relatively free from pests and disease.

h. Plant species that are native or well-adapted to local climatic conditions, and require less water and maintenance, are recommended.

i. All street trees shall be deep-rooted, canopy-type trees suited to urban conditions.

j. Landscaping shall generally be provided to soften architecture and hardscape.

k. Planting shall occur around building perimeters to reduce building scale and to integrate development into surrounding neighborhood.

l. Planting and irrigation shall be designed to satisfy the California State Model Water Efficient Landscape Ordnance.

6. **Fencing and Wall Standards:**

a. **Northerly boundary:** The existing decorative masonry wall adjacent to existing townhome project shall be preserved. Any necessary repairs to the existing masonry wall shall match the existing wall.

b. **Easterly boundary:** The existing masonry wall adjacent to existing single-family residential shall be preserved. Any necessary repairs to the existing masonry wall shall match the existing wall.

c. **Southerly boundary:** The visual and pedestrian connection to proposed retail, transit and community uses (Planning Area No. 2) shall be emphasized by a decorative wrought-iron fence. This fence shall include four (4) gated access points that shall be identified by decorative masonry pilasters and an arbor structure. Decorative paving will also be provided. Gates shall be locked to prevent non-resident public access. Residents will be provided with access keys or cards for security purposes.

d. **Recreation Area:** Decorative wrought-iron fencing with masonry pilasters will provide security fencing around the pool complex per the California Code of Regulations (Title 22), California Building Code (Title 24) and California Health and Safety Code requirements. Two (2) entry locations into the swimming pool area will be identified by decorative masonry pilasters and arbor structures.

7. **Lighting Standards:**

Lighting within the Residential Component shall be designed in a manner that will ensure reasonable illumination levels to provide for appropriate public safety, pursuant to consultation with the Covina Police Department. Lighting within the Residential Component shall be designed in a "pedestrian-friendly" manner, meaning the overall height of light standards shall not exceed 25 feet and will placed in a manner that will ensure minimal light spillage onto adjoining properties to the north and east of the Residential Component. Light fixture shall incorporate glare shields if necessary. A maximum light spillage of not to exceed one (1) footcandle, as measured from twenty (20) feet from the property line of the Specific Plan area, onto properties to the north and east. The lighting design shall incorporate decorative light standards and fixtures that are compatible with the Residential Component's building architecture and are also compatible and complimentary with the lighting standards fixtures of Planning Area No. 2 (Transit Component).

8. **Mechanical Equipment Standards:**

Mechanical equipment shall be placed in locations that are reasonably screened from public view. Rooftop equipment shall be screened from view on all four (4) sides. Mechanical equipment screening techniques may include, but not be limited to, landscaping, structural elements such as steel mesh or decorative metal. Wood or similar material shall not be used for rooftop screening of mechanical equipment.

9. **Sign Standards:**

Signage for the Residential Component will include information and directional signage, address numbering, and Community Identification. A master sign plan shall be prepared and submitted for review and be approved as part of the overall Residential Component design and development approval process.

10. **Storage:**

Storage within the individual residential units shall not displace required interior garage parking spaces. Notwithstanding temporary facilities required from contractors or similar workers employed for specifically approved tasks, no storage structures shall be allowed to be placed within the Residential Component.

B. **Planning Area No. 2. Transit Center Component.** The property development standards contained in this Section V.B. and those development standards in Chapter 17.42 of the CMA not expressly addressed in this Specific Plan shall apply to all land and buildings in Planning Area No. 2.

1. **Lot area standard for Planning Area No. 2:** 3.07 acres.

2. **The following development standard matrix shall apply:**

AREA DISTRIBUTION (Net Area)	Acres/Sq. FT.	% of Net Project Area
Building Coverage	1.15 Acres (50,160 SF)	37.35%
Landscape Coverage	0.63 Acres (27,654 SF)	20.00%
Vehicular Coverage (Including parking, drive aisles, etc.)	1.31 Acres (57,239 SF) excludes parking structure	42.65%
Floor Area Ratio	0.97	

FLOOR AREA DISTRIBUTION BY PROPOSED USE (Based on Net Area)			
Area of Building Pad	**No. of Stories**	**Gross Floor Area**	**Proposed Use**
Retail Building: 4,390 SF	1	4,390 SF	Retail (Merchantile Occupancy)
Parking Structure: 45,770 SF	3	125,391 SF	Parking (S-2 Occupancy)

PARKING (Calculate Each Use Within a Building Separately)			
Type of Use	**Parking Ratio**	**# Spaces Req.**	**# Spaces Provided**
Retail	1/330 GSF	14	14
Parking	0	0	372
Total:		14	386

3. **Minimum Yard Standards:**

a. Minimum front structural setback from Citrus Avenue public right-of-way: 10 feet.

b. Minimum side structural setback from the north boundary of Planning Area No. 2: 10 feet. No minimum setback between Planning Area Nos. 2 and 3.

c. Minimum rear structural setback from the east boundary of Planning Area No. 2: 58 feet.

d. Minimum interior building separation: 20 feet shall separate the parking structure and the retail building.

4. **Sign Standards:**

a. Retail Commercial building. The provisions of Chapter 17.74 of the CMC shall apply.

b. Informational and directional signage. Informational and directional signage, including bus stop signs, is permitted pursuant to the provisions of Chapter 17.74 of the CMC.

c. Public facility identification. Foothill Transit logos on the parking structure, including bus stops signage, is permitted.

C. Planning Area No. 3. Civic/Community Component.

1. **Minimum lot area standard for Planning Area No. 3:** 1.47 acres.

2. **Minimum Yard Standards:**

a. Minimum Covina Boulevard setback from the public right-of-way: 10 feet.

b. Minimum interior structural setback between Planning Area Nos. 2 and 3: 10 feet.

c. Minimum setback from the easterly boundary of Planning Area No. 3: 5 feet.

3. **Building and improvement location.** The placement of the building and parking lot improvements within Planning Area No. 3 shall be in substantial conformance with the Conceptual Site Plan illustrated in Exhibit 11.

4. Maximum Building Height: Two (2) stories or 35 feet, whichever less.

VI. DESIGN GUIDELINES

A. Design Goals and Objectives

These Design Guidelines are intended to promote high quality development that will:

1. Facilitate high quality architecture and design.
2. Contribute to a positive physical image and identity of the City.
3. Provide for both convenient auto access and safe and attractive pedestrian access.
4. Reinforce and establish a distinct architectural image.
5. Establish attractive, inviting, imaginative and functional site design.
6. Facilitate and encourage pedestrian activity and mitigate adverse automotive patterns.
7. Enhance surrounding neighborhoods, the Specific Plan area and the City.
8. Minimize excessive or incompatible impacts of noise, light, traffic and/or visual character.
9. Integrate stormwater Best Management Practices (BMPs) into the site design.

B. Design Guidelines

The quality of the site design is one of the most important measures of the Specific Plan area's impact on the community and will be given high priority in the review of development proposals for each Planning Area. The following Design Guidelines are intended to establish an expectation of quality development features in the Specific Plan area through architectural theme and site planning and include:

a. Site Planning and Building Orientation

b. Parking Lot Layout

c. Vehicular Access and Circulation

d. Storage and Loading

e. Pedestrian-Level Elements

f. Landscaping Theme

g. Walls and Fences

h. Architectural Theme

i. Building Elevations and Facades

j. Retail/Office/Quasi-Public Guidelines

k. Transit Center/Park & Ride Development Guidelines

l. Quality Materials and Colors

m. Signage Theme and Types

n. Lighting

o. Accessibility

1. **Site Planning and Building Orientation**

a. Buildings should be designed and located in such a manner to maximize the use of land, provide adequate and appealing landscaping and other site amenities.

b. Buildings should be placed and oriented in such a manner as to be sensitive to adjoining residential land uses, create a vibrant street edge appearance along Citrus Avenue and Covina Boulevard.

c. All primary entries should face onto Citrus Avenue or onto Covina Boulevard for Planning Area No. 3. An interior pedestrian linkage between all Planning Areas is to be provided. Facility entries that do not front directly onto a street should be connected to a street via a landscaped or decorative hardscaped pedestrian plazas or walkways.

d. Placement and design of structures should facilitate and encourage pedestrian activity and convey a visual link to the street and sidewalks.

2. **Parking Lot Layout**

a. Parking areas should provide safe, convenient, and efficient access for vehicles and pedestrians.

b. All off-street parking stall dimensions shall be designed and constructed in accordance with Title 17 of the CMC.

c. Parking lots should be designed to ensure that all vehicle movements will occur onsite. No vehicle should have to enter onto a public street in order to circulate throughout the same parking lot.

d. Parking lots should be designed to maintain landscaped planter areas within the parking fields.

e. The parking structure shall be designed to only allow vehicles to access or exit the facility onto Citrus Avenue. The parking structure will be designed to minimize adverse impacts to adjoining uses through the incorporation of adequate setbacks, "green-screen" designs, location of lighting to provide adequate security and use of decorative materials.

3. **Vehicular Access and Circulation**

Since the Specific Plan area is bounded by major arterials, the primary mode of access to this area is anticipated to be by automobile and bus. However, provisions for bicycle storage and access shall be provided. Pedestrian movements will result mainly from patrons who drive to the Specific Plan area, exit their automobiles and then access the Transit Center, residential uses and civic/community facilities. Pedestrian activity within the Specific Plan area, especially in the designated public plaza areas, is encouraged. Therefore, attention should be made to design safe and efficient vehicle circulation and for pedestrian safety. The following are Design Guidelines associated with vehicular access and circulation:

a. The number of driveway access points onto the public arterials should be kept to a minimum, as proposed in the Conceptual Site Plan. The number, locations and width of driveways shall be subject to the approval of the Planning Commission based on the recommendation of the City Engineer.

b. Parking lots should be designed to ensure that all vehicle movements will occur onsite. No vehicle may enter onto a public street in order to circulate throughout the same parking lot.

c. The parking structure will be designed to only allow vehicles to access or exit the facility onto Citrus Avenue.

d. Buses access into Planning Area No. 2 shall only occur from Citrus Avenue. Buses will only exit and travel westbound onto Covina Boulevard from Planning Area No. 2.

4. **Storage and Loading**

a. Materials should not be permanently stored outside of residences or buildings. Materials stored inside residences shall not displace required parking.

b. For commercial uses and civic/community uses, materials should only be stored and loaded in designated areas. These areas should be designated by striping and/or use of decorative bollards.

c. Loading areas or waste disposal areas should be visually screened from views from the public street or areas of high public use. Such visual screening techniques could include "wing walls," decorative trash enclosures, landscaped walls or screening.

5. **Pedestrian-Level Elements**

Safe pedestrian access is critical to the success of any development. Pedestrian and automobile movements should be considered and integrated into the design of the Specific Plan area. The intent is to reduce traffic-related hazards, while establishing a more pedestrian-inviting image.

a. Provide sidewalks at least six (6) feet in width along all sides of the lot that abut a public or private right-of way.

b. Construct landscaped or decorative hardscaped connecting walkways and public plazas and adjoining uses at pedestrian connection points. Pedestrian walkways that cross vehicle driveways shall be appropriately marked in a decorative manner that is complimentary to the overall design theme.

c. Provide continuous internal pedestrian walkways, no less than four (4) feet in width, from the public sidewalk or right-of-way to the principal buildings or residences on the site. Walkways should connect focal points of pedestrian activity such as, the bus bays, pedestrian plazas, street and driveway crossings, building, facility and store entry points, and should feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials.

d. Provide sidewalks, no less than 5 feet in width, along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Such sidewalks should be located at least six (6) feet from the

façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade.

e. Distinguish all internal pedestrian walkways from driving surfaces through the use of durable surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs should be installed to designate pedestrian walkways.

f. Utilize decorative bollards, planters, or other physical and visual obstacles to separate pedestrian movements from automobile and bus movements.

6. **Landscaping Theme**

Landscaping is an integral component of the Specific Plan's overall design. The intent of these landscaping guidelines is to ensure uniformity to the site and establish a "sense of place" with both functional and aesthetic considerations. In general, elements in landscaping should include:

a. Intensified perimeter landscaping shall be installed, such as trees with a minimum of 24 inch box, increased tree densities pursuant to the direction of a certified landscaped architect or arborist, and robust use of drought-tolerant shrubbery and ground cover.

b. Plantings should create a year-round visual interest through the use of seasonal color, texture, and heights.

c. Landscaping along Citrus Avenue and Covina Boulevard should be consistent with adjoining landscaping.

d. All landscaping should be installed prior to issuance of any Certificate of Occupancy for each construction phase.

e. Drought tolerant, California native or naturally-adapted species that minimally rely on year-round irrigation should be utilized.

f. Parking lots should be designed to maintain landscaped planter areas within the parking areas.

g. Unless incorporating "bio-swale" style landscaped planters, the perimeter of all landscaped parking lot planters within the parking lot areas should be constructed with six (6)-inch Portland Cement concrete curbs.

h. The use of decorative permeable concrete and pavers are encouraged within all landscaped areas, public plazas, pedestrian areas or paved surfaces.

7. **Walls and Fences**

Walls and fences are essential as a project-wide design element and therefore, must be consistent with the "feel" of the project.

a. Avoid extensive, bare, and plain stretches of wall surface.

b. Permitted materials for walls should include brick, stucco, stamp or decorative masonry and wrought iron/steel tube fencing. No wood, vinyl and/or chain-linked fences are allowed.

c. The design of the walls and fences should include pilasters, wall caps, crowns, or other architectural features. Pilasters should be spaced every one hundred (100) feet, and at all wall and/or fence corners.

8. **Architectural Theme**

a. Consistency in architectural style and thematic details will enhance the overall image of the Specific Plan area. It is desirable to achieve a consistent "look" throughout the Specific Plan area. The Specific Plan area is intended to be a major destination and community asset. Accordingly, the architectural and design theme and style for the overall Specific Plan, the individual buildings, facilities and residential development that will comprise the Specific Plan area, and common amenities and improvements must be well designed and distinctive. The intent is to have project architecture that is representative of the City and its rich history.

b. Building architecture should utilize consistent themes that do not conflict in design technique and application. Architectural styles and treatments should not duplicate the design of neighboring facades. Rather, it should be a compatible design concept that embraces mid-century traditional architectural philosophy.

9. **Building Elevations and Facades**

a. All building elevations should have varied architectural treatments comprising of different colors, materials, wall heights and planes, and/or textures.

b. Unique and enhanced treatments that act to unify the site are encouraged, including, but not limited to, trellises and building façade articulation.

c. Color should be used to create visual interest and scale.

d. Buildings should be divided into distinct massing elements. Building facades should be articulated with architectural elements and details. Building heights should be at finished grade.

e. Four-side architecture should be provided. Side and rear façades should be designed consistently with the architectural style and treatments of the front (primary) façade.

10. **Retail/Office/Quasi-Public Guidelines**

a. Building heights should not exceed 36 feet (maximum).

b. All roof mechanical equipment should be screened from public views. Whenever possible, screening should be accomplished by primary building elements, such as a parapet wall, rather than an add-on screen after the building is constructed.

11. **Transit Center/Park & Ride Development Guidelines**

a. The parking structure shall incorporate a "green-screen" design concept to "soften" the northerly, easterly and southerly elevations of the parking structure.

b. The major design elements of the parking structure, such as the elevator and stairwell tower, entrance portals and other prominent elevation sections may be treated with decorative elements such as decorative concrete, metal, faux architectural simulated wood, and similar materials. Use of decorative accent lighting is encouraged. A solar canopy on the upper level deck of parking structure may be incorporated.

c. Interior and infrastructure components of the parking structure may utilize concrete masonry unit (CMU) blocks within the interior if CMUs are colored and textured to be complimentary with the overall architectural design theme.

12. **Quality Materials and Colors**

Materials used for the exterior of any building or facility should be of a quality that is appropriate and consistent with the chosen architectural style. Recommended base materials include: ceramic tile, colored stucco, and brick and stone veneer. Architectural steel elements and quality perforated metals may be utilized as accent features for the parking structure. In addition, for utility and infrastructure components of buildings, such as the elevator core for the parking structure, exposed CMU may be acceptable if they are integrally colored and provide for textured or finished surfaces that are otherwise not associated with a standard gray CMU block. Materials such as plywood, rustic wood, plain concrete, sheet pressboard or vinyl siding should be avoided.

13. **Signage Theme and Types**

Signage should be architecturally integrated into and be complimentary to the overall architectural goals for the Specific Plan area and may include: residential community identification signage; tenant signs; street right of way informational signs; and monument style identification signs. Signs should be appropriately located to identify uses from the public right of way. Appropriately scaled signage that adjoins public plaza spaces is permitted. All signage shall be subject to the applicable provisions set forth in Title 17 of the CMC.

14. **Lighting**

Lighting shall be designed to provide for sufficient illumination to ensure for an appropriate level of public safety, without creating off-site nuisance light and glare spillage impacts. The use of decorative and accent lighting is encouraged to provide a vibrant and creative night-time viewshed of the project. Decorative lighting standards within the Specific Plan area shall be architecturally consistent and compatible with the primary building architectural theme elements.

15. **Accessibility**

Pedestrian and bicycle access between the Planning Areas shall be made available to encourage the residents of Planning Area No. 1 (Residential Component) to utilize the transportation services to be provided within Planning Area No. 2 (Transit Component) and the civic/community uses to be located in Planning Area No. 3 (Civic/Community Component). Vehicular access between the Planning Areas shall not be provided, other than for emergency and public safety access.

VII. ADMINISTRATION AND IMPLEMENTATION

A. Specific Plan Implementation

This Specific Plan provides for a unique mix of residential, public and commercial uses within the designated Specific Plan area. The City recognizes the Specific Plan area as a landmark place in the City and therefore, proposes to establish customized development and design regulations and standards that accommodate and respond to the needs of the development.

It is intended that all City review requirements and processes be consolidated into a single process as much as possible. Accordingly, the Development Review Process described in this document has been established to streamline the City's process for reviewing future commercial development and design within the Specific Plan area. The Development Review Process provides the City with the opportunity to ensure the development proposals comply with the development and design standards contained in this Specific Plan document and other relevant requirements of the City.

B. Zoning Code Consistency

Any requirements and standards not addressed by this Specific Plan shall be subject to the requirements of Title 17 of the CMC. In the event of a conflict between the provisions of Title 17 of the CMC and the provisions of this Specific Plan, the provisions of this Specific Plan shall control.

C. Development Review Process and Procedures

All buildings and structures shall be designed and developed in conformance with those development standards, guidelines, and provisions contained in this Specific Plan and otherwise applicable standards contained in the CMC. All development projects shall undergo a Site Plan Review Process pursuant to the provisions of CMC Chapter 17.64 and as follows:

1. Site Plan Review

All development projects within the Specific Plan area are subject to the Site Plan Review procedures set forth in Chapter 17.64, Site Plan Review, of the CMC.

2. Determination of Similarity of Use

When an unlisted use is proposed for a Planning Area or when classification of an unlisted use is requested, it shall be the duty of the Planning Commission and the City Council to determine whether the proposed unlisted use is similar and not more obnoxious or detrimental to the public health, safety and welfare pursuant to Chapter 17.60 of the CMC.

3. **Appeal Provisions**

An applicant may file an appeal of the approval authority pursuant to the provisions of Chapter 17.64.080 of the CMC.

4. **Required Findings**

In addition to the provisions of Chapter 17.64 of the CMC, the following findings shall be made for Site Plan Review development proposals:

a. The project is consistent with the provisions of this Specific Plan.

b. The project's design and building architecture is complimentary and compatible with other projects within this Specific Plan.

c. The project's building design and architecture incorporates interesting materials, design features, varying building planes, roof lines and accent features.

d. The overall project design and architecture are of high quality and innovative design, use quality construction materials, and creatively use landscape and hardscape materials in order to create a "signature" development for the City.

5. **Review and Approval Authority**

The Director of Community Development's responsibilities shall include administering, interpreting and enforcing all requirements of this Specific Plan, including the acceptance and processing of all land use permit applications. The Director of Community Development may refer matters involving development issues to the Planning Commission, and may consult the City Attorney on questions of interpretation.

6. **Amendments to Specific Plan Provisions**

The Specific Plan provisions are intended to be flexible and responsive to the needs of the City and future development within the Specific Plan area. Furthermore, the Site Plan Review Process is intended to ensure future development comply with those development and design standards contained in this Specific Plan document and other relevant requirements of the City. Therefore, separate design-related approvals are not generally required. The provisions of this Specific Plan also offer interpretive flexibility to the Community Development Director that should accommodate most future development.

It should be noted that this Specific Plan does provide relief for those future developments that deviate from those standards and provisions contained in this Specific Plan, including Minor Modifications to approved development projects.

7. Minor Modification

Minor Modifications encompass minor and reasonable deviations or alterations to project plans. The Community Development Director shall consider the following Minor Modifications:

a. A Minor Modification to approved plans that do not create a noticeable difference in the exterior of the building design. Such minor alterations would not include the elimination of approved building materials.

b. A Minor Modification to the site plan where it can be demonstrated that such modifications will not substantially alter the locations of structures and uses and will not result in alteration of any plan features such as plaza areas, number of parking spaces, and/or similar items.

c. A Minor Modification shall not result in a substantial quantifiable alteration to the approved development plan greater than ten percent (10%) in the instances where building size, setback distances, amount of required landscaped area or similar quantifiable distances and building and open spaces sizes are considered. For example, if a Minor Modification for a previously approved setback of five (5) feet is requested, the greatest alteration that may be granted in the Minor Modification is a six (6) inch reduction to the previously approved five (5) foot setback to 4 feet, 6 inches.

8. Amendments to the Specific Plan

Projects that deviate from those standards and requirements contained in the Specific Plan, which are not considered Minor Modifications, require an Amendment to the Specific Plan. Any Amendment to the Specific Plan requires Planning Commission and City Council approval, pursuant to the provisions of the CMC.

VIII. ATTACHMENTS

Exhibit 1.	Vicinity Map
Exhibit 2.	Planning Area Map
Exhibit 3.	General Plan Land Use Designations and Zoning
Exhibit 4.	Planning Areas – Property Use
Exhibit 5.	Planning Area No. 1 – Conceptual Development Plan
Exhibit 6.	Planning Area No. 2 – Conceptual Development Plan
Exhibit 7.	Planning Area No. 3 – Conceptual Development Plan
Exhibit 8.	Access and Circulation
Exhibit 9.	Landscaping Examples
Exhibit 10.	Architectural Treatment Examples
Exhibit 11.	Civic/Community Component Use Site Plan.

Exhibit 1

VICINITY MAP

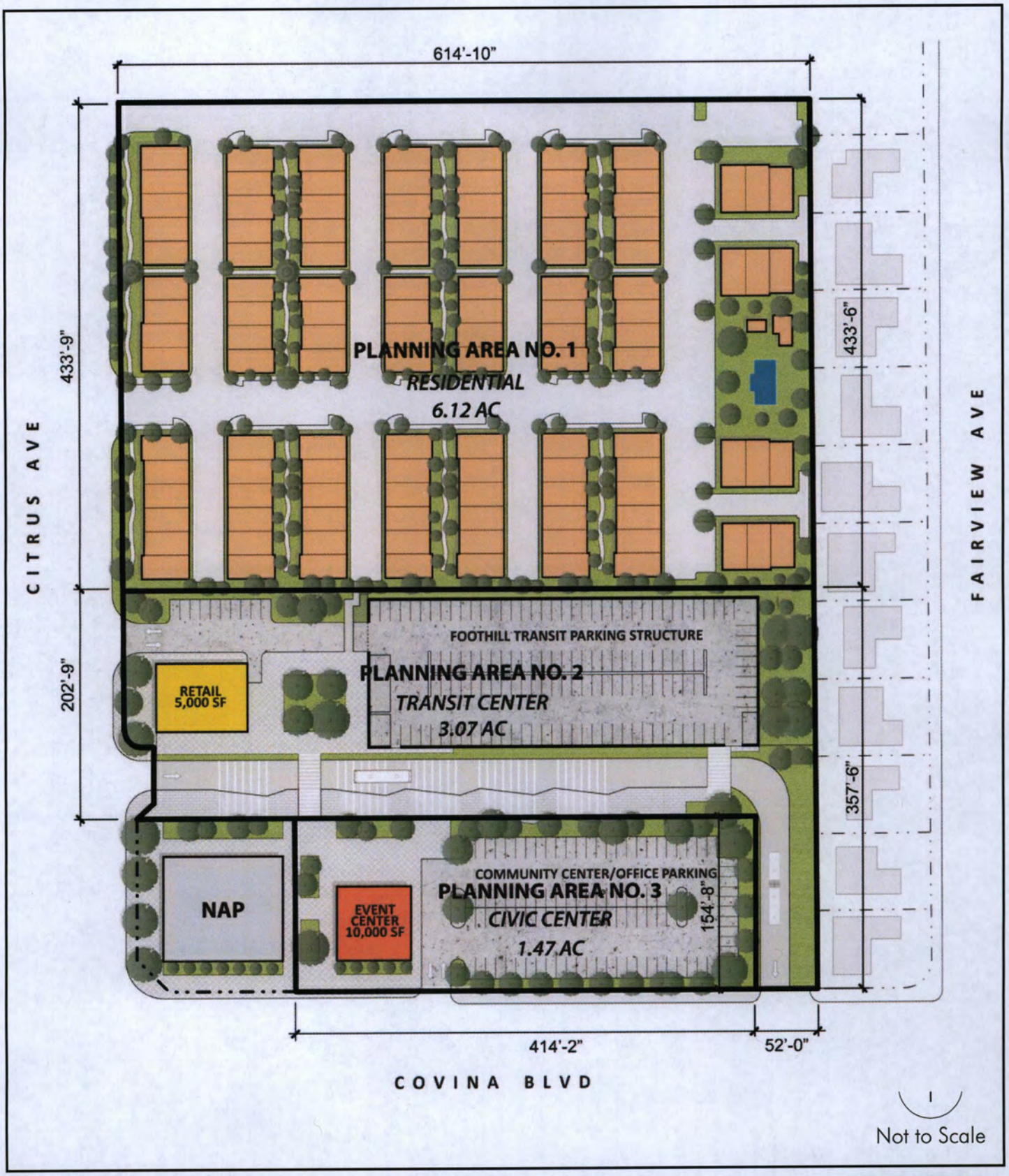


Exhibit 2

PLANNING AREA MAP

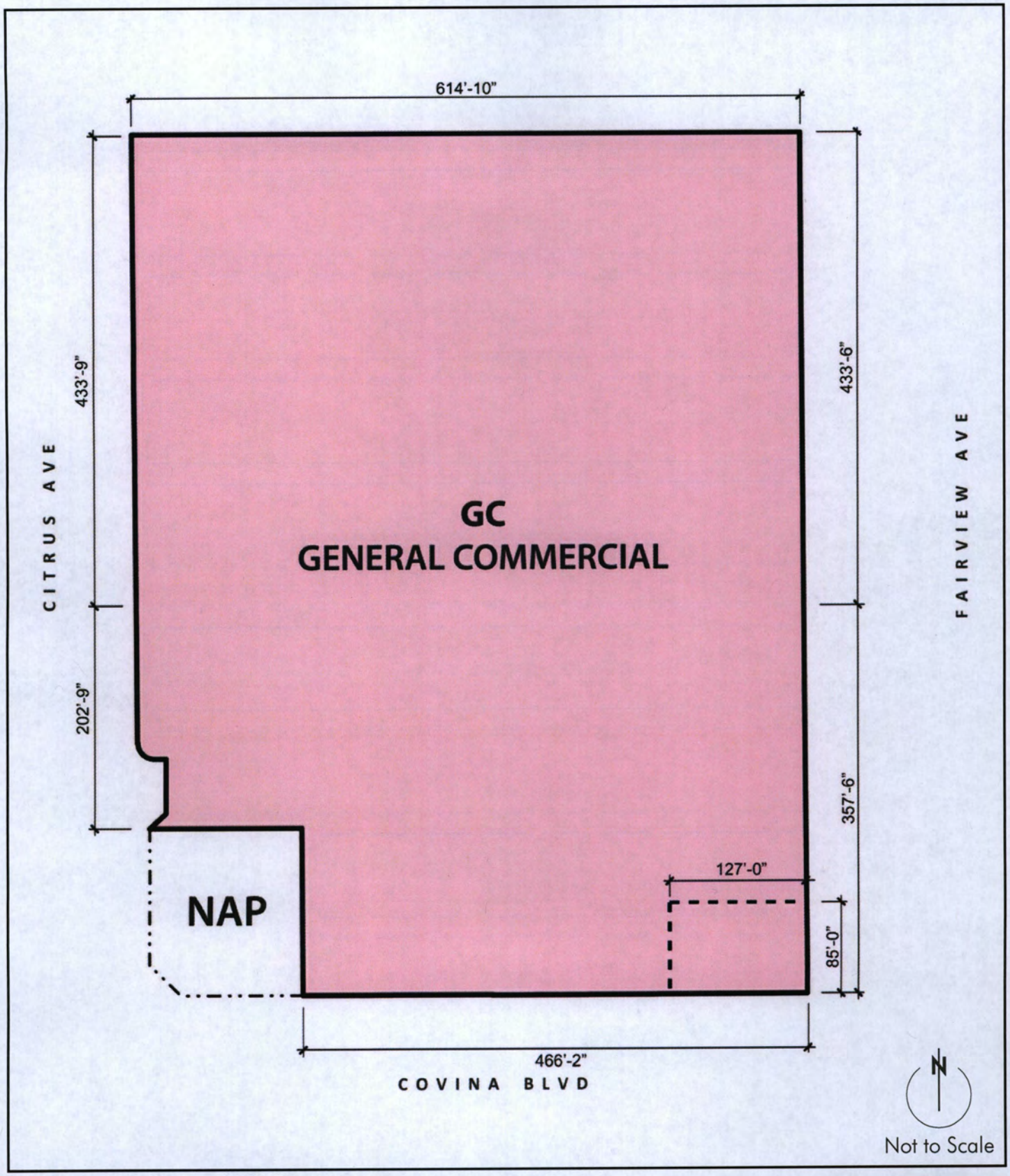


Exhibit 3.1

GENERAL PLAN - EXISTING

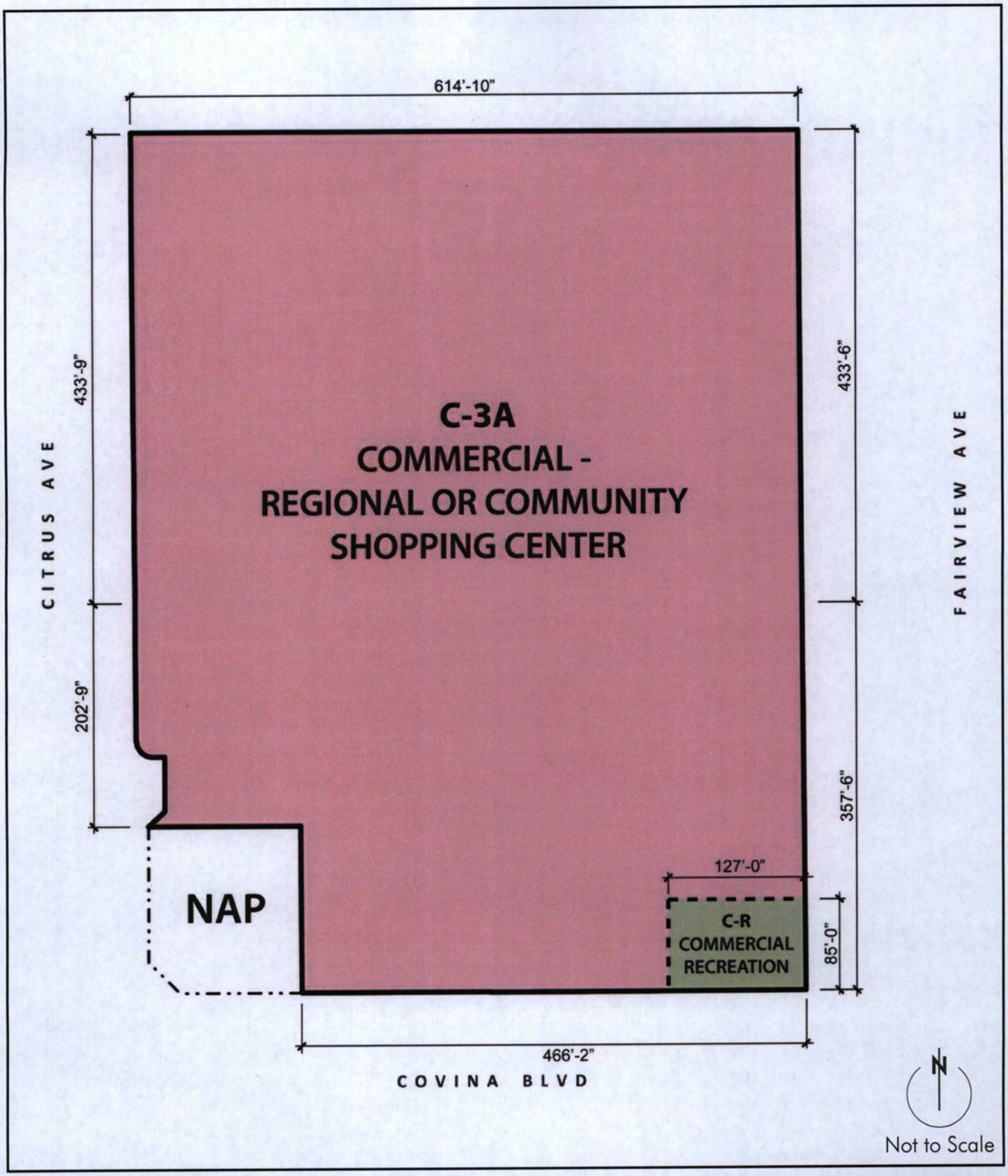


Exhibit 3.2

ZONING - EXISTING

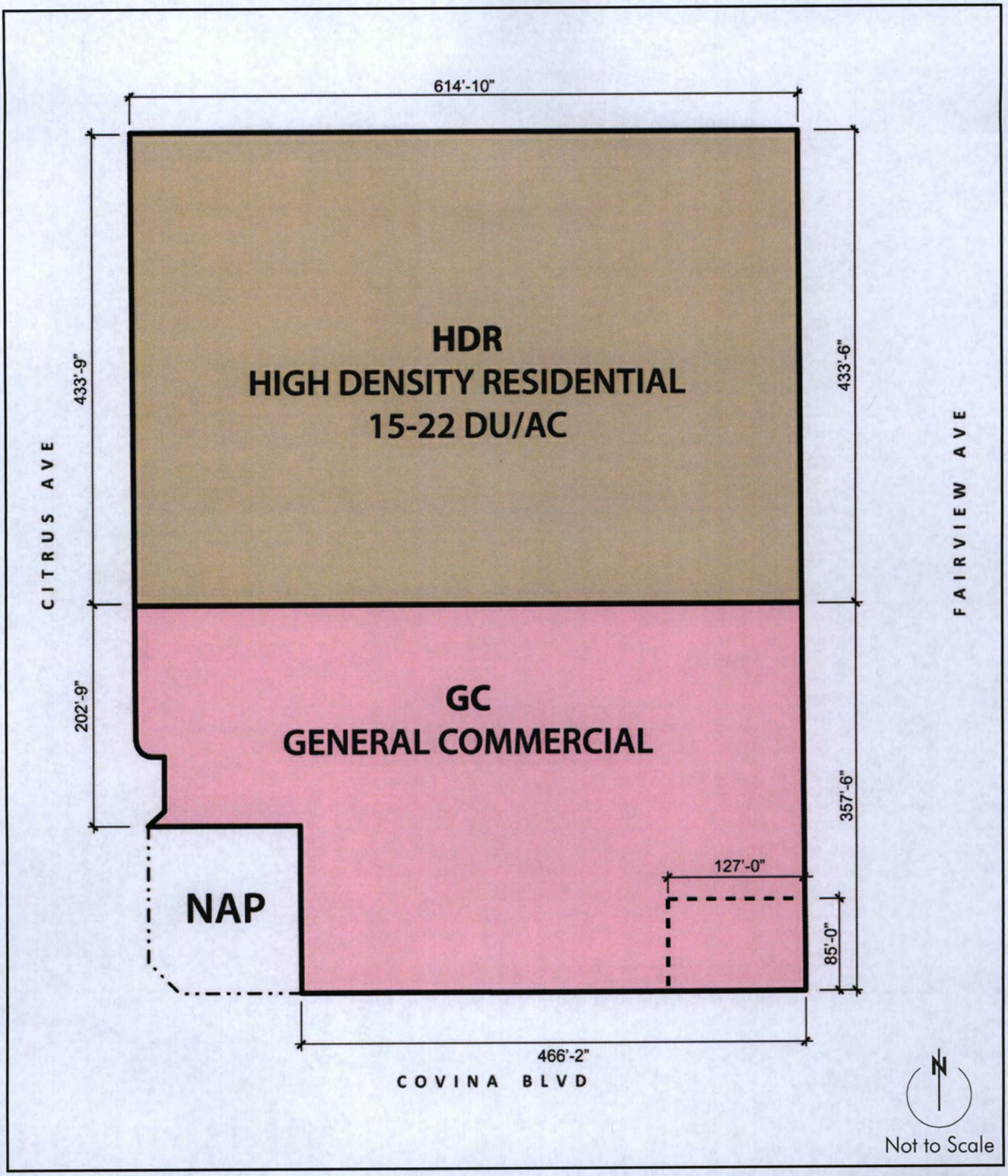


Exhibit 3.3

GENERAL PLAN - PROPOSED

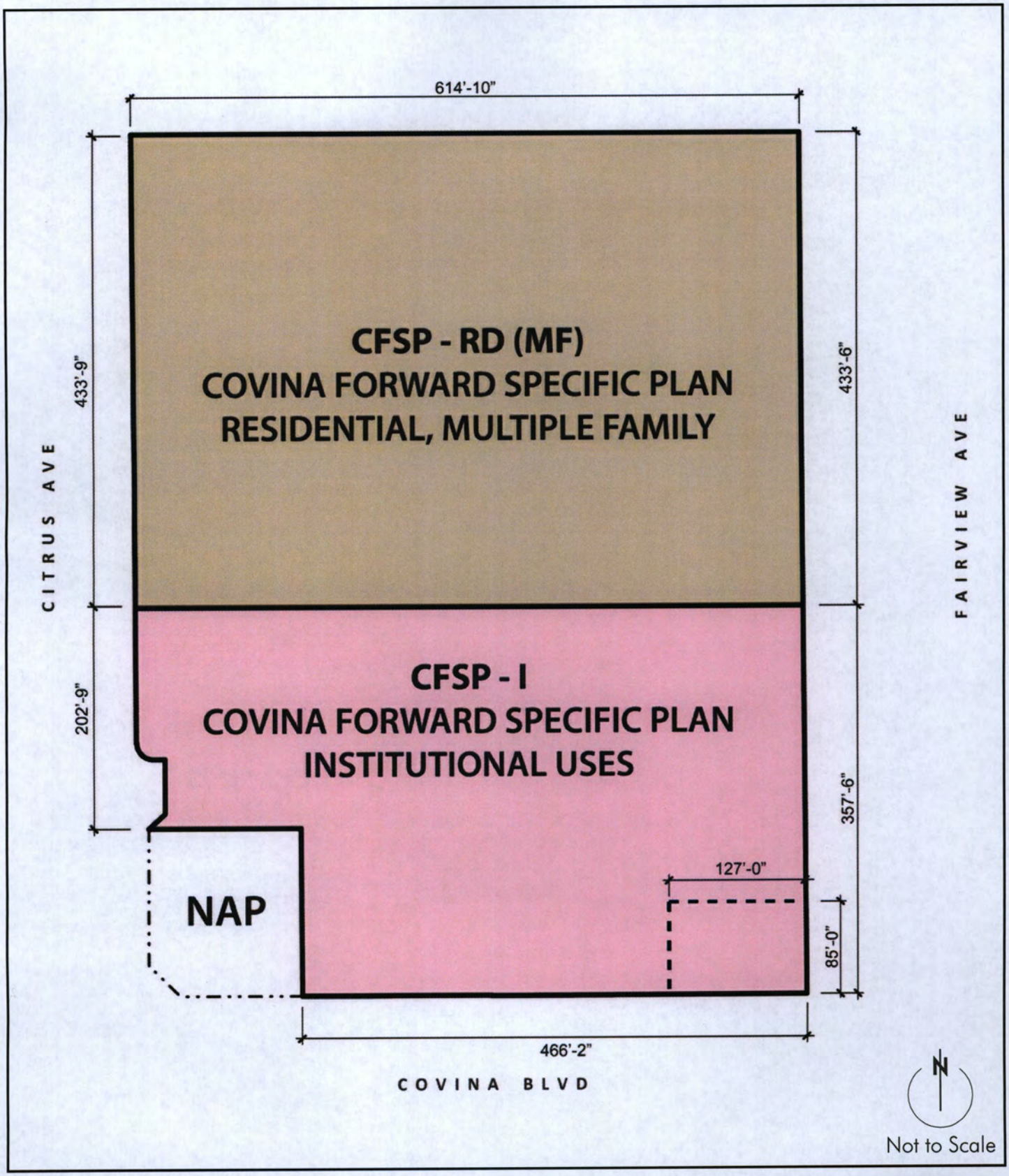


Exhibit 3.4

ZONING - PROPOSED

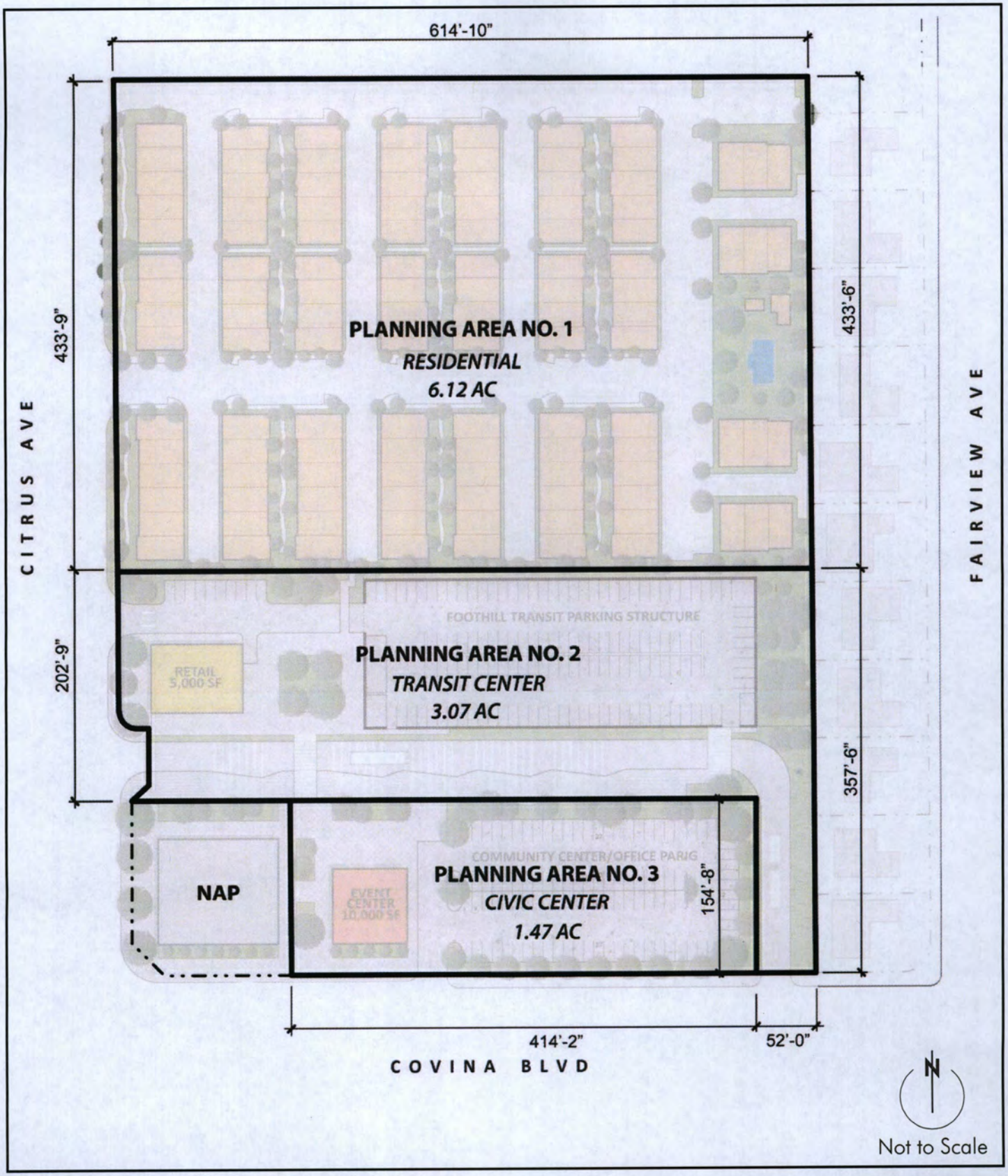


Exhibit 4

PLANNING AREAS

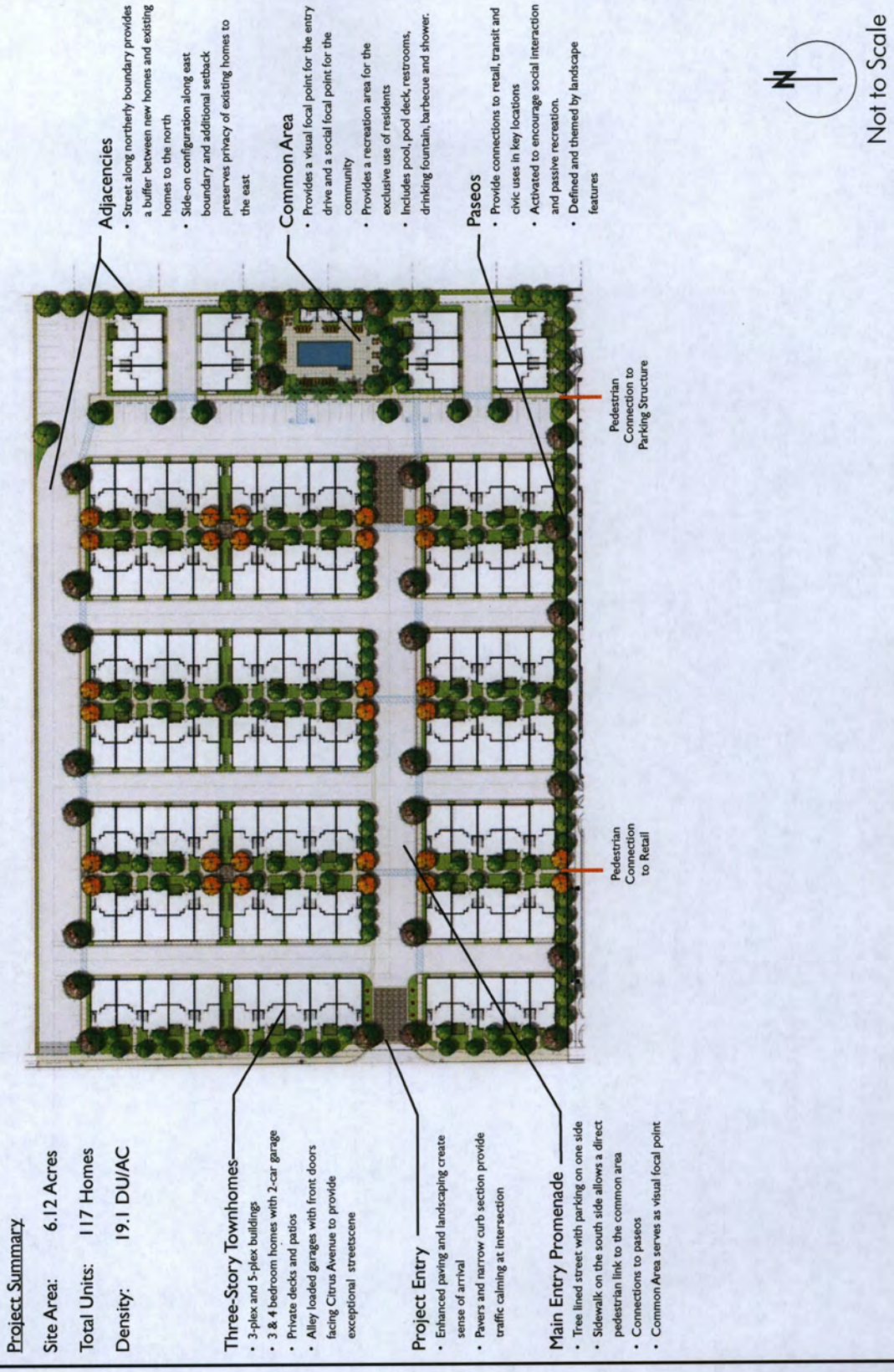


Exhibit 5

PLANNING AREA NO. 1
CONCEPTUAL DEVELOPMENT PLAN

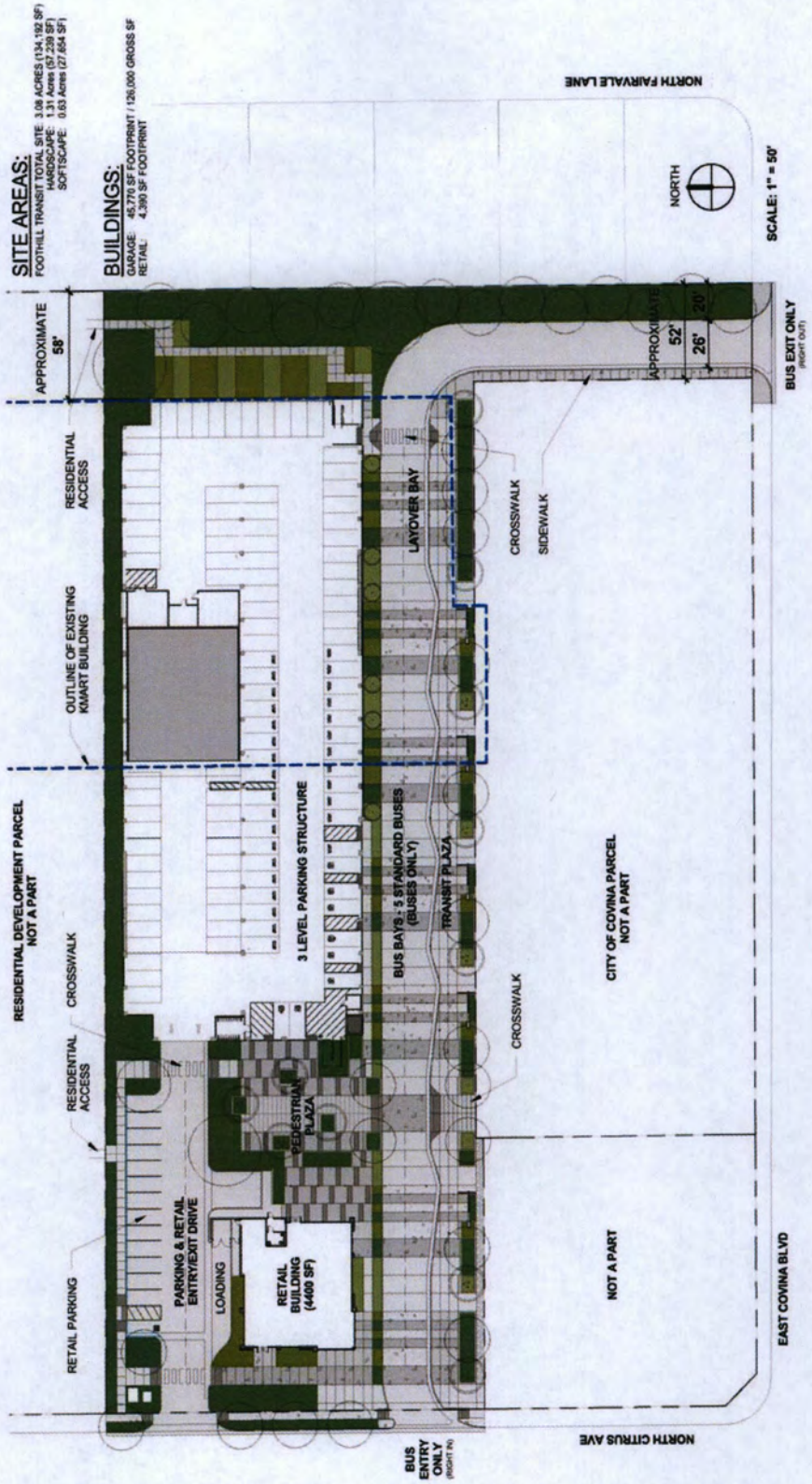


Exhibit 6

PLANNING AREA NO. 2
CONCEPTUAL DEVELOPMENT PLAN

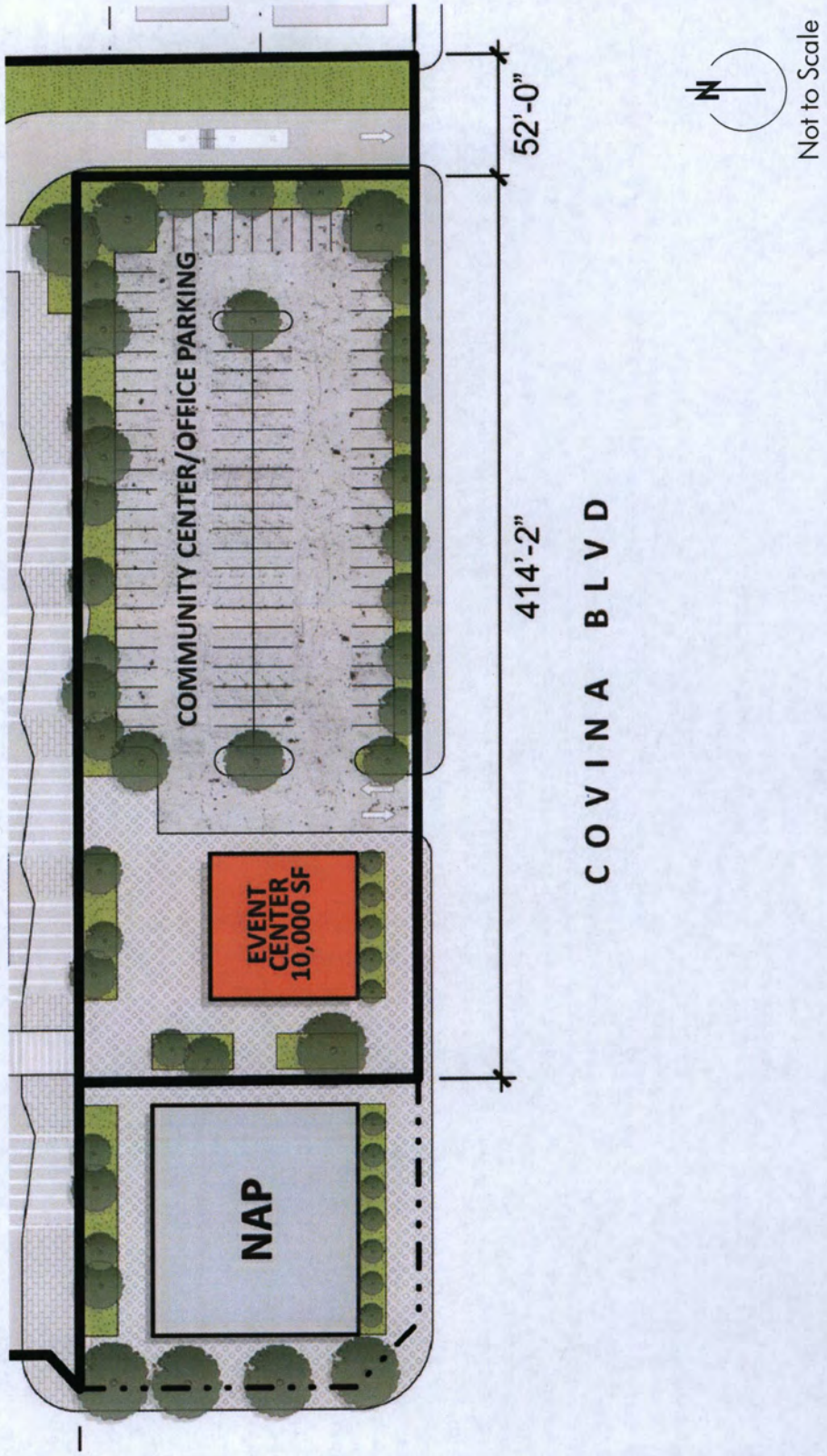


Exhibit 7

PLANNING AREA NO. 3
CONCEPTUAL DEVELOPMENT PLAN

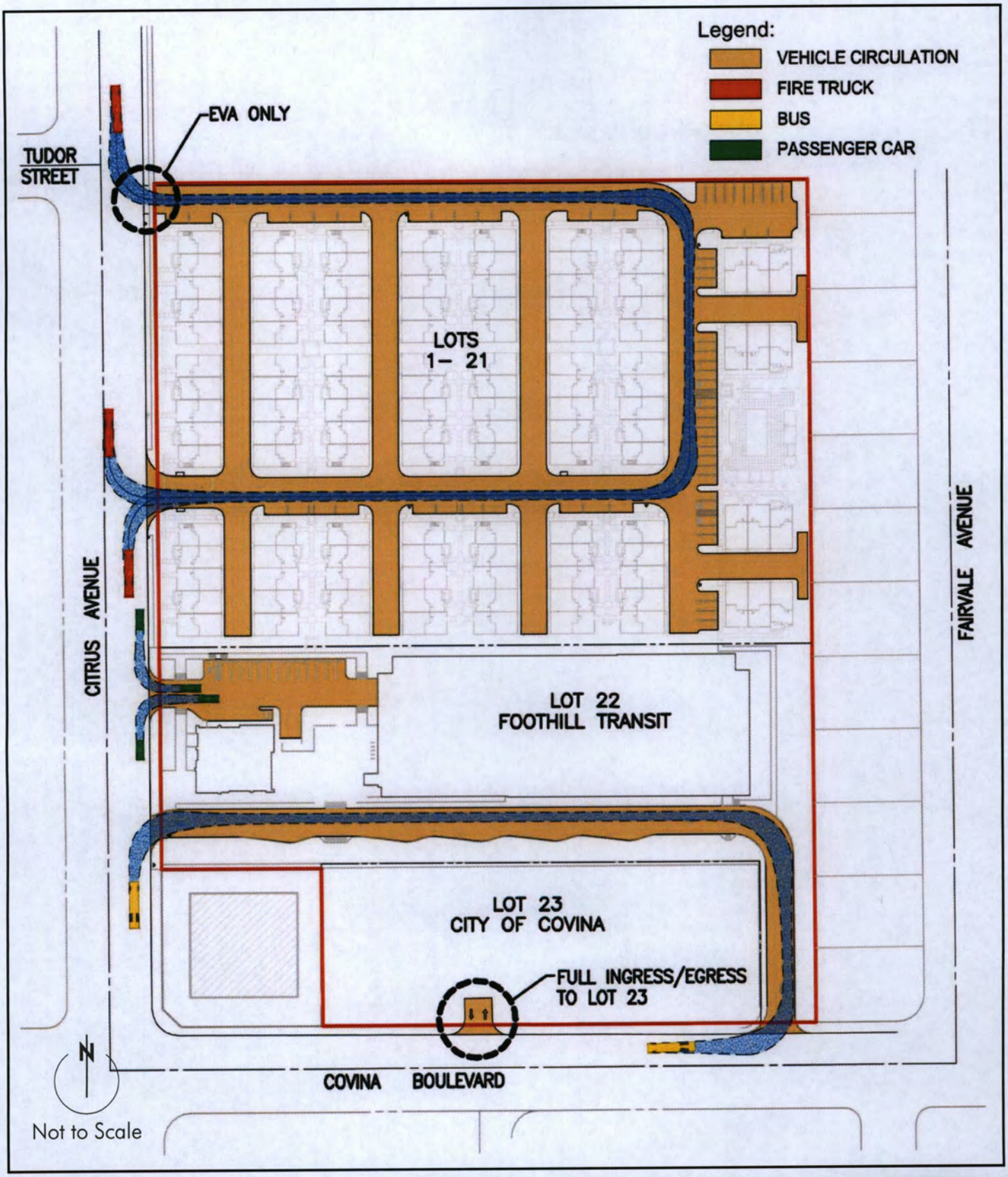


Exhibit 8

ACCESS AND CIRCULATION

PLANT PALETTE (Partial List)

TREES

GENUS / SPECIES	*COMMON NAME*	*WUCOLS*
ARBUTUS X 'MARINA'	ARBUTUS STANDARD	L
CERCIDIUM SPECIES	PALO VERDE	L
CHITALPA TASHKENTENSIS	PINK DAWN TREE	L
LAGERSTROEMIA INDICA	CRAPE MYRTLE	M
MAGNOLIA G. 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	M
MELALEUCA QUINQUENERVIA	CAJEPUT TREE	L
PHOENIX DACTILYFERA	DATE PALM (25'-0" MIN. BTH)	L
PYRUS 'CHANTICLEER'	NCN	M
RHUS LANCEA	AFRICAN SUMAC	L
TRISTANIA CONFERTA	BRISBANE BOX	M

SHRUBS

GENUS / SPECIES	*COMMON NAME*	*WUCOLS*
AEONIUM X PSEUDO-TABULAEFORMUS	AEONIUM SAUCER PLANT	L
AGAVE ATTENUATA	CENTURY PLANT	L
ANIGOZANTHOS FLAVIDUS	KANGAROO PAW	L
CALLISTEMON V. 'LITTLE JOHN'	DWARF WEEPING BOTTLEBRUSH	L
DIANELLA TASMANICA	FLAX LILY	M
LIGUSTRUM J. 'TEXANUM'	DWARF JAPANESE PRIVET	M
LIRIOPE MUSCARI	BIG BLUE LILY TURF	M
LOMANDRA LONGIFOLIA 'BREEZE'	MAT RUSH	L
MAHONIA AQUAFOLIUM	OREGON GRAPE	L
PODOCARPUS MACROPHYLLUS	YEW PINE	M
PRUNUS CAROLINIANA 'COMPACTA'	CAROLINA CHERRY	M
RHAPHIOLEPIS INDICA	INDIAN HAWTHORN	M
ROSMARINUS SPP	NCN	L

GROUNDCOVER

GENUS / SPECIES	*COMMON NAME*	*WUCOLS*
FESTUCA OVINA GLAUCA	BLUE SHEEP FESCUE	L
LIRIOPE SPICATA	CREEPING LILY TURF	M
OPHIOPOGON JAPONICUS	MONDO GRASS	M
SENECIO MANDRALISCAE	BLUE FINGER	L
ROSMARINUS SPP	PROSTRATE ROSEMARY	L

PLANT IMAGES

TREES

ARBUTUS MARINA

CHITALPA TASHKENTENSIS

LAGERSTROEMIA INDICA

MAGNOLIA G. 'LITTLE GEM'

MELALEUCA QUINQUENERVIA

PHOENIX DACTYLIFERA

TRISTANIA CONFERTA

SHRUBS

CALLISTEMON LITTLE JOHN

DIANELLA TASMANICA

AEONIUM SPP.

ANIGOZANTHOS

PODOCARPUS M.

AGAVE ATTENUATA

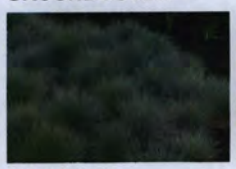
PRUNUS C.

RAPHIOLEPIS SPP.

ROSMARINUS SPP.

MAHONIA AQUIFOLIUM

GROUNDCOVER


FESTUCA O. GLAUCA

LIRIOPE SPICATA

OPHIOPOGON JAPONICUS

SENECIO M.

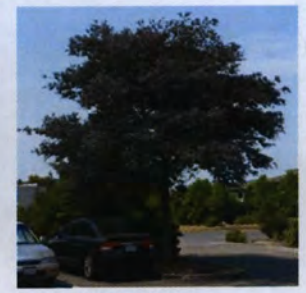
ROSMARINUS SPP.

Exhibit 9.1

LANDSCAPING EXAMPLES

'Desert Museum' Palo Verde

Upright European Hornbeam


Purple Fernleaf Acacia

California Sycamore

'Purple Tower' Crape Myrtle

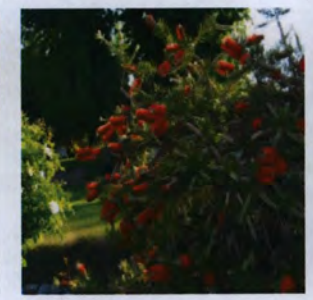
'Donard Gold' Monterey Cypress

Compact Carolina Cherry Laurel

Blue Fescue Grass

Bay Laurel

Dwarf Fountain Grass


Bottlebrush

Indian Hawthorn

Lantana

Upright Stonecrop

Agapanthus

Kangaroo Paw

Yellow Trumpet Vine

Coral Vine

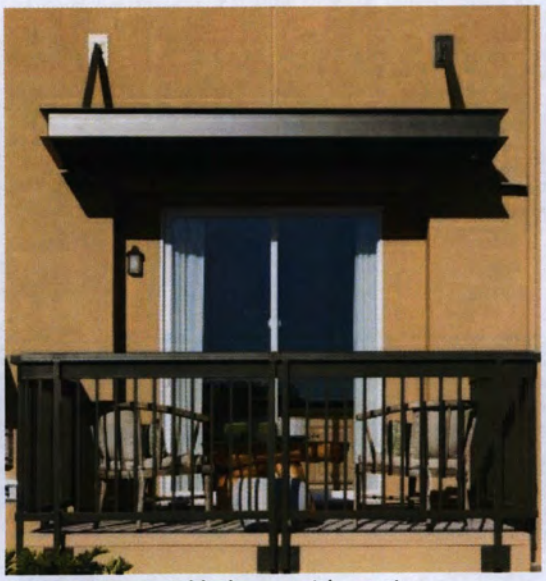
Giant Burmese Honeysuckle Vine

'Balboa Sunset' Trumpet Creeper Vine

Exhibit 9.2

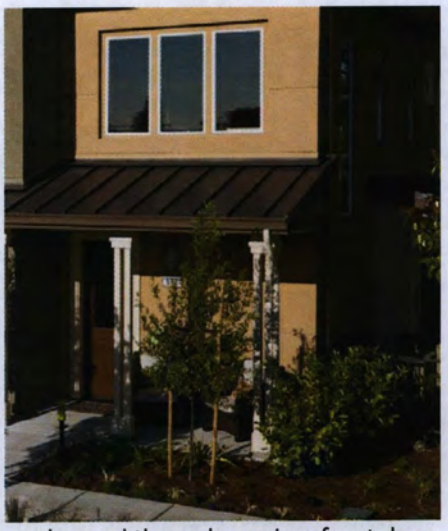
LANDSCAPING EXAMPLES

Pitched Gable roof with Rafter Tail



Decorative metal balcony with awning

Brackets support cantilever over paneled garage doors



Entry enhanced through awning, front door color application and landscaping

Paseo entry announced with Arbor and landscape treatments

Building articulation and corners enhanced through color and material application

Exhibit 10.1

ARCHITECTURAL TREATMENT EXAMPLES

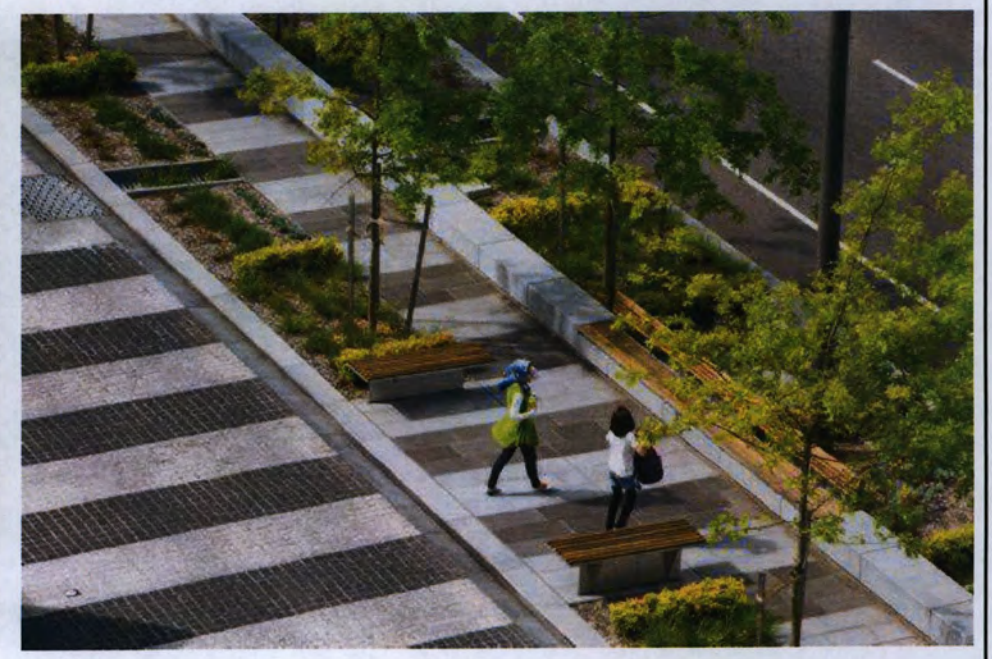


Exhibit 10.2

ARCHITECTURAL TREATMENT EXAMPLES

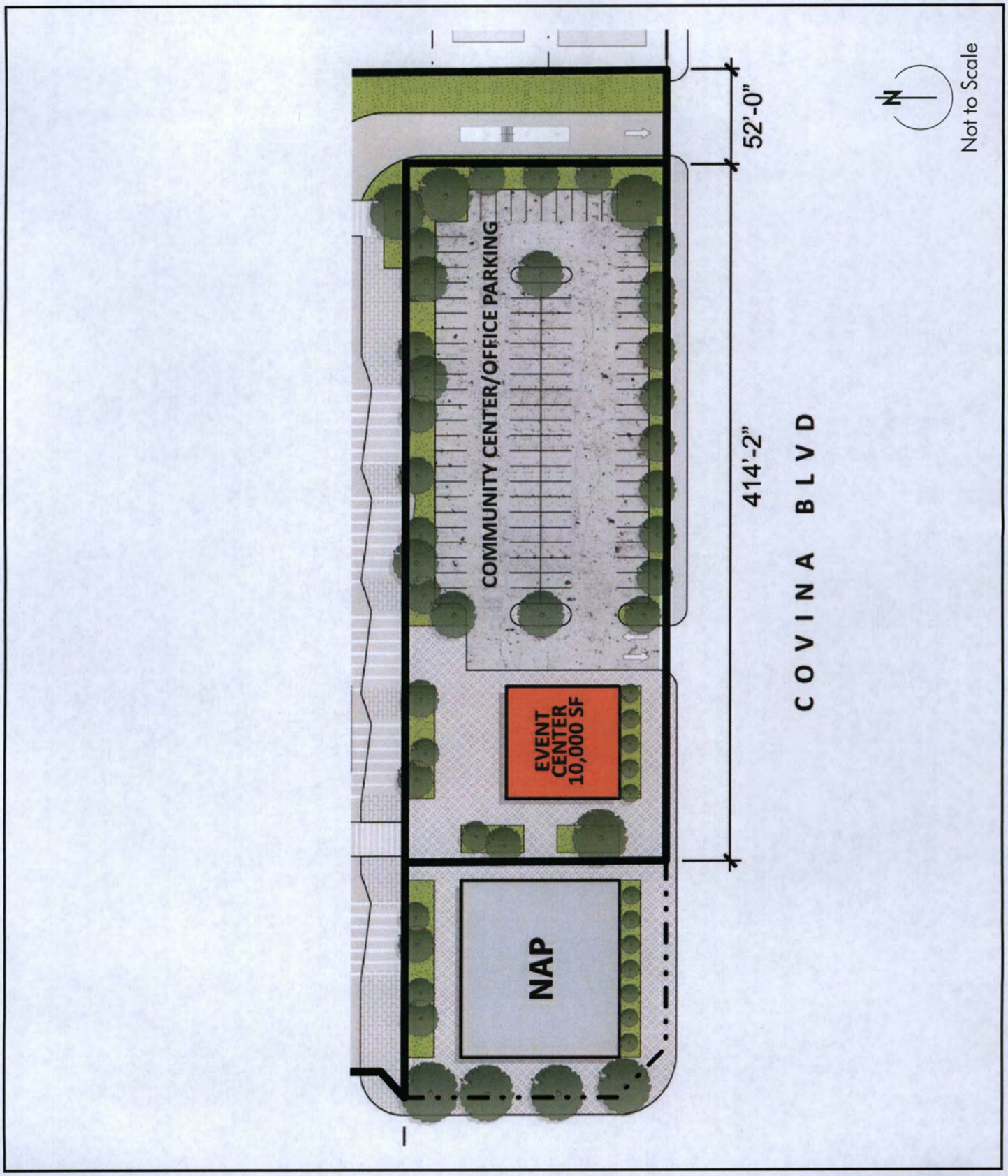


Exhibit 11

CIVIC COMPONENT USE SITE PLAN

Attachment E:

Ordinance No. 16-2068

Approving the Zone Change (ZCH) 16-002

ATTACHMENT E
ORDINANCE NO. 16-2068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COVINA BY CHANGING THE ZONING DESIGNATION FROM "C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)" AND "C-R COMMERCIAL ZONE (RECREATION)" TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES ZONED FOR "RD (MULTI-FAMILY)" AND 4.54 ACRES ZONED FOR "I (INSTITUTIONAL USE)" FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into the iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "C-R (Commercial Recreation)" to Covina Forward Specific Plan "RD (Multi-Family)" for approximately 6.12 acres and to Covina Forward Specific Plan "I (Institutional Use/Zone)" for 4.54 acres; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the Covina Forward Specific Plan with 6.12 acres zoned for "CFSP-RD (Multi-Family)" and 4.54 acres zoned for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received nine comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter..

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030 recommending that the City Council approve the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001.

WHEREAS, on November 29, 2016, the City Council of the City of Covina considered the Project, the Final EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the Final EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-7557 certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-7557 and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on November 29, 2016, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council

considered all the testimony and any comments received regarding the Project prior to and at the public hearing

WHEREAS, all legal prerequisites prior to adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Ordinance.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and written, and after being fully informed, said City Council does hereby find and decide that Zone Change (ZCH) 16-002 are consistent with the public interest and with the City's General Plan for the follow reasons:

a. The Zone Change is consistent with the General Plan for the City of Covina and with all applicable requirements of State law and other ordinances of the City. The Zone Change to Covina Forward Specific Plan for the project site area will allow the development of a transit oriented mixed-use project for 117 for-sale townhouse units on 6.12 acres, and a transit center and a park & ride facility together with the City's civic use and community event center on the 4.54 acres. The Zone Change will repurpose the project site area with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Zone Change will meet the General Plan Policy to "accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service and environmental constraints." (Land Use Element II.B.1a) With the Zone Change to Covina Forward Specific Plan, the transit oriented mixed-use project will meet the General Plan Policy by "accommodating expansion of existing and new commercial and industrial businesses as high priority for reasons pertaining to employment sales tax generation and related economic development benefits and City image enhancement." (Land Use Element II.B.1b)

b. Through the establishment of the Specific Plan and with the Zone Change, the transit oriented mixed-use project with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will provide an appropriate mixing of public use, residential and commercial land use activities. The Zone Change will meet the General Plan Policy of "... will attain a greater variety of retail businesses, attract more people, and general more sales tax and overall vitality, and consider incorporating mixed-uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips." (Land Use Element III.C.a.10)

c. The Zone Change will meet the General Plan Policy to facilitate, through zoning provisions and applicable procedures, infill development, development of now-underutilized or vacant parcels, and, where necessary, redevelopment of deteriorating properties, particularly for housing creation and rehabilitation and economic development purposes. This Specific Plan project site area is a unique opportunity for the redevelopment of an underutilized site for infill development and the addition of new high-quality residences, which will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network (Land Use Element III C.1.a.6)

d. Through the Zone Change to Covina Forward Specific Plan, the project will maintain a 15 feet setback for units along the east property boundary, will maintain a 59 feet building setback for the 3 levels parking structure, which is no closer than the same setback for the existing K-Mart building, and will provide a 20-foot wide landscape buffer to minimize the intrusion of privacy. Such buffer elements are consistent with the General Plan Policy in that it has incorporated sufficient physical and visual buffers to ensure compatibility. (Land Use Element III D.1.a.6)

e. With the Zone Change, the project site area will include reconstruction of the existing public sidewalk around the external perimeter of the project site, including a landscaped parkway according to the City's requirements. These requirements further the General Plan Policy that requires developers to mitigate development impacts in the form of street improvements and public dedications as well as other reasonable requirements. (Land Use Element C.1.a.26)

f. The residential component of the Zone Change would provide needed housing to enable the City to provide dwelling units according to the Regional Housing Needs Assessment (RHNA) under the Housing Element of the General Plan. The proposed 117 townhouse units would contribute to the City's remaining unmet need for 991 housing units, reducing the unmet housing need in the City by more than 11.8 percent. The Housing Element requires the City to adopt policies and practices that encourage the development of housing in the community, which has also been declared to be a matter of Statewide policy. (Covina Draft Housing Element Update, dated November 15, 2010).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Zone Change (ZCH) 16-002 and rezone the following described real properties in the City of Covina, County of Los Angeles, California, as follows:

a. Assessor's Parcel Map Numbers 8406-019-019, 8406-019-020 and 8406-019-017 is hereby rezoned from "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the Covina Forward Specific Plan with 6.12 acres zoned for "RD (Multi-Family)" and 4.54 acres zoned for "I (Institutional Use/Zone)" as shown in **Exhibit "A"**, attached herein and incorporated by this reference as though set forth in full.

SECTION 4. Zoning Map Amendment. Based upon the findings contained in Section 2 of this Ordinance, the City Council hereby amends the Official Zoning Map of the City of Covina to change the zoning classification for the property located generally located at the 1162 North Citrus Avenue and 117 East Covina Boulevard APNs 8406-019-019, 8406-019-020 and 8406-019-017 from "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the Covina Forward Specific Plan with 6.12 acres zoned for "RD (Multi-Family)" and 4.54 acres zoned for "I (Institutional Use/Zone)" as shown in Exhibit "A" and is incorporated herein by this reference as though set forth in full.

SECTION 5. Consistency with General Plan. On November 29, 2016, the City Council adopted Resolution No.16-7558, which Resolution amended the Land Use Map of the Covina General Plan to change the land use designations from the "General Commercial (GC)" to the "Covina Forward Specific Plan" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)." Therefore, the foregoing amendments outlined in this Ordinance are consistent with the goals and policies of the General Plan for the City of Covina.

SECTION 6. The documents and materials that constitute the record of proceedings on which these findings and this Ordinance are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 7. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Covina hereby declare that they would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. This Ordinance shall become effective within thirty (30) days after its adoption.

SECTION 19. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a summary of thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Covina.

SECTION 10. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall enter the same in the Book of Original Ordinances.

SIGNED AND APPROVED this 29th day of November, 2016.

KEVIN STAPLETON, MAYOR

ATTEST:

SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Ordinance No. 16-2068 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 29th of November 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

SHARON F. CLARK, Chief Deputy City Clerk

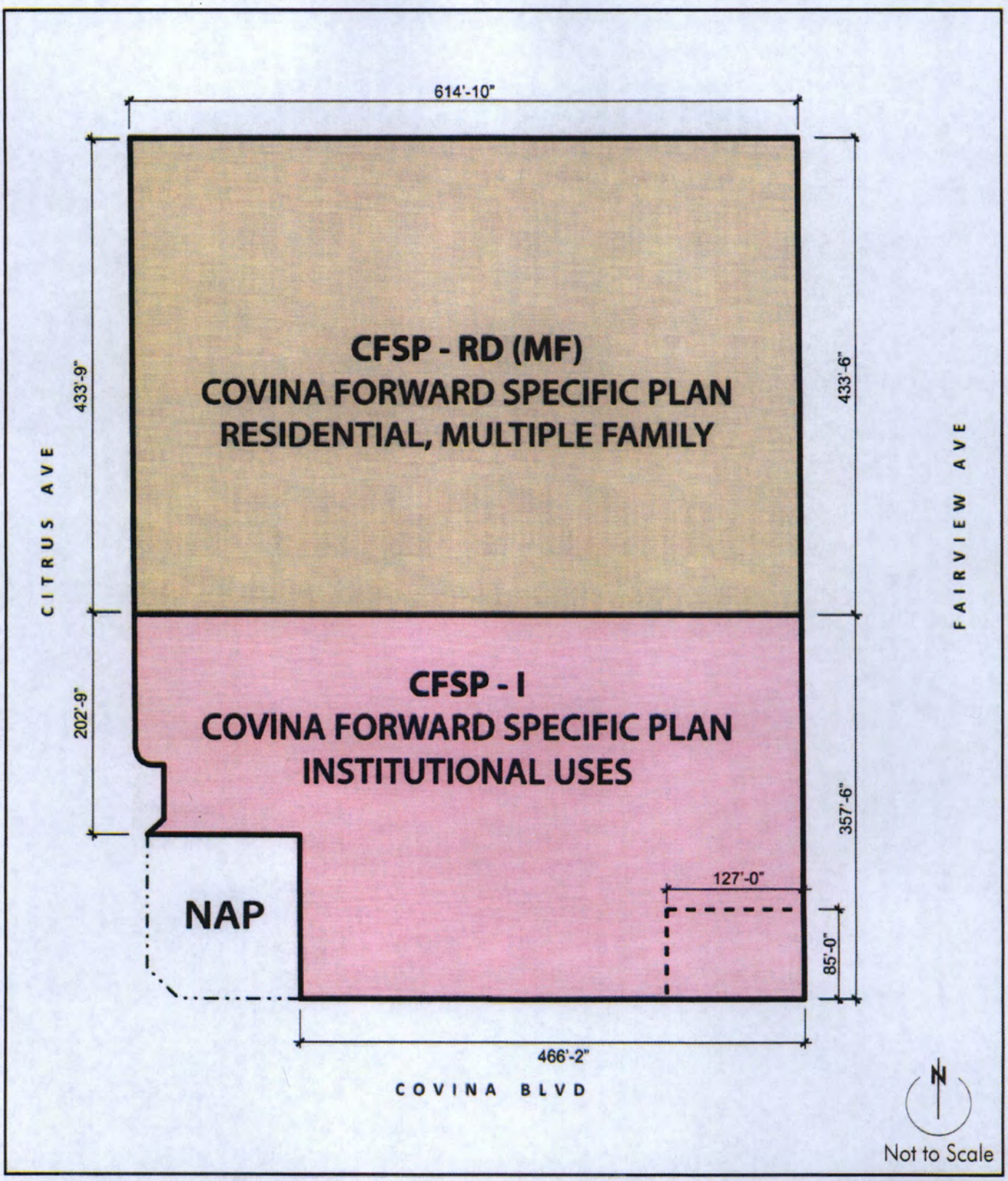


Exhibit A
ZCH 16-002 COVINA FORWARD SPECIFIC PLAN (CFSP)

ZONING - PROPOSED

Attachment F:

Resolution No. 16-7560

Approving a Vesting Tentative Tract Map (VTTM) 74512

ATTACHMENT F
RESOLUTION NO. 16-7560

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING THE VESTING TENTATIVE TRACT MAP 74512 FOR DIVIDING THE 10.66-ACRE PROJECT SITE INTO 23 LOTS WITH 21 LOTS AND 12 LETTERS LOTS ON APPROXIMATELY 6.12 ACRES FOR THE RESIDENTIAL DEVELOPMENT OF 117 FOR-SALE TOWNHOUSE UNITS AND 2 LOTS (LOTS 22 AND 23) ON APPROXIMATELY 4.54 ACRES FOR PUBLIC/TRANSIT AND PUBLIC/CIVIC USES, FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-09-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avnue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project, iTEC Transit Oriented Mixed-Use development, necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for

"CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers who presented their views of the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et. seq*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received nine comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, at a duly noticed public hearing as prescribed by law, the Planning Commission considered the proposed Project and any comments received prior to or at the public hearing, at which time the City staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed Project and the Draft EIR. Following consideration of the entire record of information received at the public hearing and due consideration of the Project and the Draft EIR, the Planning Commission adopted Resolution No. 16-029PC, recommending that the City Council certify the Draft EIR and make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project; and, adopt Resolution No. 16-030PC, recommending that the City Council approve the Vesting Tentative Tract Map (TTM) 74512, subject to conditions.

WHEREAS, on November 29, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the project, the Draft EIR prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, the City Council does hereby find and decide, pursuant to Title 16.08.140 of the Covina Municipal Code:

Vesting Tentative Tract Map (TTM)74512

a. The proposed subdivision is consistent with the General Plan and all applicable codes and regulations.

   Fact: After the adoption of the related applications General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, the Project will be consistent with the General Plan and all applicable codes and regulations. The creation and adoption of a Specific Plan (SP) is an implementation tool of the General Plan, which allows a more flexible application of development standards while maintaining compatibility with existing surrounding uses and consistency with the General Plan. The Project supports policies of the General Plan by developing an underutilized infill site into a transit oriented mixed-use project with

117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center. The Project will repurpose the site with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Project also addresses the deficiency in parkland by dedicating approximately 1.55 acres for the development of a community event center. The Project would also contribute 117 housing units to the City's remaining unmet need for 991 housing units, reducing the unmet need by more than 611.8 percent (Covina Draft Housing Element Update, dated November 15, 2010).

b. The design and improvements of the proposed subdivision are consistent with the General Plan.

Fact: The Covina General Plan contains design-related policies to ensure that new residential and non-residential projects when adjacent to single-family residences will incorporate sufficient physical and visual buffers to ensure compatibility. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and shall adequately protect the single family residences or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. The residential component of the subdivision is designed with common recreation facilities place closer to the existing single-family residents, minimize the number of townhouse units along the east property boundary and maintain a setback of 15 feet. The 3 levels parking structure of the transit center is setback exactly at the same building line of the existing K-Mart building away from the existing single-family residences to the east side. The proposed transit center will provide a 20-foot landscape buffer with evergreen trees and appropriate shrubs, which will minimize the intrusion of privacy. Furthermore, the proposed park & ride facility will have a green wall consisting of metal trellis with landscaping and vines, which will provide further privacy to the existing single-family residences. The perimeter streets surrounding the development will have a landscaped parkway. The Project, with its design, improvements and conditions of approval, will be consistent with the General Plan.

c. The subdivision is physically suitable for the type and proposed density of development proposed by the tentative map.

Fact: The proposed subdivision divides the 10.66 acres into 23 lots and 12 letter lots. The residential component consists of 21 lots and 12 letter lots on approximately 6.12 acres for the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. The proposed density is approximately 19.11 units per acre, which is consistent with the Specific Plan and the zoning standards for the High Density Residential Zone, which allows a density of 15 to 22 units per acre. Lot 22 is approximately 2.99 acres in size and is slated for the development of a transit center with up to 6 bus-bays plaza, a park & ride facility with 3 levels parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. Lot 23 is approximately 1.55 acres in

size and is planned for future development of approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area. The site, upon approval of the General Plan Amendment, Covina Forward Specific Plan and Zone change, and the implementation of conditions of approval and mitigation measures, would be physically suitable for the type and proposed density of development proposed by the vesting tentative tract map.

d. The design of the subdivision and proposed improvements, with conditions of approval will not be likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

   Fact: The Project site is about 10.66 acres in size, in a predominantly urban location and is surrounded by existing single-family houses to the east and west, multi-family units to the north, multi-family units and commercial centers to the south. The Project site is currently developed with the former K-Mart building approximately 88,000 square feet and a sea of parking areas, which has been vacant since December 2014. A smaller parcel to the south east of the project site is developed with an existing residential like structure and is currently used for a day care center. The site is not designated fish or wildlife habitat nor is it located nearby to any such territory. Further, as noted in the Draft EIR for this Project, with mitigation measures incorporated, the City finds that the Project will result in less than significant environmental impacts. Therefore, the subdivision will not be likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

e. The design of the subdivision and the type of improvements are not likely to cause serious public health problems.

   Fact: The residential component of the subdivision will have two point of access off North Citrus Avenue. The overall on-site circulation for the residential component of the subdivision design will meet all Fire access and requirements. The public/transit use with the transit center, the park & ride facility will satisfy the parking demands for Foothill Transit while decreasing the on street parking along City's streets. The park & ride facility will have a separate access for vehicles' egress and ingress while the transit center will have designated bus ingress off North Citrus Avenue and egress off East Covina Boulevard. The public/civic use with the future building for parking area for a community event center will have access off east Covina Boulevard. Although access for the three components of the subdivision is separated for safety purpose, there will be pedestrian connections between the public/transit and public/civic uses and from the residential use to the pubic/transit use. The overall subdivision design, the proposed uses and the types of improvements together with the various Mitigation Measures and Conditions of Approval will ensure development harmony with surrounding land uses and will not cause serious public health problems.

f. The design of the subdivision provide for future passive or natural heating and cooling opportunities in the subdivision to the extent feasible.

Fact: The design of the subdivision provides for both passive and natural heating and cooling opportunities. The residential development with the 117 for-sale townhouse units will have operable windows for passive and natural heating. The residential development, the public/transit development with a transit center, a park and ride facility and a retail building, and the public/civic development with a future building for community event center will require to comply with Title 24 of the Uniform Building Code. Furthermore, the park & ride facility will provide solar-panels at the top level of the parking structure; and, the building sides of the parking structure will have a green wall (trellis with landscaping).

g. Focusing on the design of the subdivision and the type of improvements to be required, the Project will not conflict with easements acquired by the public at large for access through or the use of the subdivision or with the design of alternate easements that are substantially equivalent to those previously acquired by the public.

Fact: The design of the subdivision will not conflict with existing City rights-of-way or other public access easements. According to City records, there are no alternate or potential easements that would be affected by the Project.

h. The Project with its subdivision design is consistent with the city's parkland dedication requirements (Quimby Act – Chapter 16.28 CMC).

Fact: The City's parkland dedication requirement is three acres of property for every 1,000 persons residing within the City to be devoted to local park and recreational purposes. Using the City's dwelling unit occupancy factor of 3.02 persons per household for owner-occupied dwelling units, the proposed 117-unit subdivision will generate a population of 352 persons, requiring a parkland dedication of 1.06 acres (117 x 3.02 x .003). Per the terms of the Development Agreement (DA) 16-001, the applicant shall convey 1.11 acres to the City and convey 0.351of parkland to the City.

i. The Applicant has demonstrated that a sufficient water supply will be available to serve the subdivision, in accordance with California Government Code Section 66473.7.

Fact: The Project is served by Azusa Water, which have sufficient capacity to provide water to serve the subdivision. However, given the State of California drought conditions and the continued emphasis on water conservation and efficiency, the Project is required to comply with Covina Municipal Code Chapter 17.82 regarding Water Efficient Landscape Regulations and the State July 2015 Model Water Efficient Landscape Ordinance (MWELO). The Project will include several exterior water conservation measures, including but not limited to the following: Smart Irrigation Controllers, Central Computer Irrigation Controllers for Common Areas,

Soil Moisture Sensor Systems, Large Rotary Nozzles, bubblers, micro-sprays and drip irrigation. Interior water conservation strategies will include low flow fixtures (faucets) and appliances (tank toilets and clothes washers).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Vesting Tentative Tract Map (TTM) 74512, a proposal to subdivide an approximately 10.66-acre site into 23 lots and 12 letters lots for the purpose of developing the iTEC Transit Oriented Mixed Use project, subject to all conditions contain in "Exhibit A" attached herein and incorporated by this reference.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. Effective Date. This Resolution shall be effective upon the effective date of Ordinance No. 16-2068:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COVINA BY CHANGING THE ZONING DESIGNATION FROM "C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)" AND "C-R COMMERCIAL ZONE (RECREATION)" TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES ZONED FOR "RD (MULTI-FAMILY)" AND 4.54 ACRES ZONED FOR "I (INSTITUTIONAL USE)" FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

SECTION 6. Certification The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this 29th day of November, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-7560 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 29th day of November, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

_____

SHARON F. CLARK, Chief Deputy City Clerk

CITY OF COVINA
COMMUNITY DEVELOPMENT DEPARTMENT

EXHIBIT A
VESTING TENTATIVE TRACT MAP (VTTM) 74512
SITE PLAN REVIEW (SPR) 16-023
APN: 8406-019-019, 8406-019-020 and 8406-019-017
CONDITIONS OF APPROVAL AND
MITIGATION MONITORING AND REPORTING PROGRAM

Development Applications:

1. Resolution No 16-7560, approving Vesting Tentative Tract Map (VTTM) 74512 to subdivide a 10.66-acre project site ("Project Site") into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.
2. Resolution No. 16-7561, approving Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

Related Applications:

1. Resolution No. 16-7558 approving General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" to the "Covina Forward Specific Plan" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."
2. Resolution No. 16-7559 approving the Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan CFSP" with 6.12 acres for "CFSP - RD (Multi-Family)" and 4.54 acres for " CFSP - 1 (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.
3. Ordinance No. 16-2068 approving a Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre Project Site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "RD (Multi-Family)" and 4.54 acres for "I (Institutional Use/Zone)."
4. Ordinance No. 16-2069 approving a Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of of 117 for-sale townhouse units with with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

ALL OF THE FOLLOWING CONDITIONS APPLY TO THE PROJECT

A. TIME LIMITS:

1. **Vesting Tentative Tract Map 74512:** Approval of this VTTM will expire two years from the date of Project approval if the final map is not recorded unless otherwise extended pursuant to applicable laws. The applicant may apply to extend the expiration date for a maximum period of three years. Each extension shall not exceed one year upon written request to the Director of Community Development a minimum of thirty (30) days prior to expiration. The request must be approved by the Planning Commission prior to expiration of the VTTM under applicable laws.

2. **Site Plan Review (SPR) 16-023:** Approval of this application will expire two years from the date of Project approval if building permits are not issued unless otherwise extended pursuant to applicable laws. The applicant may apply to extend the expiration date for a maximum period of three years. Each extension shall not exceed one year upon written request to the Director of Community Development a minimum of thirty (30) days prior to expiration. The request must be approved by the Planning Commission prior to expiration of the approved SPR application.

3. **Vesting Tentative Tract Map 74512** shall not take effect unless and until the City Council approves applications GPA 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-001 and Development Agreement (DA) 16-001.

B. GENERAL REQUIREMENTS:

1. This approval will not be effective for any purposes until the Applicant has filed with the Planning Division an affidavit stating that it is aware of and agrees to accept all of the conditions of this approval as set forth herein.

2. All conditions of approval and the environmental mitigation, monitoring and reporting program ("MMRP") contained in City Council Resolutions 16-7557 for the Final EIR and Resolution No. 16-7561 for SPR 16-023 shall apply to the Project.

3. Copies of the signed City Council Resolutions and Environmental MMRP shall be included on the plans (full size) for submittal of plan check. The full size sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.

4. The Applicant shall pay any applicable Fish and Game fees as shown below. All checks are to be made payable to Los Angeles County Clerk.
   a) Notice of Determination Processing fee $75.00
   b) EIR fee $3,070

5. To the full extent permitted by law, Applicant agrees to and shall fully indemnify, hold harmless, and defend, CITY and its respective elected and appointed officials, officers, members, agents, employees, and representatives (each an "Agent" and collectively "Agents") from any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically including attorneys'

fees (collectively, "Claim(s)"), arising in any way out of or challenging the validity of Project, the EIR or the CEQA Determination. Applicant's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul any approval, should it occur, related to the Project, the EIR or the CEQA Determination, including actions invoking Planning and Zoning Law or CEQA. Applicant shall reimburse CITY for any court costs and attorneys' fees that CITY may be required by a court to pay as a result of such Claim(s). CITY may, at its sole and absolute discretion, participate in the defense of any such Claim(s) undertaken by Applicant, or (b) retain separate counsel whose attorneys' fees and costs shall be paid by Applicant. Such participation in the defense of such Claim(s) or the retention of separate counsel by CITY shall not relieve Applicant of its obligations under these indemnity related conditions of approval or the Development Agreement (DA 16-001).

6. CITY shall promptly provide written notice to Applicant of any Claim(s). CITY shall take all necessary and reasonable steps to provide such notice to Applicant in a timely fashion and in a manner that will not result in any substantial prejudice to Applicant's ability to defend the relevant Claim(s). Such notice shall contain a copy of any relevant pleadings filed in connection with the relevant Claim(s). CITY and Applicant shall coordinate and cooperate in their defense activities, whether CITY is participating in defense undertaken by Applicant or is retaining separate counsel. As used in this Agreement, cooperation does not include CITY having to take any action or make any decision that CITY does not believe, in the exercise of its good faith judgment, is in its own best interest. Unless expressly provided to the contrary, nothing in this Agreement shall be construed in a manner that requires CITY to exercise its discretion in a particular manner.

7. Applicant may not resolve such Claim(s) without CITY's prior written consent. In all events, CITY shall have the right to resolve any such Claim(s) in any manner, in its discretion, provided, however, Applicant's consent shall be required (and may be granted or withheld in Applicant's discretion) if the resolution of the Claim(s) shall require a payment by Applicant or limit Applicant's rights under the Project. Applicant's obligation to pay the cost of any such Claim(s), including judgment, post-judgment motions, and any and all appeals, shall extend until any Claim is completely concluded, judgment is entered and completely satisfied.

8. Within twenty (20) days after notification by CITY of the receipt of any Claim(s), Applicant shall deposit with CITY cash or other security in the amount of one hundred thousand dollars ($100,000), satisfactory in form to the City Attorney, guaranteeing indemnification or reimbursement to CITY of all costs and fees related to any action triggering the these indemnity conditions of approval or the obligations of Section 7 of the Development Agreement (DA 16-001). If CITY is required to draw on that cash or security to indemnify or reimburse itself for such costs or fees, Applicant shall restore the deposit to its original amount within fifteen (15) days after notice from CITY that replenishment is required. Additionally, if at any time the City Attorney determines that an additional deposit or additional security in an amount not to exceed an additional fifty thousand dollars ($50,000) is necessary to secure the obligations of these indemnity related conditions of approval or Section 7 of the Development Agreement (DA 16-001), Applicant shall provide such additional payment or security within fifteen (15) days of notice from the City Attorney.

9. Applicant shall indemnify, defend, save and hold CITY and its Agents, its respective elected and appointed officials, officers, members, agents, employees, and representatives (each an "Agent" and collectively "Agents"), and shall hold and save them and each of them harmless

from any and all claims, damages of any kind and litigation which may arise from Applicant's or Applicant's agents, contractors, subcontractors, agents, or employees' operations under the Development Agreement (DA 16-001) , whether such operations be by Applicant or by any of Applicant's agents, contractors or subcontractors or by any one or more persons directly or indirectly employed by or acting as agent for Applicant or any of Applicant's agents, contractors or subcontractors.

10. All indemnity provisions, as set forth above, shall survive termination of the Development Agreement (DA 16-001) and shall continue to be the liability and obligation of Applicant, binding upon Applicant, until the final resolution of all Claims, and shall survive the completion, partial completion, or abandonment of the Project.

11. The Applicant shall reimburse the City for all fees and costs for special review of these applications by both (i) the City's retained planning, engineering, and related consultants and (ii) the Covina City Attorney's Office through an executed Reimbursement Agreement. Such special review includes, but is not limited to, review of the Project's compliance with conditions of approval, plan check process, review of CC&Rs, etc.

12. Mitigation measures are required for the Project. The Applicant is responsible for the cost of implementing said measures, including monitoring and reporting. Applicant shall be required to post cash, letter of credit or other form(s) of guarantee acceptable to the Director, prior to issuance of building permits, in the event and to the extent necessary to guarantee satisfactory performance and completion of all mitigation measures. These funds may be used by the City to retain consultants and/or pay City staff time to monitor and report on the mitigation measures. Failure to complete all actions required by the MMRP shall be considered grounds to delay issuance of building permits until such time as completion of the required actions has occurred.

13. The Project Site and all improvements thereon, including landscaping, must be maintained in a sound, healthy, and attractive condition reasonably free of weeds, visible deterioration, graffiti, debris and/or other conditions that violate the Covina Municipal Code.

14. The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by applicant's violation of any condition or mitigation measure imposed hereunder or any provision of the Covina Municipal Code must be paid by the applicant.

15. Approval of the VTTM and SPR applications shall not waive the applicant's obligation for compliance with all other applicable sections of the Covina Municipal Code, the Covina Design Guidelines, Covina Forward Specific Plan and all other applicable plans and non-City laws and regulations as set forth in the Development Agreement (DA 16-001).

C. VESTING TENTATIVE TRACT MAP (VTTM) 74512

1. Subject to the City's approval of said annexation request, the Project is required to annex into Community Facilities District 2007-01 (the "CFD") for the purpose of financing the Project's proportionate share of the cost for police response, fire and emergency medical response, and park services. The applicant shall petition the City to annex to the City's existing CFD under the California Mello-Roos Community Facilities Act (Government Code, Section 53311 et seq.) (the Act"). The applicant agrees to cooperate and not to oppose annexation to the CFD

for purposes set forth above. This annexation shall be completed prior to issuance of building permits for the production units

2. Alternatively, at the Applicant's option, in lieu of annexation to the CFD as set forth above, Applicant may make a lump sum payment to the City ("In Lieu Payment") representing the Project's proportionate share of the cost for police response, fire and emergency medical response, and park services. The In Lieu Payment shall be calculated based upon the net present value of the special tax that would be levied upon the Project under the CFD over the term of the CFD special tax. The In Lieu Payment must be paid not later than prior to release of occupancy for the first lot/dwelling unit including the model homes, within the Project.

3. Subject to the City's approval of said annexation request, the Project shall be annexed into the existing Landscape District and Lighting District, which shall be completed prior to recordation of the Tract Map.

4. The Project shall be subject to Park (Quimby) Impact fees; provided, however, in lieu of payment for otherwise applicable Park Quimby Fees, the Applicant shall convey approximately 0.351 acres of land to the City for public parkland in accordance with Section 5(b) of the Development Agreement (DA) 16-001.

5. Residential Development Impact Fees for the Project shall be paid, prior to release of occupancy for each phase of production lots/dwelling units and no less than 1 building with a cluster of 5 units or 3 units for each phase except the model home complex within the Project. The Applicant shall contact Director or his designee for calculation of the Residential Development Impact Fees, prior to issuance of any permits for the Project, with said calculation made in accordance with the relevant provisions of the Development Agreement (DA 16-001).

6. Street names for the private drive aisles and street addresses for the Project shall be submitted to Public Works Department, Engineering Division and Community Development Department, Planning Division for review and approval prior to recordation of the Tract Map.

7. Competitive access for communications providers shall be provided and conduits shall be provided to the Lot 22 boundary.

D. SITE DEVELOPMENT

1. The Project Site shall be developed and maintained in accordance with the Development Agreement (DA, 16-001) and the approved plans on file with the Community Development Department, all representations of record made by the Applicant(s), the conditions contained herein, the Covina Municipal Code, and the Covina Design Guidelines (as set forth in the Covina Forward Specific Plan). In addition, any future proposed changes or modifications in the design of any site component approved herein shall be processed and considered in accordance with the Development Agreement (DA, 16-001).

2. Final plans incorporating all conditions of approval and any plan-related changes required in the approval process shall be submitted for the Director or his designee for review and approval, prior to submittal for Plan Check process.

3. A complete building materials illustration board, describing material, brands, types, and applicable reference numbers shall be submitted to the Planning Division. Minor modifications in elevation details and/or colors may be submitted with detailed drawings and/or information to the Director or his designee for review and approval, prior to or during the subsequent Plan Check process.

4. All site, precise grading landscape, and irrigation, and street improvement-plans shall be coordinated for consistency, prior to issuance of any building permits for production units. permits

5. All ground mounted utility appurtenances such as transformers, AC condensers, etc. shall be adequately screened using a combination of concrete or masonry walls, and or landscaping to the reasonable satisfaction of the Director or his/her designee.

6. The Applicant shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. The final placement of the mailboxes shall be subject to Director or his/her designee for review and approval, prior to issuance of certificates of occupancy for the production units .

7. Refuse disposal (trash) barrels shall be kept only in the garages of each dwelling unit. This restriction shall be stated in and enforced under the Conditions, Covenants, and Restrictions (CC&Rs).

8. During construction and following Project completion, all grading and all exterior drainage on the Project Site shall conform to all applicable requirements of the Public Works Department.

9. The Covenants, Conditions and Restrictions (CC&R's) shall establish a Homeowner's Association (HOA) for the Project and shall be submitted to the Directors of Public Works and Community Development or their designees and the City Attorney for review and approval of the provisions required by these Conditions to be included therein for the City's benefit. The Applicant shall reimburse the City for all fees and costs associated with the review of the Project-related CC&Rs by the City Attorney's Office. The CC&Rs shall be recorded with the Final Map, prior to the issuance of building permits for any production units. The CC&R's shall grant the City the right but not the obligation to enforce their terms as these relate to the provisions required by these Conditions to be included therein for the City's benefit. The CC&R's shall include provisions: (i) prohibiting the storage of recreational vehicles and watercrafts in all parking areas; (ii) requiring residents and/or homeowners to park their personal vehicles in the garage; and (iii) requiring that the property management company for the Homeowners' Association shall enforce the provisions of the Codes, Covenants and Restrictions (CC&R's) that are included therein for the City's benefit. The Homeowners' Association shall submit to the Planning Division a list of names and addresses of its officers on or before January 1 of each and every year and whenever said information changes.

10. Prior to issuance of a certificate of occupancy for the final production unit, any temporary sales and/or construction office buildings/trailers shall be removed from the Project Site.

11. Any proposed Model Home complex for the Project shall be subject to the Administrative Conditional Use Permit Process of the Covina Municipal Code Section 17.62.190. The

application for the Model Home complex shall address the concerns of street improvements, temporary parking and overflow parking, separation from construction activities, security fencing, signage, temporary and/or permanent landscaping.

12. The Applicant shall submit a Phasing Plan illustrating the anticipated number and sequence of each development phase.

13. A complete exterior lighting plan, including photometric printout, shall be submitted for review and approval, prior to issuance of building permits for any production units. The plan shall illustrate light fixture features, locations, height, and the compliance with applicable City Code provisions on illumination, design, and lighting orientation/glare prevention and the minimum one-foot candle standard where applicable.

14. All building and site improvements along with landscaping and irrigation must be installed in accordance with approved plans and information on file with the Planning, Building, and Engineering Divisions, and the irrigation systems must be fully operational upon issuance of certificates of occupancy for production units. Furthermore, during construction, all on-site landscaped areas must be maintained reasonably free of weeds and debris.

15. The Project Site must be clean and reasonably free of trash and construction debris, and all construction equipment must be removed from the Project Site prior to issuance of the last certificate of occupancy for the production units.

16. Grading
    a. Grading of the Project Site shall be in accordance with then-current adopted California Building Code, City Grading Standards, and accepted grading practices. The Rough Grading Plan and Precise Grading and Drainage Plan(s) shall be in substantial conformance with the approved conceptual grading and drainage plan.
    b. A soils report shall be prepared by a qualified engineer licensed by the State of California to perform such work. Two copies will be provided at grading and drainage plan submittal for review. Plans shall implement design recommendations per said report.
    c. A geologic report shall be prepared by a qualified engineer or engineering geologist and submitted at the time of application for Grading and Drainage Plan review.
    d. The Precise Grading and Drainage Plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of Building Permits.
    e. This Project shall comply with the applicable accessibility requirements of the then-current adopted California Building Code.

E. LANDSCAPING AND WATER EFFICIENT REQUIREMENTS

1. All landscape or planter areas shown on the approved landscape plan shall be constructed such that they can remain landscaped in perpetuity. These areas shall not be paved or used for storage or any similar purpose inconsistent with the intent of this approval, and the Project's CC&R's shall reflect this condition.

2. Detailed on-site and off-site landscape and irrigation plans shall be submitted to the Director of Community Development or his/her designee for review and approval, prior to issuance of building permits. The landscaped and planter areas shall conform to applicable standards and requirements of the City's Water Efficient Landscape Regulations and the July 2015 Updated

Model State Water Efficient Landscape Ordinance of the State of California Water Commission.

3. The final design of the perimeter landscaping along N. Citrus street frontage, walls, landscaping and sidewalks shall be included in the required detailed landscape and irrigation plans and shall be subject to Director of Community Development (or his/her designee) and City Engineer review and approval, and coordinated for consistency with the any parkway landscaping plan.

4. Landscaping and irrigation systems shall be required to be installed within the public-right-way on the perimeter of the Project, which requires the removal of sidewalk and replacement with parkway and sidewalk, to the satisfaction of the City Engineer. The installed landscaping and irrigation systems shall be continuously maintained by the Applicant for the duration of the Project construction.

5. The final design of the primary Project entry off North Citrus and along private Drive B including but not limited to landscaping, hardscape, pedestrian walkway, and the tall focal element shall be submitted to the Director of Community Development for review and approval prior to issuance of building permits.

6. The final design of the Emergency Vehicle Access off North Citrus shall be submitted to Director of Community Development for review and approval prior to issuance of building permit for a production unit.

7. Final design of the recreation facilities including but not limited to the recreation building, kiosk for US Mail Boxes, any other accessory structures, landscaping, hardscape, walls and fencing, wall mounted and ground mounted lighting fixtures, etc., shall be submitted to the Director of Community Development for review and approval prior to issuance of the first building permit for the production units. .

8. The design of the arbor structure along the paseo shall include brick or stone materials at the base. Final design shall be submitted to the Director of Community Development for review and approval, prior to issuance of any building permits for production units.

9. Final design of fences and walls along the Project Site boundary and ground level patio area shall be submitted to the Director of Community Development for review and approval, prior to issuance of any building permits for production units.

10. Street trees shall be provided within the parkway strip along N. Citrus Street frontage at approximately 20 feet on center and with a minimum of 24-inch box size trees, and subject to Director of Community Development and City Engineer review and approval.

11. Additional small-scale trees and layering of shrubs shall be added to the paseo between the clustered rows of units. Final design shall be submitted to the Director of Community Development for review and approval, prior to issuance of any building permits for production units.

F. BUILDING DESIGN

1. Use different shades of brick to provide variation and interest to building design.

2. Enhanced elevations shall be provided along N. Citrus Avenue frontage (units 1 through 5, 108, 117) and within the site (units 6, 10, 11, 15, 16, 21, 30, 31, 36, 41, 42, 47, 57, 58, 77, 78, 88, 97, 98 and 107) to include brick veneer, metal awnings and architectural pop-outs.

4. The ground level patios and the balconies of the row of townhouse units along North Citrus shall comply with the applicable measures set forth in the MMRP. The wall and/or fencing or combination of both shall be designed to attenuate noise per the Noise Study of the Final EIR. The material use for the patio fencing and balconies shall include a tempered glass, acrylic glass (or similar material), masonry or a combination of them if required to meet the applicable standards. Final design shall be submitted to Director of Community Development for review in order to confirm compliance with the applicable standards, prior to issuance of building permit.

G. CONSTRUCTION MITIGATION PLAN

1. All construction must comply with the below-noted construction mitigation plan and the City Noise Ordinance.

2. The Applicant shall prepare a construction mitigation plan to mitigate noise as well as other construction-related impacts. This construction mitigation plan is in addition to the public noticing program for residential construction projects required by the City's Building and Safety Division. The construction-related activities shall conform to the following requirements that address potential noise and other construction-related impacts:

   a. The construction mitigation plan shall address the following areas: 1) site supervision, 2) construction access and schedule, 3) delivery/haul route and traffic control, 4) material storage and staging, 5) construction parking, 6) work hours, 7) noise reduction, 8) erosion control, 9) dust and mud control, 10) debris cleanup, 11) street sweeping, 12) pedestrian and neighborhood safety, 13) Project contact-related signage, and 14) subcontractor education and security measures.
   b. Construction-related activities, including grading activities, shall be prohibited between 6:00 pm and 7:00 am on Monday through Friday and between 5:00 pm and 8:00 am on Saturday and all day on Sundays and Holidays (except by special permit).
   c. All construction equipment shall be in proper operating condition and shall be fitted with standard factory noise attenuation features. All equipment shall further be properly maintained to help assure that no additional significant noise, due to worn or improperly maintained parts, would be generated.
   d. The Applicant and/or his/her representative(s) shall frequently monitor for and, if detected, remove any and all graffiti on and/or repair damaged or vandalized construction-related fencing and/or related elements as quickly as feasible.
   e. Loud noise generating activities such as crushing concrete pavement will be restricted to 7:00 am – 6:00 pm on Monday through Friday. Signs (multiple) shall be posted on site stating the days and hours of construction allowed, prohibiting "drinking, loitering and music" at all times, and including phone listings for community concerns.
   f. View-obscuring construction fencing shall be provided around the entire Project Site. Construction entries shall have gates with view-obscuring material.

3. At least thirty days prior to the commencement of any Project-related grading, the Applicant and/or his/her representative(s) shall notify the occupants of all residential and institutional properties that

lie within 500 feet of the Project Site of the general parameters of the impending grading and construction activities.

H. BUILDING AND SAFETY DIVISION

1. Submit **6** sets of complete plans including any proposed utilities and earthwork/grading. The Project must comply with the 2013 California Building Standards and 2013 energy code.

2. Two sets each of any structural and energy calculations shall be submitted with the above mentioned plans. All calculations must bear an original signature from the documented author.

3. This Project must comply with applicable Federal and State Accessibility requirements to and throughout the buildings. Include compliance methods and structural details on the plans.

4. Demolition activities require an asbestos containing materials (ACM) survey. (SCAQMD RULE 1403). The ACM report shall be prepared by an accredited testing laboratory in accordance with applicable SCAQMD rules and regulations. Proof of notification to the South Coast Air Quality Management District (SCAQMD), Office of Operations, shall be submitted to the Building Division with the relevant permit application for all demolition activities. Contact the SCAQMD at the address or number below for more information. Once any demolition activity has adhered to the applicable notification requirements to the SCAQMD, a formal demolition plan and permit must be obtained from the Building and Safety Division.

    - **SCAQMD Headquarters; 21865 Copley Drive, Diamond Bar, CA, (909) 396-2381**

5. Please provide an additional digital copy (pdf preferred) of the building floor plan, elevations, and site plan to be submitted to the LA County Assessor. This copy should be in sufficient detail to allow the assessor to determine the square footage of the buildings and, in the case of residential buildings, the intended use of each room. **For additional information, please contact the LA County Assessor's, Public Service Desk at 888-807-2111.**

6. The City of Covina has formally adopted a public noticing program for residential construction projects to provide the public with an opportunity to verify the validity of construction within their neighborhoods. This program requires the property owner and/or contractor to place a sign 14" high x 22" wide using a minimum black 24 point font (Arial) on a white background. The noticing sign must be suitable for outdoor use and placed within the front yard where it is clearly visible from the public right-of-way. The following items must be included on the residential noticing sign:

    a. Address of construction project
    b. Type of construction project
    c. Name of contractor/owner
    d. Telephone number of contact person
    e. Contractor's license number
    f. Permit number with date of issuance
    g. City of Covina Building Division telephone number
    h. Construction activity prohibited Monday through Saturday from 6:00 pm-7:00 am and all day on Sundays or Holidays unless otherwise permitted.

7. The Applicant shall pay the applicable SB 50 development impact fees to the School District prior to issuance of the first building permit for production units.

8. Construction activity within 500' of a residential zone is prohibited between the hours of 6:00 pm and 7:00 am on Monday through Friday and between 5 pm and 8 am on Saturday and all day on Sunday and Holidays unless otherwise permitted.

I. PUBLIC WORKS - ENGINEERING DIVISION

1. All public and private improvements (interior streets, drainage facilities, landscaped areas, etc.) shown on the plans and/or VTTM shall be constructed to City Standards. Interior street and parking improvements shall include, but are not limited to, curb and gutter, AC pavement, striping, signing drive approaches, sidewalks, street lights, and street trees.

2. The Applicant shall be required to install raised median island with landscaping for the length of the property frontage of the Project Site to the satisfaction of the City Engineer. Detailed plans shall be included with the public improvements plans to be submitted for City Engineer review, prior to recordation of the Final Map. The raised median island with landscaping shall be installed prior to release of occupancy for 100th unit.

3. Improvement Plans and Construction:
   a. Street Improvements Plans for N. Citrus Avenue and E. Covina Boulevard within the limits of the development shall be prepared by a registered Civil Engineer and shall be submitted to and approved by the City Engineer including Street trees, raised concrete median island, driveways, and street lights. Also, included shall be a minimum 2" cold plane, A.C. overlay, and striping for the easterly half of N. Citrus Avenue and the northerly half of E. Covina Boulevard within the limits of the development.
   b. Prior to any work being performed in public rights-of-way, applicable fees in connection with the required construction permit shall be paid and a construction permit shall be obtained from Public Works - Engineering Division in addition to any other permits required.
   c. Pavement striping, marking, traffic signing, street name signing, traffic signal conduit, and interconnect conduit shall be installed to the satisfaction of the City Engineer.
   d. Access ramps for the disabled shall be installed on all corners of intersections per City Standards or as directed by the City Engineer or his/her designee in accordance with applicable federal, state and local laws and regulation and City's Subdivision Ordinance (CMC Chapter 16).
   e. Existing City roads requiring construction shall remain open to traffic at all times with adequate detours during construction. Street or lane closure permits are required. A cash deposit shall be provided to cover the cost of grading and paving, which shall be refunded upon completion of the construction to the reasonable satisfaction of City Engineer.
   f. Due to construction, the Applicant shall be responsible for any repairs within the limits of the Project Site development, including streets and paving, curbs and gutters, sidewalks, and street lights, as determined by the City Engineer.

4. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the Los Angeles County Recorder.

5. A preliminary title report and subdivision guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the Final Map is filed with the Los Angeles County Recorder.

7. In accordance with applicable bonding provisions under the Subdivision Map Act and under City Subdivision Ordinance (CMC Chapter 16), the Applicant shall submit a preliminary subdivision guarantee relating to specified improvements if grants, dedications, or offers of dedication are to be made by certificate on the Final Map. A final subdivision guarantee will be required at the time of filing of the Final Map with the Los Angeles County Recorder.

8. The Applicant shall execute a Subdivision Improvement Agreement and submit security in an amount acceptable to the City Engineer and the City Attorney in accordance with applicable bonding provisions under the Subdivision Map Act and under City's Subdivision Ordinance (CMC Chapter 16) to guarantee construction of the identified public and private improvements. All security must be accessible to the City at any time and in a form acceptable to the City Engineer.

9. The Applicant shall provide a Monumentation Bond in an amount sufficient to guarantee the setting of monumentation specified in writing by a Registered Engineer or Licensed Land Surveyor of Record.

10. The Applicant's engineer or surveyor shall set durable monuments to the satisfaction of the City Engineer in conformance with Section 66495 of the Subdivision Map Act.

11. All easements that are intended to exist on the Project Site at the time of the Final Map recordation must be accounted for on the approved VTTM. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the VTTM in lieu of its location.

12. The Applicant shall provide drainage improvements to carry runoff of storm water in the area proposed to be developed, and for contributing drainage from adjoining properties to the reasonable satisfaction of the City Engineer and in accordance with all applicable federal, state and local laws and regulations and City's Subdivision Ordinance (CMC Chapter 16). The proposed drainage improvements shall be based on a detailed hydrology study conforming to the current Los Angeles County Methodology. The proposed on-site storm drain improvements shall be privately maintained by each property owner.

13. Prior to issuance of any building permits for production units, all Project utilities shall be placed underground in accordance with Covina Municipal Code Section 16.30.020, including facilities and wires for the supply and distribution of electrical energy, telephone, cable television, etc., to the satisfaction of the Community Development Director and City Engineer.

14. The Applicant shall install sewer improvements for the proposed Project in accordance with City Standards and to the satisfaction of the City Engineer and the Los Angeles County Department of Public Works, Sewer Maintenance District.

15. Prior to issuance of any building permits for production units, the Applicant shall verify that any required sewer connection fees have been paid to the City of Covina and the County of Los Angeles Department of Public Works, Sewer Maintenance District.

16. Prior to issuance of any building permits for production units, the Applicant shall verify that the proposed Project has been annexed into the Los Angeles County Sanitation District.

17. The Applicant shall install water improvements for the proposed Project in accordance with City Standards and to the satisfaction of the City Engineer.

J. PUBLIC WORKS – ENVIRONMENTAL SERVICES DIVISION

1. A geotechnical letter must be submitted stating that soil will not exhibit instability as a result of implementing proposed treatment BMPs, and that the infiltration base is at least 10ft above groundwater, along with wet signature/stamp.

2. Comply with the Low Impact Development requirements.

3. OC1 - Complete form, sign, return original, attach copy to field plans.

4. ES-CD1: Construction & Demolition Debris Recycling - Complete form, sign, return original, attach copy to field plans, fax copy to Athens Services when requesting waste container; also request Athens Load Characterization upon completion of C&D.

5. ES-CD2: Construction & Demolition Debris Recycling - Upon completion of C&D, complete form, sign, return original with Athens Load Characterization Report.

6. Only Athens Services/Covina Disposal, 888-336-6100, is allowed to provide bins and pickup and dispose of trash and recyclables, including all C&D projects. Exception: Project contractor, using his own equipment and staff, can take recyclables to a recycling facility.

7. PC: Priority Project Checklist - Complete form, sign, return original.

8. P1: Priority Development & Redevelopment Projects - Complete form, return original.

9. P2: Stormwater Treatment Certification - Complete form, return original.

10. LSWPPP: Local Stormwater Pollution Prevention Plan - Complete form, return original.

11. Report, SWPPP: Project area is 1 acre or greater (required by State Water Resources Control Board). 3 reports, including plans; signatures and stamps must have wet-ink application.

12. Report, SUSMP: Project meets LA Regional Water Quality Control Board's criteria for a Priority Planning Project. 3 reports, including plans; signatures and stamps must have wet-ink application. SWPPP must be provided.

13. Construction site stormwater compliance inspection and reinspection: $75 - $125 per inspection may apply.

14. Master Covenant agreement: See application instructions, checklist, and Agreement.

K. LOS ANGELES COUNTY FIRE DEPARTMENT – FIRE PREVENTION DIVISION

FINAL MAP REQUIREMENTS

1. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.

2. A copy of the Final Map shall be submitted to the Fire Department for review and approval prior to recordation.

3. The private access within the development shall be indicated as "Private Driveway" on the Final Map. The required fire apparatus access, the fire lanes and turnarounds, shall be labeled as "Fire Lane" on the Final Map. Any proposed parking area, walkway, or other amenities within the private driveway shall be outside the required fire lane. Clearly delineate on the Final Map and submit to the Fire Department for approval.

4. A reciprocal access agreement is required for the private driveway since multiple lots and units are sharing the same access. Submit documentation to the Fire Department for review prior to Final Map clearance.

5. Provide reciprocal access agreement for the 5-foot access gates located between the residential units (Lot 15, Lot 17 & Lot 18) and the parking structure (Lot 22) to provide emergency access to within 150 feet of all exterior portions of the North side of the parking structure.

6. Submit a minimum of three (3) copies of the water plans indicating the new fire hydrant locations to the Fire Department's Land Development Unit for review. The required public fire hydrants shall be installed prior to construction of the proposed buildings.

CONDITIONS OF APPROVAL – ACCESS

1. All on-site Fire Apparatus Access Roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

5. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an

approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2

6. Provide a minimum of 5-foot access gates located between the residential units (Lot 15, Lot 17 & Lot 18) and the parking structure (Lot 22) to provide emergency access to within 150 feet of all exterior portions of the North side of the parking structure.

7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

8. Fire Apparatus Access Roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

9. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, and shall be surfaced so as to provide all-weather driving capabilities. Fire Code 503.2.3

10. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

11. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

12. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4

13. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1

14. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

15. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

17. Multiple residential and commercial buildings having entrances to individual units not visible from the street or road shall have unit numbers displayed in groups for all units within each structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.1.

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.

2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

3. All private on-site fire hydrants shall be installed, tested and approved prior to building occupancy. Fire Code 901.5.1

4. All on-site fire hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall. Exception: For fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure. Indicate compliance prior to the project being "cleared" for public hearing. Fire Code Appendix C106

   a. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7

5. The required fire flow for the public fire hydrants and the on-site fire hydrants located within residential units is 2000 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

   a. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

6. Fire Flow – Parking Structure Only:

   a. The required fire flow for the public fire hydrants is 2500 gpm at 20 psi residual pressure for 2 hours. Two (2) fire hydrants flowing simultaneously may be used to achieve the required fire flow. FC 507.3 & App B105.1
      1) An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

   b. The required fire flow for the on-site fire hydrant is 1250 gpm at 20 psi residual pressure for 2 hours. One (1) fire hydrant flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

7. Public Fire Hydrants Installation

   a. Install two (2) public fire hydrants on Citrus Avenue as noted on the Fire Master Plan dated 11/18/2016.

b. Install two (2) public fire hydrants on Covina Avenue as noted on the Fire Master Plan dated 11/18/2016.

c. Relocate one (1) existing public fire hydrant on Citrus Avenue as noted on the Fire Master Plan dated 11/18/2016.

8. On-Site Fire Hydrants Installation

a. For the residential units, install three (3) on-site fire hydrants as noted on the Fire Master Plan dated 11/18/2016.

b. For the parking structure, install one (1) on-site fire hydrant as noted on the Fire Master Plan dated 11/18/2016.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.

END OF CONDITIONS

MITIGATION MONITORING AND REPORTING PROGRAM ON NEXT PAGE

MITIGATION MONITORING AND REPORTING PROGRAM FOR EIR (SCH 2016051053)

The California Public Resources Code, Section 21081.6, requires that a lead or responsible agency adopt a mitigation monitoring and reporting plan (MMRP) when approving or carrying out a project when an EIR (SCH 2016051053) identifies measures to reduce potential adverse environmental impacts. As lead agency for the Project, the City of Covina (City) is responsible for adoption and implementation of the mitigation monitoring and reporting program (MMRP).

The City has prepared an EIR in conformance with Section 15070(b) of the State California Environmental Quality Act Guidelines. The purpose of the EIR is to identify any potentially significant impacts associated with the proposed Project and incorporate mitigation measures into the Project as necessary to eliminate the potentially significant effects of the Project or to reduce the effects to a level of insignificance.

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Aesthetics						
MM-AES-1 New sources of exterior lighting on the project site shall be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east. Exterior overhead lighting shall also be of the minimum required intensity to provide for safety and security of project residents and visitors. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources in the area.	Project planning and operation	Project applicants	City of Covina Planning Division and Building & Safety Department			
MM-AES-2 Prior to the issuance of building permits, the project applicants shall prepare and submit to the City of Covina for review a photometric study for the proposed residential townhome development and parking structure to ensure that off-site residential land uses to the north and east are not subjected to unnecessary light spillover and trespass. A detailed lighting plan shall be developed for the residential townhome development and parking structure and shall be utilized by a qualified photometric specialist to prepare the photometric study. If excessive light spillover is identified in the photometric, then appropriate measures	Project planning and permitting	Project applicants (MLC Holdings Inc. and Foothill Transit); qualified photometric specialist	City of Covina Planning Division and Building & Safety Department			

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including but not limited to use of lower intensity lighting shall be considered to avoid unnecessary light spillover and trespass.						
Air Quality						
MM-AQ-1 The following dust control measures shall be implemented by the contractor/builder to reduce fugitive dust PM_{10} and $PM_{2.5}$ emissions generated during earthmoving construction activities of all three components of the proposed project: a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the project site and to create a crust after each day's activities cease. b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the project site. At a minimum, this would include wetting down such areas later in the morning, after work is completed for the day, and whenever winds exceed 15 miles per hour. c. Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation. d. Speeds on unpaved roads shall be reduced to less than 15 miles per hour. e. All grading and excavation operations shall be halted when wind speeds exceed 25 miles per hour. f. Dirt and debris spilled onto paved surfaces at the project	Construction (earthmoving activities)	Contractor/builder	City of Covina Planning Division			

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site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday. g. All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be covered and/or a minimum 2 feet of freeboard shall be maintained. h. At a minimum, at each vehicle egress from the project site to a paved public road, a pad consisting of washed gravel (minimum size: 1 inch) shall be installed and maintained in clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by the SCAQMD). i. Any additional requirements of SCAQMD Rule 403 shall be reviewed and complied with.						
MM-AQ-2 During project demolition, site preparation, and grading activities, off-road equipment with engines rated at 75 horsepower or greater, shall meet Tier 3 engine standards or better. An exemption from these requirements may be granted by the City of Covina in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Los Angeles County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment. Based on the anticipated equipment for these phases, this measure would be applicable to, but not limited to, excavators, graders, rubber tired dozers, and tractors/loaders/backhoes used during earth moving activities.	Construction (demolition, site preparation, and grading)	Contractor/builder	City of Covina Planning Division			

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Biological Resources						
MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors. If active nests are found (California Department of Fish and Wildlife defines "active" as any nest that is under construction or modification; United States Fish Wildlife Service defines "active" as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those	Prior to construction; during construction (if active nests are identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

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periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City of Covina within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.						
MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required. If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity	Prior to construction; during construction (if active bat roosts identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

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roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).						
Cultural Resources						
MM-CUL-1 Inadvertent Discovery of Archaeological Resources. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section	Construction	Contractor/builder; qualified archaeologist	City of Covina Planning Division			

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21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.						
MM-CUL-2 Paleontological Mitigation Program. Prior to commencement of any grading activity on-site, the City, Foothill Transit and MLC shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or qualified designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).	Prior to and during grading activity	Project applicants; contractor/builder; qualified paleontologist	City of Covina Planning Division			
MM-CUL-3 Inadvertent Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the	Construction (ground disturbance)	Contractor/builder	City of Covina Planning Division			

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project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.						
Geology and Soils						

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MM-GEO-1 Prior to the construction phase, the proposed project shall be designed in accordance with the recommendations from the site-specific Geotechnical Evaluation. In the event that changes are made in the recommendations set forth in the final geotechnical report, the project design shall be updated in accordance with those changes. Prior to the issuance of a building permit, the City of Covina, Foothill Transit and MLC Holdings, Inc./Meritage Homes shall submit the final design and construction plans for review and approval by the City Building Official or designee and the City Engineer or designee. The final design and construction plans shall show that the recommendations from the Geotechnical Evaluation regarding earthwork, design, foundation, retaining wall, garden wall, soil corrosivity, import soils, concrete slabs, sidewalks, and driveways have been incorporated into the final design.	Project planning and permitting	Project applicants	City of Covina Planning Division and Building & Safety Department			
Hazards and Hazardous Materials						
MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.	Prior to demolition; during demolition (if hazardous building materials are identified)	Project applicants; contractor/builder	City of Covina Planning Division and Building & Safety Department			

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MM-HAZ-2 Prior to obtaining a certificate of occupancy, the removal of the underground storage tank shall be permitted and completed in accordance with the Los Angeles County Fire Department Health Hazardous Materials Division protocol.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department; Los Angeles County Fire Department Health Hazardous Materials Division			
MM-HAZ-3 Prior to obtaining a certificate of occupancy, the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm. At a minimum, soil samples shall be analyzed for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Should visually stained soil be observed in the reservoir pit area, additional soil samples shall be collected to further evaluate subsurface impact. Should TPH, VOCs, or PCBs be detected in the soil sample(s), the environmental consult shall advise the City of Covina about additional steps to be taken, which may include regulatory agency notification and remediation. Additional sampling may also be required prior to the disposal of the hydraulic lift units.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department			
Noise						
MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m. Monday through Saturday, and not at all	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

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during other hours or on Sundays or public holidays. This condition shall be listed on the project's final design to the satisfaction of the City Engineering Department.						
• MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit: • The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment. • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department. • Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

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shielded from sensitive receptors. • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party. • If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.						
MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.	Project planning and permitting	Project applicant (Foothill Transit)	City of Covina Planning Division			
MM-NOI-4 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect	Project planning and constructio	Project applicants; acoustical	City of Covina Planning			

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surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.	n	specialist	Division			
MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.	Project operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.	Project planning and operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally,	Project planning and construction	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			

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sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City's 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.						

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Attachment G:

Resolution No. 16-7561

Approving a Site Plan Review (SPR) 16-023

ATTACHMENT G
RESOLUTION NO. 16-7561

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-023 FOR THE CONSTRUCTION OF 117 FOR-SALE TOWNHOUSE UNITS WITH PRIVATE DRIVE AISLES, RECREATION FACILITIES AND COMMON OPEN SPACE AREA, FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD (APN 8406-019-019, 8406-019-020 AND 8406-09-017)

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina ("COVINA"), Foothill Transit ("FT") and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use ("Project"). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or

Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60

community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et Seq.*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received nine comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a

duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter..

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council approve the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001.

WHEREAS, on November 29, 2016, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-7557 certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-7557 and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on November 29, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, the City Council does hereby find and decide, with regards to Site Plan Review (SPR) 16-023 and pursuant to Title 17.64.070 of the Covina Municipal Code, that:

a. All provisions of the Zoning Ordinance (Title 17 of the Covina Municipal Code) are complied with.

   Fact: After the adoption of the related applications General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, the Project will be consistent with the General Plan, the special development standards and the Covina Forward Specific Plan (SP) and all applicable sections of the Zoning Ordinance. The Project meets and exceeds the setback requirements, the building height requirements, the square footage requires for open space area, and the require storage space in the garage. Each unit is provided with a 2-car garage and the project has 69 guest parking spaces. The Project will meet the community's need for transit-related residences and contribute 117 housing units to the City's remaining unmet need for 991 housing units, reducing the unmet need by more than 611.8 percent (Covina Draft Housing Element Update, dated November 15, 2010).

b. The basic project elements (1) buildings, structures, and improvements.; 2) vehicular ingress, egress and internal circulation; 3) setbacks; 4) height of buildings; 5) location of service; 6) walls; and 7) landscaping) are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and no adverse effects will occur on surrounding properties.

   Fact:. The Project consists of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area. The Project will have two point of access off North Citrus Avenue. The overall on-site circulation for the residential component of the site plan design will meet all Fire access and requirements. Each unit will have a 2-car garage and there is sufficient guest parking of up to 69 parking spaces for the residential project. There will be pedestrian connection from the residential units to the transit center, thus encouraging the use of transit and may decrease the vehicular trips from the residential project. The proposed units are three-story high about 37 feet to the peak of the roof but the Project design minimizes the number of townhouse units place along the east property boundary and maintain a building setback of 15 feet to provide for compatibility. Furthermore, the 15 feet setback from the east property boundary will be landscaped to provide a visual buffer. A landscaped front yard setback and parkway will also contribute to an aesthetic streetscape. Therefore, the proposed arrangement of the project site design with the implementation of conditions of approval and mitigation measures, the traffic congestion will be avoided, the pedestrian and vehicular safety and welfare will be protected, and there will be no adverse effect on surrounding property.

c. The Project design conforms to the General Plan, the design guidelines, transportation

demand regulations and any specific plans or guidelines which may be applicable to the Project.

Fact: The Covina General Plan and the Covina Forward Specific Plan contain design-related policies to ensure that new residential or non-residential projects when adjacent to single-family residences will incorporate sufficient physical and visual buffers to ensure compatibility. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and shall adequately protect the single family residences or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. The Project is designed with common recreation facilities place closer to the existing single-family residents, minimize the number of townhouse units along the east property boundary and maintain a setback of 15 feet. The perimeter streets surrounding the project will have a landscaped parkway. The Project, with its design, improvements and conditions of approval, will be consistent with the General Plan, the Covina Forward Specific Plan and and citywide design guidelines.

d. The Project design is harmonious, consistent, and complete within itself and functionally and visually compatible with neighboring land uses and the area in which it is located.

Fact: Although the Project is at a higher density (19.11 dwelling units per acre) than the easterly adjacent single-family residences, the Project site design oriented the common recreation facilities with a one-story and small recreation building at the easterly property boundary. The Project design minimizes the number of townhouse units place along the east property boundary and maintain a building setback of 15 feet to provide for compatibility. Furthermore, the 15 feet setback from the east property boundary will be landscaped to provide a visual buffer. A landscaped front yard setback and parkway will also contribute to an aesthetic streetscape. The architectural style for the Project follows the 'Mid-Century' style. The design elements include pitch roof with concrete tiles, stucco exteriors with accent materials of bricks or stones, window treatments with decorative trims, metal canopies over balconies and exposed beams. Based on the site and building design and their function, the Project is harmonious, consistent and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located.

e. The development will constitute an adequate environment for the intended use by sustaining the desirability and stability of the neighborhood and community.

Fact: The design of the Project sustains the desirability and stability of the neighborhood and community by revitalizing an underutilized parcel with additional transit-oriented residences. The new townhouse units will be arranged to fit seamlessly with the adjacent public/transit use and public/civic use, will add value to the community and bring needed homes to the City of Covina.

f. Proposed lighting is so arranged as to reflect the light away from adjoining properties.

Fact: Construction of the 117 for-sale townhouse units would produce nighttime lighting, however, the amount of lighting would be minimal and consist mostly of internal street lights and outdoor residential security lighting similar to what already exists in the area. Given the urban nature of the Project area and the existing amount of light and glare generated by the surrounding residential and commercial uses, light and glare from the Project would not be substantially noticeable over the existing conditions. Thus, the amount of lighting would not be substantial or adversely affect day or nighttime views in the area, nor impact adjoining properties. All outside lighting will be required as a standard condition of approval to be designed and sited in a manner that prohibits glare onto adjacent properties.

g. Proposed signs will not, by size, location, color, or lighting, interfere with traffic or limit visibility.

Fact: There are no proposed signs associated with the Project. Any signage proposed for the Project would be subjected to a Uniform Sign Program in compliance with the Covina Forward Specific Plan and obtain separate sign permit.

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private aisles, recreation facilities and common open space area, subject to all the Conditions of Approval contain in **Exhibit "A",** attached herein and incorporated by this reference as though set forth in full.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. Effective Date. This Resolution shall be effective upon the effective date of Ordinance No.16-2068:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COVINA BY CHANGING THE ZONING DESIGNATION FROM "C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)" AND "C-R COMMERCIAL ZONE (RECREATION)" TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES ZONED FOR "RD (MULTI-FAMILY)" AND 4.54 ACRES ZONED FOR "I (INSTITUTIONAL USE)" FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

SECTION 6. Certification The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this 29th day of November, 2016.

KEVIN STAPLETON, MAYOR

ATTEST:

SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-7561 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 29th day of November, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

SHARON F. CLARK, Chief Deputy City Clerk

CITY OF COVINA
COMMUNITY DEVELOPMENT DEPARTMENT

EXHIBIT A
VESTING TENTATIVE TRACT MAP (VTTM) 74512
SITE PLAN REVIEW (SPR) 16-023
APN: 8406-019-019, 8406-019-020 and 8406-019-017
CONDITIONS OF APPROVAL AND
MITIGATION MONITORING AND REPORTING PROGRAM

Development Applications:

1. Resolution No 16-7560, approving Vesting Tentative Tract Map (VTTM) 74512 to subdivide a 10.66-acre project site ("Project Site") into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.
2. Resolution No. 16-7561, approving Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

Related Applications:

1. Resolution No. 16-7558 approving General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" to the "Covina Forward Specific Plan" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."
2. Resolution No. 16-7559 approving the Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan CFSP" with 6.12 acres for "CFSP - RD (Multi-Family)" and 4.54 acres for " CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.
3. Ordinance No. 16-2068 approving a Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre Project Site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "RD (Multi-Family)" and 4.54 acres for "I (Institutional Use/Zone)."
4. Ordinance No. 16-2069 approving a Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of of 117 for-sale townhouse units with with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

ALL OF THE FOLLOWING CONDITIONS APPLY TO THE PROJECT

A. TIME LIMITS:

1. **Vesting Tentative Tract Map 74512:** Approval of this VTTM will expire two years from the date of Project approval if the final map is not recorded unless otherwise extended pursuant to applicable laws. The applicant may apply to extend the expiration date for a maximum period of three years. Each extension shall not exceed one year upon written request to the Director of Community Development a minimum of thirty (30) days prior to expiration. The request must be approved by the Planning Commission prior to expiration of the VTTM under applicable laws.

2. **Site Plan Review (SPR) 16-023:** Approval of this application will expire two years from the date of Project approval if building permits are not issued unless otherwise extended pursuant to applicable laws. The applicant may apply to extend the expiration date for a maximum period of three years. Each extension shall not exceed one year upon written request to the Director of Community Development a minimum of thirty (30) days prior to expiration. The request must be approved by the Planning Commission prior to expiration of the approved SPR application.

3. **Vesting Tentative Tract Map 74512** shall not take effect unless and until the City Council approves applications GPA 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-001 and Development Agreement (DA) 16-001.

B. GENERAL REQUIREMENTS:

1. This approval will not be effective for any purposes until the Applicant has filed with the Planning Division an affidavit stating that it is aware of and agrees to accept all of the conditions of this approval as set forth herein.

2. All conditions of approval and the environmental mitigation, monitoring and reporting program ("MMRP") contained in City Council Resolutions 16-7557 for the Final EIR and Resolution No. 16-7561 for SPR 16-023 shall apply to the Project.

3. Copies of the signed City Council Resolutions and Environmental MMRP shall be included on the plans (full size) for submittal of plan check. The full size sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.

4. The Applicant shall pay any applicable Fish and Game fees as shown below. All checks are to be made payable to Los Angeles County Clerk.
   a) Notice of Determination Processing fee $75.00
   b) EIR fee $3,070

5. To the full extent permitted by law, Applicant agrees to and shall fully indemnify, hold harmless, and defend, CITY and its respective elected and appointed officials, officers, members, agents, employees, and representatives (each an "Agent" and collectively "Agents") from any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically including attorneys'

fees (collectively, "Claim(s)"), arising in any way out of or challenging the validity of Project, the EIR or the CEQA Determination. Applicant's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul any approval, should it occur, related to the Project, the EIR or the CEQA Determination, including actions invoking Planning and Zoning Law or CEQA. Applicant shall reimburse CITY for any court costs and attorneys' fees that CITY may be required by a court to pay as a result of such Claim(s). CITY may, at its sole and absolute discretion, participate in the defense of any such Claim(s) undertaken by Applicant, or (b) retain separate counsel whose attorneys' fees and costs shall be paid by Applicant. Such participation in the defense of such Claim(s) or the retention of separate counsel by CITY shall not relieve Applicant of its obligations under these indemnity related conditions of approval or the Development Agreement (DA 16-001).

6. CITY shall promptly provide written notice to Applicant of any Claim(s). CITY shall take all necessary and reasonable steps to provide such notice to Applicant in a timely fashion and in a manner that will not result in any substantial prejudice to Applicant's ability to defend the relevant Claim(s). Such notice shall contain a copy of any relevant pleadings filed in connection with the relevant Claim(s). CITY and Applicant shall coordinate and cooperate in their defense activities, whether CITY is participating in defense undertaken by Applicant or is retaining separate counsel. As used in this Agreement, cooperation does not include CITY having to take any action or make any decision that CITY does not believe, in the exercise of its good faith judgment, is in its own best interest. Unless expressly provided to the contrary, nothing in this Agreement shall be construed in a manner that requires CITY to exercise its discretion in a particular manner.

7. Applicant may not resolve such Claim(s) without CITY's prior written consent. In all events, CITY shall have the right to resolve any such Claim(s) in any manner, in its discretion, provided, however, Applicant's consent shall be required (and may be granted or withheld in Applicant's discretion) if the resolution of the Claim(s) shall require a payment by Applicant or limit Applicant's rights under the Project. Applicant's obligation to pay the cost of any such Claim(s), including judgment, post-judgment motions, and any and all appeals, shall extend until any Claim is completely concluded, judgment is entered and completely satisfied.

8. Within twenty (20) days after notification by CITY of the receipt of any Claim(s), Applicant shall deposit with CITY cash or other security in the amount of one hundred thousand dollars ($100,000), satisfactory in form to the City Attorney, guaranteeing indemnification or reimbursement to CITY of all costs and fees related to any action triggering the these indemnity conditions of approval or the obligations of Section 7 of the Development Agreement (DA 16-001). If CITY is required to draw on that cash or security to indemnify or reimburse itself for such costs or fees, Applicant shall restore the deposit to its original amount within fifteen (15) days after notice from CITY that replenishment is required. Additionally, if at any time the City Attorney determines that an additional deposit or additional security in an amount not to exceed an additional fifty thousand dollars ($50,000) is necessary to secure the obligations of these indemnity related conditions of approval or Section 7 of the Development Agreement (DA 16-001), Applicant shall provide such additional payment or security within fifteen (15) days of notice from the City Attorney.

9. Applicant shall indemnify, defend, save and hold CITY and its Agents, its respective elected and appointed officials, officers, members, agents, employees, and representatives (each an "Agent" and collectively "Agents"), and shall hold and save them and each of them harmless

from any and all claims, damages of any kind and litigation which may arise from Applicant's or Applicant's agents, contractors, subcontractors, agents, or employees' operations under the Development Agreement (DA 16-001) , whether such operations be by Applicant or by any of Applicant's agents, contractors or subcontractors or by any one or more persons directly or indirectly employed by or acting as agent for Applicant or any of Applicant's agents, contractors or subcontractors.

10. All indemnity provisions, as set forth above, shall survive termination of the Development Agreement (DA 16-001) and shall continue to be the liability and obligation of Applicant, binding upon Applicant, until the final resolution of all Claims, and shall survive the completion, partial completion, or abandonment of the Project.

11. The Applicant shall reimburse the City for all fees and costs for special review of these applications by both (i) the City's retained planning, engineering, and related consultants and (ii) the Covina City Attorney's Office through an executed Reimbursement Agreement. Such special review includes, but is not limited to, review of the Project's compliance with conditions of approval, plan check process, review of CC&Rs, etc.

12. Mitigation measures are required for the Project. The Applicant is responsible for the cost of implementing said measures, including monitoring and reporting. Applicant shall be required to post cash, letter of credit or other form(s) of guarantee acceptable to the Director, prior to issuance of building permits, in the event and to the extent necessary to guarantee satisfactory performance and completion of all mitigation measures. These funds may be used by the City to retain consultants and/or pay City staff time to monitor and report on the mitigation measures. Failure to complete all actions required by the MMRP shall be considered grounds to delay issuance of building permits until such time as completion of the required actions has occurred.

13. The Project Site and all improvements thereon, including landscaping, must be maintained in a sound, healthy, and attractive condition reasonably free of weeds, visible deterioration, graffiti, debris and/or other conditions that violate the Covina Municipal Code.

14. The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by applicant's violation of any condition or mitigation measure imposed hereunder or any provision of the Covina Municipal Code must be paid by the applicant.

15. Approval of the VTTM and SPR applications shall not waive the applicant's obligation for compliance with all other applicable sections of the Covina Municipal Code, the Covina Design Guidelines, Covina Forward Specific Plan and all other applicable plans and non-City laws and regulations as set forth in the Development Agreement (DA 16-001).

C. VESTING TENTATIVE TRACT MAP (VTTM) 74512

1. Subject to the City's approval of said annexation request, the Project is required to annex into Community Facilities District 2007-01 (the "CFD") for the purpose of financing the Project's proportionate share of the cost for police response, fire and emergency medical response, and park services. The applicant shall petition the City to annex to the City's existing CFD under the California Mello-Roos Community Facilities Act (Government Code, Section 53311 et seq.) (the Act"). The applicant agrees to cooperate and not to oppose annexation to the CFD

for purposes set forth above. This annexation shall be completed prior to issuance of building permits for the production units

2. Alternatively, at the Applicant's option, in lieu of annexation to the CFD as set forth above, Applicant may make a lump sum payment to the City ("In Lieu Payment") representing the Project's proportionate share of the cost for police response, fire and emergency medical response, and park services. The In Lieu Payment shall be calculated based upon the net present value of the special tax that would be levied upon the Project under the CFD over the term of the CFD special tax. The In Lieu Payment must be paid not later than prior to release of occupancy for the first lot/dwelling unit including the model homes, within the Project.

3. Subject to the City's approval of said annexation request, the Project shall be annexed into the existing Landscape District and Lighting District, which shall be completed prior to recordation of the Tract Map.

4. The Project shall be subject to Park (Quimby) Impact fees; provided, however, in lieu of payment for otherwise applicable Park Quimby Fees, the Applicant shall convey approximately 0.351 acres of land to the City for public parkland in accordance with Section 5(b) of the Development Agreement (DA) 16-001.

5. Residential Development Impact Fees for the Project shall be paid, prior to release of occupancy for each phase of production lots/dwelling units and no less than 1 building with a cluster of 5 units or 3 units for each phase except the model home complex within the Project. The Applicant shall contact Director or his designee for calculation of the Residential Development Impact Fees, prior to issuance of any permits for the Project, with said calculation made in accordance with the relevant provisions of the Development Agreement (DA 16-001).

6. Street names for the private drive aisles and street addresses for the Project shall be submitted to Public Works Department, Engineering Division and Community Development Department, Planning Division for review and approval prior to recordation of the Tract Map.

7. Competitive access for communications providers shall be provided and conduits shall be provided to the Lot 22 boundary.

D. SITE DEVELOPMENT

1. The Project Site shall be developed and maintained in accordance with the Development Agreement (DA, 16-001) and the approved plans on file with the Community Development Department, all representations of record made by the Applicant(s), the conditions contained herein, the Covina Municipal Code, and the Covina Design Guidelines (as set forth in the Covina Forward Specific Plan). In addition, any future proposed changes or modifications in the design of any site component approved herein shall be processed and considered in accordance with the Development Agreement (DA, 16-001).

2. Final plans incorporating all conditions of approval and any plan-related changes required in the approval process shall be submitted for the Director or his designee for review and approval, prior to submittal for Plan Check process.

3. A complete building materials illustration board, describing material, brands, types, and applicable reference numbers shall be submitted to the Planning Division. Minor modifications in elevation details and/or colors may be submitted with detailed drawings and/or information to the Director or his designee for review and approval, prior to or during the subsequent Plan Check process.

4. All site, precise grading landscape, and irrigation, and street improvement-plans shall be coordinated for consistency, prior to issuance of any building permits for production units. permits

5. All ground mounted utility appurtenances such as transformers, AC condensers, etc. shall be adequately screened using a combination of concrete or masonry walls, and or landscaping to the reasonable satisfaction of the Director or his/her designee.

6. The Applicant shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. The final placement of the mailboxes shall be subject to Director or his/her designee for review and approval, prior to issuance of certificates of occupancy for the production units .

7. Refuse disposal (trash) barrels shall be kept only in the garages of each dwelling unit. This restriction shall be stated in and enforced under the Conditions, Covenants, and Restrictions (CC&Rs).

8. During construction and following Project completion, all grading and all exterior drainage on the Project Site shall conform to all applicable requirements of the Public Works Department.

9. The Covenants, Conditions and Restrictions (CC&R's) shall establish a Homeowner's Association (HOA) for the Project and shall be submitted to the Directors of Public Works and Community Development or their designees and the City Attorney for review and approval of the provisions required by these Conditions to be included therein for the City's benefit. The Applicant shall reimburse the City for all fees and costs associated with the review of the Project-related CC&Rs by the City Attorney's Office. The CC&Rs shall be recorded with the Final Map, prior to the issuance of building permits for any production units. The CC&R's shall grant the City the right but not the obligation to enforce their terms as these relate to the provisions required by these Conditions to be included therein for the City's benefit. The CC&R's shall include provisions: (i) prohibiting the storage of recreational vehicles and watercrafts in all parking areas; (ii) requiring residents and/or homeowners to park their personal vehicles in the garage; and (iii) requiring that the property management company for the Homeowners' Association shall enforce the provisions of the Codes, Covenants and Restrictions (CC&R's) that are included therein for the City's benefit. The Homeowners' Association shall submit to the Planning Division a list of names and addresses of its officers on or before January 1 of each and every year and whenever said information changes.

10. Prior to issuance of a certificate of occupancy for the final production unit, any temporary sales and/or construction office buildings/trailers shall be removed from the Project Site.

11. Any proposed Model Home complex for the Project shall be subject to the Administrative Conditional Use Permit Process of the Covina Municipal Code Section 17.62.190. The

application for the Model Home complex shall address the concerns of street improvements, temporary parking and overflow parking, separation from construction activities, security fencing, signage, temporary and/or permanent landscaping.

12. The Applicant shall submit a Phasing Plan illustrating the anticipated number and sequence of each development phase.

13. A complete exterior lighting plan, including photometric printout, shall be submitted for review and approval, prior to issuance of building permits for any production units. The plan shall illustrate light fixture features, locations, height, and the compliance with applicable City Code provisions on illumination, design, and lighting orientation/glare prevention and the minimum one-foot candle standard where applicable.

14. All building and site improvements along with landscaping and irrigation must be installed in accordance with approved plans and information on file with the Planning, Building, and Engineering Divisions, and the irrigation systems must be fully operational upon issuance of certificates of occupancy for production units. Furthermore, during construction, all on-site landscaped areas must be maintained reasonably free of weeds and debris.

15. The Project Site must be clean and reasonably free of trash and construction debris, and all construction equipment must be removed from the Project Site prior to issuance of the last certificate of occupancy for the production units.

16. Grading
    a. Grading of the Project Site shall be in accordance with then-current adopted California Building Code, City Grading Standards, and accepted grading practices. The Rough Grading Plan and Precise Grading and Drainage Plan(s) shall be in substantial conformance with the approved conceptual grading and drainage plan.
    b. A soils report shall be prepared by a qualified engineer licensed by the State of California to perform such work. Two copies will be provided at grading and drainage plan submittal for review. Plans shall implement design recommendations per said report.
    c. A geologic report shall be prepared by a qualified engineer or engineering geologist and submitted at the time of application for Grading and Drainage Plan review.
    d. The Precise Grading and Drainage Plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of Building Permits.
    e. This Project shall comply with the applicable accessibility requirements of the then-current adopted California Building Code.

E. LANDSCAPING AND WATER EFFICIENT REQUIREMENTS

1. All landscape or planter areas shown on the approved landscape plan shall be constructed such that they can remain landscaped in perpetuity. These areas shall not be paved or used for storage or any similar purpose inconsistent with the intent of this approval, and the Project's CC&R's shall reflect this condition.

2. Detailed on-site and off-site landscape and irrigation plans shall be submitted to the Director of Community Development or his/her designee for review and approval, prior to issuance of building permits. The landscaped and planter areas shall conform to applicable standards and requirements of the City's Water Efficient Landscape Regulations and the July 2015 Updated

Model State Water Efficient Landscape Ordinance of the State of California Water Commission.

3. The final design of the perimeter landscaping along N. Citrus street frontage, walls, landscaping and sidewalks shall be included in the required detailed landscape and irrigation plans and shall be subject to Director of Community Development (or his/her designee) and City Engineer review and approval, and coordinated for consistency with the any parkway landscaping plan.

4. Landscaping and irrigation systems shall be required to be installed within the public-right-way on the perimeter of the Project, which requires the removal of sidewalk and replacement with parkway and sidewalk, to the satisfaction of the City Engineer. The installed landscaping and irrigation systems shall be continuously maintained by the Applicant for the duration of the Project construction.

5. The final design of the primary Project entry off North Citrus and along private Drive B including but not limited to landscaping, hardscape, pedestrian walkway, and the tall focal element shall be submitted to the Director of Community Development for review and approval prior to issuance of building permits.

6. The final design of the Emergency Vehicle Access off North Citrus shall be submitted to Director of Community Development for review and approval prior to issuance of building permit for a production unit.

7. Final design of the recreation facilities including but not limited to the recreation building, kiosk for US Mail Boxes, any other accessory structures, landscaping, hardscape, walls and fencing, wall mounted and ground mounted lighting fixtures, etc., shall be submitted to the Director of Community Development for review and approval prior to issuance of the first building permit for the production units. .

8. The design of the arbor structure along the paseo shall include brick or stone materials at the base. Final design shall be submitted to the Director of Community Development for review and approval, prior to issuance of any building permits for production units.

9. Final design of fences and walls along the Project Site boundary and ground level patio area shall be submitted to the Director of Community Development for review and approval, prior to issuance of any building permits for production units.

10. Street trees shall be provided within the parkway strip along N. Citrus Street frontage at approximately 20 feet on center and with a minimum of 24-inch box size trees, and subject to Director of Community Development and City Engineer review and approval.

11. Additional small-scale trees and layering of shrubs shall be added to the paseo between the clustered rows of units. Final design shall be submitted to the Director of Community Development for review and approval, prior to issuance of any building permits for production units.

F. BUILDING DESIGN

1. Use different shades of brick to provide variation and interest to building design.

2. Enhanced elevations shall be provided along N. Citrus Avenue frontage (units 1 through 5, 108, 117) and within the site (units 6, 10, 11, 15, 16, 21, 30, 31, 36, 41, 42, 47, 57, 58, 77, 78, 88, 97, 98 and 107) to include brick veneer, metal awnings and architectural pop-outs.

4. The ground level patios and the balconies of the row of townhouse units along North Citrus shall comply with the applicable measures set forth in the MMRP. The wall and/or fencing or combination of both shall be designed to attenuate noise per the Noise Study of the Final EIR. The material use for the patio fencing and balconies shall include a tempered glass, acrylic glass (or similar material), masonry or a combination of them if required to meet the applicable standards. Final design shall be submitted to Director of Community Development for review in order to confirm compliance with the applicable standards, prior to issuance of building permit.

G. CONSTRUCTION MITIGATION PLAN

1. All construction must comply with the below-noted construction mitigation plan and the City Noise Ordinance.

2. The Applicant shall prepare a construction mitigation plan to mitigate noise as well as other construction-related impacts. This construction mitigation plan is in addition to the public noticing program for residential construction projects required by the City's Building and Safety Division. The construction-related activities shall conform to the following requirements that address potential noise and other construction-related impacts:

   a. The construction mitigation plan shall address the following areas: 1) site supervision, 2) construction access and schedule, 3) delivery/haul route and traffic control, 4) material storage and staging, 5) construction parking, 6) work hours, 7) noise reduction, 8) erosion control, 9) dust and mud control, 10) debris cleanup, 11) street sweeping, 12) pedestrian and neighborhood safety, 13) Project contact-related signage, and 14) subcontractor education and security measures.
   b. Construction-related activities, including grading activities, shall be prohibited between 6:00 pm and 7:00 am on Monday through Friday and between 5:00 pm and 8:00 am on Saturday and all day on Sundays and Holidays (except by special permit).
   c. All construction equipment shall be in proper operating condition and shall be fitted with standard factory noise attenuation features. All equipment shall further be properly maintained to help assure that no additional significant noise, due to worn or improperly maintained parts, would be generated.
   d. The Applicant and/or his/her representative(s) shall frequently monitor for and, if detected, remove any and all graffiti on and/or repair damaged or vandalized construction-related fencing and/or related elements as quickly as feasible.
   e. Loud noise generating activities such as crushing concrete pavement will be restricted to 7:00 am – 6:00 pm on Monday through Friday. Signs (multiple) shall be posted on site stating the days and hours of construction allowed, prohibiting "drinking, loitering and music" at all times, and including phone listings for community concerns.
   f. View-obscuring construction fencing shall be provided around the entire Project Site. Construction entries shall have gates with view-obscuring material.

3. At least thirty days prior to the commencement of any Project-related grading, the Applicant and/or his/her representative(s) shall notify the occupants of all residential and institutional properties that

lie within 500 feet of the Project Site of the general parameters of the impending grading and construction activities.

H. BUILDING AND SAFETY DIVISION

1. Submit **6** sets of complete plans including any proposed utilities and earthwork/grading. The Project must comply with the 2013 California Building Standards and 2013 energy code.

2. Two sets each of any structural and energy calculations shall be submitted with the above mentioned plans. All calculations must bear an original signature from the documented author.

3. This Project must comply with applicable Federal and State Accessibility requirements to and throughout the buildings. Include compliance methods and structural details on the plans.

4. Demolition activities require an asbestos containing materials (ACM) survey. (SCAQMD RULE 1403). The ACM report shall be prepared by an accredited testing laboratory in accordance with applicable SCAQMD rules and regulations. Proof of notification to the South Coast Air Quality Management District (SCAQMD), Office of Operations, shall be submitted to the Building Division with the relevant permit application for all demolition activities. Contact the SCAQMD at the address or number below for more information. Once any demolition activity has adhered to the applicable notification requirements to the SCAQMD, a formal demolition plan and permit must be obtained from the Building and Safety Division.

    - **SCAQMD Headquarters; 21865 Copley Drive, Diamond Bar, CA, (909) 396-2381**

5. Please provide an additional digital copy (pdf preferred) of the building floor plan, elevations, and site plan to be submitted to the LA County Assessor. This copy should be in sufficient detail to allow the assessor to determine the square footage of the buildings and, in the case of residential buildings, the intended use of each room. **For additional information, please contact the LA County Assessor's, Public Service Desk at 888-807-2111.**

6. The City of Covina has formally adopted a public noticing program for residential construction projects to provide the public with an opportunity to verify the validity of construction within their neighborhoods. This program requires the property owner and/or contractor to place a sign 14" high x 22" wide using a minimum black 24 point font (Arial) on a white background. The noticing sign must be suitable for outdoor use and placed within the front yard where it is clearly visible from the public right-of-way. The following items must be included on the residential noticing sign:

    a. Address of construction project
    b. Type of construction project
    c. Name of contractor/owner
    d. Telephone number of contact person
    e. Contractor's license number
    f. Permit number with date of issuance
    g. City of Covina Building Division telephone number
    h. Construction activity prohibited Monday through Saturday from 6:00 pm-7:00 am and all day on Sundays or Holidays unless otherwise permitted.

7. The Applicant shall pay the applicable SB 50 development impact fees to the School District prior to issuance of the first building permit for production units.

8. Construction activity within 500' of a residential zone is prohibited between the hours of 6:00 pm and 7:00 am on Monday through Friday and between 5 pm and 8 am on Saturday and all day on Sunday and Holidays unless otherwise permitted.

I. PUBLIC WORKS - ENGINEERING DIVISION

1. All public and private improvements (interior streets, drainage facilities, landscaped areas, etc.) shown on the plans and/or VTTM shall be constructed to City Standards. Interior street and parking improvements shall include, but are not limited to, curb and gutter, AC pavement, striping, signing drive approaches, sidewalks, street lights, and street trees.

2. The Applicant shall be required to install raised median island with landscaping for the length of the property frontage of the Project Site to the satisfaction of the City Engineer. Detailed plans shall be included with the public improvements plans to be submitted for City Engineer review, prior to recordation of the Final Map. The raised median island with landscaping shall be installed prior to release of occupancy for 100th unit.

3. Improvement Plans and Construction:
   a. Street Improvements Plans for N. Citrus Avenue and E. Covina Boulevard within the limits of the development shall be prepared by a registered Civil Engineer and shall be submitted to and approved by the City Engineer including Street trees, raised concrete median island, driveways, and street lights. Also, included shall be a minimum 2" cold plane, A.C. overlay, and striping for the easterly half of N. Citrus Avenue and the northerly half of E. Covina Boulevard within the limits of the development.
   b. Prior to any work being performed in public rights-of-way, applicable fees in connection with the required construction permit shall be paid and a construction permit shall be obtained from Public Works - Engineering Division in addition to any other permits required.
   c. Pavement striping, marking, traffic signing, street name signing, traffic signal conduit, and interconnect conduit shall be installed to the satisfaction of the City Engineer.
   d. Access ramps for the disabled shall be installed on all corners of intersections per City Standards or as directed by the City Engineer or his/her designee in accordance with applicable federal, state and local laws and regulation and City's Subdivision Ordinance (CMC Chapter 16).
   e. Existing City roads requiring construction shall remain open to traffic at all times with adequate detours during construction. Street or lane closure permits are required. A cash deposit shall be provided to cover the cost of grading and paving, which shall be refunded upon completion of the construction to the reasonable satisfaction of City Engineer.
   f. Due to construction, the Applicant shall be responsible for any repairs within the limits of the Project Site development, including streets and paving, curbs and gutters, sidewalks, and street lights, as determined by the City Engineer.

4. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the Los Angeles County Recorder.

5. A preliminary title report and subdivision guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the Final Map is filed with the Los Angeles County Recorder.

7. In accordance with applicable bonding provisions under the Subdivision Map Act and under City Subdivision Ordinance (CMC Chapter 16), the Applicant shall submit a preliminary subdivision guarantee relating to specified improvements if grants, dedications, or offers of dedication are to be made by certificate on the Final Map. A final subdivision guarantee will be required at the time of filing of the Final Map with the Los Angeles County Recorder.

8. The Applicant shall execute a Subdivision Improvement Agreement and submit security in an amount acceptable to the City Engineer and the City Attorney in accordance with applicable bonding provisions under the Subdivision Map Act and under City's Subdivision Ordinance (CMC Chapter 16) to guarantee construction of the identified public and private improvements. All security must be accessible to the City at any time and in a form acceptable to the City Engineer.

9. The Applicant shall provide a Monumentation Bond in an amount sufficient to guarantee the setting of monumentation specified in writing by a Registered Engineer or Licensed Land Surveyor of Record.

10. The Applicant's engineer or surveyor shall set durable monuments to the satisfaction of the City Engineer in conformance with Section 66495 of the Subdivision Map Act.

11. All easements that are intended to exist on the Project Site at the time of the Final Map recordation must be accounted for on the approved VTTM. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket in nature or indeterminate in nature, a statement to that effect must be shown on the VTTM in lieu of its location.

12. The Applicant shall provide drainage improvements to carry runoff of storm water in the area proposed to be developed, and for contributing drainage from adjoining properties to the reasonable satisfaction of the City Engineer and in accordance with all applicable federal, state and local laws and regulations and City's Subdivision Ordinance (CMC Chapter 16). The proposed drainage improvements shall be based on a detailed hydrology study conforming to the current Los Angeles County Methodology. The proposed on-site storm drain improvements shall be privately maintained by each property owner.

13. Prior to issuance of any building permits for production units, all Project utilities shall be placed underground in accordance with Covina Municipal Code Section 16.30.020, including facilities and wires for the supply and distribution of electrical energy, telephone, cable television, etc., to the satisfaction of the Community Development Director and City Engineer.

14. The Applicant shall install sewer improvements for the proposed Project in accordance with City Standards and to the satisfaction of the City Engineer and the Los Angeles County Department of Public Works, Sewer Maintenance District.

15. Prior to issuance of any building permits for production units, the Applicant shall verify that any required sewer connection fees have been paid to the City of Covina and the County of Los Angeles Department of Public Works, Sewer Maintenance District.

16. Prior to issuance of any building permits for production units, the Applicant shall verify that the proposed Project has been annexed into the Los Angeles County Sanitation District.

17. The Applicant shall install water improvements for the proposed Project in accordance with City Standards and to the satisfaction of the City Engineer.

J. PUBLIC WORKS – ENVIRONMENTAL SERVICES DIVISION

1. A geotechnical letter must be submitted stating that soil will not exhibit instability as a result of implementing proposed treatment BMPs, and that the infiltration base is at least 10ft above groundwater, along with wet signature/stamp.

2. Comply with the Low Impact Development requirements.

3. OC1 - Complete form, sign, return original, attach copy to field plans.

4. ES-CD1: Construction & Demolition Debris Recycling - Complete form, sign, return original, attach copy to field plans, fax copy to Athens Services when requesting waste container; also request Athens Load Characterization upon completion of C&D.

5. ES-CD2: Construction & Demolition Debris Recycling - Upon completion of C&D, complete form, sign, return original with Athens Load Characterization Report.

6. Only Athens Services/Covina Disposal, 888-336-6100, is allowed to provide bins and pickup and dispose of trash and recyclables, including all C&D projects. Exception: Project contractor, using his own equipment and staff, can take recyclables to a recycling facility.

7. PC: Priority Project Checklist - Complete form, sign, return original.

8. P1: Priority Development & Redevelopment Projects - Complete form, return original.

9. P2: Stormwater Treatment Certification - Complete form, return original.

10. LSWPPP: Local Stormwater Pollution Prevention Plan - Complete form, return original.

11. Report, SWPPP: Project area is 1 acre or greater (required by State Water Resources Control Board). 3 reports, including plans; signatures and stamps must have wet-ink application.

12. Report, SUSMP: Project meets LA Regional Water Quality Control Board's criteria for a Priority Planning Project. 3 reports, including plans; signatures and stamps must have wet-ink application. SWPPP must be provided.

13. Construction site stormwater compliance inspection and reinspection: $75 - $125 per inspection may apply.

14. Master Covenant agreement: See application instructions, checklist, and Agreement.

K. LOS ANGELES COUNTY FIRE DEPARTMENT – FIRE PREVENTION DIVISION

FINAL MAP REQUIREMENTS

1. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.

2. A copy of the Final Map shall be submitted to the Fire Department for review and approval prior to recordation.

3. The private access within the development shall be indicated as "Private Driveway" on the Final Map. The required fire apparatus access, the fire lanes and turnarounds, shall be labeled as "Fire Lane" on the Final Map. Any proposed parking area, walkway, or other amenities within the private driveway shall be outside the required fire lane. Clearly delineate on the Final Map and submit to the Fire Department for approval.

4. A reciprocal access agreement is required for the private driveway since multiple lots and units are sharing the same access. Submit documentation to the Fire Department for review prior to Final Map clearance.

5. Provide reciprocal access agreement for the 5-foot access gates located between the residential units (Lot 15, Lot 17 & Lot 18) and the parking structure (Lot 22) to provide emergency access to within 150 feet of all exterior portions of the North side of the parking structure.

6. Submit a minimum of three (3) copies of the water plans indicating the new fire hydrant locations to the Fire Department's Land Development Unit for review. The required public fire hydrants shall be installed prior to construction of the proposed buildings.

CONDITIONS OF APPROVAL – ACCESS

1. All on-site Fire Apparatus Access Roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

5. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an

approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2

6. Provide a minimum of 5-foot access gates located between the residential units (Lot 15, Lot 17 & Lot 18) and the parking structure (Lot 22) to provide emergency access to within 150 feet of all exterior portions of the North side of the parking structure.

7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

8. Fire Apparatus Access Roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

9. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, and shall be surfaced so as to provide all-weather driving capabilities. Fire Code 503.2.3

10. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

11. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

12. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4

13. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1

14. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

15. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

17. Multiple residential and commercial buildings having entrances to individual units not visible from the street or road shall have unit numbers displayed in groups for all units within each structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.1.

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.

2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

3. All private on-site fire hydrants shall be installed, tested and approved prior to building occupancy. Fire Code 901.5.1

4. All on-site fire hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall. Exception: For fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure. Indicate compliance prior to the project being "cleared" for public hearing. Fire Code Appendix C106

   a. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7

5. The required fire flow for the public fire hydrants and the on-site fire hydrants located within residential units is 2000 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

   a. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

6. Fire Flow – Parking Structure Only:

   a. The required fire flow for the public fire hydrants is 2500 gpm at 20 psi residual pressure for 2 hours. Two (2) fire hydrants flowing simultaneously may be used to achieve the required fire flow. FC 507.3 & App B105.1
      1) An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

   b. The required fire flow for the on-site fire hydrant is 1250 gpm at 20 psi residual pressure for 2 hours. One (1) fire hydrant flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

7. Public Fire Hydrants Installation

   a. Install two (2) public fire hydrants on Citrus Avenue as noted on the Fire Master Plan dated 11/18/2016.

b. Install two (2) public fire hydrants on Covina Avenue as noted on the Fire Master Plan dated 11/18/2016.

c. Relocate one (1) existing public fire hydrant on Citrus Avenue as noted on the Fire Master Plan dated 11/18/2016.

8. On-Site Fire Hydrants Installation

a. For the residential units, install three (3) on-site fire hydrants as noted on the Fire Master Plan dated 11/18/2016.

b. For the parking structure, install one (1) on-site fire hydrant as noted on the Fire Master Plan dated 11/18/2016.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.

END OF CONDITIONS

MITIGATION MONITORING AND REPORTING PROGRAM ON NEXT PAGE

MITIGATION MONITORING AND REPORTING PROGRAM FOR EIR (SCH 2016051053)

The California Public Resources Code, Section 21081.6, requires that a lead or responsible agency adopt a mitigation monitoring and reporting plan (MMRP) when approving or carrying out a project when an EIR (SCH 2016051053) identifies measures to reduce potential adverse environmental impacts. As lead agency for the Project, the City of Covina (City) is responsible for adoption and implementation of the mitigation monitoring and reporting program (MMRP).

The City has prepared an EIR in conformance with Section 15070(b) of the State California Environmental Quality Act Guidelines. The purpose of the EIR is to identify any potentially significant impacts associated with the proposed Project and incorporate mitigation measures into the Project as necessary to eliminate the potentially significant effects of the Project or to reduce the effects to a level of insignificance.

City of Covina
Covina Transit-Oriented Mixed-Use Development Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
Aesthetics						
MM-AES-1 New sources of exterior lighting on the project site shall be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east. Exterior overhead lighting shall also be of the minimum required intensity to provide for safety and security of project residents and visitors. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources in the area.	Project planning and operation	Project applicants	City of Covina Planning Division and Building & Safety Department			
MM-AES-2 Prior to the issuance of building permits, the project applicants shall prepare and submit to the City of Covina for review a photometric study for the proposed residential townhome development and parking structure to ensure that off-site residential land uses to the north and east are not subjected to unnecessary light spillover and trespass. A detailed lighting plan shall be developed for the residential townhome development and parking structure and shall be utilized by a qualified photometric specialist to prepare the photometric study. If excessive light spillover is identified in the photometric, then appropriate measures	Project planning and permitting	Project applicants (MLC Holdings Inc. and Foothill Transit); qualified photometric specialist	City of Covina Planning Division and Building & Safety Department			

City of Covina
Covina Transit-Oriented Mixed-Use Development Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
including but not limited to use of lower intensity lighting shall be considered to avoid unnecessary light spillover and trespass.						
Air Quality						
MM-AQ-1 The following dust control measures shall be implemented by the contractor/builder to reduce fugitive dust PM_{10} and $PM_{2.5}$ emissions generated during earthmoving construction activities of all three components of the proposed project: a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the project site and to create a crust after each day's activities cease. b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the project site. At a minimum, this would include wetting down such areas later in the morning, after work is completed for the day, and whenever winds exceed 15 miles per hour. c. Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation. d. Speeds on unpaved roads shall be reduced to less than 15 miles per hour. e. All grading and excavation operations shall be halted when wind speeds exceed 25 miles per hour. f. Dirt and debris spilled onto paved surfaces at the project	Construction (earthmoving activities)	Contractor/builder	City of Covina Planning Division			

City of Covina
Covina Transit-Oriented Mixed-Use Development Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday. g. All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be covered and/or a minimum 2 feet of freeboard shall be maintained. h. At a minimum, at each vehicle egress from the project site to a paved public road, a pad consisting of washed gravel (minimum size: 1 inch) shall be installed and maintained in clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by the SCAQMD). i. Any additional requirements of SCAQMD Rule 403 shall be reviewed and complied with.						
MM-AQ-2 During project demolition, site preparation, and grading activities, off-road equipment with engines rated at 75 horsepower or greater, shall meet Tier 3 engine standards or better. An exemption from these requirements may be granted by the City of Covina in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Los Angeles County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment. Based on the anticipated equipment for these phases, this measure would be applicable to, but not limited to, excavators, graders, rubber tired dozers, and tractors/loaders/backhoes used during earth moving activities.	Construction (demolition, site preparation, and grading)	Contractor/builder	City of Covina Planning Division			

City of Covina
Covina Transit-Oriented Mixed-Use Development Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
Biological Resources						
MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors. If active nests are found (California Department of Fish and Wildlife defines "active" as any nest that is under construction or modification; United States Fish Wildlife Service defines "active" as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those	Prior to construction; during construction (if active nests are identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

City of Covina
Covina Transit-Oriented Mixed-Use Development Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City of Covina within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.						
MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required. If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity	Prior to construction; during construction (if active bat roosts identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

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Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).						
Cultural Resources						
MM-CUL-1 Inadvertent Discovery of Archaeological Resources. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section	Construction	Contractor/builder; qualified archaeologist	City of Covina Planning Division			

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21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.						
MM-CUL-2 Paleontological Mitigation Program. Prior to commencement of any grading activity on-site, the City, Foothill Transit and MLC shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or qualified designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).	Prior to and during grading activity	Project applicants; contractor/builder; qualified paleontologist	City of Covina Planning Division			
MM-CUL-3 Inadvertent Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the	Construction (ground disturbance)	Contractor/builder	City of Covina Planning Division			

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project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.						
Geology and Soils						

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MM-GEO-1 Prior to the construction phase, the proposed project shall be designed in accordance with the recommendations from the site-specific Geotechnical Evaluation. In the event that changes are made in the recommendations set forth in the final geotechnical report, the project design shall be updated in accordance with those changes. Prior to the issuance of a building permit, the City of Covina, Foothill Transit and MLC Holdings, Inc./Meritage Homes shall submit the final design and construction plans for review and approval by the City Building Official or designee and the City Engineer or designee. The final design and construction plans shall show that the recommendations from the Geotechnical Evaluation regarding earthwork, design, foundation, retaining wall, garden wall, soil corrosivity, import soils, concrete slabs, sidewalks, and driveways have been incorporated into the final design.	Project planning and permitting	Project applicants	City of Covina Planning Division and Building & Safety Department			
Hazards and Hazardous Materials						
MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.	Prior to demolition; during demolition (if hazardous building materials are identified)	Project applicants; contractor/builder	City of Covina Planning Division and Building & Safety Department			

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MM-HAZ-2 Prior to obtaining a certificate of occupancy, the removal of the underground storage tank shall be permitted and completed in accordance with the Los Angeles County Fire Department Health Hazardous Materials Division protocol.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department; Los Angeles County Fire Department Health Hazardous Materials Division			
MM-HAZ-3 Prior to obtaining a certificate of occupancy, the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm. At a minimum, soil samples shall be analyzed for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Should visually stained soil be observed in the reservoir pit area, additional soil samples shall be collected to further evaluate subsurface impact. Should TPH, VOCs, or PCBs be detected in the soil sample(s), the environmental consult shall advise the City of Covina about additional steps to be taken, which may include regulatory agency notification and remediation. Additional sampling may also be required prior to the disposal of the hydraulic lift units.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department			
Noise						
MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m. Monday through Saturday, and not at all	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

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during other hours or on Sundays or public holidays. This condition shall be listed on the project's final design to the satisfaction of the City Engineering Department.						
• MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit: • The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment. • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department. • Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

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shielded from sensitive receptors. • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party. • If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.						
MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.	Project planning and permitting	Project applicant (Foothill Transit)	City of Covina Planning Division			
MM-NOI-4 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect	Project planning and constructio	Project applicants; acoustical	City of Covina Planning			

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surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.	n	specialist	Division			
MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.	Project operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.	Project planning and operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally,	Project planning and construction	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			

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sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City's 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.						

Attachment H:

Resolution No. 16-7562

Approving a Site Plan Review (SPR) 16-033

ATTACHMENT H
RESOLUTION NO. 16-7562

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-033 FOR THE CONSTRUCTION OF A TRANSIT CENTER UP TO A SIX-BAY BUS PLAZA, A PARK & RIDE VEHICLE PARKING STRUCTURE AND A 4,800 SQUARE FOOT RETAIL BUILDING FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-09-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avnue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina ("COVINA"), Foothill Transit ("FT") and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use ("Project"). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park & ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site

specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et. seq*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received nine comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission the General Plan

Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter.

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council adopt the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001.

WHEREAS, on November 29, 2016, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-7557 certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-7557 and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, the City Council does hereby find and decide, pursuant to Title 17.64.070 of the Covina Municipal Code:

Site Plan Review

a. All provisions of the Covina Forward Specific Plan and applicable sections of the Zoning Ordinance are complied with.

   Fact: After the adoption of the related applications General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, the Project will be consistent with the General Plan, the special development standards and design guidelines of the Covina Forward Specific Plan (SP) and all applicable sections of the Zoning Ordinance. The Project, a transit center with six-bus bays, and a 3 level park & ride vehicle parking structure that may accommodate between 350 to 400 parking spaces, will satisfy the parking demands for Foothill Transit customers and decrease the need for on-street parking along city streets. The park & ride vehicle parking structure is setback approximately 60 feet from the east property boundary providing a distance separation from existing single-family residences. The 4,800 square feet retail building is setback 30 feet from the street-side property line and one-story in height. The 3 level park & ride vehicle parking structure is approximately 21 feet high and is well below the 35 feet maximum height allow in the easterly adjacent R-1-7500 residential zone.

b. The basic project elements (1) buildings, structures, and improvements.; 2) vehicular ingress, egress and internal circulation; 3) setbacks; 4) height of buildings; 5) location of service; 6) walls; and 7) landscaping are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and no adverse effects will occur on surrounding properties.

   Fact:. The overall on-site circulation for the transit center, the park & ride vehicle parking structure and the retail building will meet all Fire access and requirements. The transit center and the park & ride vehicle parking structure will satisfy the parking demands for Foothill Transit while decreasing the on-street parking along City's streets. The park & ride vehicle parking structure will have a separate access for vehicles' egress and ingress while the transit center will have a designated bus ingress off North Citrus Avenue and egress off East Covina Boulevard. Although access for the three components of the Project, the residential use, the public/transit use and the public/civic use, is separated for safety purpose, there will be pedestrian connections between the public/transit and public/civic uses and from the residential use to the pubic/transit use. The pedestrian connection from the residential units to the transit center will encourage the use of transit and may decrease the vehicular trips from the residential project. The park & ride vehicle parking structure is setback approximately 60 feet from the east property boundary providing a distance separation from existing single-family residences. The 4,800 square feet retail building is setback 30 feet from the street-side property line and one-story in height. The 3 level park & ride vehicle parking structure is approximately 21 feet high and is well below the 35 feet maximum height allow in the easterly adjacent R-1-7500

residential zone. The transit center will provide a landscape buffer 20 feet wide with evergreen trees and appropriate shrubs. Furthermore, the parking structure will have a green wall and that is consisting of metal trelliswork with landscaping and vines. The transit center will provide a substantial size of pedestrian plaza, approximately 5,000 square feet between the park & ride vehicle parking structure and the small retail building. Therefore, the proposed arrangement of the project site design with the implementation of conditions of approval and mitigation measures, the traffic congestion will be avoided, the pedestrian and vehicular safety and welfare will be protected, and there will be no adverse effect on surrounding property.

c. The Project design conforms to the General Plan and any design guidelines or specific plans that may be applicable to the Project.

Fact: The Covina General Plan and the Covina Forward Specific Plan contain design-related policies to ensure that new residential or non-residential projects when adjacent to single-family residences will incorporate sufficient physical and visual buffers to ensure compatibility. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and shall adequately protect the single family residences or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. The 3 levels parking structure of the transit center is setback approximately 60 feet from the east property boundary, which is at the same setback location as the existing K-Mart building. Instead of existing parking spaces along the east property boundary, the transit center will provide a landscape buffer 20 feet wide with evergreen trees and appropriate shrubs, which will minimize the intrusion of privacy. Furthermore, the parking structure will have a green wall and that is consisting of metal trelliswork with landscaping and vines, which will provide further privacy to the existing single-family residents. The transit center will provide a substantial size of pedestrian plaza, approximately 5,000 square feet, between the park & ride vehicle parking structure and the small retail building. The Project, with its design, improvements and conditions of approval, will be consistent with the General Plan, the Covina Forward Specific Plan and and citywide design guidelines.

d. The Project design is harmonious, consistent, and complete within itself and functionally and visually compatible with neighboring land uses.

Fact: The Project is a transit center, a park & ride vehicle parking structure, and a small retail building about 4,800 square feet in size. The transit center consists of six-bus bays where only buses enter off North Citrus Avenue and exit off East Covina Boulevard. The park & ride vehicle parking structure is 3-level and the entry and exit is off North Citrus Avenue. A substantial size, approximately 5,000 square feet of open space plaza is provided between the retail building and the 3-level park & ride vehicle parking structure. To provide compatibility of the transit center with the easterly residential use, the 3-level park & ride vehicle parking structure maintain the same 59 feet setback as the existing K-Mart building, a substantial distance separation from the existing single-family residence. The building height of the 3-level park &

ride vehicle parking structure is approximately 21 feet and is well within the 35 feet maximum height allow in residential R-1-7500 zone. The Project site design includes a 20-foot wide landscape area along the east property boundary for providing a visual buffer to adjacent residential use. Based on the site and building design and their function, the Project is harmonious, consistent and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located.

e. The development will constitute an adequate environment for the intended use by sustaining the desirability and stability of the neighborhood and community.

Fact: The Project, a transit center, a park & ride vehicle parking structure, and a retail building, is a component of the transit-oriented mixed-use development. The purpose of the transit-oriented mixed-use development is to provide the orderly redevelopment of a vacant, prominent disused commercial property within the City, but in a manner that addresses the community's needs for transit-oriented residential development, regional transportation facilities and civic/community facilities.

f. Proposed lighting is so arranged as to reflect the light away from adjoining properties.

Fact: The project would produce nighttime lighting, however, the amount of lighting would be minimal and consist mostly of internal lights along the bus drive lane and outdoor security lighting similar to what already exists in the area. Given the urban nature of the Project area and the existing amount of light and glare generated by the surrounding residential and commercial uses, light and glare from the Project would not be substantially noticeable over the existing conditions. Thus, the amount of lighting would not be substantial or adversely affect day or nighttime views in the area, nor impact adjoining properties. All outside lighting will be required as a standard condition of approval to be designed and sited in a manner that prohibits glare onto adjacent properties.

g. Proposed signs will not, by size, location, color, or lighting, interfere with traffic or limit visibility.

Fact: There are no proposed signs associated with the Project. Any signage proposed for the Project would be subjected to a Uniform Sign Program in compliance with the Covina Forward Specific Plan and obtain separate sign permit.

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Site Plan Review (SPR) 16-033 for the construction of of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet, subject to all conditions contain in "Exhibit A" attached herein and incorporated by this reference.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. Effective Date. This Resolution shall be effective upon the effective date of Ordinance No.16-2068:

> AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COVINA BY CHANGING THE ZONING DESIGNATION FROM "C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)" AND "C-R COMMERCIAL ZONE (RECREATION)" TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES ZONED FOR "RD (MULTI-FAMILY)" AND 4.54 ACRES ZONED FOR "I (INSTITUTIONAL USE)" FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

SECTION 6. Certification The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this 29th day of November, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-7562 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 29th day of November, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

SHARON F. CLARK, Chief Deputy City Clerk

CITY OF COVINA
COMMUNITY DEVELOPMENT DEPARTMENT

EXHIBIT A
SITE PLAN REVIEW (SPR) 16-033
APN: 8406-019-019, 8406-019-020 and 8406-019-017
CONDITIONS OF APPROVAL AND
MITIGATION MONITORING AND REPORTING PROGRAM

Development Application:

1. Resolution No. 16-7562, approving Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six bus-bays plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

Related Applications:

1. Resolution No. 16-7558 approving General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" to the "Covina Forward Specific Plan" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."
2. Resolution No. 16-7559 approving the Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan CFSP)" with 6.12 acres for "CFSP - RD (Multi-Family)" and 4.54 acres for " CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.
3. Ordinance No. 16-2068 approving Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "RD (Multi-Family)" and 4.54 acres for "I (Institutional Use/Zone)."
4. Resolution No 16-7560, approving Vesting Tentative Tract Map (TTM) 74512 to subdivide a 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

ALL OF THE FOLLOWING CONDITIONS APPLY TO THE PROJECT

A. TIME LIMITS:

1. Approval of this application will expire two years from the date of project approval if building permits are not issued. The applicant may apply to extend the expiration date for a maximum period of three years. Each extension shall not exceed one year upon written request to the Director of Community Development a minimum of thirty (30) days prior to expiration. The request must be approved by the Planning Commission prior to expiration of the application.

2. Approval of this application shall not take effect unless and until the City Council approves applications GPA 16-001, Covina Forward Specific Plan (SP) 16-001, ZCH 16-001 and DA 16-001.

B. GENERAL REQUIREMENTS:

1. This approval will not be effective for any purposes until the Applicant has filed with the Planning Division an affidavit stating that it is aware of and agrees to accept all of the conditions of this approval as set forth herein.

2. All conditions of approval and the environmental mitigations, monitoring and reporting program contain in City Council Resolutions 16-7557 for the Final EIR and Resolution No. 16-7560 for VTTM 74512 shall apply to the project.

3. Copies of the signed City Council Resolutions and Environmental Mitigation, Monitoring and Reporting Program (MMRP) shall be included on the plans (full size) for submittal of plan check. The full size sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.

4. Applicant shall, at its own expense and with counsel selected by City, fully defend, indemnify and hold harmless City, its officials, officers, employees, and agents ("Indemnified Parties"), from and against any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically including attorneys' fees, ("Liabilities"), arising in any way out of City's approval of the Applications or the Project. Applicant's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul the City's approval of the Applications, and Liabilities premised on, related to or invoking CEQA, including those arising out of City's decisions related to the Project's CEQA documents. City shall promptly notify Applicant of any such claim, action or proceeding, and shall cooperate fully in the defense of such claim, action, or proceeding. Applicant's indemnification obligations shall not be limited to the amount of insurance coverage that may be available to Applicant, and shall not otherwise be restricted or confined by the presence or absence of any policy of insurance held by City or Applicant.

5. Pursuant to California Government §66474.9, the Applicant/Subdivider also agrees to defend, indemnify and hold harmless, the Indemnified Parties from any claim, action or proceeding against the Indemnified Parties to attack, set aside, void or annul any map approval of the City, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code §66499.37. The City shall promptly notify the Applicant/Subdivider and applicant of any such claim, action or proceeding, and the City shall cooperate fully in the defense.

6. Applicant's obligations, as set forth above, shall survive the completion or abandonment of the Project or the issuance of a certificate of occupancy with respect thereto. However, Applicant's obligations after the issuance of a certificate of compliance for the Project shall be limited to indemnifying and defending the Indemnified Parties from legal challenges filed to set aside any part of the Project or its related components. The provisions of this condition are intended by the Parties to be interpreted and construed to provide the fullest protection possible under the law to the City. Further, all obligations and Liabilities under this

Agreement are to be paid by the Applicant as they are incurred. Applicant's obligations to indemnify under this Agreement shall include the obligation of the Applicant to defend City with legal counsel of City's own choosing. In the event City elects not to select such counsel, the designation of such counsel shall be made by the Applicant but shall be subject to prior approval.

7. The Applicant shall reimburse the City for all fees and costs for special review of this application by both (i) the City's retained planning, engineering, and related consultants and (ii) the Covina City Attorney's Office through an executed Reimbursement Agreement. Such special review includes, but is not limited to, review of the Project's compliance with conditions of approval, compliance of mitigation, monitoring and reporting program, plan check process, etc.

8. Mitigation measures are required for the project. The Applicant is responsible for the cost of implementing said measures, including monitoring and reporting. Applicant shall be required to post cash, letter of credit or other forms of guarantee acceptable to the Director, prior to issuance of building permits, guaranteeing satisfactory performance and completion of all mitigation measures. These funds may be used by the City to retain consultants and/or pay City staff time to monitor and report on the mitigation measures. Failure to complete all actions required by the approved environmental documents shall be considered grounds for forfeit.

9. The property and all improvements, including landscaping, must be maintained in a sound, healthy, and attractive condition reasonably free of weeds, visible deterioration, graffiti, debris and/or other conditions that violate the Covina Municipal Code.

10. The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by applicant's violation of any condition or mitigation measure imposed by this application or any provision of the Covina Municipal Code must be paid by the applicant.

11. Approval of this request shall not waive compliance with all other sections of the Covina Municipal Code, the Covina Design Guidelines, Covina Forward Specific Plan and all other applicable plans and non-City laws and regulations that are in effect at the time of building permit issuance.

C. SITE DEVELOPMENT

1. The applicant shall install a camera system at the transit center for 24/7 monitoring access by Covina Police Department with integration into Covina's existing Citywide Camera System. The final design and details for the camera system shall be submitted to Covina Police department for review and approval prior to issuance of building permits. The required security cameras shall be installed to the satisfaction of the Police Chief and go live prior to release of occupancy for the 3-level park & ride vehicular parking structure. A parking stall shall be designated for Covina Police Department vehicle to the satisfaction of the Police Chief.

2. Provide communication access conduits up to Lot 23 boundary.

3. The Project is required to annex into Community Facilities District 2007-01 (the "CFD") for the purpose of financing the Project's proportionate share of the cost for police response, fire and emergency medical response, and park services. The applicant shall petition the City to annex to the CFD under the California Mello-Roos Community Facilities Act (Government Code, Section 53311 et seq.) (the Act"). The applicant agrees to cooperate and not to oppose annexation to the CFD for purposes set forth above. This shall be completed prior to issuance of building permits.

4. Alternatively, at the applicant's option, in lieu of annexation to the CFD as set forth above, applicant may make a lump sum payment to the City ("In Lieu Payment") representing the Project's proportionate share of the cost for police response, fire and emergency medical response, and park services. The In Lieu Payment shall be calculated based upon the net present value of the special tax that would be levied upon the Project under the CFD over the term of the CFD special tax. The In Lieu Payment must be paid not later than prior to release of occupancy for the first lot/dwelling unit including the model homes, within the project.

5. The project is subjected to annexation to the Landscape District and Lighting District, which shall be completed prior to recordation of the Tract Map or issuance of building permit.

6. The site shall be developed and maintained in accordance with the approved plans on file with the Community Development Department, all representations of record made by the applicant(s), the conditions contained herein, the Covina Municipal Code, and the Covina Forward Specific Plan and Covina Design Guidelines. In addition, any future proposed changes or modifications in the design of any site component approved herein shall not proceed without City approval.

7. Final plans incorporating all conditions of approval and any plan-related changes required in the approval process shall be submitted for the Director or his designee review and approval, prior to submittal for Plan Check process.

8. All site, precise grading, landscape, irrigation, and street improvement plans shall be coordinated for consistency, prior to issuance of any permits.

9. All ground mounted utility appurtenance such as transformers, AC condensers, etc. shall be located out of public view and adequately screened using a combination of concrete or masonry walls, and or landscaping to the satisfaction of the Director or his designee.

10. Trash Enclosures with trash receptacle(s) are required. The final design, locations and the number of trash receptacles shall be subjected to the Director of Community Development review and approval prior to issuance building permit.

11. All grading and all exterior (during construction and following project completion) drainage on the property shall conform to all applicable requirements of the Public Works Department.

12. A complete exterior lighting plan, including photometric printout, shall be submitted for review and approval, prior to issuance of building permits. The plan shall illustrate light fixture features, locations, height, and the compliance with applicable City Code provisions on illumination, design, and lighting orientation/glare prevention and the minimum one-foot candle standard.

13. All building and site improvements along with landscaping and irrigation must be installed in accordance with plans and information on file with the Planning, Building, and Engineering Divisions, and the irrigation systems must be operational. Furthermore, all on-site landscaped areas must be maintained free of weeds and debris.

14. The project site must be clean and free of trash and construction debris, and all construction equipment must be removed from the site, prior to release of final occupancy.

15. Grading
    a. Grading of the subject property shall be in accordance with current adopted California Building Code, City Grading Standards, and accepted grading practices. The Rough Grading Plan and Precise Grading and Drainage Plan(s) shall be in substantial conformance with the approved conceptual grading and drainage plan.
    b. A soils report shall be prepared by a qualified engineer licensed by the State of California to perform such work. Two copies will be provided at grading and drainage plan submittal for review. Plans shall implement design recommendations per said report.
    c. A geologic report shall be prepared by a qualified engineer or engineering geologist and submitted at the time of application for Grading and Drainage Plan review.
    d. The Precise Grading and Drainage Plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Official prior to the issuance of Building Permits.
    e. This project shall comply with the accessibility requirements of the current adopted California Building Code.

D. LANDSCAPING AND WATER EFFICIENT REQUIREMENTS

1. All landscape or planter areas shown on the approved landscape plan shall remain as landscape areas in perpetuity. These areas shall not be paved or used for storage or any similar purpose inconsistent with the intent of this approval.

2. Detailed landscape and irrigation plans shall be submitted to the Director of Community Development or his designee for review and approval, prior to issuance of building permits. The landscape areas shall conform to applicable standards and requirements of the City's Water Efficient Landscape Regulations and the July 2015 Updated Model State Water Efficient Landscape Ordinance of the State of California Water Commission.

3. The final design of the perimeter parkways, walls, landscaping and sidewalks shall be included in the required detailed landscape and irrigation plans and shall be subjected to Director of Community Development or his designee and City Engineer review and approval, and coordinated for consistent with the any parkway landscaping plan, which may be required by the Public Works, Engineering Division.

4. Landscaping and irrigation systems required to be installed within the public-right-way on the perimeter of the project shall be continuously maintained by the Applicant for the duration of the project construction.

5. The final design of the vehicular project entry and the bus project entry off North Citrus and the bus project exit off East Covina Drive B shall be submitted to Director of Community Development for review and approval prior to issuance of building permit.

6. The final design of the bus-bays plaza and the pedestrian plaza shall comply with the Covina Forward Specific Plan and submitted to Director of Community Development for review and approval, prior to issuance of building permit.

7. Final design of fences and walls along the property boundary shall be submitted to Director of Community Development for review and approval, prior to issuance of building permit.

8. Street trees shall be provided within the parkway strip for the N. Citrus street frontage and subject to Director of Community Development and City Engineer review and approval.

E. BUILDING DESIGN

1. Building Design for 4,800 square-foot retail building shall be designed to comply with the Covina Forward Specific Plan and shall be submitted to Director of Community Development for review and approval prior to submittal for building plan check.

2. The final design of the 3-level park & ride vehicular parking structure shall be designed to comply with the Covina Forward Specific Plan and shall be submitted to Director of Community Development review and approval prior to submittal for building plan check.

3. A complete building materials illustration board, describing material, brands, types, and applicable reference numbers shall be submitted to the Planning Division. Minor modifications in elevation details and/or colors may be submitted with detailed drawings and/or information to the Director or his designee for review and approval, prior to or during the subsequent Plan Check process.

F. CONSTRUCTION MITIGATION PLAN

1. All construction must comply with the below-noted construction mitigation plan and the City Noise Ordinance.

2. The Applicant shall prepare a construction mitigation plan to mitigate noise as well as other construction-related impacts. This construction mitigation plan is in addition to the public noticing program for residential construction projects required by Building and safety Division. The construction-related activities shall conform to the following requirements that address potential noise and other construction-related impacts:

   a. The construction mitigation plan shall address the following areas: 1) site supervision, 2) construction access and schedule, 3) delivery/haul route and traffic control, 4) material storage and staging, 5) construction parking, 6) work hours, 7) noise reduction, 8) erosion control, 9) dust and mud control, 10) debris cleanup, 11) street sweeping, 12) pedestrian and neighborhood safety, 13) project contact-related signage, and 14) subcontractor education and security measures.
   b. Construction-related activities including grading activities shall be prohibited between 6:00 pm and 7:00 am on Monday through Friday and between 5:00 pm and 8:00 am on Saturday and all day on Sundays and Holidays (except by special permit), whichever is stricter.
   c. All construction equipment shall be in proper operating condition and shall be fitted with standard factory noise attenuation features. All equipment shall further be properly

maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

d. The applicant and/or his representative(s) shall frequently monitor for and, if detected, remove any and all graffiti on and/or repair damaged or vandalized construction-related fencing and/or related elements as quickly as possible.

e. Loud noise generating activities such as crushing concrete pavement will be restricted to 7:00 am – 6:00 pm on Monday through Friday.

f. Signs (multiple) shall be posted on site stating the days and hours of construction allowed, prohibiting "drinking, loitering and music" at all times, and including phone listings for community concerns.

g. View-obscuring construction fencing shall be provided around the entire site. Construction entries shall have gates with view-obscuring material.

3. At least thirty days prior to the commencement of any project-related grading, the applicant and/or his/her representative(s) shall notify the occupants of all residential and institutional properties that lie within 500 feet of the subject property of the general parameters of the impending grading and construction activities. In addition, the applicant and/or his/her representative(s) shall attempt to address any neighbor complaints to the greatest extent practical and as expeditiously as possible.

G. BUILDING AND SAFETY DIVISION

1. Submit **6** sets of complete plans including any proposed utilities and earthwork/grading. The project must comply with the 2013 California Building Standards and 2013 energy code.

2. Two sets each of any structural and energy calculations shall be submitted with the above mentioned plans. <u>All calculations must bear an original signature from the documented author.</u>

3. This project must comply with Federal and State Accessibility requirements to and throughout the building. Include compliance methods and structural details on the plans.

4. Demolition and renovations activities require an asbestos containing materials (ACM) survey. (SCAQMD RULE 1403) The ACM report shall be prepared by an accredited testing laboratory in accordance with SCAQMD rules and regulations. Proof of notification to the South Coast Air Quality Management District (SCAQMD), Office of Operations, shall be submitted to the Building Division with your permit application for all renovations and demolition activities. Contact the SCAQMD at the address or number below for more information. Once any demolition activity has been approved by the SCAQMD, a formal demolition plan and permit must be obtained from the Building and Safety Division.

   - **SCAQMD Headquarters; 21865 Copley Drive, Diamond Bar, CA, (909) 396-2381**

5. Please provide an additional digital copy (pdf preferred) of the building floor plan, elevations, and site plan to be submitted to the LA County Assessor. This copy should be in sufficient detail to allow the assessor to determine the square footage of the building and, in the case of residential buildings, the intended use of each room. **For additional information, please contact the LA County Assessor's, Public Service Desk at 888-807-2111.**

6. The City of Covina has formally adopted a public noticing program for residential construction projects to provide the public with an opportunity to verify the validity of construction within their neighborhoods. This program requires the property owner and/or contractor to place a sign 14" high x 22" wide using a minimum black 24 point font (Arial) on a white background. The noticing sign must be suitable for outdoor use and placed within the front yard where it is clearly visible from the public right-of-way. The following items must be included on the residential noticing sign:

    a. Address of construction project
    b. Type of construction project
    c. Name of contractor/owner
    d. Telephone number of contact person
    e. Contractor's license number
    f. Permit number with date of issuance
    g. City of Covina Building Division telephone number
    h. Construction activity prohibited Monday through Saturday from 6:00 pm-7:00 am and all day on Sundays or Holidays unless otherwise permitted.

7. The Applicant shall pay the applicable SB 50 development impact fees to the School District prior to issuance of the building permits.

8. Construction activity within 500' of a residential zone is prohibited between the hours of 6:00 pm and 7:00 am on Monday through Friday and between 5 pm and 8 am on Saturday and all day on Sunday and Holidays unless otherwise permitted.

H. PUBLIC WORKS - ENGINEERING DIVISION

1. The applicant shall provide drainage improvements to carry runoff of storm water in the area proposed to be developed, and for contributing drainage from adjoining properties to the satisfaction of the City Engineer. The proposed drainage improvements shall be based on a detailed hydrology study conforming to the current Los Angeles County Methodology. The proposed storm drain improvements shall be privately maintained by the property owner.

2. Prior to issuance of any permits, all utilities shall be placed underground in accordance with Covina Municipal Code Section 16.30.020, including facilities and wires for the supply and distribution of electrical energy, telephone, cable television, etc., to the satisfaction of the Community Development Director and City Engineer.

3. The applicant shall install sewer improvements for the proposed development to the satisfaction of the City Engineer and the Los Angeles County Department of Public Works, Sewer Maintenance District.

4. Prior to issuance of any permits, the applicant shall verify that any required sewer connection fees have been paid to the City of Covina and the County of Los Angeles Department of Public Works, Sewer Maintenance District.

5. Prior to issuance of any permits, the applicant shall verify that the proposed development is annexed into the Los Angeles County Sanitation District.

6. The applicant shall install water improvements for the proposed development to the satisfaction of the City Engineer.

I. PUBLIC WORKS – ENVIRONMENTAL SERVICES DIVISION

1. A geotechnical letter must be submitted stating that soil will not exhibit instability as a result of implementing proposed treatment BMPs, and infiltration base is at least 10ft above groundwater, along with wet signature/stamp.

2. Comply with the Low Impact Development requirements.

3. OC1 - Complete form, sign, return original, attach copy to field plans.

4. ES-CD1: Construction & Demolition Debris Recycling - Complete form, sign, return original, attach copy to field plans, fax copy to Athens Services when requesting waste container; also request Athens Load Characterization upon completion of C&D.

5. ES-CD2: Construction & Demolition Debris Recycling - Upon completion of C&D, complete form, sign, return original with Athens Load Characterization Report.

6. Only Athens Services/Covina Disposal, 888-336-6100, is allowed to provide bins and pickup and dispose of trash and recyclables, including all C&D projects. Exception: Project contractor, using his own equipment and staff, can take recyclables to a recycling facility.

7. PC: Priority Project Checklist - Complete form, sign, return original.

8. P1: Priority Development & Redevelopment Projects - Complete form, return original.

9. P2: Stormwater Treatment Certification - Complete form, return original.

10. LSWPPP: Local Stormwater Pollution Prevention Plan - Complete form, return original.

11. Report, SWPPP: Project area is 1 acre or greater (required by State Water Resources Control Board). 3 reports, including plans; signatures and stamps must have wet-ink application.

12. Report, SUSMP: Project meets LA Regional Water Quality Control Board's criteria for a Priority Planning Project. 3 reports, including plans; signatures and stamps must have wet-ink application. SWPPP must be provided.

13. Construction site stormwater compliance inspection and reinspection: $75 - $125 per inspection may apply.

14. Master Covenant agreement: See application instructions, checklist, and Agreement.

J. LOS ANGELES COUNTY FIRE DEPARTMENT – FIRE PREVENTION DIVISION

FINAL MAP REQUIREMENTS

1. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire

Code), which requires an all-weather access surface to be clear to sky.

2. A copy of the Final Map shall be submitted to the Fire Department for review and approval prior to recordation.

3. The private access within the development shall be indicated as "Private Driveway" on the Final Map. The required fire apparatus access, the fire lanes and turnarounds, shall be labeled as "Fire Lane" on the Final Map. Any proposed parking area, walkway, or other amenities within the private driveway shall be outside the required fire lane. Clearly delineate on the Final Map and submit to the Fire Department for approval.

4. A reciprocal access agreement is required for the private driveway since multiple lots and units are sharing the same access. Submit documentation to the Fire Department for review prior to Final Map clearance.

5. Provide reciprocal access agreement for the 5-foot access gates located between the residential units (Lot 15, Lot 17 & Lot 18) and the parking structure (Lot 22) to provide emergency access to within 150 feet of all exterior portions of the North side of the parking structure.

6. Submit a minimum of three (3) copies of the water plans indicating the new fire hydrant locations to the Fire Department's Land Development Unit for review. The required public fire hydrants shall be installed prior to construction of the proposed buildings.

CONDITIONS OF APPROVAL – ACCESS

1. All on-site Fire Apparatus Access Roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.

2. Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4

3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.

4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.

5. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2

6. Provide a minimum of 5-foot access gates located between the residential units (Lot 15, Lot 17 & Lot 18) and the parking structure (Lot 22) to provide emergency access to within 150 feet of all exterior portions of the North side of the parking structure.

7. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

8. Fire Apparatus Access Roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

9. Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 pounds, and shall be surfaced so as to provide all-weather driving capabilities. Fire Code 503.2.3

10. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3

11. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

12. Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Fire Code 503.4

13. Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official. Fire Code 503.4.1

14. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

15. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

16. Multiple residential and commercial buildings having entrances to individual units not visible from the street or road shall have unit numbers displayed in groups for all units within each structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.1.

CONDITIONS OF APPROVAL – WATER SYSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.

2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

3. All private on-site fire hydrants shall be installed, tested and approved prior to building occupancy. Fire Code 901.5.1

4. All on-site fire hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall. Exception: For fully sprinkled multi-family structures, on-site hydrants may be installed a minimum of 10 feet from the structure. Indicate compliance prior to the project being "cleared" for public hearing. Fire Code Appendix C106

   a. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2 & County of Los Angeles Fire Department Regulation 7

5. The required fire flow for the public fire hydrants and the on-site fire hydrants located within residential units is 2000 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

   a. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

6. Fire Flow – Parking Structure Only:

   a. The required fire flow for the public fire hydrants is 2500 gpm at 20 psi residual pressure for 2 hours. Two (2) fire hydrants flowing simultaneously may be used to achieve the required fire flow. FC 507.3 & App B105.1
      1) An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.

   b. The required fire flow for the on-site fire hydrant is 1250 gpm at 20 psi residual pressure for 2 hours. One (1) fire hydrant flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1

7. Public Fire Hydrants Installation

   a. Install two (2) public fire hydrants on Citrus Avenue as noted on the Fire Master Plan dated 11/18/2016.

   b. Install two (2) public fire hydrants on Covina Avenue as noted on the Fire Master Plan dated 11/18/2016.

   c. Relocate one (1) existing public fire hydrant on Citrus Avenue as noted on the Fire Master Plan dated 11/18/2016.

8. On-Site Fire Hydrants Installation

a. For the residential units, install three (3) on-site fire hydrants as noted on the Fire Master Plan dated 11/18/2016.

b. For the parking structure, install one (1) on-site fire hydrant as noted on the Fire Master Plan dated 11/18/2016.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov

END OF CONDITIONS

MITIGATION MONITORING AND REPORTING PROGRAM FOR EIR (SCH 2016051053)

The California Public Resources Code, Section 21081.6, requires that a lead or responsible agency adopt a mitigation monitoring and reporting plan (MMRP) when approving or carrying out a project when an EIR (SCH 2016051053) identifies measures to reduce potential adverse environmental impacts. As lead agency for the project, the City of Covina (City) is responsible for adoption and implementation of the mitigation monitoring and reporting program (MMRP).

The City has prepared an EIR in conformance with Section 15070(b) of the State California Environmental Quality Act Guidelines. The purpose of the EIR is to identify any potentially significant impacts associated with the proposed project and incorporate mitigation measures into the project as necessary to eliminate the potentially significant effects of the project or to reduce the effects to a level of insignificance.

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
Aesthetics						
MM-AES-1 New sources of exterior lighting on the project site shall be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east. Exterior overhead lighting shall also be of the minimum required intensity to provide for safety and security of project residents and visitors. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources in the area.	Project planning and operation	Project applicants	City of Covina Planning Division and Building & Safety Department			

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Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
MM-AES-2 Prior to the issuance of building permits, the project applicants shall prepare and submit to the City of Covina for review a photometric study for the proposed residential townhome development and parking structure to ensure that off-site residential land uses to the north and east are not subjected to unnecessary light spillover and trespass. A detailed lighting plan shall be developed for the residential townhome development and parking structure and shall be utilized by a qualified photometric specialist to prepare the photometric study. If excessive light spillover is identified in the photometric, then appropriate measures including but not limited to use of lower intensity lighting shall be considered to avoid unnecessary light spillover and trespass.	Project planning and permitting	Project applicants (MLC Holdings Inc. and Foothill Transit); qualified photometric specialist	City of Covina Planning Division and Building & Safety Department			
Air Quality						
MM-AQ-1 The following dust control measures shall be implemented by the contractor/builder to reduce fugitive dust PM_{10} and $PM_{2.5}$ emissions generated during earthmoving construction activities of all three components of the proposed project: a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the project site and to create a crust after each day's activities cease. b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the project site. At a minimum, this would include wetting down such areas later in the morning, after work is completed for the day, and	Construction (earthmoving activities)	Contractor/builder	City of Covina Planning Division			

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	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
whenever winds exceed 15 miles per hour. c. Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation. d. Speeds on unpaved roads shall be reduced to less than 15 miles per hour. e. All grading and excavation operations shall be halted when wind speeds exceed 25 miles per hour. f. Dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday. g. All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be covered and/or a minimum 2 feet of freeboard shall be maintained. h. At a minimum, at each vehicle egress from the project site to a paved public road, a pad consisting of washed gravel (minimum size: 1 inch) shall be installed and maintained in clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by the SCAQMD). i. Any additional requirements of SCAQMD Rule 403 shall be reviewed and complied with.						
MM-AQ-2 During project demolition, site preparation, and grading activities, off-road equipment with engines rated at 75 horsepower or greater, shall meet Tier 3 engine standards or better. An exemption from these requirements may	Construction (demolition, site preparation, and	Contractor/builder	City of Covina Planning Division			

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	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
be granted by the City of Covina in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Los Angeles County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment. Based on the anticipated equipment for these phases, this measure would be applicable to, but not limited to, excavators, graders, rubber tired dozers, and tractors/loaders/backhoes used during earth moving activities.	grading)					
Biological Resources						
MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors. If active nests are found (California Department of Fish and Wildlife defines "active" as any nest that is under construction or modification; United States Fish Wildlife Service defines "active" as any nest that is currently supporting viable	Prior to construction; during construction (if active nests are identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

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	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City of Covina within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.						
MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour	Prior to construction; during construction (if active bat roosts identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

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	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required. If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).						

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Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
Cultural Resources						
MM-CUL-1 Inadvertent Discovery of Archaeological Resources. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.	Construction	Contractor/builder; qualified archaeologist	City of Covina Planning Division			
MM-CUL-2 Paleontological Mitigation Program. Prior to commencement of any grading activity on-site, the City, Foothill Transit and MLC shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or qualified designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the	Prior to and during grading activity	Project applicants; contractor/builder; qualified paleontologist	City of Covina Planning Division			

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monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).						
MM-CUL-3 Inadvertent Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.	Construction (ground disturbance)	Contractor/builder	City of Covina Planning Division			
Geology and Soils						

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	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
MM-GEO-1 Prior to the construction phase, the proposed project shall be designed in accordance with the recommendations from the site-specific Geotechnical Evaluation. In the event that changes are made in the recommendations set forth in the final geotechnical report, the project design shall be updated in accordance with those changes. Prior to the issuance of a building permit, the City of Covina, Foothill Transit and MLC Holdings, Inc./Meritage Homes shall submit the final design and construction plans for review and approval by the City Building Official or designee and the City Engineer or designee. The final design and construction plans shall show that the recommendations from the Geotechnical Evaluation regarding earthwork, design, foundation, retaining wall, garden wall, soil corrosivity, import soils, concrete slabs, sidewalks, and driveways have been incorporated into the final design.	Project planning and permitting	Project applicants	City of Covina Planning Division and Building & Safety Department			
Hazards and Hazardous Materials						
MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.	Prior to demolition; during demolition (if hazardous building materials are identified)	Project applicants; contractor/builder	City of Covina Planning Division and Building & Safety Department			

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MM-HAZ-2 Prior to obtaining a certificate of occupancy, the removal of the underground storage tank shall be permitted and completed in accordance with the Los Angeles County Fire Department Health Hazardous Materials Division protocol.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department; Los Angeles County Fire Department Health Hazardous Materials Division			
MM-HAZ-3 Prior to obtaining a certificate of occupancy, the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm. At a minimum, soil samples shall be analyzed for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Should visually stained soil be observed in the reservoir pit area, additional soil samples shall be collected to further evaluate subsurface impact. Should TPH, VOCs, or PCBs be detected in the soil sample(s), the environmental consult shall advise the City of Covina about additional steps to be taken, which may include regulatory agency notification and remediation. Additional sampling may also be required prior to the disposal of the hydraulic lift units.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department			
Noise						
MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m. Monday through Saturday, and not at all	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

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during other hours or on Sundays or public holidays. This condition shall be listed on the project's final design to the satisfaction of the City Engineering Department.						
• MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit: • The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment. • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department. • Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

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shielded from sensitive receptors. • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party. • If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.						
MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.	Project planning and permitting	Project applicant (Foothill Transit)	City of Covina Planning Division			
MM-NOI-4 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect	Project planning and constructio	Project applicants; acoustical	City of Covina Planning			

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	Implementing Period	*Implementing Party*	*Enforcing Agency*	*Comments*	*Date*	*Initials*
surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.	n	specialist	Division			
MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.	Project operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.	Project planning and operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally,	Project planning and construction	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			

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sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City's 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.						

Attachment I:

Ordinance No. 16-2069

Approving the Development Agreement

(DA) 16-001

ATTACHMENT I
ORDINANCE NO. 16- 2069

AN ORDINANCE OF THE CITY OF COVINA APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT BETWEEN MLC HOLDINGS, INC. AND THE CITY OF COVINA RELATED TO A PROPOSED DEVELOPMENT CONSISTING OF 117 FOR-SALE TOWNHOUSE UNITS ON APPROXIMATELY 6.12 ACRES, THE CONVEYANCE OF 1.11 ACRES TO THE CITY AND THE CONVEYANCE OF 0.351 ACRES TO THE CITY FOR PARKLAND, FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-17

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Government Code Sections 65864 *et seq.* (the Development Agreement Statute) which authorizes cities to enter into agreements for the development of real property in order to establish certain development rights in such property; and

WHEREAS, pursuant to Government Code Section 65865 the City has adopted rules and regulations establishing procedures and requirements for consideration of development agreements; and

WHEREAS, MLC Holdings, Inc. (the "Applicant") proposes to construct 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space areas on approximately 6.12 acres of land, to make an irrevocable offer to dedicate 1.11 acres to the City and to convey 0.351 for parkland, for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard. The proposed development will require approvals from the City, potentially including, but not limited to, a general plan amendment, a zone change, a specific plan, vesting tentative tract map, final subdivision maps, site plan review, demolition permits, grading permits, encroachment permits, building permits and certificates of occupancy; and

WHEREAS, a copy of the proposed Development Agreement is attached hereto and incorporated herein as Exhibit "A" to this Ordinance; and

WHEREAS, as part of its consideration of the Project, the City prepared Draft Environmental Impact Report ("EIR") (SCH 2016051053) on the Project pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*, "CEQA"), the Guideline for Implementation of the California Environmental Quality Act (14 California Code of Regulations, Sections 15000 et seq., the "State EIR Guidelines"); and

WHEREAS, pursuant to the Development Agreement Statute, the Planning Commission held a duly noticed public hearing on November 8, 2016, on the proposed Project and has found

that the proposed Development Agreement is consistent with objectives of the general plan, compatible with the uses authorized for the project area, in conformity with public convenience and beneficial to the public welfare, and will not adversely impact the orderly development of property; and

WHEREAS, the City Council, after published notice, held a public hearing on November 29, 2016 concerning the proposed Project, and has considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

WHEREAS, on November 29, 2016, the City Council of the City of Covina held a noticed public hearing to review the Project pursuant to the California Environmental Quality Act, Cal. Pub. Res. Code § 21000 *et seq.* ("CEQA"), and the State CEQA Guidelines, 14 C.C.R. § 15000 *et seq.* and considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

WHEREAS, upon the close of the public hearing, the City Council adopted Resolution No. 16-7557, adopting the Final EIR (SCH 2016051053), adopting the Findings of Facts and adopting a Mitigation Monitoring and Reporting Program for the Project. Resolution No. 16-7557 and the findings therein are hereby incorporated by this reference as though set forth in full.

WHEREAS, on November 29, 2016, the City Council of the City of Covina considered the proposed Project including General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) No. 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) No. 16-023, Site Plan Review (SPR) No. 16-033 and Final EIR, Findings of Facts and Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the proposed Project, the Final EIR, the Findings of Facts and the Mitigation Monitoring and Reporting Program, prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA DOES ORDAIN AS FOLLOWS:

SECTION 1. Based on the full record of these proceedings, the City Council hereby finds the Development Agreement:

1) Is consistent with the General Plan and the City Council finds that the proposed project as conditioned, complies with all applicable provisions of the General Plan;
2) Is in conformity with public conveniences and good land use practices as the project approvals, mitigation monitoring program and development agreement

will guarantee adequate infrastructure for the development and land uses that are compatible with their surroundings;

3) Will not be detrimental to the health, safety and general welfare as the project approvals, mitigation monitoring program and development agreement will guarantee adequate infrastructure, safety measures and public services such as police, fire, utilities and sanitation;

4) Will not adversely affect the orderly development of property or the preservation of property values because the proposed development is conditioned so as to be consistent with the General Plan and compatible with surrounding land uses; and

5) Is consistent with the provisions of Government Code 65864 through 65869.5.

SECTION 2. Based upon the aforementioned findings, the City Council hereby approves the Development Agreement between MLC Holdings, Inc. and the City of Covina attached hereto as **Exhibit "A"** and incorporated herein by reference.

SECTION 3. CEQA. The environmental effects of the proposed Development Agreement were analyzed in the Final EIR. The City Council reviewed the Final EIR and found that it reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the Development Agreement. The City Council certified and approved the Final EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"), made the necessary findings, and adopted a Mitigation Monitoring and Reporting Program through Resolution No. 16-7557. Said Resolution is incorporated herein by this reference as though set forth in full. The City Council incorporates by this reference the findings and mitigation measures contained in the Final EIR, Findings of Facts and Mitigation Monitoring and Reporting Program as to the environmental effects of the Development Agreement. Those actions apply equally to this approval and are incorporated herein by this reference. The Director of Community Development shall file a Notice of Determination with the County Clerk under Title 14, California Code of Regulations Section 15075.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The Mayor is authorized to execute the Development Agreement on behalf of the City once this Ordinance is effective. The executed development agreement shall be recorded against the title to the property.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings and this Ordinance are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 6. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the

City of Covina hereby declare that they would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall become effective within thirty (30) days after its adoption.

SECTION 8. Publication. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the City Clerk shall cause to be published once the Ordinance, or a summary of thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Covina.

SECTION 9. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall enter the same in the Book of Original Ordinances.

SIGNED AND APPROVED this 5th day of January, 2017

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Ordinance No. 16-XXXX was duly adopted by the City Council of the City of Covina at a specific meeting held on the 29th day of November 2016, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Dated:

_____

SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "A"

DEVELOPMENT AGREEMENT

PLEASE RECORD AND WHEN RECORDED
RETURN TO:
City Clerk
City of Covina
125 East College Street
Covina, California 91723

Space above this line for Recorder's use only
No recording fee under Government Code Sections 2783 and 6103

DEVELOPMENT AGREEMENT

PLEASE RECORD AND WHEN RECORDED
RETURN TO:
City Clerk
City of Covina
125 East College Street
Covina, California 91723

Space above this line for Recorder's use only
No recording fee under Government Code Section 27383

DEVELOPMENT AGREEMENT

This Development Agreement (hereinafter "Agreement") is made and entered into on _____, 2016, by and between the CITY OF COVINA (hereinafter "CITY"), a municipal corporation, and MLC HOLDINGS, INC., a California corporation (hereinafter "OWNER").

RECITALS

A. OWNER has an equitable interest in all of the real property ("Property") described on Exhibit "A" and depicted on Exhibit "B." CITY adopted and approved the Initial Development Approvals (as that term is defined below) for the Property generally located at 1162 North Citrus Avenue and 177 East Covina Boulevard (Assessor's Parcel Numbers 8406-019-019, 8406-019-020 and 8406-019-017) allowing for development of the Property with a transit-oriented mixed use development with new public and civic uses, as well as residential and commercial uses and related improvements, including up to 120 residential dwelling units, as described more fully in the Covina Forward Specific Plan ("Specific Plan") (collectively, the "Project"). To facilitate the Project, it is anticipated that OWNER will work collaboratively with CITY as set forth herein. Also in order to implement the Project, it is anticipated that OWNER will work collaboratively with Foothill Transit in connection with the anticipated conveyance of a portion of the Property and potential related cost sharing arrangements with that public agency (as may be documented in a separate mutually acceptable agreement).

B. Government Code Section 65864 *et seq.* ("Development Agreement Law") authorizes CITY to enter into binding development agreements with persons having a legal or equitable interest in real property for the development of such property, all for the purpose of strengthening the public planning process, encouraging private participation and comprehensive planning, and reducing the economic costs of such development. OWNER has therefore asked, and CITY has agreed, that a Development Agreement should be approved and adopted for this Property in order to memorialize and secure the respective expectations of CITY and OWNER.

C. The City Council of the CITY (hereinafter "City Council") has found that this Agreement is in the best public interest of CITY and its residents, that approving this Agreement constitutes a present exercise of CITY's police power, and that the Project is consistent with the applicable goals and policies of CITY's General Plan and Specific Plan, and imposes appropriate standards and requirements with respect to the Development (as that term is defined below) of the Property in order to maintain the overall quality of life and of the environment within CITY. Prior to its approval of this Agreement, CITY considered the environmental impacts of the Project and completed its environmental review of the Project through the certification of the EIR (as that term is defined below) and adoption of a Mitigation Monitoring and Reporting Program ("MMRP").

D. On November 8, 2016, the Planning Commission of CITY held a duly-noticed public hearing on OWNER's application for approval of this Agreement (as well as the other Initial Development Approvals), made certain findings and determinations with respect thereto, and recommended to the City Council that this Agreement (and the other Initial Development Approvals) be approved. On November 29, 2016, the City Council also held a duly-noticed public hearing on OWNER'S application for approval of this Agreement (as well as the other Initial Development Approvals), considered the recommendations of the Planning Commission, and found that this Agreement (and the other Initial Development Approvals) are consistent with and helps to implement CITY's General Plan and the Specific Plan. On _____, 2016, the City Council adopted Ordinance No. ___, enacting this Agreement ("DA Ordinance"). This Agreement shall become effective thirty (30) days after the adoption of Ordinance No. ___ ("Effective Date").

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 **Definitions**. This Agreement uses a number of terms having specific meanings, as defined below. These specially defined terms are distinguished by having the initial letter capitalized, or all letters capitalized, when used in the Agreement. Any terms not defined in this Section 1 below shall have the meaning assigned to them in this Agreement unless otherwise expressly indicated. The defined terms include the following:

1.1.1 "*Agreement*" means this Development Agreement.

1.1.2 "*CEQA*" means the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*) and the related CEQA Guidelines (14 Cal. Regs. § 15000 *et seq.*), as it now exists or may hereafter be amended.

1.1.3 "*CITY*" means the City of Covina, a California municipal corporation.

1.1.4 "*City Council*" means the City Council of the CITY.

1.1.5 "*Conditions of Approval*" mean those conditions of approval, if any, which are not set forth in this Agreement and which are otherwise imposed by the CITY in connection with CITY's approval of the Development Approvals.

1.1.6 "*Default*" means a failure or unreasonable delay by CITY or OWNER to perform any material provision herein.

1.1.7 "*Development*" or "*Develop*" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure, improvements and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping and park facilities and improvements. "Development" and "Develop" also includes, without limitation, the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement, landscaping or facility on the Property after the construction and completion thereof.

1.1.8 "*Development Approvals*" means collectively, the Initial Development Approvals and the Subsequent Development Approvals.

1.1.9 "*Development Plan*" means the plan for Development of the Property with the Project, including, without limitation, the planning and zoning standards, regulations, and criteria for the Development of the Property, contained in and consistent with Exhibit "C."

1.1.10 "*Development Impact Fees*" means any requirement of CITY or other governmental or quasi-governmental agency in connection with a Development Approval for the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development of the Project on the environment, facilities, services, improvements and/or infrastructure; or other public interests.

1.1.11 "*Development Requirement*" means any requirement of CITY in connection with or pursuant to any Development Approval for the dedication of land, the construction or improvement of public facilities, the payment of Development Impact Fees or assessments in order to lessen, offset, mitigate or compensate for the impacts of Development on the environment, or the advancement of the public interest.

1.1.12 "*Discretionary Action(s)*" or "*Discretionary Approval(s)*" means an Initial or Subsequent Development Approval that requires the exercise of judgment, deliberation or discretion on the part of CITY, including any board, agency, commission or department and any officer or employee thereof, in the process of approving or disapproving a particular activity, as distinguished from a Ministerial Permit or Ministerial Approval (as hereafter defined).

1.1.13 "*Effective Date*" means the date the Ordinance adopting this Agreement takes effect.

1.1.14 "*EIR*" shall mean the final Environmental Impact Report (State Clearinghouse No. 2016051053) for the Project which was prepared, circulated and certified in accordance with applicable laws and regulations, including, without limitation, CEQA. "*EIR Mitigation Measures*" shall mean the mitigation measures imposed upon the Project pursuant to the EIR and the Conditions of Approval as reflected in the adopted MMRP.

1.1.15 "*Initial Development Approvals*" means all permits, entitlements, approvals, licenses, consents, rights and privileges, and other actions (both ministerial and discretionary) in connection with Development of the Property with the Project that are considered, issued or approved by CITY on or before the Effective Date of this Agreement, including but not limited to:

(a) General Plan Amendment (GPA) 16-001;

(b) Covina Forward Specific Plan (SP) 16-001;

(c) Zone Change (ZCH) 16-002;

(d) Vesting Tentative Tract Map (TTM) 74512;

(e) this Agreement (DA) 16-001; and

(f) Site Plan Review /Development Review (SPR) 16-023.

1.1.16 "*Land Use Regulations*" means all ordinances, resolutions, laws, general or specific plans, codes, rules, regulations and official policies of CITY adopted and effective on or before the Effective Date of this Agreement governing Development and use of land, including, without limitation, the permitted uses of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, environmental review; and the design, improvement and construction standards and specifications, all as applicable to the Development of the Property with the Project. "Land Use Regulations" does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

(a) the conduct of businesses, professions, and occupations;

(b) taxes and assessments;

(c) the control and abatement of nuisances;

(d) the granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property; and/or

(e) the exercise of the power of eminent domain.

1.1.17 "*OWNER*" means MLC HOLDINGS, Inc., a California corporation and, where specified in this Agreement, its successors in interest and/or assigns to all or any part of the Property.

1.1.18 "*Ministerial Permit(s)*," or "*Ministerial Approval(s)*" means a permit or approval, including, but not limited to, building permits, grading permits, and certificates of occupancy, which require CITY, including any board, agency, commission or department or any officer or employee thereof, to determine whether there has been compliance with applicable rules, statutes, ordinances, conditions of approval, and/or regulations, as distinguished from an activity which is included in the definition of Discretionary Action or Discretionary Approval.

1.1.19 "*Mortgagee*" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security device, a lender or each of their respective successors and assigns.

1.1.20 "*Processing Fees*" means all application, inspection and other regulatory processing fees and charges required by CITY that are adopted for the purpose of defraying CITY's actual costs incurred or to be incurred in the processing and administration of any form of regulatory permit, license, land use entitlement or other approval, which are applied uniformly to all development related activity within CITY, including fees for land use applications. Processing Fees are distinguished from Development Impact Fees (as defined above). As set forth more fully below, Processing Fees are not vested under this Agreement.

1.1.21 "*Project*" means the Development of the Property consistent with the Development Plan and other Initial Development Approvals.

1.1.22 "*Property*" means the real property described in Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.23 "Reservation of Authority" means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.6 of this Agreement.

1.1.24 "*Subsequent Development Approvals*" means all permits, entitlements, approvals, licenses, consents, rights and privileges, and other actions (both ministerial and discretionary) considered, issued or approved by CITY subsequent to the Effective Date in connection with Development of the Property.

1.1.25 "*Subsequent Land Use Regulations*" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.26 "*Term*" shall mean the period of time from the Effective Date until the termination of this Agreement as provided in Subsection 9.1, or earlier termination as provided in Section 6.

1.2 **Exhibits**. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit "A" Legal Description of the Property.

Exhibit "B" Map showing Property and its location.

Exhibit "C" Development Plan for the Development of the Property.

Exhibit "D" Legal Description and Depiction of City Property.

Exhibit "E" Legal Description and Depiction of Parkland Property.

Exhibit "F" Legal Description and Depiction of Property to be Conveyed to Foothill Transit.

Exhibit "G" Form of Grant Deed

2. GENERAL PROVISIONS.

2.1 **Binding Effect of Agreement**. From and following the Effective Date, Development of the Property with the Project and CITY actions on applications for Subsequent Development Approvals respecting the Property shall be subject to the terms and provisions of this Agreement.

2.2 **Interest in Property**. OWNER represents and covenants that it has an equitable interest in the Property.

2.3 **Assignment**.

2.3.1 *Right to Assign*. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410 *et seq.*), and in so doing assign its rights and obligations under this Agreement as the same may relate solely to the portion of the Property being sold, transferred, or assigned to any person, partnership, joint venture, firm or corporation at any time during the Term of this Agreement.

2.3.2 *Release of Transferring OWNER*. Upon the sale, transfer or assignment of all or a portion of the Property, the transferring OWNER shall be released of all obligations under this Agreement that relate solely to the portion of the Property being sold, transferred, or assigned; provided that the obligations under this Agreement that relate to the portion of the Property being sold, transferred, or assigned are expressly assumed by and made enforceable against the transferee, pursuant to a written agreement executed by the transferee and provided to CITY not less than fourteen (14) days prior to the effective date of the transfer, and also recorded against the title of the transferred portion of the Property concurrently with the transfer. Notwithstanding the foregoing sentences of this Section 2.3.2, the

transferring OWNER shall remain responsible for all obligations set forth in the Development Plan that do not relate solely to the portion of the Property being sold, transferred, or assigned.

3. DEVELOPMENT OF THE PROPERTY.

3.1 **Rights to Develop; Development Plan Adjustments**. Subject to the terms of this Agreement, OWNER shall have a vested right to Develop the Property in accordance with, and to the extent of, the Development Plan and the other Initial Development Approvals. Development of the Property, as provided for under the Development Plan and other Initial Development Approvals is hereby vested specifically with the Property, and OWNER retains the right to apportion development rights between itself and any subsequent OWNER, upon the sale, transfer, or assignment of any portion of the Property, so long as such apportionment is consistent with the Development Plan, the other Initial Development Approvals and the Land Use Regulations and any such transfer complies with Section 2.3.2. OWNER also is hereby vested into the Development Impact Fees that are in place on the Effective Date as these relate to Development of the Project, and therefore shall not be required to pay any new or increased Development Impact Fees that CITY adopts after the Effective Date. Notwithstanding anything to the contrary in this Section 3.1, in the event of a conflict between any provision of this Agreement and the other Initial Development Approvals, this Agreement shall prevail.

3.2 **Effect of Agreement on Land Use Regulations**. Except as otherwise provided under the terms of this Agreement, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to Development of the Property, shall be those contained in the Development Plan, the other Initial Development Approvals, the Subsequent Development Approval(s) only after and to the extent approved by CITY, and the Land Use Regulations not inconsistent therewith and as otherwise provided for herein.

3.3 **Subsequent Development Approvals**. CITY shall accept for processing, review and action all applications for Subsequent Development Approvals, and such applications shall be processed in the normal manner for processing such matters as established by the Land Use Regulations, for all or a portion of the Property at OWNER's option. CITY further agrees that, unless otherwise requested by OWNER or as expressly authorized by this Agreement, it shall not amend or rescind any Subsequent Development Approval(s) respecting the Property after such approvals have been granted by CITY. Pursuant to Section 66452.6(a) of the Government Code, the life of all Initial Development Approvals and any and all Subsequent Development Approvals approved by CITY with respect to the Property, including, without limitation, tentative or vesting tentative subdivision map(s) approved for the Property, or any portion thereof, shall also be extended for a period equal to the Term of this Agreement and any extensions thereto.

3.4 **Timing of Development**. The parties acknowledge that OWNER cannot at this time predict when, or at what rate the Property will be developed with the Project. Such decisions depend upon numerous factors which are or may not be within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar

factors. Since the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo* (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later-adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to Develop the Property with the Project in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.5 **Changes and Amendments**. The parties acknowledge that Development of the Property with the Project may require Subsequent Development Approvals, and that in connection therewith OWNER may determine that changes are appropriate and desirable in the Initial Development Approvals, including, without limitation, the Development Plan. In accordance with Section 3.1 above, in the event OWNER finds that such a change is appropriate or desirable, OWNER may apply in writing for an amendment to any Initial Development Approval(s), including, without limitation, the Development Plan to effectuate such change, and CITY shall process such application notwithstanding anything in this Agreement that may be to the contrary. CITY shall have no obligation to grant any such application by OWNER that modifies the permitted or conditionally permitted uses or the overall intensity or density of Development of the Property, or otherwise is a substantial modification of the Development Plan having significant adverse environmental impacts that have not been evaluated and mitigated to the extent feasible. CITY's approval of any Subsequent Development Approval (including, without limitation, any change in the Initial Development Approvals (including the Development Plan)) shall not require an amendment to this Agreement except in the event and to the extent that OWNER expressly seeks and CITY approves such amendment in connection therewith. Upon CITY's approval of any Subsequent Development Approval, it shall become a part of the Development Approvals governing Development of the Property and shall be conclusively deemed to be consistent with this Agreement, without any further need for any amendment to this Agreement or any of its Exhibits.

3.6 **Reservation of Authority**.

3.6.1 *Limitations, Reservations and Exceptions*. Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the Development of the Property:

(a) Processing Fees imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Subsequent Development Approvals granted or issued. The Project shall be subject to any increase in Processing Fees imposed by CITY, provided that such a change is applied on a CITY-wide basis.

(b) Procedural regulations not inconsistent with this Agreement, relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Changes adopted by the International Conference of Building Officials as part of the then most current versions of the Uniform Building Code,

Uniform Fire Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Solar Energy Code, Uniform Swimming Pool, Spa and Hot Tub Code, Uniform Housing Code, Uniform Administrative Code, National Electrical Code, and any other Uniform Code, and also adopted by CITY as Subsequent Land Use Regulations. Notwithstanding any provision of this Agreement to the contrary, construction in connection with the Project shall be subject to changes occurring from time to time in the provisions of the CITY's building standards codes, including the CITY's building, mechanical, plumbing and electrical regulations that are based on the recommendations of multi-state professional organization(s) and become applicable throughout the CITY, including the California Building Code and other similar or related uniform codes.

(d) Regulations which may be in conflict with the Initial Development Approval(s) but which are identified after the Effective Date as necessary to protect the public health, safety, and welfare. To the extent possible, any such regulations shall be applied and construed consistent with Section 3.6.3 below so as to provide OWNER with the rights and assurances provided under this Agreement.

(e) Regulations which are not in conflict with the Initial Development Approvals, including, without limitation, the Development Plan and this Agreement. Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of Development of the Property, reducing the intensity or density of the Project, or attempting to assess any additional Development Impact Fees or taxes on Development of the Property, or imposing additional and/or more stringent architectural or landscaping requirements or reviews, shall be deemed to conflict with the Initial Development Approvals, and shall therefore not be applicable to Development of the Property with the Project.

(f) Regulations which are in conflict with the Initial Development Approvals provided OWNER has given written consent to the application of such regulations to Development of Property.

(g) Modifications in Federal or State laws and regulations which CITY is required to enforce as against the Project or the Development of the Property. Changes in, or additions to, the Land Use Regulations shall apply to the Project if such changes or additions are specifically mandated to be applied to developments such as the Project by applicable California or federal laws or regulations that go into effect on or after the Effective Date, which prevent or preclude compliance with one or more of the provisions of this Agreement. If CITY or OWNER believes that such a change or addition required by California or federal law or regulation exists, then that party shall provide the other party hereto with a copy of such California or federal law or regulation and a statement of the nature of its conflict with the provisions of the Land Use Regulations and/or of this Agreement. In the event that any such change or addition shall be required by California or federal law or regulation, then the provision(s) of this Agreement that require said change(s) shall be modified or suspended as may be

necessary to comply with such state or federal laws or regulations and CITY shall reasonably cooperate with OWNER in minimizing the impact of such change upon the Project and the Property. This Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.6.2 *Future Discretion of CITY.* This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations which do not conflict with the Initial Development Approvals, including, without limitation, the Development Plan or this Agreement as set forth in Section 3.6.1, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval subject to Section 3.6.1.

3.6.3 *Intent.* CITY acknowledges that OWNER has reasonably entered into this Agreement and intends to proceed with the Project on the assumption that CITY has adequately provided for the public health, safety and welfare through the Land Use Regulations and the Initial Development Approvals. In the event that any future, unforeseen public health or safety emergency arises, CITY agrees that it shall attempt to address such emergency in such a way as not to adversely impact Development of the Property in accordance with the Initial Development Approvals, and if that is not possible, to select that option for addressing the emergency which has the least adverse impact on Development of the Property in accordance with the Initial Development Approvals. CITY specifically also agrees that it will not adopt any development moratorium applicable to the Property or the Project except as a last resort response to such an emergency, and then shall maintain any such moratorium with respect to the Property and the Project only for so long as required for CITY to address the emergency in such a way as to permit the Project to be completed according to OWNER's timetable.

3.6.4 *Taxes, Assessments and Fees.* This Agreement shall not prevent CITY from enacting, levying or imposing any new or increased tax, assessment or Processing Fees that are levied or imposed on a CITY-wide basis and adopted in accordance with applicable laws and regulations; provided, however, that CITY acknowledges and agrees that it shall not impose any new or increased Development Impact Fees the Development of the Project that are adopted by CITY after the Effective Date. The parties further anticipate that CITY will impose a condition on the Project relating to its annexation into CITY's existing Community Facilities District for police, fire and park services ("Citywide CFD"). If and to the extent this condition is so imposed, the parties shall work diligently and in good faith to promptly process and bring to the City Council for consideration said annexation request upon OWNER's application for same, such that said annexation is complete prior to issuance of the first building permit for the production of units for the Project.

3.7 **Regulation by Other Public Agencies.** It is acknowledged by the parties that other public agencies not subject to control by CITY may possess authority to regulate aspects of the Development of the Property, and this Agreement does not limit the authority of such other

public agencies. At such time as OWNER seeks such Subsequent Development Approvals from non-CITY agencies, CITY agrees to reasonably cooperate and coordinate with OWNER in such efforts for the purpose of implementing the Project, upon OWNER's request and subject to OWNER paying any and all costs incurred by CITY in connection therewith.

3.8 **Tentative Maps**. If any tentative or final subdivision map, or tentative or final parcel map, heretofore or hereafter approved in connection with Development of the Property, is a vesting map under the Subdivision Map Act (Government Code Section 66410 *et seq.*), and if this Agreement is determined by a final judgment to be invalid or unenforceable insofar as it grants a vested right to develop to OWNER, then and to that extent the rights and protection afforded OWNER under the laws and ordinances applicable to vesting maps shall supersede the provisions of this Agreement. Except as set forth immediately above in this Section 3.8, Development of the Property shall occur only as provided in this Agreement and the other Initial Development Approvals (and any Subsequent Development Approval(s) if and to the extent approved by CITY), and the provisions in this Agreement shall be controlling over any conflicting provision of law or ordinance concerning vesting maps.

3.9 **OWNER's Right to Construct Facilities**. It is understood and agreed that, subject to CITY review and approval of plans and specifications, OWNER may elect, and reserves the right, to construct, or cause the construction of, any public or quasi-public facility for which CITY intends to collect a fee, and to dedicate the completed facility to CITY, in lieu of payment of the fee (as well as reimbursement from fees paid to CITY by other benefitted third party property owners (if any), if said fee credit would not be sufficient to reimburse OWNER for costs beyond its proportionate fair share of said facility); provided, however, that any such reimbursement would only come from Development Impact Fees received by CITY from other third party property owners benefitted by OWNER's construction of said facilities in connection with other development projects and CITY shall have no obligation to directly reimburse OWNER for construction of public facilities from CITY's general funds.

3.10 **Provision of Real Property Interests by CITY**. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, CITY shall first have acquired the necessary real property interests to allow OWNER to construct such public improvements; otherwise, OWNER shall have no obligation to so construct pursuant to Government Code Section 66462.5. Costs associated with such acquisition or condemnation proceedings, if any, shall be OWNER's responsibility, and may be included in an assessment district (if any) on a fair share basis.

3.11 **Cooperation in Completing Project**. CITY agrees to cooperate with OWNER as necessary and lawful, without cost to CITY (except to the extent any such costs relate to CITY's development of the City Property and/or the Parkland Property, in which case CITY shall be responsible for said costs), for the successful completion of the Project, as reflected in the Initial Development Approvals, including, without limitation, the Development Plan and fulfillment of all OWNER's obligations set forth herein as well as all other Conditions of Approval or other Development Requirements, including, without limitation, accomplishment of each and every one of the Development Requirements or conditions that may be imposed on the Development of the Project by CITY or by other public agencies. In connection with the conveyance of the City Property and the Parkland Property (as set forth in Sections 5(a), (b)

below), the parties may enter into a temporary construction easement agreement, or other similar agreement, that provides for the ability of OWNER to stage construction activities on the City Property and/or the Parkland Property as necessary or desirable to facilitate the timely and efficient implementation of the Project, as well as other mutually acceptable terms including, without limitation, those relating to indemnification and insurance.

3.12 **Issuance of Ministerial Permits.** Upon written request of OWNER, CITY shall endeavor to expedite the processing of all applications for Ministerial Permits, including but not limited to building, grading, and other permits necessary to complete construction and occupancy of horizontal and/or vertical improvements on the Property, as set forth in the Initial Development Approvals (including, without limitation, the Development Plan), provided OWNER's applications for such permits comply with all Land Use Regulations applying to the subject matter of the applicable permit and with the other Initial Development Approvals (including any and all Conditions of Approval attached thereto) or any Subsequent Development Approval(s) if and to the extent approved by CITY.

4. PERIODIC REVIEW.

CITY shall review OWNER's performance every twelve (12) months at the anniversary of the adoption of the Agreement, and this periodic review shall be conducted in accordance with the Development Agreement Law ("Periodic Review"). In connection with this Periodic Review, OWNER shall demonstrate good faith compliance with the terms of this Agreement. If, as a result of the review, CITY finds and determines, based upon substantial evidence, that OWNER has not complied in good faith with the terms and conditions of this Agreement, CITY may serve on OWNER a notice to cure setting forth in detail the nature of OWNER's non-compliance with this Agreement. If OWNER fails to cure the non-compliance within sixty (60) days of the date of the notice or, if such cure cannot be effected within such sixty (60) day period and OWNER fails to commence and proceed in good faith in an effort to cure such non-compliance within such sixty (60) day period, CITY may, by written notice to OWNER, terminate this Agreement. The review shall be conducted by the Director of Community Development. Upon completion of a Periodic Review and a finding of OWNER's good faith compliance and further upon OWNER's request, City shall provide an Estoppel Certificate stating: (a) this Agreement is in full force and effect and constitutes a binding obligation of the parties; (b) this Agreement has not been amended either orally or in writing, or if it has been amended, specifying the document number of any recorded amendments; and (c) there are no existing Defaults in the performance of OWNER's obligations under this Agreement to the actual knowledge of the party signing the Estoppel Certificate.

5. PUBLIC BENEFIT.

In consideration for the rights and benefits to OWNER under this Agreement, OWNER, through its compliance with this Agreement and otherwise through implementation of the Project, provides to CITY the following public benefits:

(a) Land Conveyance to CITY: OWNER shall convey to CITY by grant deed a fee simple interest to a portion of real property within the Property,

comprising approximately 1.11 acres of land ("City Property") described and depicted in Exhibit "D", in accordance with the terms and provisions of this subsection (a). OWNER shall adhere to all recommendations set forth in that certain Phase I Environmental Site Assessment (dated August 10, 2015) ("Phase I ESA") and that certain Phase I Environmental Site Assessment Addendum (dated August 27, 2015) ("ESA Addendum"), including, but not limited to the recommendation that OWNER have a qualified environmental professional be present during the demolition of the underground structures on the Property. OWNER shall also adhere to any recommendations made by said professional regarding or resulting from any demolition of underground structures on the Property. In addition, OWNER shall provide to CITY reasonable documentation from said professional that the demolition occurred consistent with the above-referenced professional recommendations set forth in this subsection (a). So long as OWNER adheres to the foregoing requirements, CITY shall accept said conveyance pursuant to its standard acceptance procedures. Said Grant Deed shall be in substantially the same form as Exhibit "G". OWNER's conveyance of the City Property to CITY at the time established herein is a material term of this Agreement and a breach of such term shall entitle CITY to terminate this Agreement as provided herein and avail itself of any available remedy at law or equity in accordance with Section 6 below. OWNER shall demolish any existing structures on the City Property and rough grade it prior to conveying it to CITY. OWNER shall convey the City Property to CITY upon the later of the following: (i) the geotechnical professional's issuance of the rough grading certification of the Property, or (ii) the recordation of the final map for the Property, but in no event later than December 31, 2017; notwithstanding anything to the contrary in the foregoing OWNER's obligation to convey the City Property shall be subject to and contingent on the full and final resolution of any third party litigation challenging this Agreement or any other Development Approvals such that OWNER may proceed with Development of the Project.

(b) Parkland Conveyance to City. OWNER shall convey to CITY by grant deed a fee simple interest to a portion of real property within the Property, comprising approximately 0.351 acres of land ("Parkland Property"), described and depicted in Exhibit "E", in accordance with the terms and provisions of this subsection (b). OWNER shall adhere to all recommendations set forth in the Phase I ESA and the ESA Addendum, including, but not limited to the recommendation that OWNER have a qualified environmental professional be present during the demolition of the underground structures on the Property. OWNER shall also adhere to any recommendations made by said professional regarding or resulting from any demolition of underground structures on the Property. In addition, OWNER shall provide to CITY reasonable documentation from said professional that the demolition occurred consistent with the above-referenced professional recommendations set forth in this subsection (b). So long as OWNER adheres to the foregoing requirements, CITY shall accept said conveyance pursuant to its standard acceptance procedures. The Parkland Property shall be used for City park and recreation facilities pursuant to Chapter 16.28 of the Covina Municipal Code. Said Grand Deed shall be substantially in

the same form as Exhibit "G". OWNER's conveyance of the Parkland Property to CITY at the time established herein is a material term of this Agreement and a breach of such term shall entitle CITY to terminate this Agreement as provided herein and avail itself of any available remedy at law or equity in accordance with Section 6 below. OWNER shall demolish any existing structures on the Parkland Property and rough grade it prior to conveying it to City. OWNER shall convey the Parkland Property to CITY upon the later of the following: (i) the geotechnical professional's issuance of the rough grading certification for the Property, or (ii) the recordation of the final map for the Property, but in no event later than December 31, 2017; notwithstanding anything to the contrary in the foregoing, OWNER's obligation to convey the Parkland Property shall be subject to and contingent on the full and final resolution of any third party litigation challenging this Agreement or any other Development Approvals such that OWNER may proceed with Development of the Project.

(c) OWNER's conveyance of the City Property and the Parkland Property shall be treated as a "offer for dedication of parkland" in lieu of otherwise applicable parkland impact fees pursuant to the Covina Municipal Code Section 16.28.030 and shall be deemed to satisfy the Project's requirements for parkland (as set forth in Section 16.28) and thus OWNER shall not be required to pay any parkland impact fees pursuant to Section 16.28.070. Provided, however, that the parties acknowledge and agree that said conveyances result in a substantial public benefit to CITY since the fair market value of the City Property is significantly more than the amount of parkland impact fees that CITY could otherwise lawfully impose on the Project under Section 16.28 of the Covina Municipal Code.

(d) OWNER shall pay for the cost of a standard owner's title policy in favor of CITY for each of the two above-referenced conveyances to CITY. The liability amount of the title policy for the City Property shall be no less than $1,387,500.00, and the liability amount of the title policy for the Parkland Property shall be no less than $438,750.00.

(e) Public Land Conveyance to Foothill Transit: OWNER shall convey to the Foothill Transit a parcel of real property within the Property, comprising approximately 3.08 acres of land, described and depicted in Exhibit "E", for development and use by Foothill Transit as a park and ride facility, as described more fully in the Specific Plan ("Transit Center Property") for fair market values provided, however, that OWNER'S obligation to convey the Transit Center Property shall be subject to OWNER and Foothill Transit entering into a separate mutually acceptable contractual agreement and accompanying grant deed between OWNER and Foothill Transit.

(f) Demolition of aging, dilapidated retail uses and automobile repair facility uses in connection with Development of the Project.

(g) Elimination of blight and increased property tax revenue as a result of the implementation of the Project.

(h) Increased economic activity throughout the CITY as a result of the implementation of the Project.

(i) Increased access to regional public transportation and reduction of vehicle traffic by locating high-quality housing and providing for opportunities to create new civic and transit center uses near major transportation corridors and transit.

6. DEFAULT, REMEDIES AND TERMINATION.

6.1 Rights of CITY after Default; No Monetary Damages Remedy Against OWNER. In the event of a Default by OWNER, CITY may terminate this Agreement and shall otherwise have hereunder all legal and equitable remedies as provided by law, except for the recovery of monetary damages which shall not be permitted. Before CITY may terminate this Agreement or take action to obtain judicial relief, CITY shall comply with the notice and cure provisions of Section 6.3.

6.2 OWNER Remedy Limited to Specific Performance; No Monetary Damages Remedy Against CITY. The nature of a development agreement under the Development Agreement Law is a very unusual contract involving promoting a very large development project facing many complex issues including geologic, environmental, financial, market, regulatory and other constantly evolving factors over an extremely long time frame. The high level of uncertainty and risk involved justify the extraordinary commitments made to OWNER by CITY. The parties acknowledge that CITY would not have entered into this Agreement had it been exposed to monetary damages claims from OWNER for any termination, or Default hereunder. As such, the parties agree that in no event shall OWNER be entitled to recover monetary damages of any amount or of any kind against CITY for CITY's termination or Default under this Agreement. For purposes of enforcement, therefore, OWNER's sole remedy for any Default of this Agreement shall be the remedy of specific performance. Before OWNER takes action to obtain a judicial order for specific performance against CITY, OWNER shall comply with the notice and cure provisions of Section 6.3.

6.3 Notice and Opportunity to Cure. A non-Defaulting Party in its discretion may elect to declare a Default under this Agreement in accordance with the procedures hereinafter set forth for any alleged Default of the other party ("Defaulting Party"). However, the non-Defaulting Party must provide written notice to the Defaulting Party setting forth the nature of the breach or failure and the actions, if any, required by the Defaulting Party to cure such breach or failure. The Defaulting Party shall be deemed in Default under this Agreement, if the breach or failure can be cured, but the Defaulting Party has failed to take such actions and cure such Default within sixty (60) days after the date of such notice. However, if such Default cannot be cured within such sixty (60) day period, and if the Defaulting Party does each of the following:

1. Notifies the non-Defaulting Party in writing with a reasonable explanation as to the reasons the asserted Default is not curable within the sixty (60) day period;

2. Notifies the non-Defaulting Party of the Defaulting Party's proposed cause of action to cure the Default;

3. Promptly commences to cure the Default within the sixty (60) day period;

4. Makes periodic reports to the non-Defaulting Party as to the progress of the program of cure; and

5. Diligently prosecutes such cure to timely completion, then:

The Defaulting Party shall not be deemed in Default of this Agreement once the Default has been timely cured.

6.4 Termination Notice. Upon receiving a Default Notice, should the Defaulting Party fail to timely cure any Default, or fail to diligently pursue such cure as prescribed above, the non-Defaulting Party may, in its discretion, provide the Defaulting Party with a written notice of intent to terminate this Agreement ("Termination Notice"). The Termination Notice shall state that the non-Defaulting Party will elect to terminate the Agreement within sixty (60) days and state the reasons therefor (including a copy of any specific charges of Default) and a description of the evidence upon which the decision to terminate is based. Once the Termination Notice has been issued, the non-Defaulting Party's election to terminate this Agreement shall only be rescinded (i) if the Defaulting Party fully and completely cures all Defaults prior to the date of termination, or (ii) if the non-Defaulting Party elects to revoke the Termination Notice.

6.5 Waiver of Breach. By not filing a legal challenge to CITY'S action to approve or issue any Development Approval within the period established by applicable law, OWNER shall be deemed to have waived any claim that any condition of approval attached to said Development Approval is improper or that the action, as approved, constitutes a breach of the provisions of this Agreement. By recordation of a final subdivision map on any portion of the Property, OWNER shall be deemed to have waived any claim that any Condition of Approval of such final subdivision map is improper or that the Condition of Approval constitutes a breach of the provisions of this Agreement.

6.6 Attorneys Fees. In the event either party to this Agreement is forced to bring legal action to enforce its rights under this Agreement, and notwithstanding the limitation of the parties' remedies under Section 6.2, the prevailing party in any such action shall be entitled to recover its reasonable attorney's fees and costs of suit.

7. RELEASES AND INDEMNITIES.

7.1 Third-Party Litigation.

7.1.1 Non-liability of Parties. As set forth above, CITY has determined that this Agreement is consistent with the General Plan and meets all of the legal

requirements of State law. The parties acknowledge that:

A. In the future there may be challenges to the legality, validity and adequacy of the Initial Development Approvals, the EIR, and/or this Agreement; and

B. If successful, such challenges could delay or prevent the performance of this Agreement and the Development of the Property.

C. In addition to the other provisions of this Agreement, including, without limitation, the provisions of this Section 7, neither party shall have liability under this Agreement for any failure of either party to perform its respective obligations under this Agreement under this Agreement as the direct result of a judicial determination resulting from any claim or litigation that on the Effective Date, or at any time thereafter, the Land Use Regulations, the Development Approvals, the EIR or any related CEQA determination for the Project ("CEQA Determination"), this Agreement, or portions thereof, are invalid or inadequate or not in compliance with law.

7.1.2 Revision of Land Use Regulations. If, for any reason, the Land Use Regulations, the Initial Development Approvals (including, without limitation, this Agreement), the EIR, or the CEQA Determination or any part thereof is hereafter judicially determined, as provided above, to not be in compliance with applicable laws or regulations and, if such noncompliance can be cured by an appropriate action otherwise conforming to the provisions of this Agreement, then this Agreement shall remain in full force and effect to the extent permitted by law. If required by a judicial decision, CITY shall process any of OWNER's applications for amendments to any of the Initial Development Approvals, the EIR, the CEQA Determination, and this Agreement, as necessary in response to such judicial decision. The Parties understand and agree that no promise can be made as to any future approval, however, because land use regulations involve the exercise of CITY'S police power and it is settled California law that government may not contract away its right to exercise its police power in the future. *Avco Community Developers Inc. v. South Coast Regional Com.*, 17 Cal.3d 785, 800 (1976); *City of Glendale v. Superior Court*, 18 Cal.App.4th 1768 (1993).

7.1.3 Participation in Litigation: Indemnity. To the full extent permitted by law, OWNER agrees to and shall fully indemnify, hold harmless, and defend, CITY and its respective elected and appointed officials, officers, members, agents, employees, and representatives (each an "Agent" and collectively "Agents") from any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically including attorneys' fees (collectively, "Claim(s)"), arising in any way out of or challenging the validity of this Agreement, any of the other Development Approvals, the EIR or the CEQA Determination. OWNER's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul any approval, should it occur, related to this Agreement, any of the other Initial Development Approvals, the EIR or the CEQA Determination, including actions invoking Planning and Zoning Law or

CEQA. OWNER shall reimburse CITY for any court costs and attorneys' fees that CITY may be required by a court to pay as a result of such Claim(s). CITY may, at its sole and absolute discretion, participate in the defense of any such Claim(s) undertaken by OWNER, or (b) retain separate counsel whose attorneys' fees and costs shall be paid by OWNER. Such participation in the defense of such Claim(s) or the retention of separate counsel by CITY shall not relieve OWNER of its obligations under this Agreement.

7.1.4 CITY shall promptly provide written notice to OWNER of any Claim(s). CITY shall take all necessary and reasonable steps to provide such notice to OWNER in a timely fashion and in a manner that will not result in any substantial prejudice to OWNER's ability to defend the relevant Claim(s). Such notice shall contain a copy of any relevant pleadings filed in connection with the relevant Claim(s). CITY acknowledges that OWNER desires to provide the defense of any Claim(s) in a cost efficient manner. CITY and OWNER shall coordinate and cooperate in their defense activities, whether CITY is participating in defense undertaken by OWNER or is retaining separate counsel. As used in this Agreement, cooperation does not include CITY having to take any action or make any decision that CITY does not believe, in the exercise of its good faith judgment, is in its own best interest. Unless expressly provided to the contrary, nothing in this Agreement shall be construed in a manner that requires CITY to exercise its discretion in a particular manner.

7.1.5 OWNER may not resolve such Claim(s) without CITY's prior written consent. In all events, CITY shall have the right to resolve any such Claim(s) in any manner, in its discretion, provided, however, OWNER's consent shall be required (and may be granted or withheld in OWNER's discretion) if the resolution of the Claim(s) shall require a payment by OWNER or limit OWNER's rights under the Development Approvals, including, without limitation, this Agreement. OWNER'S obligation to pay the cost of any such Claim(s), including judgment, post-judgment motions, and any and all appeals, shall extend until any Claim is completely concluded, judgment is entered and completely satisfied.

7.1.6 In the event OWNER fails or refuses to reimburse CITY for its cost to defend any Claim(s), CITY shall have the right to terminate this Agreement, subject to the notice and cure requirements of Section 6.3 above. Additionally, in the event of any such Claim(s), the Term of this Agreement shall be tolled for the period during which such Claim(s) are proceeding until fully and finally resolved.

7.1.7 In order to ensure compliance with this Section 7, within twenty (20) days after notification by CITY of the receipt of any Claim(s), OWNER shall deposit with CITY cash or other security in the amount of one hundred thousand dollars ($100,000), satisfactory in form to the City Attorney, guaranteeing indemnification or reimbursement to CITY of all costs and fees related to any action triggering the obligations of this Section 7. If CITY is required to draw on that cash or security to indemnify or reimburse itself for such costs or fees, OWNER shall restore the deposit to its original amount within fifteen (15) days after notice from CITY that replenishment is required. Additionally, if at any time the City Attorney determines

that an additional deposit or additional security in an amount not to exceed an additional fifty thousand dollars ($50,000) is necessary to secure the obligations of this Section 7, OWNER shall provide such additional payment or security within fifteen (15) days of notice from the City Attorney.

7.2 Hold Harmless: OWNER's Construction and Other Activities. OWNER shall indemnify, defend, save and hold CITY and its Agents, as defined in this Section 7 above, and shall hold and save them and each of them harmless from any and all claims, damages of any kind and litigation which may arise from OWNER's or OWNER's agents, contractors, subcontractors, agents, or employees' operations under this Agreement, whether such operations be by OWNER or by any of OWNER's agents, contractors or subcontractors or by any one or more persons directly or indirectly employed by or acting as agent for OWNER or any of OWNER's agents, contractors or subcontractors. Notwithstanding anything to the contrary in this Section 7.2, nothing herein shall make OWNER liable for the negligence or willful misconduct of CITY's Agent(s).

7.3 Survival of Indemnity Obligations. All indemnity provisions set forth in this Agreement shall survive termination of this Agreement for any reason other than CITY's Default as provided herein and shall continue to be the liability and obligation of OWNER, binding upon OWNER, until the final resolution of all Claims, and shall survive the completion, partial completion, or abandonment of the Project.

8. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. Subject to compliance with applicable laws, CITY shall not unreasonably withhold its consent to any such requested interpretation or modification provided CITY determines such interpretation or modification is consistent with the intent and purposes of this Agreement.

8.1.1 Any Mortgagee of the Property shall be entitled to the following rights and privileges hereunder:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee has submitted a request in writing to CITY in the manner specified herein for giving notices, shall be entitled to

receive written notification from CITY of any Default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of Default given to OWNER under the terms of this Agreement, CITY shall make a good faith effort to provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of Default to OWNER. The mortgagee shall have the right, but not the obligation, to cure the Default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; except that (i) to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder; and (ii) in the event any Mortgagee seeks to develop or use any portion of the Property acquired by such Mortgagee by foreclosure, deed of trust, or deed in lieu of foreclosure, such Mortgagee shall strictly comply with all of the terms, conditions and requirements of this Agreement and the Development Plan applicable to the Property or such part thereof so acquired by the Mortgagee.

9. MISCELLANEOUS PROVISIONS.

9.1 **Term of Agreement**. Unless earlier terminated as provided in Section 4 or Section 6 hereof, this Agreement shall continue in full force and effect for a period of ten (10) calendar years from the Effective Date.

9.2 **Recordation of Agreement**. This Agreement shall be recorded with the County Recorder by the City Clerk within the period required by Section 65868.5 of the Government Code. Amendments of this Agreement approved by the parties, and any termination of this Agreement, shall be similarly recorded.

9.3 **Entire Agreement**. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

9.4 **Interpretation and Governing Law**. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of

California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party or in favor of CITY shall not be employed in interpreting this Agreement, both parties having been represented by counsel in the negotiation and preparation hereof.

9.5 **Section Headings**. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

9.6 **Singular and Plural**. As used herein, the singular of any word includes the plural.

9.7 **Time of Essence**. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

9.8 **Waiver**. Failure of a party to insist upon the strict performance of any of the provision(s) of this Agreement by the other party, or the failure by a party to exercise its rights upon the Default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

9.9 **No Third Party Beneficiaries**. This Agreement is made and entered into for the sole protection and benefit for the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

9.10 **Force Majeure**. Neither party shall be deemed to be in Default where failure or delay in performance of any of its obligations under this Agreement is caused by earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance shall be extended for the duration of each such event, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

9.11 **Notices**. Any notice required under this Agreement shall be in writing and personally delivered, or sent by certified mail (return receipt requested and postage prepaid), overnight delivery, with a courtesy copy by email to the following:

CITY: Covina Community Development Department

ATTN: Community Development Director
125 E College St, Covina, CA 91723
(tel) _____
(email) _____

With a courtesy copy to:

City Attorney's Office
125 E College St, Covina, CA 91723

(tel) _____
(email) _____

OWNER: MLC Holdings, Inc.

Attn: Charles McKeag

_____

(tel) _____

(email) _____

9.12 **Mutual Covenants**. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

9.13 **Successors in Interest.** As provided in Section 65868.5 of the Government Code, and except as otherwise provided in this Agreement, all of the terms, provisions, covenants and obligations contained in this Agreement shall be binding upon, and inure to the benefit of, CITY and OWNER, and their respective successors and assigns.

9.14 **Counterparts**. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if both of the parties had executed the same instrument.

9.15 **Jurisdiction and Venue**. Any action at law or in equity arising under this Agreement or brought by any party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Los Angeles, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

9.16 **Project as a Private Undertaking**. It is specifically understood and agreed by and between the parties hereto that the Development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

9.17 **Further Actions and Instruments**. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

9.18 **Eminent Domain**. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

9.19 **Amendments in Writing/Cooperation**. This Agreement may be amended only by the written consent of both parties specifically approving the amendment and in accordance with the Development Agreement Law. The parties shall cooperate in good faith with respect to any amendment proposed in order to clarify the intent and application of this Agreement, and shall treat any such proposal on its own merits, and not as a basis for the introduction of unrelated matters.

9.20 **Authority to Execute**. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he/they have the authority to execute this Agreement on behalf of his/their corporation, partnership or business entity and warrants and represents that he/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first set forth above.

CITY: CITY OF COVINA

By _____
Mayor

ATTEST:

By _____
City Clerk

APPROVED AS TO FORM:

By _____
City Attorney

(SEAL)

OWNER: MLC HOLDINGS, INC.

By _____

Title _____

By _____

Title _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, 201__, before me, _____,
(insert name and title of the officer)
Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____ (Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, 201__, before me, _____,
(insert name and title of the officer)
Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____ (Seal)

Exhibit "A"
Legal Description of the Property

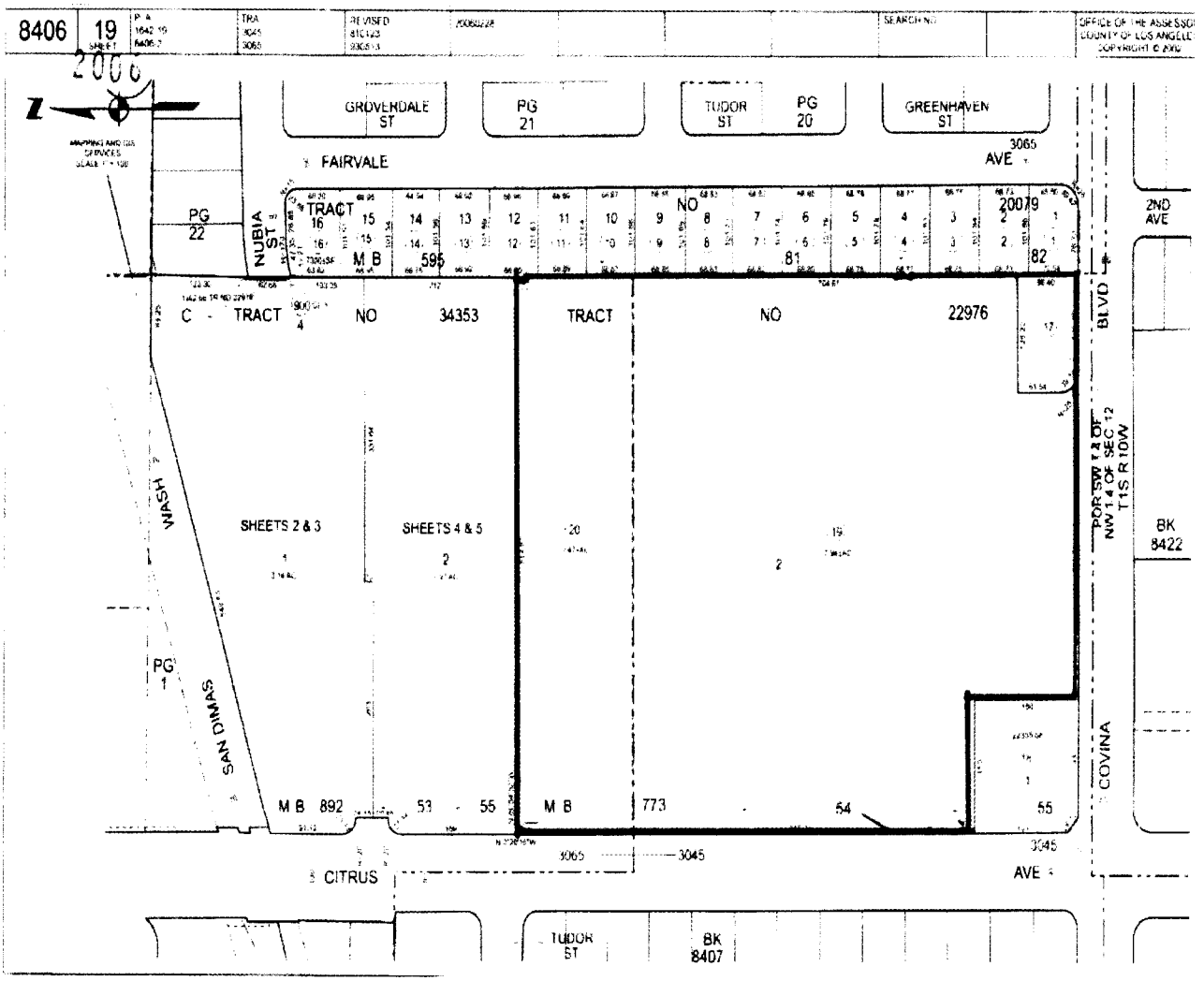

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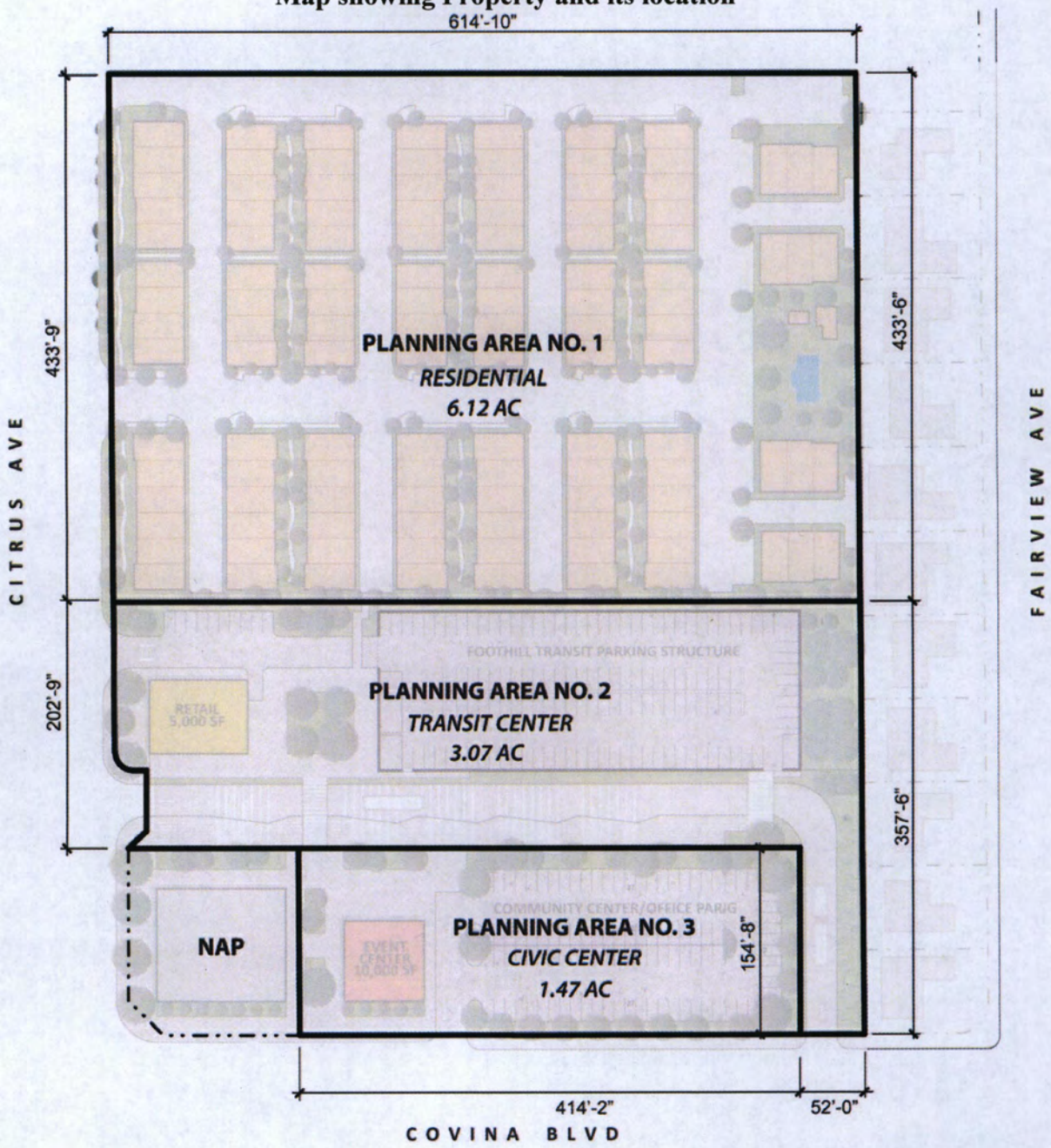
Exhibit "A"
Legal Description of the Property

Exhibit "B"
Map showing Property and its location



12923/0008/2012591-2

Exhibit "C"
Development Plan for the Development of the Property

Exhibit "D"
Legal Description and Depiction of City Property and Parkland Property

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel A

In the City of Covina, County of Los Angeles, State of California, being a portion of Lot 2 of Tract No. 22976 filed in Book 773, Pages 53 and 54 Maps in the Office of the County Recorder of said County and a portion of the Southwest Quarter of the Northwest Quarter of Section 12, Township 1 South, Range 10 West, San Bernardino Meridian described as follows:

Commencing at the northwest corner of Lot 1 of said Tract No. 22976; thence along the northerly line of said Lot 1 North 89°54'00" East 150.00 feet to the **True Point of Beginning**; thence leaving said north line along the northerly prolongation of the easterly line of said Lot 1 North 0°24'30" West 4.22 feet; thence leaving said prolongation North 90°00'00" East 413.03 feet to a line parallel with and 52.00 feet westerly of the easterly line of said Lot 2; thence along said parallel line South 0°25'45" East 153.50 feet to the northerly line of Covina Boulevard as shown on said Tract; thence leaving said parallel line along said northerly line of Covina Boulevard South 89°54'00" West 413.09 feet to the easterly line of said Lot 1; thence leaving said northerly line of Covina Boulevard along said easterly line North 0°24'30" West 150.00 feet to the **True Point of Beginning**

Containing an area of 1.459 acres, more or less.

All as shown on Exhibit B attached hereto and by this reference made a part hereof.

Jason R. Kinnie, L.S. No. 7090
Date: 10-20-2016

LICENSED LAND SURVEYOR
JASON R. KINNIE
No. 7090
STATE OF CALIFORNIA

October 20, 2016
WO No. 4089-1X
Page 1 of 1
H&A Legal No. 8940
By: J. Kinnie
Checked By: R. Wheeler

Exhibit "E"
Legal Description and Depiction of City Property and Parkland Property

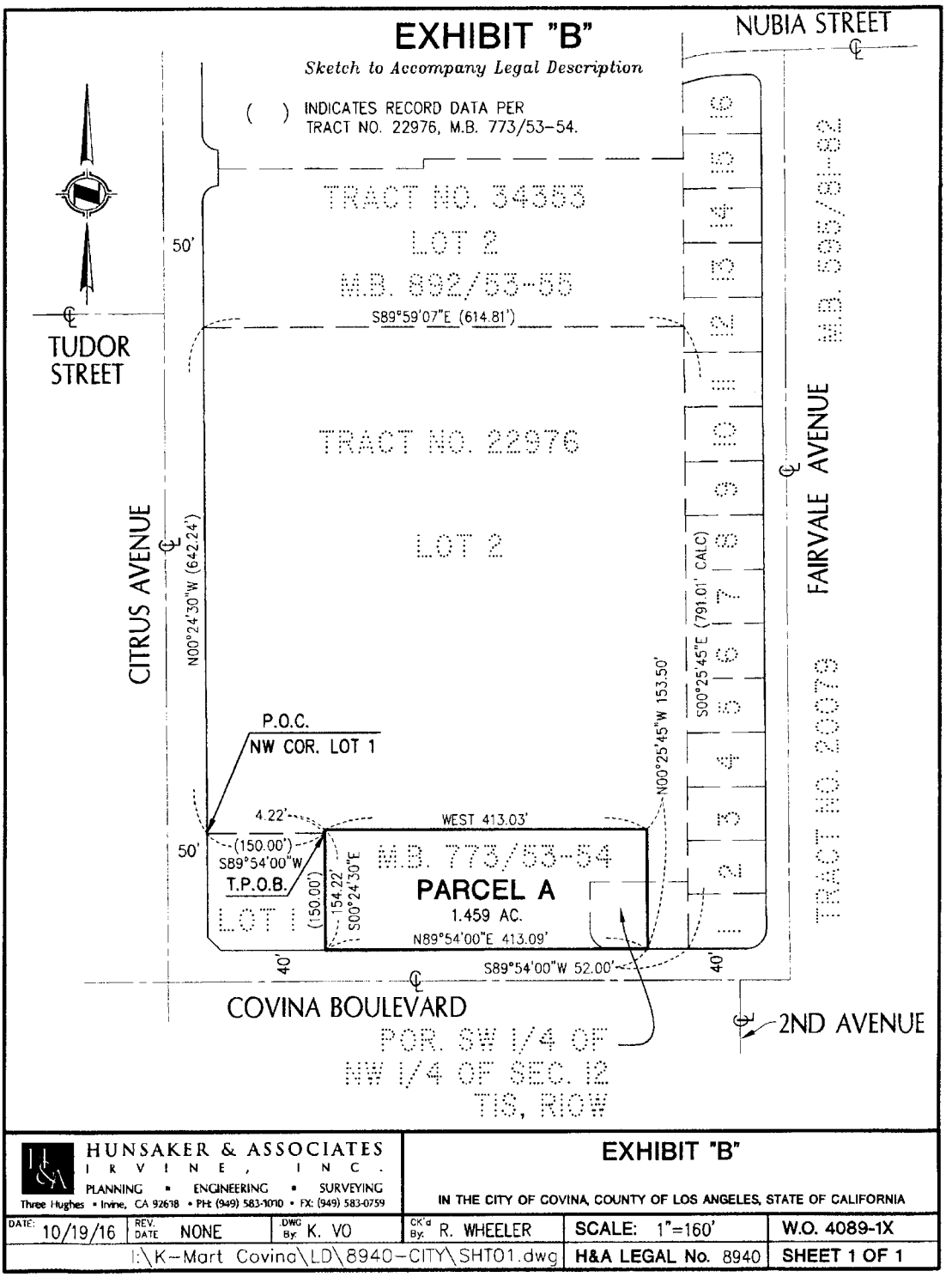


Exhibit "F"
Legal Description and Depiction of Transit Center Property

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel A

In the City of Covina, County of Los Angeles, State of California, being a portion of Lot 2 of Tract No. 22976 filed in Book 773, Pages 53 and 54 Maps in the Office of the County Recorder of said County and a portion of the Southwest Quarter of the Northwest Quarter of Section 12, Township 1 South, Range 10 West, San Bernardino Meridian described as follows:

Beginning at the northwest corner of Lot 1 of said Tract No. 22976; thence along the northerly line of said Lot 1 North 89°54'00" East 150.00 feet; thence leaving said north line along the northerly prolongation of the easterly line of said Lot 1 North 0°24'30" West 4.22 feet; thence leaving said prolongation North 90°00'00" East 413.03 feet to a line parallel with and 52.00 feet westerly of the easterly line of said Lot 2; thence along said parallel line South 0°25'45" East 153.50 feet to the northerly line of Covina Boulevard as shown on said Tract; thence leaving said parallel line along said northerly line of Covina Boulevard North 89°54'00" East 52.00 feet to the southerly prolongation of said easterly line; thence along said prolongation and said easterly line North 0°25'45" West 357.42 feet to a line parallel with and 204.00' northerly of the course hereinabove described as "North 90°00'00" East 413.03 feet"; thence along said last parallel line North 90°00'00" West 614.96 feet to the westerly line of said Lot 2; thence South 0°24'30" East 208.49 feet to the **Point of Beginning**.

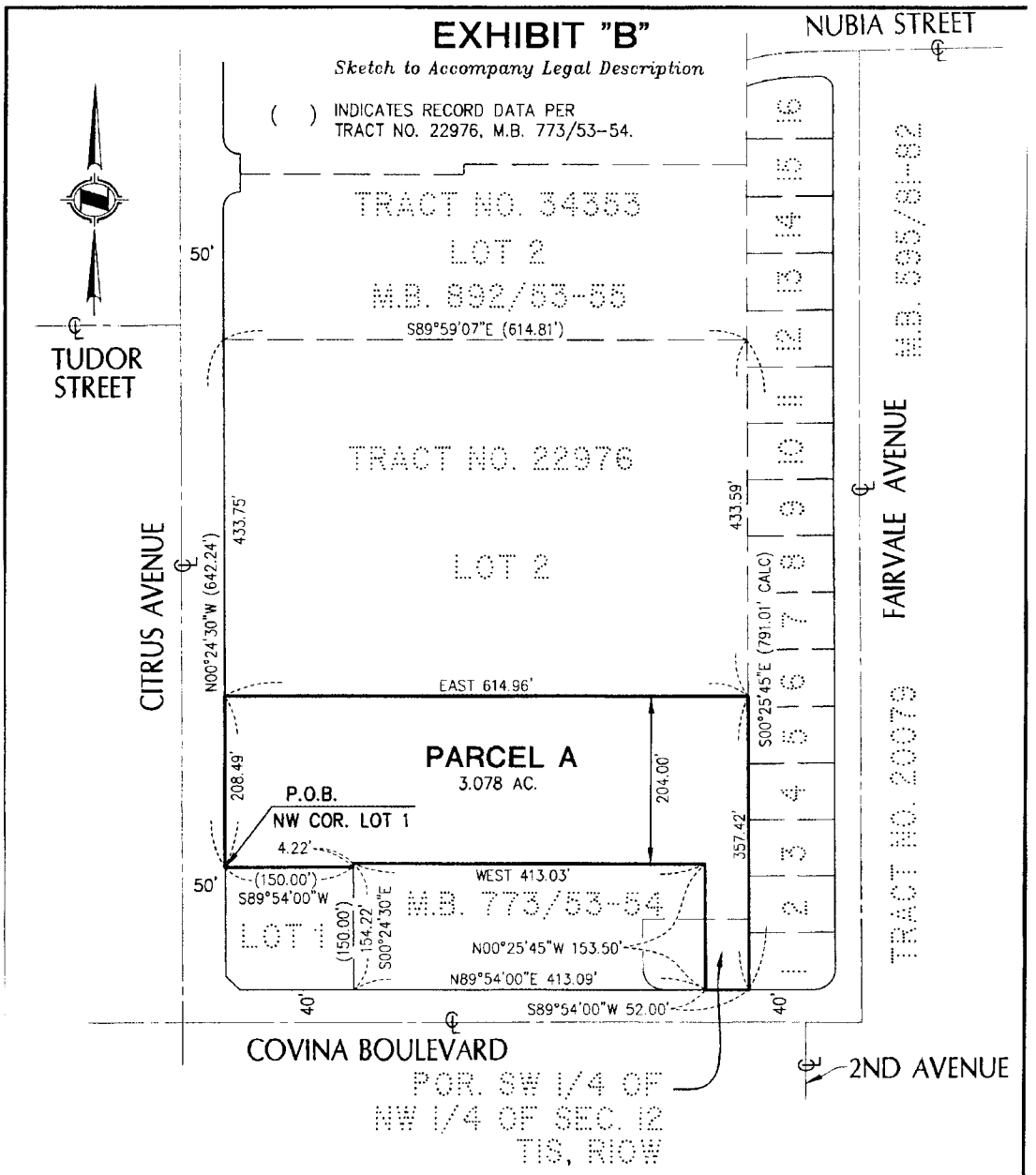
Containing an area of 3.078 acres, more or less.

All as shown on Exhibit B attached hereto and by this reference made a part hereof.

Jason R. Kinnie, L.S. No. 7090
Date: 10-20-2016

LICENSED LAND SURVEYOR
JASON R. KINNIE
No. 7090
STATE OF CALIFORNIA

October 20, 2016
WO No. 4089-1X
Page 1 of 1
H&A Legal No. 8941
By: J. Kinnie
Checked By: R. Wheeler



HUNSAKER & ASSOCIATES IRVINE, INC.
PLANNING • ENGINEERING • SURVEYING
Three Hughes • Irvine, CA 92618 • PH: (949) 583-1010 • FX: (949) 583-0759

EXHIBIT "B"

IN THE CITY OF COVINA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

DATE: 10/19/16	REV DATE NONE	DWG By: K. VO	CK'd By: R. WHEELER	SCALE: 1"=160'	W.O. 4089-1X
I:\K-Mart Covina\LD\8941-TRANSIT CENTER\SHT01.dwg				H&A LEGAL No. 8941	SHEET 1 OF 1

EXHIBIT G
Form of Grant Deed

DRAFT

RECORDING REQUESTED BY,
AND WHEN RECORDED MAIL TO:

City of Covina
125 East College Street
Covina, CA 91723-2199
Attn: City Clerk

APN(s): _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE

This transfer is exempt from Documentary Transfer Tax pursuant to Revenue & Taxation Code Section 11922 (conveyance to a public entity), and is exempt from Recording Fees pursuant to California Government Code Section 6103.

GRANT DEED

_____, a _____ hereby grants to the CITY OF COVINA that certain real property located in the County of Los Angeles, State of California, more particularly described on Exhibit "A" attached hereto, including all improvements and fixtures thereon..

IN WITNESS WHEREOF, the undersigned has executed this Grant Deed as of the date set forth below.

Dated: _____, 2016

_____,
a _____

By: _____
Print Name: _____
Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, before me, _____,
(insert name and title of the officer)
Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____ (Seal)

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by that certain Grant Deed dated _____, 2016, from the _____ to the CITY OF COVINA, is hereby accepted by the undersigned officer on behalf of the City of Covina pursuant to the authority conferred by [Resolution No. _____] [action] of the City of Covina [adopted] by the City Council of the City of Covina on _____, 2016, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____, 2016

_____
Print Name: _____
Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On _____, before me, _____,
(insert name and title of the officer)
Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____ (Seal)

Attachment J:

Covina Forward Revenue and Cost Summary

COVINA FORWARD REVENUE AND COST SUMMARY

The Covina Forward Project proposes to redevelop 10.25-acres at the northeast corner of Citrus Avenue and Covina Boulevard in the City of Covina, currently occupied by the abandoned KMART store. Participants in the project who have entered into a Non-Binding Memorandum of Understanding include:

- MLC Holdings Inc.
- Foothill Transit
- City of Covina

Current Site Use

The site of where the project is to be located presently includes:

- Two parcels of 10.0 acres currently occupied by the 88,500 square foot abandoned Kmart retail store. The property is owned by the Blackwin Trust of Hoffman Estates Illinois. MLC Holdings is in escrow to purchase the property.
- 0.25-acre parcel with a 2,186 square foot house that is being used by a religious group. The Property owner is Shree Durga Shiva Vishnu Temple. The use is designated as Institutional and is tax exempt.

Proposed Uses

The planned *Covina Forward* project includes both private and public uses:

- MLC Holdings Inc., a related company of Meritage Homes Corporation is proposing to build 117 townhomes on approximately with an average sales price of $450,000.
- Foothill Transit is proposing to develop a Transit Center including a public bus facility and 400 space parking structure.
- 4,600 SF of retail and restaurant uses.
- City of Covina is proposing to build a 10,000 SF Community Event Center plus a 5,000 SF Business Incubator.

Current Revenues

The project site in its current condition provides annual property tax revenue to the City of Covina of $13,936. This is based on an assessed valuation of $9,038,012. The property taxes are generated as follows:

Existing Property Tax Revenue		
N.E.C. of Citrus Ave. & Covina Blvd.		
Property	**AV $**	**Tax $**
1162 N. Citrus Ave.	8,871,012	13,936
177 E. Covina Blvd.	167,215	-
Total	**$ 9,038,227**	**$ 13,936**

The property at 177 E. Covina Boulevard is designated by the County Assessor as an institutional use and is therefore not subject to property taxation.

Currently there are no sales tax revenues collected by the City of Covina from the project site. The KMART store was open from 1988 to 2014 and the sales tax collected by the City of Covina was less than $100,000 for the last four years of operation. The following table shows the source of sales tax revenues from calendar year 2014.

Existing Sales Tax Revenue (Calendar Year 2014)	
N.E.C. of Citrus Ave. & Covina Blvd.	
Property	**City Sales Tax Revenue $**
1162 N. Citrus Ave.	-
177 E. Covina Blvd.	-
Total	**$**

In addition to the existing property taxe the City collects an estimated annual utility users tax of $2,418. This estimate is based on the current 6.0% Utility Users Tax as applied to utility payments of residents and businesses within the Covina city limits. This rate is applied to electricity, natural gas, telephone including cell phones and cable television usage.

Total current revenues from the project site to the City of Covina are therefore approximately $16,354.

Revenue Source	**Revenue Amount $**
Property Tax	13,936
Utility Users Tax	2,418
Total Existing Revenues	**16,354**

Direct Economic Impact

Projected Revenues

If the site is developed as proposed, upon completion and occupancy, the stabilized revenues to the City of Covina are projected to be significantly higher than current revenues. The projected property taxes will be based on the MLC Holdings housing development, the retail and restaurant development and the office development. The Foothill Transit District parking structure and the Community Event Center are owned by governmental agencies and are therefore exempt from the payment of property taxes.

The projected property taxes are $85,623:

Projected Property Tax Revenue				
Covina Forward - N.E.C. of Citrus Ave. & Covina Blvd.				
Use	**Units**	**Square Feet**	**Valuation $**	**City Share $**
MLC Town Homes	117	N/A	52,650,000	83,852
Foothill Parking Structure	400	N/A	8,509,000	-
Retail/Restaurant	N/A	4,600 SF	1,150,000	1,771
Community Event Center/Incubator	N/A	15,000 SF	6,000,000	-
Total			**$ 68,309**	**$ 85,623**

Among the proposed uses of the redeveloped property are retail and restaurant. It is estimated that they will produce stabilized annual sales taxes to the City of Covina of $15,100. The sources of the projected sales taxes are:

Projected Sales Tax Revenue				
Covina Forward - N.E.C. of Citrus Ave. & Covina Blvd.				
Use	**Units**	**Square Feet**	**Sales Tax/sf**	**City Revenue**
MLC Town Homes	117	N/A	N/A	$ -
Foothill Parking Structure	400	N/A	N/A	$ -
Retail	N/A	1,000	$ 2.50	$ 2,500
Restaurant	N/A	3,600	$ 3.50	$ 12,600
Community Event Center	N/A	10,000	N/A	N/A
Office	N/A	11,000	N/A	N/A
Total				**$ 15,100**

The Utility Users Tax will apply to all non-governmental electricity, natural gas, telephone and cable television usage within the project area. The estimated stabilized Utility Users Tax will be $28,770 annually. Following are the sources for the tax based on a 6.0% tax rate:

Projected Utility Users Tax Revenue	
Covina Forward - N.E.C. of Citrus Ave. & Covina Blvd.	
Source	**Total Utility Users Tax $**
Electricity	
Residential	5,754
Commercial	2,249
Natural Gas	
Residential	1,719
Commercial	826
Telephone	
Residential	7,688
Commercial	678
Cable Television	
Residential	9,856
Total Utility Users Tax	$ 28,770

Detailed assumptions and calculations for the Utility Users Tax estimates are attached to this report. The total projected direct revenues to the City of Covina from the Covina Forward Project are therefore $141,385.

Revenue Source	Revenue Amount $
Property Tax	85,623
Sales Tax	15,100
Utility Users Tax	28,770
Total Projected Revenues	**129,493**

Indirect Economic Impact

The development of the proposed projects associated with *Covina Forward* will also produce indirect economic impact for Covina because several of the uses (Foothill Transit Center, Community Event Center and office development) will be more regional in nature and draw people from nearby communities such as Azusa, Glendora, San Dimas and West Covina. People residing in adjacent neighborhoods and communities will not only use the facilities contained in Covina Forward, but also purchase additional goods and services in nearby Covina stores, restaurants and fueling stations. The 117 new Townhomes will also bring more consumers of goods and services for nearby Covina businesses. The projected spending from residents of the new town homes is estimated to produce an additional $39,000 in annual sales tax revenue. This indirect-multiplier effect could produce an additional $90,000 to $140,000 annually in sales tax revenue, along with assisting in new job creation for nearby Covina businesses. The increase in sales tax revenue will help offset the loss of sales tax revenue resulting from the closure of the Kmart store. The source of this information is Beacon Economics "Implan Economic Benefits."

In addition to sales tax revenues new jobs will result from the proposed projects including permanent jobs and employment during the construction of the projects. The following represents estimates for permanent job creation from the proposed projects. Sources for the following estimates include the SCAG Employment Density Study, HdL Retail /Restaurant data base, and the Chain Link Retail Advisor National Retail & Restaurant comparison of similar event centers.

Job Source	Projected Jobs
Foothill Transit	2-3
Retail/Restaurant	50-60
Community Event Center	30-35
Total Projected Jobs	**82-98**

Project Cost

The Covina Police Department has reviewed the development plan for Covina Forward and has determined that for other than security requirements for the Transit Center there will be no additional manpower or equipment required. The requirements for the Transit Center are being analyzed now. Security requirements for Covina Forward will be again reviewed by the Police

Department at the end of one year after all new development is completed. No other additional city staff or equipment is expected to be required.

Summary

Total current annual revenues to the City of Covina from the project site are $16,354. Total annual stabilized direct revenues to the City of Covina from the Covina Forward Project are anticipated to be $129,493. In addition off site sales in Covina from new project residents are projected to be $39,000 annually with an indirect economic multiplier of $90,000 to $140,000 annually for Covina economy New jobs resulting from the Covina Forward Project will be 82 to 98.

COVINA FORWARD
UTILITY USERS TAX CALCULATONS

I. Electricity Usage

A. Residential

Total Residential Units	117
Occupancy per Dwelling Unit	2.5
Los Angeles County Population 2014 (1)	10,116,705
Total Residential Electricity Usage LA County 2014 kWh (2)	20,758,188,651
Per Capita Electricity Usage 2014 kWh	2,051.872487
Electricity Usage per Dwelling Unit kWh	5129.681218
Average Rate /kWh Covina (3)	$0.1598
Average Annual Electricity Bill Covina per Dwelling Unit	$819.723059
Utility Users Tax @6.0 % Annual Per Dwelling Unit	$49.183384
Total Annual Residential Utility Users Tax 117 Units @ 6.0%	$5,754

B. Commercial

Total Non Residential Electricity Usage LA County 2014 kWh (4)	49,239,575,521
Total Non Residential Development LA County Square Feet	1,489,352,181
Non Residential Electricity Usage Per Square Foot kWh	33.0610692
Average Rate /kWh Covina (5)	$0.1181
Electricity Cost Per Square Foot Annual Non Residential	$3.904512
Total Project Taxable Non Residential Square Feet	9,600
Total Project Taxable Non Residential Electricity Cost	$37,483
Total Utility Users Tax Non Residential Structures @ 6.0%	$2,249

II. Natural Gas Usage

A. Residential

Total Residential Units	117
Occupancy per Dwelling Unit	2.5
Los Angeles County Population 2014 (1)	10,116,705

Total Residential Gas Usage LA County 2014 Therms (6)	1,078,297,874
Per Capita Gas Usage 2014 Therms	106.5858769
Gas Usage per Dwelling Unit Therms	266.4646923
Average Cost Per Therm (7)	$0.918790
Average Annual Gas Bill Cost Covina per Dwelling Unit	$244.825095
Utility Users Tax @6.0 % Annual Per Dwelling Unit @ 6.0%	$14.689506
Total Annual Residential Utility Users Tax 117 Units	$1,719

B. Commercial

Total Non Residential Gas Useage LA County 2014 Therms (8)	1,779,247,294
Total Non Residential Development LA County Square Feet	1,489,352,181
Non Residential Gas Useage Per Square Foot Therms	1.194645106
Average Rate /Therm Covina (9)	$1.2000
Gas Cost Per Square Foot Annual Non Residential	$1.4336
Total Project Taxable Non Residential Square Feet	9,600
Total Project Taxable Non Residential Gas Cost	$13,762
Total Utility Users Tax Non Residential Structures @ 6.0%	$826

III. Telephone Useage

A. Residential

Total Residential Units	117
Average Monthly Residential Telephone Bill Per DU (10)	$91.26
Average Annual Residential Telephone Bill Per DU	$1,095
Project Annual Telephone Bill	$128,129
Utility Users Tax @ 6.0%	$7,688

B. Commercial

Total Commercial Units	6
Average Monthly Commercial Telephone Bill (11)	$156.92
Average Annual Commercial Telephone Bill	$1,883
Project Annual Telephone Bill	$11,298
Utility Users Tax @ 6.0%	$678

IV. Cable TV Useage

A. Residential

Total Residential Units	117
Average Monthly Residential Cable TV Bill (12)	$99.10

Average Annual Residential Telephone Bill	$1,404
Project Annual Telephone Bill	$164,268
Utility Users Tax @ 6.0%	$9,856
Total UUT Residential	$25,017
Total UUT Commercial	$3,753
Total UUT	$28,770

References:

(1) US Census Bureau July 1, 2014
(2) California Energy Consumption Data Management System
(3) Electricity Local.com
(4) California Energy Consumption Data Management System
(5) Electricity Local.com
(6) California Energy Consumption Data Management System
(7) SoCalGas
(8) California Energy Consumption Data Management System
(9) Bureau of Labor Statistics Average Energy Price March 2016
(10) Energy Information Administration 2014
(11) Verizon/Frontier Communications Small Business Unit
(12) Finance.Yahoo.com

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Attachment K:

November 8, 2016 Planning Commission Staff Report and PC Resolutions

CITY OF COVINA

PLANNING COMMISSION AGENDA REPORT
ITEM NUMBER PH 1
NOVEMBER 8, 2016

TO: Chairman and Members of the Planning Commission

FROM: Brian K. Lee, Community Development Director
Nancy Fong, Planning Consultant

SUBJECT: **Environmental Impact Report (EIR) with Mitigation Monitoring and Reporting Programs and Applications for General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, and Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001. A proposed development on the 10.66 acre site (former K-Mart and an existing institutional use), consisting of a residential development of 117 townhomes on approximately 6.12 acres, a Transit Center and Park and Ride on approximately 3.07 acres and a public/civic use component on approximately 1.47 acres, for property located generally at 1162 North Citrus Avenue – APN: 8406-019-019, 8406-019-020 and 177 East Covina Boulevard – APN: 8406-019-17.**

BACKGROUND

The following provides a brief background of the project from the first submittal up until the Planning Commission hearing.

- ***January 19, 2016:*** MLC Holdings, Inc., Foothill Transit and the City of Covina entered into a Non-Binding Memorandum of Understanding (MOU) to propose a public/private partnership redevelopment of the former K-Mart site located at 1162 N. Citrus Avenue into a transit-oriented development project.

- ***January 19, 2016:*** The Covina City Council approves a Deposit Agreement between MLC Holdings, Inc., Foothill Transit and the City of Covina to jointly share costs incurred by the City during the due diligence portion of the project entitlement process.

- ***February 16, 2016:*** City Council Study Session.

- ***May 11, 2016:*** Notice of Preparation of the project Environmental Impact Report.

- ***July 19, 2016***: City Council Study Session.
- ***September 10, 2016:*** Community Meeting held at the project site.
- ***September 13, 2016:*** Planning Commission Study Session.
- ***September 13, 2016:*** Start of the 45-day EIR public comment period.
- ***October 27, 2016***: End of the 45-day public comment period for the project EIR.

PROJECT HISTORY

The proposed project commenced in the late summer of 2015 when MLC Holdings, Inc. approached City staff with a proposal to redevelop the former K-Mart site into a residential development. Over the following several months, discussions with MLC commenced as to what would be the appropriate future land use for the project site, numerous economic discussions on the viability of traditional commercial uses at the project site and potential development scenarios that would provide the best overall outcome for the entire City of Covina. In approximately the same time period, discussions with Foothill Transit were occurring regarding their need to provide adequate transit service to their existing customers in the Covina area. In January 2016, commencing with the approval by the City Council of the Non-Binding Memorandum of Understanding and the Deposit Agreement, discussion with MLC Holdings, Inc. and Foothill Transit on the formal development concept.

As multiple discussions were occurring with MLC Holdings, Inc. and Foothill Transit, visioning for future and changing needs of the Covina community were being discussed. It was concluded that a pragmatic approach to the former K-Mart property that took into account the realistic economic viability of a traditional commercial-retail reuse of the property along with addressing the future needs of the Covina community was prudent. The project as presented began to take shape when negotiations with MLC Holdings, Inc., Foothill Transit and the City of Covina on a public/private partnership that became memorialized in the Non-Binding Memorandum of Understanding (MOU) adopted in January 2016.

The resulting land use vision was the repurpose of the former K-Mart property into a transit-oriented mixed use project that would include a residential component, a transit component and a civic component that the City would utilize for a future public event center and/or a business innovation center. Because the aforementioned project is unique, there is no existing City zoning category that would accommodate the project vision. Therefore, a specific plan would need to be created.

The proposed project includes a series of land use entitlements that would facilitate the redevelopment and reuse of the former K-Mart property, and the adjoining institutional/former daycare property into an innovative reuse of a visually prominent property located within the interior of the City of Covina.

PROJECT LOCATION AND SETTING

The project site comprises three (3) properties owned by two (2) separate parties. All the properties are under contract with MLC Holdings, Inc. and are subject to the provisions of the Non-Binding MOU, the proposed Development Agreement and the proposed land use entitlements. The total project site is 10.66 acres in size. The existing institutional use/former daycare property is 10,865 square feet in size. The former K-Mart property comprises the remainder of the 10.66 acre project site. Since the former K-Mart store ceased operation in December 2014, no subsequent commercial retail use has occupied the building (Note: an automotive repair use utilized the former K-Mart's automobile service facility until late 2015). Access to the project site is provided via driveways located along North Citrus Avenue and East Covina Boulevard.

To the north of the project site is an existing approximate 6.20 acre multiple-family residential townhouse development. Immediately to the east is an existing low density single family detached residential neighborhood. To the south of the project site is an existing approximate 4.14 acre neighborhood commercial shopping center and an approximate 3.08 acre multiple-family apartment complex. To the west of the project site, across Citrus Avenue is an existing low density single family detached residential neighborhood. It should be noted the approximate 21,719 square foot commercial property located on the "hard corner" of Citrus Avenue and Covina Boulevard is not part of the proposed project.

The following table provides the General Plan designation, Zoning and existing uses for the site and surrounding areas.

Table 1: Site and Surrounding Land Uses

[illegible]	General Plan [illegible]	Zoning [illegible]	Existing Uses [illegible]
Site	GC General Commercial	C-3A Commercial – Regional or Community Shopping Center and C-R Commercial Recreation	Under contract with MLC Holdings, Inc.
North	Medium Density Residential	RD (Multiple Family Residential)	Multiple family residential
South	GC General Commercial and RD (Multiple Family Residential)	C-2 Neighborhood Shopping Center and R-1-7500 (Single Family Residential)	Commercial shopping center and multiple family residential
East	Low Density Residential	R-1-7500 (Single Family Residential)	Single-family homes
West	Low Density Residential	R-1-7500 (Single Family Residential)	Single-family homes

ANALYSIS

A. Project Description:

The complete and detailed project description is provided in the proposed Covina Forward Specific Plan ("Specific Plan") which is attached as Exhibit 1. The Specific Plan document contains the following:

Chapter I. Introduction and Purpose of Specific Plan. This chapter describes the purpose of the Specific Plan; content, chapters, and components of the Specific Plan; and the Specific Plan's relationship to the City's General Plan.

Chapter II. Description of Specific Plan Area. This chapter describes the Specific Plan area, including existing conditions; onsite structures, buildings, and uses; and the underlying General Plan and Zoning designations.

Chapter III. Description of Specific Plan Area. This chapter describes the proposed project, including development concepts and intended land uses; conceptual development plans; and required conceptual utilities and services.

Chapter IV. Allowable Uses. This chapter describes those uses permitted within the Specific Plan area.

Chapter V. Development Standards. This chapter provides development standards to regulate future redevelopment and design within the Specific Plan area.

Chapter VI. Design Guidelines. This chapter provides guidelines and direction on how future development should be designed, including architectural theme; building elevations and facades; 360-degree architecture; site planning and building orientation; quality of materials and colors; landscaping theme; wall and fences; signage theme; parking facility/lot layout; vehicular access and circulation; integration of pedestrian-level elements, etc.

Chapter VII. Administration and Implementation. This chapter explains how future development within the Specific Plan area will be reviewed and approved.

Chapter VIII. Attachments. This chapter will provide relevant exhibits and illustrations to the Specific Plan.

B. General Plan Amendment:

The proposed project includes the request for a General Plan Amendment from the site's current designation of GC – General Commercial into two (2) General Plan designations. The portion of the Specific Plan area (or project site) that contains the public uses (the Transit Center and the civic component) will remain as GC – General Commercial. The northerly portion of the Specific Plan area, or project site, designated for the residential component will change to High Density Residential (15 – 22 dwelling units/acre). Institutional and public uses are allowed within the GC – General Commercial land use designation. Therefore, no alteration to the existing General Plan land use designation is necessary for the portion of the Specific Plan area, or project site, proposed for the Transit Center and the civic component. The proposed High Density Residential land use designation will provide a logical transition along Citrus Avenue, from the current Medium Density Residential townhouse complex to the north of the Specific Plan area, to the proposed Transit Center and civic use component to the south of the proposed residential component of the Specific Plan.

Typically higher building intensity is more appropriate along transit routes and arterial roads. Therefore, the High Density Residential designation serves as an appropriate buffer (transition of density) between medium-density residential area to the north and the public uses to the south. The proposed project would also contribute 117 housing units to the City's remaining unmet need for 928 housing units, reducing the unmet housing need in the City by more than 12 percent (Covina Draft Housing Element Update, dated November 15, 2010).

The southerly portion of the project site will retain the existing GC – General Commercial General Plan land use designation. Within the General Commercial land use designation, public uses, such as those proposed within the Specific Plan, are designated as compatible land use activities. Specifically, the General Plan policies the proposed project would support are presented on pages 3 – 7 of the Covina Forward Specific Plan.

C. Specific Plan:

Due to the unique nature of the proposed development project, and how there isn't an existing Covina Zoning designation that would address the mixture of proposed uses and development concept, the preparation of a Specific Plan was determined to be the best approach. The underlying concept of the project is to create a transit-oriented project with a significant public use component. Furthermore, because of the location of the project site, one-half (1/2) mile north of the Covina Metrolink station, within close proximity to downtown Covina, there is an opportunity to create a regional destination activity that would further promote Covina in the region and continue to support Covina economic development efforts.

The Specific Plan area is comprised of three (3) Planning Areas. Planning Area No. 1 is located within the northerly portion of the Specific Plan area and is approximately 6.12 acres in size. Planning Area No. 2 occupies a central location within the interior of the Specific Plan area and is approximately 3.07 acres in size. Planning Area No. 3 is located in the most southerly portion of the Specific Plan area, immediately adjacent to Covina Boulevard, and is approximately 1.47 acres in size.

The Specific Plan area is intended for development of a transit-oriented mixed use development that includes a civic/community use component. For purposes of this Specific Plan, the land use designation for the residential component in Planning Area No. 1 will be amended to High Density Residential and will remain as General Commercial for the Transit Center and Civic/Community components in Planning Area Nos. 2 and 3. Accordingly, the intent of this Specific Plan is to provide for the orderly redevelopment of a vacant, prominent disused commercial property within the City in a manner that addresses the community's needs for transit-oriented residential development, regional transportation facilities and civic/community facilities. This Specific Plan also provides additional development and design standards and guidelines, which will ensure that each future component of the Specific Plan area are creatively and sensitively site planned and developed with high quality architectural treatments and features, site amenities and infrastructure. This Specific Plan will therefore establish the Specific Plan area as a landmark regional destination and location within the City and will improve the overall economic vitality within the Specific Plan area, surrounding areas, and the entire City.

D. Zone Change:

The proposed zone change will implement the Specific Plan and be consistent with the proposed General Plan land use designation. The portion of the project site that comprises Planning Area No. 1 (Residential Component) of the Specific Plan is proposed to have a General Plan land use designation of High Density Residential. Therefore, the proposed zoning designation for this portion of the project site is proposed to be Covina Forward Specific Plan – Residential, Multiple Family, or CFSP – RD (MF). The southerly portion of the project site comprises the public use features consisting of the Transit Component and the Civic Component, or Planning Area Nos 2 and 3 of the Specific Plan. This portion of the project site, the General Plan land use designation remains GC – General Commercial, but the proposed zoning designation for this portion of the project site is Covina Forward Specific Plan – Institutional Uses, or CFSP – I.

The list of allowable uses and those allowed with the approval of a Conditional Use permit is specified in the Covina Forward Specific Plan document attached as Exhibit 1.

E. Vesting Tentative Tract Map:

The proposed Vesting Tentative Tract Map will create a total of thirty-five (35) parcels within the project boundaries. Currently, the project area consists of three (3) parcels; two (2) comprising the former K-Mart properties and the third the institutional/daycare property. The proposed Vesting Tentative Tract Map will result in the following:

- Elimination of the existing three (3) parcels comprising the project area;
- The creation of a total of twenty-three (23) numbered parcels and twelve (12) letter parcels as follows:

  - ✓ Residential Component (Specific Plan Planning Area No. 1): twenty-one 21 numbered lots and twelve (12) letter-lots;

  - ✓ Transit Component (Specific Plan Planning Area No. 2): one (1) numbered lot; and,

    - ✓ Civic Component (Specific Plan Planning Area No. 3): one (1) numbered lot – (includes the parcel for the "park area" and the second parcel for the "public benefit" to be conveyed to the City pursuant to the Development Agreement).

The proposed 117 residential townhomes will be spread within the twenty-one (21) numbered lots and the residential community's common area comprising the community area, driveways and pedestrian paths will form the twelve (12) lettered lots.

F. Site Plan Review (SPR) 16-023: (Residential Component)

SPR 16-023 comprises the Residential Component. This Site Plan Review is the development plan for the Residential Component and provides for the development of 117 transit-oriented residential townhomes within the 6.12 acre portion of the project site that is designated as Planning Area No. 1 within the Covina Forward Specific Plan. The Residential Component will have a single primary access from Citrus Avenue, with a secondary emergency vehicle access-only along the northerly boundary line of Planning Area No. 1 and the overall Specific Plan.

In addition to the primary vehicular access and the secondary emergency vehicle-only access from Citrus Avenue, there will be multiple pedestrian access points along the southerly boundary line of Planning Area No. 1, which is the shared boundary line between Planning Area Nos. 1 and 2. The pedestrian access points will allow residents of the Residential Component direct access to the Transit Center immediately south of Planning Area No. 1.

The Residential Component site plan provides for a 44 foot setback along the northerly boundary of Planning Area No. 1, a minimum 16 foot front setback along the Citrus Avenue frontage, a 15 foot setback along the easterly Planning Area No. 1 boundary and a 10 foot setback along the southerly, shared boundary between Planning Area Nos 1 and 2. The site plan for Residential Component is presented as an exhibit in the Covina Forward Specific Plan.

G. Site Plan Review (SPR) 16-033: (Transit Component)

SPR 16-033 comprises the Transit Component, which is also Planning Area No. 2 within the Covina Forward Specific Plan. As currently proposed pursuant to modifications made after community input, the Park and Ride parking structure will accommodate 372 vehicle parking spaces. The location of the parking structure will be setback approximately 58 feet from the easterly property line, a setback increase of approximately 28 feet from where the parking structure was originally proposed to be located.

In addition to the parking structure, the Transit Component includes a Transit Center comprising six (6) bus stops, a public plaza and a 4,000 – 4,500 square foot retail building. Ingress/egress vehicle access to the Transit Component will be available only from Citrus Avenue. Foothill Transit buses will ingress into the Transit Center only from Citrus Avenue, and egress from the Transit Center only onto Covina Boulevard. The buses will exiting only onto Covina Boulevard will only turn right to travel westbound on Covina Boulevard after exiting. No left turns will be allowed. There will be no public ingress into the Transit Component from Covina Boulevard.

In addition to the vehicular access, there will be multiple locations for pedestrian access from the Residential Component to the north of the Transit Component. The purpose of the pedestrian access link is to strengthen and encourage the residents of the Residential Component to utilize the transportation services provided by Foothill Transit.

H. Development Agreement:

The Development Agreement is essentially a contract between MLC Holdings, Inc., the entity that has the project site under contract, and the City of Covina. The Development Agreement stipulates the public benefit resulting from the project, as well as conveying the expectations and responsibilities of both MLC Holdings, Inc. and the City of Covina. In addition to the land use, economic development and aesthetic improvements of the project, the public benefit the City of Covina receives will be 1.47 acres of property, which comprises Planning Area No. 3 within the Covina Forward Specific Plan.

I. Site Characteristics:

The approximately 10.66 acre Specific Plan area is located northeast of the Citrus Avenue and Covina Boulevard intersection. Citrus Avenue abuts the Specific Plan area to the west, Covina Boulevard to the south, a residential townhouse development to the north, and a single-family residential neighborhood to the east. The project location consists of a former K-Mart store and

parking lot and an existing religious use on a separate parcel located at the southeast of the project site. The former K-Mart structure is a masonry block "big box" store building of approximately 88,500 square feet in size. The building was constructed in 1968. The second property contains a former residential structure that was converted to a day care facility and subsequently an institutional use. The building is approximately 2,186 square feet in floor area.

In addition to the existing buildings, the project site is improved with an asphalt parking lot, driveaisles, landscaped planters and similar improvements typical of a commercial retail establishment. The approximate 21,719 square foot commercial property located on the "hard corner" of Citrus Avenue and Covina Boulevard is not included in the proposed project or Specific Plan.

J. Community Outreach and Input:

A critical component to the development of this Specific Plan has been public outreach and sincere dialog with the community. To that extent, the project proponents have developed a robust community outreach and input effort as part of the Specific Plan's entitlement process. It is estimated that over 500 residents and interested community members reached in the community outreach and input effort. It is important to note that residents were provided with contact information for outreach representatives, as accessibility was an important component of the outreach strategy. The community outreach and input effort has basically consisted of the following efforts:

- **Public Workshops.**
  The public workshops consisted of two (2) City Council Study Sessions held on February 16, 2016 and July 19, 2016; a Planning Commission Study Session held on September 13, 2016 and a community meeting at the Specific Plan area held on September 10, 2016. The September 10, 2016 community meeting was specifically geared toward the adjoining residents, with various project representatives available to provide Specific Plan information to the public and answer specific questions. The September 10, 2016 event was heavily advertised via e-mail and social media by both the outreach team and City representatives. As a result, over 60 community members met with project representatives and engaged in discussions about the Specific Plan, sharing both concerns and praises for the Specific Plan.

- **One-on-one Resident Outreach & Engagement.**
  Between the dates of April 2016 and October 2016, project representatives walked adjoining neighborhoods to the Specific Plan area and knocked door-to-door, in person to distribute Specific Plan information and solicit input. Where residents were not home or unavailable, return efforts were made; and where necessary, return visits were made to residents with follow up information and updates on the Specific Plan design revisions

addressing expressed concerns. Two (2) community meetings were held on April 28, 2016 and September 7, 2016 at the Village Green Community, just south of the Specific Plan area. For those residents the outreach team was unable to connect with in-person, an invitation to participate in the September 10, 2016 community event was extended.

- **One-on-one Business Outreach & Engagement.**
  Between the dates of April 2016 and October 2016, project representatives visited with the adjacent businesses to the south and southwest of the Specific Plan area. Specific Plan information was distributed and input solicited. A follow up visit occurred to provide businesses with updates on project design revisions. In addition to the adjacent businesses, other Covina businesses throughout the City were identified and engaged to further inform the larger Covina business community.

- **Civic and Community Groups.**
  Presentations were scheduled between April 2016 and October 2016 with various civic and community groups to further discuss the Specific Plan. A combination of large group presentations and one-on-one meetings with organization representatives occurred. This included the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club.

- **Public and Quasi-public Agencies.**
  In an effort to reach largest possible pool of groups and individuals, outreach was conducted to interested public agencies and quasi-public agencies. Examples of this outreach to public and quasi-public agencies include the San Gabriel Valley Council of Governments Planning Technical Advisory Committee (SGCOG), Los Angeles County Metropolitan Authority (LA Metro), Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District.

- **Print and Electronic Media.**
  A wide range of print and electronic media was included in this outreach effort. This included Specific Plan flyers, public notices and FAQ brochures. A Specific Plan website was also created and was prominently featured on all print material. This website was consistently updated as the project design evolved, based on community input.

The public outreach efforts have helped transform the project design to the ultimate version. Feedback garnered from the community, particularly from the adjacent residents, has influenced the site design and has addressed various concerns expressed by the community. Issues relating to privacy, public safety and parking have been specifically addressed through this engagement process.

DISCUSSION OF PROJECT ISSUES

Pursuant to the public outreach efforts and Planning Commission and City Council study sessions, several design and project issues were raised. As a result of those raised concerns, project design revisions and other adjustments have been incorporated into the Specific Plan and the correlating Site Plan Review for the Residential Component and the Transit Component.

A. Transit Component.

Concerns expressed regarding the design of the Transit Center and Park and Ride facility have primarily focused on the following design and operational features:

- **Easterly setback of the parking structure.**

  Originally proposed, the easterly setback dimension of the Park and Ride parking structure was located approximately thirty (30) feet from the easterly property line (the shared property line with the single family residences to the east of the project site). The residents adjoining the portion of the project site adjacent to the parking structure were concerned that the proposed distance of the parking structure was too close to the easterly property line.

  The design of the parking structure has been modified to reduce the number of parking spaces from 450 to 372, thus the size of the parking structure was reduced. In addition, the location of the parking structure footprint was moved westerly where the new setback is approximately fifty-eight (58) feet from the easterly property line. The result is the parking structure's easterly elevation will be in the same location as the existing former K-Mart building's easterly wall. Therefore, the distance between the easterly property line and the parking structure has been increased by twenty-eight (28) feet from what was originally proposed.

- **Visual screening/privacy for the single family residences to the east of the parking structure.**

  The residents adjacent to the eastern perimeter of the parking structure expressed another concern relating to the potential viewshed impacts from Foothill Transit patrons parking on the second and third levels of the structure. Residents expressed apprehension with the open parking structure design, as it provided commuters with a direct view into their residences. In addition to project revisions that increased the parking structure setback from thirty (30) feet to approximately fifty-eight (58) feet, the design will also include a solid concrete wall that will be built along the easterly elevation of the parking structure, on the second and third levels. Additional height was also added to the original proposed wall at the top level, from a three (3) foot parapet to a 6 feet, 6 inches solid concrete wall. The result will be that patrons parking on the top and middle deck will not have a view to the east, towards the adjacent single family residences.

In addition to the concrete screen wall, the increased setback between the easterly property line and the parking structure will allow for increased landscape planting of evergreen trees to further reduce potential visual impacts. The evergreen trees within this increased buffer zone will be configured in a "triangle style", where there will essentially be a double row of evergreen trees, creating a more robust tree buffer.

The original parking structure design was to incorporate a "green wall" design feature, where climbing vine plant material will grow upwards along screen mesh material attached to the facades of the parking structure. The "green wall" design feature continues to be proposed. The combination of (1) the increased setback and landscaped buffer of the parking structure; (2) the solid concrete wall on the second level along the eastern elevation; (3) the addition of the 6 foot, 6 inch concrete screen wall along the easterly edge of the top deck of the structure and (4) the originally proposed "green wall" design feature will mitigate potential visual and privacy concerns of the easterly single family residences.

- **The buffer along easterly bus exit driveway onto Covina Boulevard.**

Adjoining residents expressed concern about the close proximity of the bus exit driveway along the eastern property line in relation to the common property line. The setback dimension originally proposed was five (5) feet. The originally proposed five (5) foot setback along the easterly property line would incorporate a landscape buffer. The revised design would increase the landscape buffer setback to twenty (20) feet. The fifteen (15) foot increase in landscape buffer would provide increased space to create the "triangle" evergreen tree planting arrangement proposed in the parking structure landscape buffer.

- **Public safety within the Transit Center.**

One of the concerns consistently expressed was public safety. The primary public safety feature proposed to be utilized within the Transit Center and parking structure will be the Covina Police Department's real-time surveillance camera system. Currently, Covina Police utilizes the real-time surveillance camera system within the downtown area, City Hall, Heritage Park and Cougar Park. The benefit of the surveillance camera system is that it is monitored 24/7 by Covina Police Department personnel. The Police Dispatcher and Watch Commander both have a real-time video feed at their respective work stations. Suspicious activities that are observed by the Police Dispatcher and/or Watch Commander can immediately be addressed by directing Covina Police to the potential issue. The real-time surveillance camera system has been extremely effective in reducing public safety issues within the downtown area, City Hall, Heritage Park and Cougar Park.

In addition to the installation of the real-time camera surveillance system, the Transit Center will have a dedicated parking space for Covina Police Department vehicles. Covina Police out on patrol in the community will be able to always have an accessible location to park their police vehicle at the Transit Center.

- **Operational concerns with the bus operations.**

Residents also expressed concern regarding potential operational impacts associated with the Transit Center and Park and Ride facility. One misconception shared by residents concern was that the Transit Center was comparable to a bus depot, a place where buses are sheltered and where bus service is provided 24/7. On the contrary, the proposed Transit Center will provide Foothill Transit Commuter Express service to downtown Los Angeles. The patrons of this service are existing residents within the Covina community who currently park on city streets and private parking areas to use the existing Foothill Transit commuter bus service.

Foothill Transit's Commuter Express will service the proposed Transit Center between 5:30 a.m. to 8:30 a.m. and 4:30 p.m. to 7:00 p.m. every 30 minutes, Monday through Friday only. Commuter Express service will not operate on weekends or holidays. Approximately 6 to 8 Commuter Express buses will travel to the Transit Center in the morning and 6 to 8 buses in the afternoon hours.

It should be noted, the existing Foothill Transit local line 281, which currently operates and stops on the corner of Citrus Avenue and Covina Boulevard, will continue to operate Monday through Friday between 5:00 a.m. and 9:00 p.m., every 30 minutes. On weekends and holidays, Line 281 will operate from 7:00 a.m. to 7:00 p.m. every 60 minutes. When Foothill Transit buses are not operating, there will be minimal activity at the Transit Center. There will be no late night operations and weekend service for the local bus line will be very limited.

Another concern expressed was the potential noise and emissions of the Foothill Transit bus fleet. Currently, all Foothill Transit buses are either CNG or electric powered bus vehicles. Foothill Transit does not operate any gasoline or diesel-powered buses. In addition, Foothill Transit has a goal to transition their entire bus fleet to 100% electric powered by 2030. Therefore, noise and emissions concerns typically associated with conventional gasoline or diesel-powered buses will not be a factor at the Foothill Transit facility.

B. Residential Component.

Concerns expressed regarding the design of the Residential Component have primarily focused on the following design features:

- **Access through the Residential Component to the single family residences to the east.**

  One of the concerns expressed by the residents in the single family residential properties to the east of the Residential Component the trespasser access from the former K-Mart property into the private residences. Trespassers have continually climbed the existing retaining wall on the common property line. When the Residential Component is constructed, this problem will be mitigated, as the ability to "cut through" the neighboring single family properties to the east will be eliminated.

- **Privacy concerns of the single family residences to the east of the residential component.**

  As with privacy concerns expressed by the residents adjoining the Transit Component, the proposed Residential Component design has been sensitive to potential privacy impacts. The proposed residential site plan has a landscaped setback along the easterly property line of fifteen (15) feet or more, which will be landscaped with evergreen trees and shrubs. Only four (4) residential units will be placed along the setback and they are situated as "side on", where the side elevation and secondary windows will be oriented towards the easterly property line (as opposed to the front of the townhomes). The result is to minimize the number of windows that will be located facing the easterly property line. Furthermore, the units (and windows) along the easterly landscaped setback will be screened with landscaping and evergreen trees to maintain and enhance privacy for both the existing single family residences to the east and the future townhouse owners in the Residential Component.

  The Residential Component also features a community recreation area along the easterly setback. A single story pool building with restrooms, showers and storage has been located adjacent to the easterly property line to minimize noise and provide a buffer from the swimming pool, open space patio, landscaping and bar-b-que area. The anticipated use of the community recreation area will be typical of residential backyard activity, which is compatible with the adjoining single family residences and rules and regulations within the community's CC&R's regarding the use of the community area; this will be managed by the Homeowner's Association and property management company.

- **Adequate on-site parking.**

  Each residential unit will have two (2) enclosed garage parking spaces. In addition to the two (2) enclosed parking spaces per unit, the Residential Component will provide 69 on site guest parking spaces distributed throughout the community. Along the Citrus Avenue frontage, on-street parking will be available to accommodate approximately ten (10) vehicles. The ratio of guest parking space per dwelling unit is .58. If Citrus Avenue on-street parking is considered, then the ratio of available guest parking rises to .67 spaces per dwelling unit.

In addition to the vehicle parking, each residential unit is required to provide accommodations inside the garage for two (2) bicycles, such as hanging racks or wall racks. When considered with the adjoining Transit Component and Civic Components, there is potential access to 112 public parking spaces on the Civic Component and when available, 375 parking spaces within the Park and Ride parking structure. Thus, when included with the sixty-nine (69) on-site guest parking spaces, the ten (10) parking spaces on Citrus Avenue and the potentially available 487 parking spaces within the Transit Component and Civic Component, 566 parking spaces are either on-site or within immediate proximity of the Residential Component.

It should be noted the intent of the proposed project is a transit-oriented development, where the Residential Component will have direct pedestrian access to the Transit Component and nearby Covina Metrolink station. The marketing of the Residential Component will be to attract those buyers who value the ability to live within walking distance to public transportation resources. The flexibility to commute to downtown Los Angeles and other regional employment centers via various transportation services, including the Foothill Transit Center, Metrolink and the nearby Gold Line, will be prominently featured in sales and marketing material and is expected to be strong attraction to the project.

C. Civic Component.

Concerns expressed regarding the design of the Civic Component have primarily focused on the following design features:

- Potential noise and activity impacts associated with the Event Center.

  The uses envisioned for the Civic Component is a community event center and/or a business incubator/innovation center use. Other than the conceptual design, the actual design of the Civic Component has not proceeded through the Site Plan Review application process. The actual and detailed design of the Civic Component will require Site Plan Review as articulated in the Covina Forward Specific Plan. Therefore, specific design issues will be addressed as part of that formal design approval process. In addition, the on-site availability of alcohol in conjunction with banquet uses will require the approval of a conditional use permit.

PUBLIC HEARING NOTICE AND NOTIFICATION

The applicant was given a copy of the staff report with associated attachments, all property owners within a radius of at least 300 feet from the overall project site were mailed notices of the Planning commission public hearing on October 26, 2016, a minimum of ten (10) days before the hearing as required by law. In addition, the public hearing notice was published in the San Gabriel Valley Tribune newspaper on October 24, 2016.

ENVIRONMENTAL DETERMINATION

Pursuant to CEQA) and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, et seq, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the required 30-day review period. The Further, the NOP was posted at the Los Angeles County Registrar Office and the City of Covina City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Subsequent to the EIR Notice of Preparation, a State Clearinghouse number was assigned as follows: SCH # 2016051053 - Covina Transit-Oriented Mixed-Use Development Project. Input was received during this period from public agencies and the general public regarding environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

The City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the "Draft EIR") for the Project, including all necessary technical studies and reports in support of the Draft EIR. In September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

The Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR. A Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines. The Planning Commission has reviewed and considered the Draft and, in the exercise of its independent judgment, recommends that the City Council certify the EIR, make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project. The Planning Commission recommends that the mitigation measures set forth therein be made applicable to the Project. The Planning Commission further finds that substantial evidence in light of the whole record supports the conclusion, as found in the Draft EIR, that the Project will not result in any significant effect on the environment following the incorporation of mitigation. Public agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Draft EIR and the Project. Therefore,

the Planning Commission finds that the project will not have a significant effect on the environment.

RECOMMENDATION

The Department of Community Development recommends the following action to the Planning Commission:

1. Recommend to the City Council certification of the Covina Transit-Oriented Mixed-Use Development Project Environmental Impact Report (EIR) with Mitigation Monitoring and Reporting Programs (SCH # 2016051053);
2. Recommend approval to the City Council of General Plan Amendment (GPA) 16-001;
3. Recommend approval to the City Council of Development Agreement (DA) 16-001;
4. Recommend approval to the City Council of the Covina Forward Specific Plan (SP) 16-001;
5. Recommend approval to the City Council of Zone Change (ZCH) 16-002;
6. Recommend approval to the City Council of Vesting Tentative Tract Map (TTM) 74512;
7. Recommend approval to the City Council of Site Plan Review (SPR) 16-023; and,
8. Recommend approval to the City Council of Site Plan Review (SPR) 16-033.

Prepared by:

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Community Development Director

Nancy Fong
Planning Consultant

EXHIBITS

1. Covina Forward Specific Plan
2. Covina Forward Revenue and Cost Summary
3. PC Resolution No. 2016-029PC (EIR)
4. PC Resolution No. 2016-030PC (Project)
   Exhibit A: (GPA) 16-001
   Exhibit B: (SP) 16-001
   Exhibit C: (ZCH) 16-002
   Exhibit D: (TTM) 74512
   Exhibit E: (SPR) 16-023
   Exhibit F: (SPR) 16-033
   Exhibit G: (DA) 16-001
5. Draft EIR under separate cover
6. Covina Forward project comment letters
7. Development Plan for SPR 16-023
8. Conceptual Plan for SPR 16-033

RESOLUTION NO. 16-029PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL TO CERTIFY THE ENVIRONMENTAL IMPACT REPORT (SCH 2016051053) AS ADEQUATELY PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TO TAKE ACTIONS RELATED THERETO FOR GENERAL PLAN, AMENDMENT (GPA) 16-001, COVINA FORWARD SPECIFIC PLAN (SP) 16-001, ZONE CHANGE (ZCH) 16-002, VESTING TENTATIVE TRACT MAP (TTM) 74512, SITE PLAN REVIEW (SPR) 16-023, SITE PLAN REVIEW (SPR) 16-033, AND DEVELOPMENT AGREEMENT (DA) 16-001, FOR PROPERTY GENERALLY LOCATED 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. (MLC) has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential-like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with 3 levels parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CSFP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of of 117 for-sale townhouse units with with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community input and comments regarding the proposed Project. The purpose of the community outreach was to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of City of Covina conducted study sessions to review the development concepts of the Project and to

provide directions to staff. Both Study Sessions were open to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000, *et seq.* ("CEQA"). Pursuant to CEQA) and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the required 30-day review period. Further, the NOP was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the "Draft EIR") for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public

comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission conducted a duly noticed public hearing as prescribed by law. The Planning Commission has considered the Project, the Draft EIR, and any comments received prior to or at the public hearing, at which time the City staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed Project and the Draft EIR.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COVINA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Based on the entire record, and reviewing the Draft EIR and considering all oral and written information regarding the Project and the Draft EIR presented before and at the Planning Commission's hearing on November 8, 2016, the Planning Commission hereby finds and determines as follows:

a. The above recitals are true and correct, and the Planning Commission hereby incorporates them into this Resolution by this reference.

b. Public agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Draft EIR and the Project.

c. The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines. The Planning Commission has reviewed and considered the Draft and, in the exercise of its independent judgment, recommends that the City Council certify the EIR, make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project. The Planning Commission recommends that the mitigation measures set forth therein be made applicable to the Project. The Planning Commission further finds that substantial evidence in light of the whole record supports the conclusion, as found in the Draft EIR, that the Project will not result in any significant effect on the environment following the incorporation of mitigation. Therefore, the Planning Commission finds that the project will not have a significant effect on the environment.

SECTION 2. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office or the Community Development Department, Planning Division, located at 125 E. College Street, Covina, CA 91723 or at www.covinaca.gov. The custodian of these records is the City Clerk.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the members of the Planning Commission of Covina this 8th day of November, 2016.

_____

CHARLES HODAPP, CHAIRMAN
CITY OF COVINA PLANNING COMMISSION

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Covina at a regular meeting thereof held on the 8th day of November, 2016, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____

COVINA PLANNING COMMISSION SECRETARY

RESOLUTION NO. 16-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT, SCH2016051053 AS ADEQUATELY PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM AND TO TAKE ACTIONS RELATED THERETO, GENERAL PLAN AMENDMENT (GPA) 16-001, COVINA FORWARD SPECIFIC PLAN (SP) 16-001, ZONE CHANGE (ZCH) 16-002, VESTING TENTATIVE TRACT MAP (TTM) 74512, SITE PLAN REVIEW (SPR) 16-023, SITE PLAN REVIEW (SPR) 16-033AND DEVELOPMENT AGREEMENT (DA) 16-001, FOR THE PROPOSED iTEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT. THE PROJECT SITE IS APPROXIMATELY 10.66 ACRES AND GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD - APN: 8406-019-019, 8406-019-020 and 8406-019-17

WHEREAS, MLC Holdings, Inc. (MLC) has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC)

designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CSFP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, et. seq, the City staff determined that a Draft Environmental Impact Report (Draft EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the Draft EIR.

WHEREAS, The Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, at a duly noticed public hearing as prescribed by law, the Planning Commission considered the Draft EIR, the proposed Project and any comments received prior to or at the public hearing, at which time the City staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed Project and the Draft EIR and the Mitigation Monitoring and Reporting Program. Following consideration of the entire record of information received at the public hearing and due consideration of the Project and the Draft EIR, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC, incorporated herein by this reference, recommending that the City Council certify the Draft EIR and adopt the Mitigation Monitoring and Reporting Program prepared for the project.

WHEREAS, on_____, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the project, the Draft EIR and the Mitigation Monitoring and Reporting Program, prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Based on the entire record, and reviewing the Final EIR and considering all oral and written information regarding the Project and the Final EIR presented before and at the City Council's hearing on_____, 2016, the City Council hereby finds and determines as follows:

a. The above recitals are true and correct, and the City Council hereby incorporates them into this Resolution by this reference.

b. Public agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final EIR and the Project.

c. The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines. The City Council has reviewed and considered the Final EIR and, in the exercise of its independent judgment, certify the Final EIR,

make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project. The City Council further finds that substantial evidence in light of the whole record supports the conclusion, as found in the Final EIR, that the Project will not result in any significant effect on the environment following the incorporation of mitigation. Therefore, the City Council finds that the project will not have a significant effect on the environment.

SECTION 2. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office or the Community Development Department, Planning Division, located at 125 E. College Street, Covina, CA 91723 or at www.covinaca.gov. The custodian of these records is the City Clerk.

SECTION 3. The City Council of City of Covina hereby adopts the Project EIR (SCH 2016051053), the Findings of Facts and the Mitigation Monitoring and Reporting Program as shown in Exhibit "A" attached hereto and incorporated by reference. The Project EIR, the Findings of Facts and the Mitigation Monitoring and Reporting Program are available at the Community Development Department, Planning Division Public Counter.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. The City Council hereby directs the Director of Community Development to prepare and file a Notice of Determination with the County Clerk under Title 14, California Code of Regulations Section 15075.

SECTION 6. This Resolution shall become effective upon adoption.

SECTION 7. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this __day of_____, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-XXXX was duly adopted by the City Council of the City of Covina at a regular meeting held on the _____ day of _____2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

_____
SHARON F. CLARK, Chief Deputy City Clerk

RESOLUTION NO. 2016-030PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE FOLLOWING LAND USE ENTITLEMENTS: GENERAL PLAN AMENDMENT (GPA) 16-001 TO AMEND THE LAND USE MAP CHANGING THE LAND USE DESIGNATION FROM GENERAL COMMERCIAL (GC) TO "COVINA FORWARD SPECIFIC PLAN (CFSP)" WITH 6.12 ACRES FOR "HIGH DENSITY RESIDENTIAL (HDR – 15 TO 22 DWELLING UNITS PER ACRE)" AND 4.54 ACRES FOR "GENERAL COMMERCIAL (GC)," COVINA FORWARD SPECIFIC PLAN (SP) 16-001, ZONE CHANGE (ZCH) 16-002 TO AMEND THE OFFICIAL ZONING MAP CHANGING THE ZONING DESIGNATION FROM C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER) AND CR COMMERCIAL ZONE (RECREATION) TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES FOR "CFSP - RD (MULTI-FAMILY)" AND 4.54 ACRES FOR "CFSP - I"(INSTITUTION USES), VESTING TENTATIVE TRACT MAP (TTM) 74512, SITE PLAN REVIEW (SPR) 16-023, SITE PLAN REVIEW (SPR) 16-033, AND DEVELOPMENT AGREEMENT (DA) 16-001, FOR THE PROPOSED DEVELOPMENT KNOWN AS ITEC TRANSIT ORIENTED MIXED-USE PROJECT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina ("City" or "COVINA"), Foothill Transit ("FT") and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use ("Project"). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with 3 levels parking structure that may accommodate

between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CSFP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of of 117 for-sale townhouse units with with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the

Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that a Draft Environmental Impact Report ("DEIR") was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation ("NOP") was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, at a duly noticed public hearing as prescribed by law, the Planning Commission considered the proposed Project and any comments received prior to or at the public hearing, at which time the City staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed Project and the Draft EIR. Following consideration of the entire record of information received at the public hearing and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-029PC recommending that the City Council certify the EIR, make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Findings. Based on the entire record, and reviewing the Draft EIR and the Project, and considering all oral and written information regarding the Draft EIR and the Project presented before and at the Planning Commission's hearing on November 8, 2016, the Planning Commission hereby finds and determines as follows:

a. The above recitals are true and correct, and the Planning Commission hereby incorporates them into this Resolution by this reference.

b. Public agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Draft EIR and the Project.

c. The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines. The Planning Commission has reviewed and considered the Draft and, in the exercise of its independent judgment, recommends that the City Council certify the EIR, make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project. The

Planning Commission recommends that the mitigation measures set forth therein be made applicable to the Project. The Planning Commission further finds that substantial evidence in light of the whole record supports the conclusion, as found in the Draft EIR, that the Project will not result in any significant effect on the environment following the incorporation of mitigation. Therefore, the Planning Commission finds that the project will not have a significant effect on the environment.

d. The facts to support the findings for recommending approval of the General Plan Amendment (GPA) 16-001, the Covina Forward Specific Plan (SP) 16-001, the Zone Change (ZCH) 16-002, the Vesting Tentative Tract Map (TTM) 74512, and the Site Plan (SPR) 16-023, the Site Plan Review (SPR) 16-033 and the Development Agreement (DA) 16-001 are contained in the attached Council Draft Resolutions and Ordinances, incorporated herein by reference to this Planning Commission Resolution.

SECTION 2. Record of Proceedings. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office or the Community Development Department, Planning Division, located at 125 E. College Street, Covina, CA 91723 or at www.covinaca.gov. The custodian of these records is the City Clerk.

SECTION 3. Planning Commission Recommendation. In consideration of the findings stated in the attached City Council Resolutions and Ordinances (as listed below), the Planning Commission of the City of Covina does hereby recommend that the City Council of the City of Covina adopt the following Resolutions and Ordinances to approve the following land use entitlements as follows:

a. Council Draft Resolution No. 16-XXXX approving a General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC) designation to the Covina Forward Specific Plan with 6.12 acres for High Density Residential (HDR - 15 to 22 dwelling units per acre) and 4.54 acres for General Commercial (GC), in the form attached to this Resolution as Exhibit "A", attached hereto, and incorporated herein by this reference.

b. Council Draft Resolution No. 16-XXXX approving Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)," to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development, and in the form attached to this Resolution as Exhibit "B", attached hereto, and incorporated herein by this reference.

c. Council Draft Ordinance No. 16-XXXX approving Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre

project site from the C-3A Commercial Zone (Regional or Community Shopping Center) and CR Commercial Zone (Recreation) to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)," and in the form attached to this Resolution as Exhibit "C", attached hereto, and incorporated herein by this reference.

d. Council Draft Resolution No. 16-XXXX approving Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses, in the form attached to this Resolution as Exhibit "D", attached hereto, and incorporated herein by this reference.

e. Council Draft Resolution No. 16-XXX approving Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space, in the form attached to this Resolution as Exhibit "E", attached hereto, and incorporated herein by this reference; and

f. Council Draft Resolution No. 16-XXXX approving Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet, in the form attached to this Resolution as Exhibit "F", attached hereto, and incorporated herein by this reference; and

g. Council Draft Ordinance No. 16-XXXX approving a Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA, and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres, and in the form attached to this Resolution as Exhibit "G", attached hereto, and incorporated herein by this reference.

SECTION 4. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the members of the Planning Commission of Covina this 8th day of November, 2016.

_____

CHARLES HODAPP, CHAIRMAN
CITY OF COVINA PLANNING COMMISSION

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Covina at a regular meeting thereof held on the 8th day of November, 2016, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
COVINA PLANNING COMMISSION SECRETARY

"EXHIBIT A"
RESOLUTION NO. 16-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (GPA) 16-001 TO AMEND THE LAND USE MAP CHANGING THE LAND USE DESIGNATION FROM "GENERAL COMMERCIAL" TO "COVINA FORWARD SPECIFIC PLAN" FOR APPROXIMATELY 10.66 ACRES OF LAND WITH 6.12 ACRES DESIGNATED FOR "HIGH DENSITY RESIDENTIAL 15-22 DWELLING UNITS PER ACRE" AND 4.54 ACRES DESIGNATED FOR "GENERAL COMMERCIAL" FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina ("COVINA"), Foothill Transit ("FT") and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for

"CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CSFP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letter-lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park & Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the Project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that an Environmental Impact Report ("EIR") was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation ("NOP") was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter.

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council approve General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023 and Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001.

WHEREAS, on_____, 2016, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-XXXX certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-XXXX__ and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on_____, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, said City Council does hereby find and decide that this General Plan Amendment is consistent with and supports the City's General Plan for the following reasons:

a. The project site (APN: 8406-019-019, 8406-019-020 and 8406-019-017) is an underutilized properties generally located east of North Citrus Avenue and north of East Covina Boulevard. The project site encompasses approximately 10.66 acres on three parcels. The largest portion of the project site contains the former K-Mart building approximately 88,000 square feet and a sea of parking areas, which has been vacant since December 2014. Nuisance problems such as homeless persons, graffiti and other unwanted activities have occurred on the project site. The Project, iTEC Transit Oriented Mixed-Use development with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will repurpose the project site with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Project will have a positive impact upon adjoining commercial properties, raise the positive profile of Covina in the region and meet the daily needs of Covina residents and businesses. The Project meets the General Plan Policy to "accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service and environmental constraints." (Land Use Element II.B.1a) The Project meets another General Plan Policy by "accommodating expansion of existing and new commercial and industrial businesses as high priority for reasons pertaining to employment sales tax generation and related economic development benefits and City image enhancement." (Land Use Element II.B.1b)

b. The Project, iTEC Transit Oriented Mixed-Use development with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will provide an appropriate mixing of public use, residential and commercial land use activities. The Project will meet the General Plan Policy of "... will attain a greater variety of retail businesses, attract more people, and general more sales tax and overall vitality, and consider incorporating mixed-uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips." (Land Use Element III.C.a.10)

c. The project site is a unique opportunity for the redevelopment of an underutilized site for infill development and the addition of new high-quality residences, which will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network (Land Use Element III C.1.a.6)

d. The residential component of the project is designed with the common recreation facilities placed closer to the existing single-family residents, as well as minimize the number of townhouse units along the east property boundary and maintain a setback of 15 feet. The 3 levels parking structure of the transit center is setback exactly at the same building line of the existing K-Mart building away from the existing single-family residents to the east side. Instead of existing parking spaces along the east property boundary, the transit center will provide a landscape buffer 20 feet wide with evergreen trees and appropriate shrubs, which will minimize the intrusion of privacy. Furthermore, the parking structure will have a green wall and that is consisting of metal trellis work with landscaping and vines, which will provide further privacy to the existing single-family residents. By this proposed design, the Project is consistent with the General Plan Policy in that it has incorporated sufficient physical and visual buffers to ensure compatibility. Such buffer elements include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and to adequately protect the single family residents or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. (Land Use Element III.D.1.a.6)

e. The Project with a transit center for up to 6 bus-bays plaza, a park & ride facility with 3 levels of parking structure accommodating between 350 and 400 vehicles provide a north/south "transportation gap" that currently exists between the Metro Gold Line, the Covina Metrolink Station, and the Interstate 10 Freeway. The Project supports the General Plan Policy to maintain and improve local transportation programs. (Circulation Element II.B.10)

f. The Project is being developed as a transit-oriented mixed-use development with a mix of residential use, a transit use and a civic/community use. The project site is located at a major transportation corridor of North Citrus and a secondary/collector street of East Covina Boulevard Avenue and is within half a mile from the Metrolink Commuter Train Station. The Project meets the General Plan Policy of "concentrate, to the greatest extent possible, major developments and mixed use in areas, centers, or clusters near or along transit corridors or adjoining bus stops or the Covina Metrolink Commuter Rail Station. (Circulation Element IV.G.11)

g. The Project supports the General Plan Policy by developing an underutilized infill site in a neighborhood that could use physical enhancement. The Project will result in the construction of owner-occupied housing, addresses the deficiency in public/civic use and parkland by dedicating approximately 1.55 acres of the site for the development of a community event center, open space plaza and surface parking. (Land Use Element III C.1.a.27, C.2.a.1, and C.2.a.8)

h. The creation and adoption of a Covina Forward Specific Plan is an implementation tool of the General Plan, which allows a more flexible application of development standards and design guidelines. The adoption of the Covina Forward Specific Plan with the proposed land use categories would ensure compatibility with surrounding land uses and further the policies identified in the City's General Plan. (Land Use Element C.1.a.25)

i. The Project would include reconstruction of the existing public sidewalk around the external perimeter of the project site, including a landscaped parkway according to the City's requirements. These requirements further the General Plan Policy that requires developers to mitigate development impacts in the form of street improvements and public dedications as well as other reasonable requirements. (Land Use Element C.1.a.26)

j. The residential component would provide needed housing to enable the City to provide dwelling units according to the Regional Housing Needs Assessment (RHNA) under the Housing Element of the General Plan. The proposed 117 townhouse units would contribute to the City's remaining unmet need of 991 housing units, thus reducing the unmet housing need in the City by more than 11.8 percent. The Housing Element requires the City to adopt policies and practices that encourage the development of housing in the community, which has also been declared to be a matter of Statewide policy. (Covina Draft Housing Element Update, dated November 15, 2010).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve General Plan Amendment GPA 16-001 and amend the General Plan Land Use Element, Land Use Map for the described real properties in the City of Covina, County of Los Angeles, State of California, as follows:

a. Assessor's Parcel Map numbers 8406-019-019, 8406-019-20 and 8406-019-17 are amended from the General Commercial (GC) designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for High Density Residential (HDR - 15 to 22 dwelling units per acre) and 4.54 acres for General Commercial (GC), as shown in Exhibit "A" and incorporated herein by this reference as though set forth in full. The proposed change in land use designation will accommodate the proposed iTEC Transit Oriented Mixed Use development.

SECTION 4. City Manager Authorization. The City Manager is hereby authorized and directed to take all steps necessary to implement the General Plan related amendments described herein.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 6. Effective Date. This Resolution shall be effective upon adoption.

SECTION 7. Certification. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND PASSED this _____ day of_____, 2016.

City Council of Covina, California

BY: _____
Kevin Stapleton, Mayor

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-XXXX was duly adopted by the City Council of the City of Covina at a SPECIAL meeting held on the ____ day of_____, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

_____
SHARON F. CLARK, Chief Deputy City Clerk

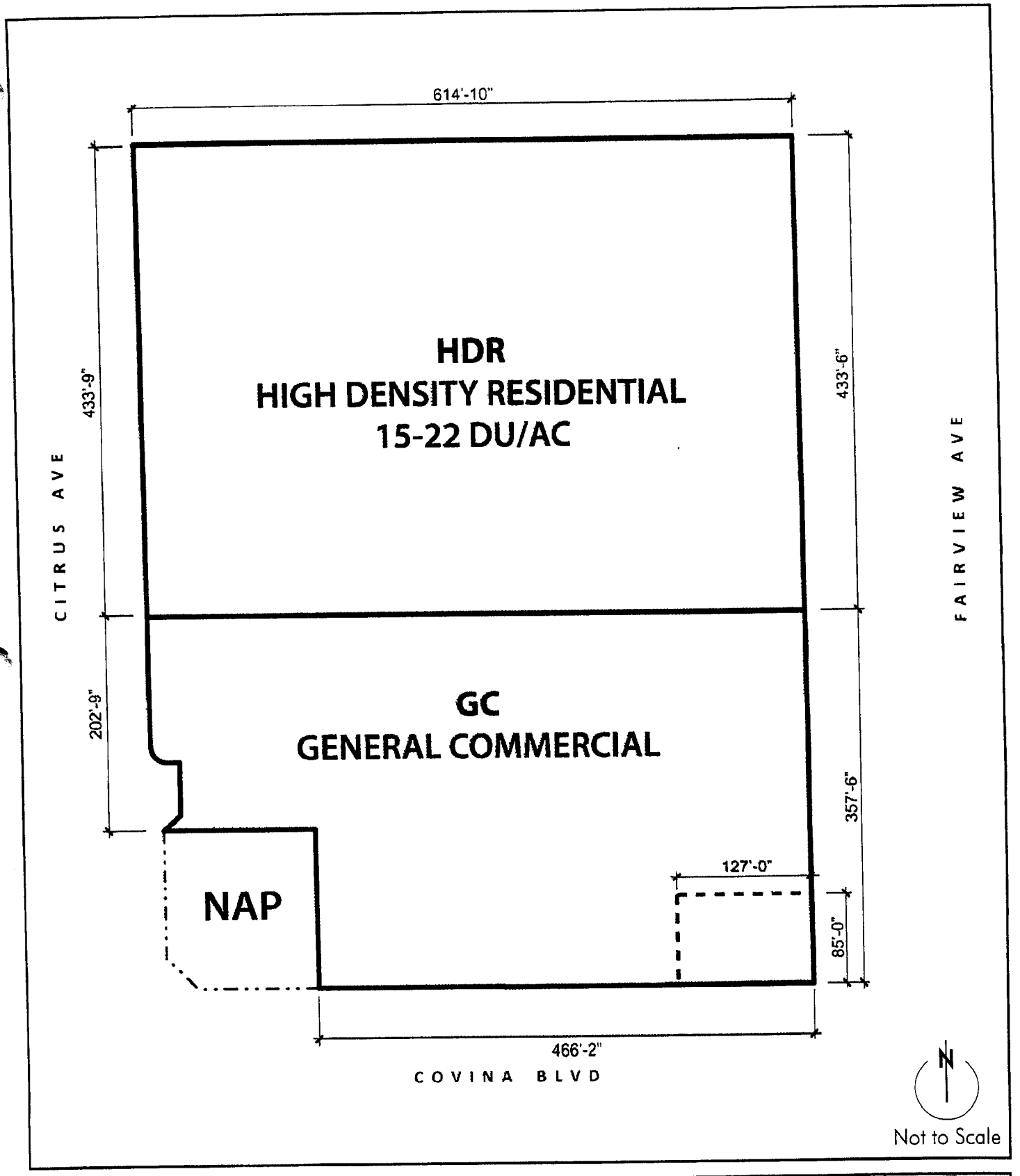


Exhibit A
GPA 16-001 COVINA FORWARD SPECIFIC PLAN (CFSP)

GENERAL PLAN - PROPOSED

Exhibit "B"
RESOLUTION NO. 16-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, ESTABLISHING THE "COVINA FORWARD SPECIFIC PLAN (CFSP)" WITH 6.12 ACRES FOR "CFSP - RD (MULTI-FAMILY)" AND 4.54 ACRES FOR "CSFP - I (INSTITUTIONAL USE)" AND ESTABLISHING SPECIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into the iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for

"CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter..

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council approve the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001.

WHEREAS, on_____, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-XXXX certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-XXXX and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on_____, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project prior to and at the public hearing

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA,

CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and written, and after being fully informed, said City Council does hereby find and decide that the Covina Forward Specific Plan 16-002 is consistent with the public interest and with the City's General Plan for the follow reasons:

a. The establishment of the Specific Plan is consistent with the General Plan for the City of Covina and with all applicable requirements of State law and other ordinances of the City. The Specific Plan will allow the development of a transit oriented mixed-use development for the project site with 117 for-sale townhouse units on 6.12 acres, and a transit center and a park & ride facility together with the City's civic use and community event center on 4.54 acres. The Specific Plan will repurpose the project site area with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Specific Plan will meet the General Plan Policy to "accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service and environmental constraints." (Land Use Element II.B.1a) With the Zone Change to Covina Forward Specific Plan, the transit oriented mixed-use project will meet the General Plan Policy by "accommodating expansion of existing and new commercial and industrial businesses as high priority for reasons pertaining to employment sales tax generation and related economic development benefits and City image enhancement." (Land Use Element II.B.1b)

b. Through the establishment of the Specific Plan and with the Zone Change, the transit oriented mixed-use project with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will provide an appropriate mixing of public use, residential and commercial land use activities. The Specific Plan will meet the General Plan Policy of "... will attain a greater variety of retail businesses, attract more people, and general more sales tax and overall vitality, and consider incorporating mixed-uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips." (Land Use Element III.C.a.10)

c. The Specific Plan will meet the General Plan Policy to facilitate, through zoning provisions and applicable procedures, infill development, development of now-underutilized or vacant parcels, and, where necessary, redevelopment of deteriorating properties, particularly for housing creation and rehabilitation and economic development purposes. This Specific Plan project site area is a unique opportunity

for the redevelopment of an underutilized site for infill development and the addition of new high-quality residences, which will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network (Land Use Element III C.1.a.6)

d. Through the Zone Change to Covina Forward Specific Plan, the project will maintain a 15 feet setback for units along the east property boundary, will maintain a 59 feet building setback for the 3 levels parking structure, which is no closer than the same setback for the existing K-Mart building, and will provide a 20-foot wide landscape buffer to minimize the intrusion of privacy. Such buffer elements are consistent with the General Plan Policy in that it has incorporated sufficient physical and visual buffers to ensure compatibility. (Land Use Element III D.1.a.6)

e. Through the Specific Plan, the project site area will include reconstruction of the existing public sidewalk around the external perimeter of the project site, including a landscaped parkway according to the City's requirements. These requirements further the General Plan Policy that requires developers to mitigate development impacts in the form of street improvements and public dedications as well as other reasonable requirements. (Land Use Element C.1.a.26)

f. The residential component of the Specific Plan would provide needed housing to enable the City to provide dwelling units according to the Regional Housing Needs Assessment (RHNA) under the Housing Element of the General Plan. The proposed 117 townhouse units would contribute to the City's remaining unmet need for 991 housing units, reducing the unmet housing need in the City by more than 11.8 percent. The Housing Element requires the City to adopt policies and practices that encourage the development of housing in the community, which has also been declared to be a matter of Statewide policy. (Covina Draft Housing Element Update, dated November 15, 2010).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Covina Forward Specific Plan (SP) 16-00 for the following described real properties in the City of Covina, County of Los Angeles, California, as follows:

a. The "Covina Forward Specific Plan (CFSP)" is hereby established for Assessor's Parcel Map Numbers 8406-019-019, 8406-019-020 and 8406-019-017 with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CSFP - I (Institutional Use/Zone)" as shown in **Exhibit "A"**, attached herein and incorporated by this reference as though set forth in full. (attach entire Specific Plan Document)

SECTION 4. Consistency with General Plan. On _____, the City Council adopted Resolution No.16-XXXX, which Resolution amended the Land Use Map of the Covina General Plan to change the land use designations from the "General Commercial (GC)" to the "Covina Forward Specific Plan" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)." Therefore, the foregoing

amendment outlined in this Resolution is consistent with the goals and policies of the General Plan for the City of Covina.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 6. City Manager Authorization. The City Manager is hereby authorized and directed to take all steps necessary to implement the General Plan related amendments described herein.

SECTION 7. Effective Date. This Resolution shall be effective upon adoption

SECTION 8. Certification. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this ___ day of_____, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-XXXX was duly adopted by the City Council of the City of Covina at a regular meeting held on the_____ of _____2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

_____
SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "C"
ORDINANCE NO. 16-XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COVINA BY CHANGING THE ZONING DESIGNATION FROM "C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)" AND "C-R COMMERCIAL ZONE (RECREATION)" TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES ZONED FOR "RD (MULTI-FAMILY)" AND 4.54 ACRES ZONED FOR "I (INSTITUTIONAL USE)" FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into the iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "C-R (Commercial Recreation)" to Covina Forward Specific Plan "RD (Multi-Family)" for approximately 6.12 acres and to Covina Forward Specific Plan "I (Institutional Use/Zone)" for 4.54 acres; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the Covina Forward Specific Plan with 6.12 acres zoned for "CFSP-RD (Multi-Family)" and 4.54 acres zoned for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter..

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030 recommending that the City Council approve the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001.

WHEREAS, on_____, the City Council of the City of Covina considered the Project, the Final EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the Final EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-XXXX certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-XXXX and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on_____, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all

the testimony and any comments received regarding the Project prior to and at the public hearing

WHEREAS, all legal prerequisites prior to adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Ordinance.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and written, and after being fully informed, said City Council does hereby find and decide that Zone Change (ZCH) 16-002 are consistent with the public interest and with the City's General Plan for the follow reasons:

a. The Zone Change is consistent with the General Plan for the City of Covina and with all applicable requirements of State law and other ordinances of the City. The Zone Change to Covina Forward Specific Plan for the project site area will allow the development of a transit oriented mixed-use project for 117 for-sale townhouse units on 6.12 acres, and a transit center and a park & ride facility together with the City's civic use and community event center on the 4.54 acres. The Zone Change will repurpose the project site area with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Zone Change will meet the General Plan Policy to "accommodate growth and revitalization that is consistent with established land use patterns, revised General Plan and Zoning intensity and development standards and policies, and applicable provisions of any other City plans and that respect local and regional physical, infrastructure, service and environmental constraints." (Land Use Element II.B.1a) With the Zone Change to Covina Forward Specific Plan, the transit oriented mixed-use project will meet the General Plan Policy by "accommodating expansion of existing and new commercial and industrial businesses as high priority for reasons pertaining to employment sales tax generation and related economic development benefits and City image enhancement." (Land Use Element II.B.1b)

b. Through the establishment of the Specific Plan and with the Zone Change, the transit oriented mixed-use project with 117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center will provide an appropriate mixing of public use, residential and commercial land use activities. The Zone Change will meet the General Plan Policy of "... will attain a greater variety of retail businesses, attract more people, and general more sales tax and overall vitality, and consider incorporating mixed-uses within a "urban village" or livable cities concept, including residential on top of commercial, to bolster social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing, and reduce vehicular trips." (Land Use Element III.C.a.10)

c. The Zone Change will meet the General Plan Policy to facilitate, through zoning provisions and applicable procedures, infill development, development of now-underutilized or vacant parcels, and, where necessary, redevelopment of deteriorating properties, particularly for housing creation and rehabilitation and economic development purposes. This Specific Plan project site area is a unique opportunity for the redevelopment of an underutilized site for infill development and the addition of new high-quality residences, which will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network (Land Use Element III C.1.a.6)

d. Through the Zone Change to Covina Forward Specific Plan, the project will maintain a 15 feet setback for units along the east property boundary, will maintain a 59 feet building setback for the 3 levels parking structure, which is no closer than the same setback for the existing K-Mart building, and will provide a 20-foot wide landscape buffer to minimize the intrusion of privacy. Such buffer elements are consistent with the General Plan Policy in that it has incorporated sufficient physical and visual buffers to ensure compatibility. (Land Use Element III D.1.a.6)

e. With the Zone Change, the project site area will include reconstruction of the existing public sidewalk around the external perimeter of the project site, including a landscaped parkway according to the City's requirements. These requirements further the General Plan Policy that requires developers to mitigate development impacts in the form of street improvements and public dedications as well as other reasonable requirements. (Land Use Element C.1.a.26)

f. The residential component of the Zone Change would provide needed housing to enable the City to provide dwelling units according to the Regional Housing Needs Assessment (RHNA) under the Housing Element of the General Plan. The proposed 117 townhouse units would contribute to the City's remaining unmet need for 991 housing units, reducing the unmet housing need in the City by more than 11.8 percent. The Housing Element requires the City to adopt policies and practices that encourage the development of housing in the community, which has also been declared to be a matter of Statewide policy. (Covina Draft Housing Element Update, dated November 15, 2010).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Zone Change (ZCH) 16-002 and rezone the following described real properties in the City of Covina, County of Los Angeles, California, as follows:

a. Assessor's Parcel Map Numbers 8406-019-019, 8406-019-020 and 8406-019-017 is hereby rezoned from "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the Covina Forward Specific Plan with 6.12 acres zoned for "RD (Multi-Family)" and 4.54 acres zoned for "I (Institutional Use/Zone)" as shown in **Exhibit "A"**, attached herein and incorporated by this reference as though set forth in full.

SECTION 4. Zoning Map Amendment. Based upon the findings contained in Section 2 of this Ordinance, the City Council hereby amends the Official Zoning Map of the City of Covina to change the zoning classification for the property located generally located at the 1162 North Citrus Avenue and 117 East Covina Boulevard APNs 8406-019-019, 8406-019-020 and 8406-019-017 from "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the Covina Forward Specific Plan with 6.12 acres zoned for "RD (Multi-Family)" and 4.54 acres zoned for "I (Institutional Use/Zone)" as shown in Exhibit "A" and is incorporated herein by this reference as though set forth in full.

SECTION 5. Consistency with General Plan. On _____, the City Council adopted Resolution No.16-XXXX, which Resolution amended the Land Use Map of the Covina General Plan to change the land use designations from the "General Commercial (GC)" to the "Covina Forward Specific Plan" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)." Therefore, the foregoing amendments outlined in this Ordinance are consistent with the goals and policies of the General Plan for the City of Covina.

SECTION 6. The documents and materials that constitute the record of proceedings on which these findings and this Ordinance are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 7. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Covina hereby declare that they would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. This Ordinance shall become effective within thirty (30) days after its adoption.

SECTION 19. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a summary of thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Covina.

SECTION 10. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall enter the same in the Book of Original Ordinances.

SIGNED AND APPROVED this ___ day of_____, 2016.

KEVIN STAPLETON, MAYOR

ATTEST:

SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Ordinance No. 16-XXXX was duly adopted by the City Council of the City of Covina at a regular meeting held on the_____ of _____2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

SHARON F. CLARK, Chief Deputy City Clerk

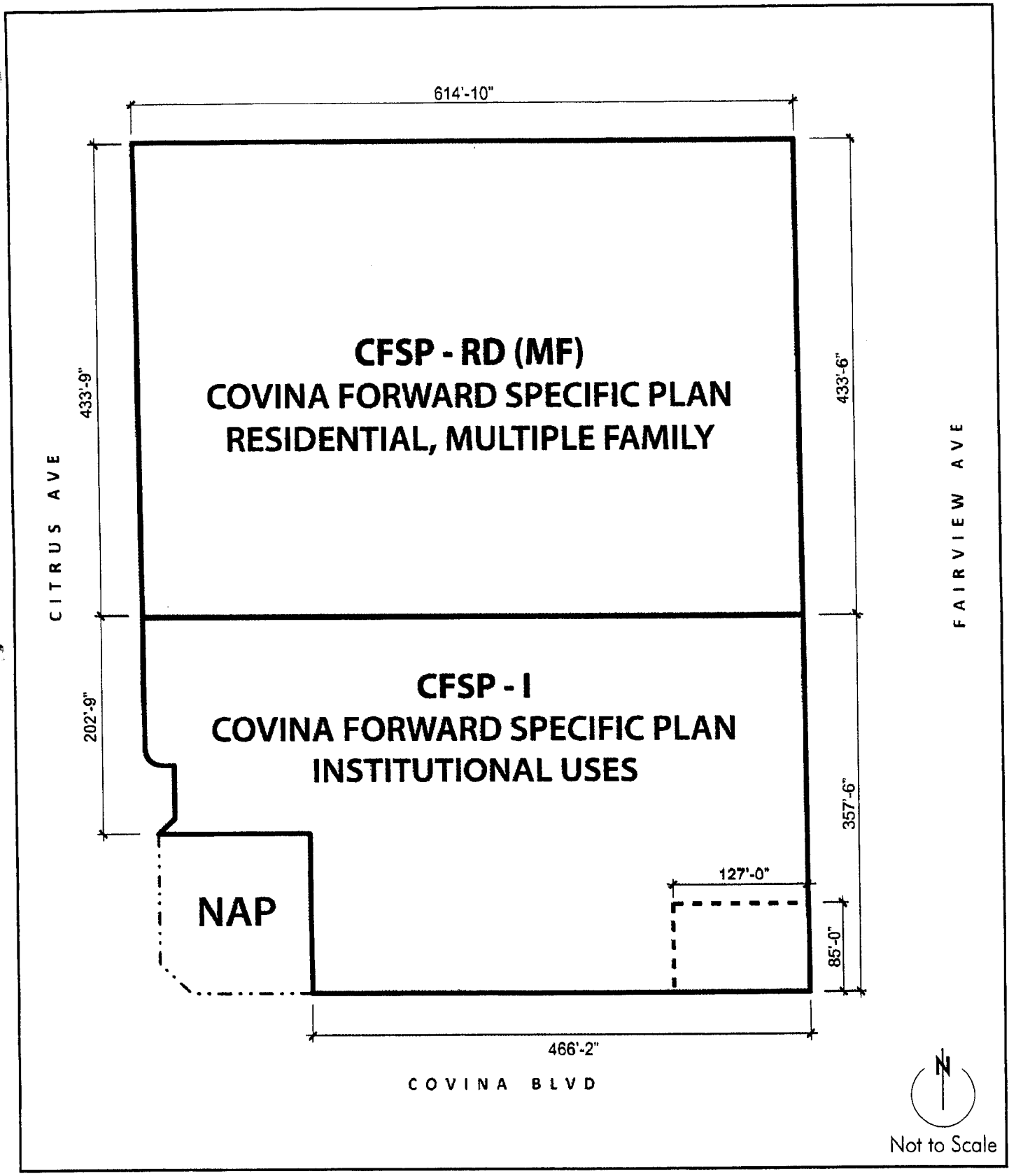


Exhibit A
ZCH 16-002 COVINA FORWARD SPECIFIC PLAN (CFSP)

ZONING - PROPOSED

EXHIBIT "D"
RESOLUTION NO. 16-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING THE VESTING TENTATIVE TRACT MAP 74512 FOR DIVIDING THE 10.66-ACRE PROJECT SITE INTO 23 LOTS WITH 21 LOTS AND 12 LETTERS LOTS ON APPROXIMATELY 6.12 ACRES FOR THE RESIDENTIAL DEVELOPMENT OF 117 FOR-SALE TOWNHOUSE UNITS AND 2 LOTS (LOTS 22 AND 23) ON APPROXIMATELY 4.54 ACRES FOR PUBLIC/TRANSIT AND PUBLIC/CIVIC USES, FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-09-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avnue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina (COVINA), Foothill Transit (FT) and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use (Project). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses inclduing approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project, iTEC Transit Oriented Mixed-Use development, necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for

"CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers who presented their views of the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et. seq*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, at a duly noticed public hearing as prescribed by law, the Planning Commission considered the proposed Project and any comments received prior to or at the public hearing, at which time the City staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed Project and the Draft EIR. Following consideration of the entire record of information received at the public hearing and due consideration of the Project and the Draft EIR, the Planning Commission adopted Resolution No. 16-029PC, recommending that the City Council certify the Draft EIR and make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project; and, adopt Resolution No. 16-030PC, recommending that the City Council approve the Vesting Tentative Tract Map (TTM) 74512, subject to conditions.

WHEREAS, on_____, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the project, the Draft EIR prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, the City Council does hereby find and decide, pursuant to Title 16.08.140 of the Covina Municipal Code:

Vesting Tentative Tract Map (TTM)74512

a. The proposed subdivision is consistent with the General Plan and all applicable codes and regulations.

   Fact: After the adoption of the related applications General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, the Project will be consistent with the General Plan and all applicable codes and regulations. The creation and adoption of a Specific Plan (SP) is an implementation tool of the General Plan, which allows a more flexible application of development standards while maintaining compatibility with existing surrounding uses and consistency with the General Plan. The Project supports policies of the General Plan by developing an underutilized infill site into a transit oriented mixed-use project with

117 for-sale townhouse units, a transit center and a park & ride facility together with the City's civic use and community event center. The Project will repurpose the site with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences. The Project also addresses the deficiency in parkland by dedicating approximately 1.55 acres for the development of a community event center. The Project would also contribute 117 housing units to the City's remaining unmet need for 991 housing units, reducing the unmet need by more than 611.8 percent (Covina Draft Housing Element Update, dated November 15, 2010).

b. The design and improvements of the proposed subdivision are consistent with the General Plan.

Fact: The Covina General Plan contains design-related policies to ensure that new residential and non-residential projects when adjacent to single-family residences will incorporate sufficient physical and visual buffers to ensure compatibility. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and shall adequately protect the single family residences or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. The residential component of the subdivision is designed with common recreation facilities place closer to the existing single-family residents, minimize the number of townhouse units along the east property boundary and maintain a setback of 15 feet. The 3 levels parking structure of the transit center is setback exactly at the same building line of the existing K-Mart building away from the existing single-family residences to the east side. The proposed transit center will provide a 20-foot landscape buffer with evergreen trees and appropriate shrubs, which will minimize the intrusion of privacy. Furthermore, the proposed park & ride facility will have a green wall consisting of metal trellis with landscaping and vines, which will provide further privacy to the existing single-family residences. The perimeter streets surrounding the development will have a landscaped parkway. The Project, with its design, improvements and conditions of approval, will be consistent with the General Plan.

c. The subdivision is physically suitable for the type and proposed density of development proposed by the tentative map.

Fact: The proposed subdivision divides the 10.66 acres into 23 lots and 12 letter lots. The residential component consists of 21 lots and 12 letter lots on approximately 6.12 acres for the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. The proposed density is approximately 19.11 units per acre, which is consistent with the Specific Plan and the zoning standards for the High Density Residential Zone, which allows a density of 15 to 22 units per acre. Lot 22 is approximately 2.99 acres in size and is slated for the development of a transit center with up to 6 bus-bays plaza, a park & ride facility with 3 levels parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. Lot 23 is approximately 1.55 acres in

size and is planned for future development of approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area. The site, upon approval of the General Plan Amendment, Covina Forward Specific Plan and Zone change, and the implementation of conditions of approval and mitigation measures, would be physically suitable for the type and proposed density of development proposed by the vesting tentative tract map.

d. The design of the subdivision and proposed improvements, with conditions of approval will not be likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

   Fact: The Project site is about 10.66 acres in size, in a predominantly urban location and is surrounded by existing single-family houses to the east and west, multi-family units to the north, multi-family units and commercial centers to the south. The Project site is currently developed with the former K-Mart building approximately 88,000 square feet and a sea of parking areas, which has been vacant since December 2014. A smaller parcel to the south east of the project site is developed with an existing residential like structure and is currently used for a day care center. The site is not designated fish or wildlife habitat nor is it located nearby to any such territory. Further, as noted in the Draft EIR for this Project, with mitigation measures incorporated, the City finds that the Project will result in less than significant environmental impacts. Therefore, the subdivision will not be likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

e. The design of the subdivision and the type of improvements are not likely to cause serious public health problems.

   Fact: The residential component of the subdivision will have two point of access off North Citrus Avenue. The overall on-site circulation for the residential component of the subdivision design will meet all Fire access and requirements. The public/transit use with the transit center, the park & ride facility will satisfy the parking demands for Foothill Transit while decreasing the on street parking along City's streets. The park & ride facility will have a separate access for vehicles' egress and ingress while the transit center will have designated bus ingress off North Citrus Avenue and egress off East Covina Boulevard. The public/civic use with the future building for parking area for a community event center will have access off east Covina Boulevard. Although access for the three components of the subdivision is separated for safety purpose, there will be pedestrian connections between the public/transit and public/civic uses and from the residential use to the pubic/transit use. The overall subdivision design, the proposed uses and the types of improvements together with the various Mitigation Measures and Conditions of Approval will ensure development harmony with surrounding land uses and will not cause serious public health problems.

f. The design of the subdivision provide for future passive or natural heating and cooling opportunities in the subdivision to the extent feasible.

Fact: The design of the subdivision provides for both passive and natural heating and cooling opportunities. The residential development with the 117 for-sale townhouse units will have operable windows for passive and natural heating. The residential development, the public/transit development with a transit center, a park and ride facility and a retail building, and the public/civic development with a future building for community event center will require to comply with Title 24 of the Uniform Building Code. Furthermore, the park & ride facility will provide solar-panels at the top level of the parking structure; and, the building sides of the parking structure will have a green wall (trellis with landscaping).

g. Focusing on the design of the subdivision and the type of improvements to be required, the Project will not conflict with easements acquired by the public at large for access through or the use of the subdivision or with the design of alternate easements that are substantially equivalent to those previously acquired by the public.

Fact: The design of the subdivision will not conflict with existing City rights-of-way or other public access easements. According to City records, there are no alternate or potential easements that would be affected by the Project.

h. The Project with its subdivision design is consistent with the city's parkland dedication requirements (Quimby Act – Chapter 16.28 CMC).

Fact: The City's parkland dedication requirement is three acres of property for every 1,000 persons residing within the City to be devoted to local park and recreational purposes. Using the City's dwelling unit occupancy factor of 3.02 persons per household for owner-occupied dwelling units, the proposed 117-unit subdivision will generate a population of 352 persons, requiring a parkland dedication of 1.06 acres (117 x 3.02 x .003). Per the terms of the Development Agreement (DA) 16-001, the applicant shall convey 1.11 acres to the City and convey 0.351of parkland to the City.

i. The Applicant has demonstrated that a sufficient water supply will be available to serve the subdivision, in accordance with California Government Code Section 66473.7.

Fact: The Project is served by Azusa Water, which have sufficient capacity to provide water to serve the subdivision. However, given the State of California drought conditions and the continued emphasis on water conservation and efficiency, the Project is required to comply with Covina Municipal Code Chapter 17.82 regarding Water Efficient Landscape Regulations and the State July 2015 Model Water Efficient Landscape Ordinance (MWELO). The Project will include several exterior water conservation measures, including but not limited to the following: Smart Irrigation Controllers, Central Computer Irrigation Controllers for Common Areas,

Soil Moisture Sensor Systems, Large Rotary Nozzles, bubblers, micro-sprays and drip irrigation. Interior water conservation strategies will include low flow fixtures (faucets) and appliances (tank toilets and clothes washers).

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Vesting Tentative Tract Map (TTM) 74512, a proposal to subdivide an approximately 10.66-acre site into 23 lots and 12 letters lots for the purpose of developing the iTEC Transit Oriented Mixed Use project, subject to all conditions contain in "Exhibit A" attached herein and incorporated by this reference.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. Effective Date. This Resolution shall be effective upon the effective date of Ordinance No. 16-XXXX:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COVINA BY CHANGING THE ZONING DESIGNATION FROM "C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)" AND "C-R COMMERCIAL ZONE (RECREATION)" TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES ZONED FOR "RD (MULTI-FAMILY)" AND 4.54 ACRES ZONED FOR "I (INSTITUTIONAL USE)" FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

SECTION 6. Certification The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this ____ day of _____, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-XXXX was duly adopted by the City Council of the City of Covina at a regular meeting held on the __ day of_____, 2016, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Dated:

_____

SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "E"
RESOLUTION NO. 16-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-023 FOR THE CONSTRUCTION OF 117 FOR-SALE TOWNHOUSE UNITS WITH PRIVATE DRIVE AISLES, RECREATION FACILITIES AND COMMON OPEN SPACE AREA, FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD (APN 8406-019-019, 8406-019-020 AND 8406-09-017)

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avenue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina ("COVINA"), Foothill Transit ("FT") and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use ("Project"). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park and ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or

Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60

community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et Seq.*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission considered the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a

duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter..

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council approve the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001.

WHEREAS, on_____, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16- certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-XXXX and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, on_____, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, the City Council does hereby find and decide, with regards to Site Plan Review (SPR) 16-023 and pursuant to Title 17.64.070 of the Covina Municipal Code, that:

a. All provisions of the Zoning Ordinance (Title 17 of the Covina Municipal Code) are complied with.

   Fact: After the adoption of the related applications General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, the Project will be consistent with the General Plan, the special development standards and the Covina Forward Specific Plan (SP) and all applicable sections of the Zoning Ordinance. The Project meets and exceeds the setback requirements, the building height requirements, the square footage requires for open space area, and the require storage space in the garage. Each unit is provided with a 2-car garage and the project has 69 guest parking spaces. The Project will meet the community's need for transit-related residences and contribute 117 housing units to the City's remaining unmet need for 991 housing units, reducing the unmet need by more than 611.8 percent (Covina Draft Housing Element Update, dated November 15, 2010).

b. The basic project elements (1) buildings, structures, and improvements.; 2) vehicular ingress, egress and internal circulation; 3) setbacks; 4) height of buildings; 5) location of service; 6) walls; and 7) landscaping) are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and no adverse effects will occur on surrounding properties.

   Fact:. The Project consists of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area. The Project will have two point of access off North Citrus Avenue. The overall on-site circulation for the residential component of the site plan design will meet all Fire access and requirements. Each unit will have a 2-car garage and there is sufficient guest parking of up to 69 parking spaces for the residential project. There will be pedestrian connection from the residential units to the transit center, thus encouraging the use of transit and may decrease the vehicular trips from the residential project. The proposed units are three-story high about 37 feet to the peak of the roof but the Project design minimizes the number of townhouse units place along the east property boundary and maintain a building setback of 15 feet to provide for compatibility. Furthermore, the 15 feet setback from the east property boundary will be landscaped to provide a visual buffer. A landscaped front yard setback and parkway will also contribute to an aesthetic streetscape. Therefore, the proposed arrangement of the project site design with the implementation of conditions of approval and mitigation measures, the traffic congestion will be avoided, the pedestrian and vehicular safety and welfare will be protected, and there will be no adverse effect on surrounding property.

c. The Project design conforms to the General Plan, the design guidelines, transportation

demand regulations and any specific plans or guidelines which may be applicable to the Project.

Fact: The Covina General Plan and the Covina Forward Specific Plan contain design-related policies to ensure that new residential or non-residential projects when adjacent to single-family residences will incorporate sufficient physical and visual buffers to ensure compatibility. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and shall adequately protect the single family residences or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. The Project is designed with common recreation facilities place closer to the existing single-family residents, minimize the number of townhouse units along the east property boundary and maintain a setback of 15 feet. The perimeter streets surrounding the project will have a landscaped parkway. The Project, with its design, improvements and conditions of approval, will be consistent with the General Plan, the Covina Forward Specific Plan and and citywide design guidelines.

d. The Project design is harmonious, consistent, and complete within itself and functionally and visually compatible with neighboring land uses and the area in which it is located.

Fact: Although the Project is at a higher density (19.11 dwelling units per acre) than the easterly adjacent single-family residences, the Project site design oriented the common recreation facilities with a one-story and small recreation building at the easterly property boundary. The Project design minimizes the number of townhouse units place along the east property boundary and maintain a building setback of 15 feet to provide for compatibility. Furthermore, the 15 feet setback from the east property boundary will be landscaped to provide a visual buffer. A landscaped front yard setback and parkway will also contribute to an aesthetic streetscape. The architectural style for the Project follows the 'Mid-Century' style. The design elements include pitch roof with concrete tiles, stucco exteriors with accent materials of bricks or stones, window treatments with decorative trims, metal canopies over balconies and exposed beams. Based on the site and building design and their function, the Project is harmonious, consistent and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located.

e. The development will constitute an adequate environment for the intended use by sustaining the desirability and stability of the neighborhood and community.

Fact: The design of the Project sustains the desirability and stability of the neighborhood and community by revitalizing an underutilized parcel with additional transit-oriented residences. The new townhouse units will be arranged to fit seamlessly with the adjacent public/transit use and public/civic use, will add value to the community and bring needed homes to the City of Covina.

f. Proposed lighting is so arranged as to reflect the light away from adjoining properties.

Fact: Construction of the 117 for-sale townhouse units would produce nighttime lighting, however, the amount of lighting would be minimal and consist mostly of internal street lights and outdoor residential security lighting similar to what already exists in the area. Given the urban nature of the Project area and the existing amount of light and glare generated by the surrounding residential and commercial uses, light and glare from the Project would not be substantially noticeable over the existing conditions. Thus, the amount of lighting would not be substantial or adversely affect day or nighttime views in the area, nor impact adjoining properties. All outside lighting will be required as a standard condition of approval to be designed and sited in a manner that prohibits glare onto adjacent properties.

g. Proposed signs will not, by size, location, color, or lighting, interfere with traffic or limit visibility.

Fact: There are no proposed signs associated with the Project. Any signage proposed for the Project would be subjected to a Uniform Sign Program in compliance with the Covina Forward Specific Plan and obtain separate sign permit.

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private aisles, recreation facilities and common open space area, subject to all the Conditions of Approval contain in **Exhibit "A",** attached herein and incorporated by this reference as though set forth in full.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. Effective Date. This Resolution shall be effective upon the effective date of Ordinance No.16-XXXX:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COVINA BY CHANGING THE ZONING DESIGNATION FROM "C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)" AND "C-R COMMERCIAL ZONE (RECREATION)" TO "COVINA FORWARD SPECIFIC PLAN WITH 6.12 ACRES ZONED FOR "RD (MULTI-FAMILY)" AND 4.54 ACRES ZONED FOR "I (INSTITUTIONAL USE)" FOR THE PROPOSED ITEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

SECTION 6. Certification The City Clerk shall certify to the passage and adoption of

this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this ___ day of_____, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-XXXX was duly adopted by the City Council of the City of Covina at a regular meeting held on the ___ day of_____, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

_____
SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "F"
RESOLUTION NO. 16-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-033 FOR THE CONSTRUCTION OF A TRANSIT CENTER UP TO A SIX-BAY BUS PLAZA, A PARK & RIDE VEHICLE PARKING STRUCTURE AND A 4,800 SQUARE FOOT RETAIL BUILDING FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-09-017

WHEREAS, MLC Holdings, Inc. ("MLC") has an equitable interest in the real properties located at 1162 N. Citrus Avnue (APN 8406-019-019 and 020), and at 117 E. Covina Boulevard (APN 8406-019-017) (collectively, the project site). The project site is comprised of 3 parcels and is approximately 10.66 acres in size. Two parcels contain the former K-Mart building and parking area, which has been vacant since December 2014, while the third parcel is an existing residential like structure and is currently used for a day care center.

WHEREAS, in January 2016, City of Covina ("COVINA"), Foothill Transit ("FT") and MLC have been working to consider jointly developing the project site into a iTEC Transit Oriented Mixed-Use development consisting of three components with a residential use, a transit/civic use and a public/civic use ("Project"). MLC proposes to develop the residential use on approximately 6.12 acres consisting of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces areas. FOOTHILL TRANSIT proposes to develop the transit/civic use on approximately 2.99 acres consisting of a transit center with up to 6 bus-bays plaza, a park & ride facility with a 3-level parking structure that may accommodate between 350 and 400 vehicles and a 4,800 square feet building for retail use. COVINA proposes to develop the public/civic use on approximately 1.55 acres consisting of a potential menu of civic-oriented uses including approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center with surface parking area.

WHEREAS, the Project necessitates the following land use discretionary entitlements:

a. A General Plan Amendment (GPA) 16-001 to amend the Land Use Map changing the land use designation for the 10.66-acre project site from the "General Commercial (GC)" designation to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "High Density Residential (HDR - 15 to 22 dwelling units per acre)" and 4.54 acres for "General Commercial (GC)."

b. A Covina Forward Specific Plan (SP) 16-001 to establish the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for " CFSP - RD (Multi-Family)" and 4.54 acres for "CFSP - I (Institutional Use/Zone)"; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

c. A Zone Change (ZCH) 16-002 to amend the Official Zoning Map changing the zoning designation for 10.66-acre project site from the "C-3A Commercial Zone (Regional or Community Shopping Center)" and "CR Commercial Zone (Recreation)" to the "Covina Forward Specific Plan (CFSP)" with 6.12 acres for "CFSP-RD (Multi-Family)" and 4.54 acres for "CFSP-I (Institutional Use/Zone)."

d. A Vesting Tentative Tract Map (TTM) 74512 for dividing the 10.66-acre project site into 23 lots with 21 lots and 12 letters lots on approximately 6.12 acres for the residential development of 117 for-sale townhouse units, private drive aisles, recreation facilities and common open space areas; and, 2 lots (lots 22 and 23) on approximately 4.54 acres for public/transit and public/civic uses.

e. A Site Plan Review (SPR) 16-023 for the construction of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space area.

f. A Site Plan Review (SPR) 16-033 for the construction of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet.

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

WHEREAS, in April and through November 2016, COVINA began a robust community outreach program to solicit neighborhood and community inputs and comments regarding the proposed Project. The purpose of the community outreach is to obtain feedback from the neighborhood and community/civic groups so as to address issues and/or concerns early in the development concepts stage of the Project. The community outreach program included contacting residents in the neighborhood in person (one-on-one) and distributing Project information and soliciting input with follow-up contacts for Project updates. In addition to the adjacent residential neighborhood, the community outreach program contacted the adjacent businesses, the larger Covina business community, civic and community groups such as the Covina Chamber of Commerce, Covina Rotary Club, Sunrise Rotary Club, Downtown Covina Merchants Association and the Covina Lions Club, public agencies and quasi-public agencies such as East San Gabriel Valley Council of Governments Planning Technical Advisory Committee, Los Angeles County Metropolitan Authority, Citrus Valley Health Partners, Mt. San Antonio College and Covina Valley Unified School District. The outreach included a combination of large group presentations and one-on-one meetings with organization representatives. Lastly, the community outreach program included the traditional "print media" such as project flyers, public notices and FAQ brochures. A Project-specific website was created and consistently updated as the Project design evolved, based on the community input.

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of the City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

WHEREAS, on September 10, 2016, a community workshop was held at the project site

specifically geared toward the adjacent residents with various Project representatives available to provide Project information to the public and to answer specific questions. More than 60 community members were present at the community workshop and engaged in discussion about the Project, sharing both concerns and praises for the Project.

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers who presented their views on the Project.

WHEREAS, the Project is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA"). Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et. seq*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk's office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Environmental Impact Report (the Draft EIR) for the Project, including all necessary technical studies and reports in support of the Draft EIR.

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project's potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

WHEREAS, the Draft EIR identifies that the Project would result in no impact or less than significant impacts in the following environmental impact categories: agricultural and forestry resources, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, recreation, transportation and traffic, and utilities and service systems. With the incorporation of mitigation measures identified in the Draft EIR, the potentially significant impacts of the Project in the following categories would be reduced below a level of significance: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise. No significant and unmitigable impacts have been identified in the EIR.

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, the Planning Commission the General Plan

Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033, Development Agreement (DA) 16-001 and the Draft EIR, and at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter.

WHEREAS, following consideration of the entire record of information received at the public hearing, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC recommending that the City Council certify the Final Environmental Impact Report for the Project, approve a Mitigation Monitoring Program for the Project and adopt findings pursuant to CEQA.

WHEREAS, following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 16-030PC recommending that the City Council adopt the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001.

WHEREAS, on_____, 2016, the City Council of the City of Covina considered the Project, the EIR and the Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the EIR and the Mitigation Monitoring and Reporting Program prior to and at the public hearing.

WHEREAS, following consideration of the entire record of information received at the public hearing, the City Council found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-XXXX certifying the Final EIR, adopting a Mitigation Monitoring and Reporting Program and adopting findings pursuant to CEQA. Resolution No. 16-XXXX and the findings therein are hereby incorporated by this reference as set forth in full.

WHEREAS, all legal prerequisites prior to adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. After giving full consideration to all evidence presented at the public hearing, both oral and documentary, and after being fully informed, the City Council does hereby find and decide, pursuant to Title 17.64.070 of the Covina Municipal Code:

Site Plan Review

a. All provisions of the Covina Forward Specific Plan and applicable sections of the Zoning Ordinance are complied with.

   Fact: After the adoption of the related applications General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, the Project will be consistent with the General Plan, the special development standards and design guidelines of the Covina Forward Specific Plan (SP) and all applicable sections of the Zoning Ordinance. The Project, a transit center with six-bus bays, and a 3 level park & ride vehicle parking structure that may accommodate between 350 to 400 parking spaces, will satisfy the parking demands for Foothill Transit customers and decrease the need for on-street parking along city streets. The park & ride vehicle parking structure is setback approximately 60 feet from the east property boundary providing a distance separation from existing single-family residences. The 4,800 square feet retail building is setback 30 feet from the street-side property line and one-story in height. The 3 level park & ride vehicle parking structure is approximately 21 feet high and is well below the 35 feet maximum height allow in the easterly adjacent R-1-7500 residential zone.

b. The basic project elements (1) buildings, structures, and improvements.; 2) vehicular ingress, egress and internal circulation; 3) setbacks; 4) height of buildings; 5) location of service; 6) walls; and 7) landscaping are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and no adverse effects will occur on surrounding properties.

   Fact:. The overall on-site circulation for the transit center, the park & ride vehicle parking structure and the retail building will meet all Fire access and requirements. The transit center and the park & ride vehicle parking structure will satisfy the parking demands for Foothill Transit while decreasing the on-street parking along City's streets. The park & ride vehicle parking structure will have a separate access for vehicles' egress and ingress while the transit center will have a designated bus ingress off North Citrus Avenue and egress off East Covina Boulevard. Although access for the three components of the Project, the residential use, the public/transit use and the public/civic use, is separated for safety purpose, there will be pedestrian connections between the public/transit and public/civic uses and from the residential use to the pubic/transit use. The pedestrian connection from the residential units to the transit center will encourage the use of transit and may decrease the vehicular trips from the residential project. The park & ride vehicle parking structure is setback approximately 60 feet from the east property boundary providing a distance separation from existing single-family residences. The 4,800 square feet retail building is setback 30 feet from the street-side property line and one-story in height. The 3 level park & ride vehicle parking structure is approximately 21 feet high and is well below the 35 feet maximum height allow in the easterly adjacent R-1-7500

residential zone. The transit center will provide a landscape buffer 20 feet wide with evergreen trees and appropriate shrubs. Furthermore, the parking structure will have a green wall and that is consisting of metal trelliswork with landscaping and vines. The transit center will provide a substantial size of pedestrian plaza, approximately 5,000 square feet between the park & ride vehicle parking structure and the small retail building. Therefore, the proposed arrangement of the project site design with the implementation of conditions of approval and mitigation measures, the traffic congestion will be avoided, the pedestrian and vehicular safety and welfare will be protected, and there will be no adverse effect on surrounding property.

c. The Project design conforms to the General Plan and any design guidelines or specific plans that may be applicable to the Project.

Fact: The Covina General Plan and the Covina Forward Specific Plan contain design-related policies to ensure that new residential or non-residential projects when adjacent to single-family residences will incorporate sufficient physical and visual buffers to ensure compatibility. Such buffers shall include, but not be limited to, building setback and architecture, landscaping, walls, and other physical and aesthetic elements and shall adequately protect the single family residences or sensitive uses from noise, light, trash, vehicular traffic, and other visual and environmental disturbances. The 3 levels parking structure of the transit center is setback approximately 60 feet from the east property boundary, which is at the same setback location as the existing K-Mart building. Instead of existing parking spaces along the east property boundary, the transit center will provide a landscape buffer 20 feet wide with evergreen trees and appropriate shrubs, which will minimize the intrusion of privacy. Furthermore, the parking structure will have a green wall and that is consisting of metal trelliswork with landscaping and vines, which will provide further privacy to the existing single-family residents. The transit center will provide a substantial size of pedestrian plaza, approximately 5,000 square feet, between the park & ride vehicle parking structure and the small retail building. The Project, with its design, improvements and conditions of approval, will be consistent with the General Plan, the Covina Forward Specific Plan and and citywide design guidelines.

d. The Project design is harmonious, consistent, and complete within itself and functionally and visually compatible with neighboring land uses.

Fact: The Project is a transit center, a park & ride vehicle parking structure, and a small retail building about 4,800 square feet in size. The transit center consists of six-bus bays where only buses enter off North Citrus Avenue and exit off East Covina Boulevard. The park & ride vehicle parking structure is 3-level and the entry and exit is off North Citrus Avenue. A substantial size, approximately 5,000 square feet of open space plaza is provided between the retail building and the 3-level park & ride vehicle parking structure. To provide compatibility of the transit center with the easterly residential use, the 3-level park & ride vehicle parking structure maintain the same 59 feet setback as the existing K-Mart building, a substantial distance separation from the existing single-family residence. The building height of the 3-level park &

ride vehicle parking structure is approximately 21 feet and is well within the 35 feet maximum height allow in residential R-1-7500 zone. The Project site design includes a 20-foot wide landscape area along the east property boundary for providing a visual buffer to adjacent residential use. Based on the site and building design and their function, the Project is harmonious, consistent and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located.

e. The development will constitute an adequate environment for the intended use by sustaining the desirability and stability of the neighborhood and community.

Fact: The Project, a transit center, a park & ride vehicle parking structure, and a retail building, is a component of the transit-oriented mixed-use development. The purpose of the transit-oriented mixed-use development is to provide the orderly redevelopment of a vacant, prominent disused commercial property within the City, but in a manner that addresses the community's needs for transit-oriented residential development, regional transportation facilities and civic/community facilities.

f. Proposed lighting is so arranged as to reflect the light away from adjoining properties.

Fact: The project would produce nighttime lighting, however, the amount of lighting would be minimal and consist mostly of internal lights along the bus drive lane and outdoor security lighting similar to what already exists in the area. Given the urban nature of the Project area and the existing amount of light and glare generated by the surrounding residential and commercial uses, light and glare from the Project would not be substantially noticeable over the existing conditions. Thus, the amount of lighting would not be substantial or adversely affect day or nighttime views in the area, nor impact adjoining properties. All outside lighting will be required as a standard condition of approval to be designed and sited in a manner that prohibits glare onto adjacent properties.

g. Proposed signs will not, by size, location, color, or lighting, interfere with traffic or limit visibility.

Fact: There are no proposed signs associated with the Project. Any signage proposed for the Project would be subjected to a Uniform Sign Program in compliance with the Covina Forward Specific Plan and obtain separate sign permit.

SECTION 3. In consideration of the findings stated above, the City Council of the City of Covina does hereby approve Site Plan Review (SPR) 16-033 for the construction of of a transit center up to a six-bay bus plaza, a "Park and Ride" vehicle parking structure accommodating between 350 and 400 vehicles, and a retail building of up to 4,800 square feet, subject to all conditions contain in "Exhibit A" attached herein and incorporated by this reference.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. Effective Date. This Resolution shall be effective upon the effective date of Ordinance No.16-xxxx:

SECTION 6. Certification The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this ___ day of_____, 2016.

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution No. 16-XXXX was duly adopted by the City Council of the City of Covina at a regular meeting held on the ___ day of_____, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "G"
ORDINANCE NO. 16- XXXX

AN ORDINANCE OF THE CITY OF COVINA APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT BETWEEN MLC HOLDINGS, INC. AND THE CITY OF COVINA RELATED TO A PROPOSED DEVELOPMENT CONSISTING OF 117 FOR-SALE TOWNHOUSE UNITS ON APPROXIMATELY 6.12 ACRES, THE CONVEYANCE OF 1.11 ACRES TO THE CITY AND THE CONVEYANCE OF 0.351 ACRES TO THE CITY FOR PARKLAND, FOR PROPERTY GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-17

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Government Code Sections 65864 *et seq.* (the Development Agreement Statute) which authorizes cities to enter into agreements for the development of real property in order to establish certain development rights in such property; and

WHEREAS, pursuant to Government Code Section 65865 the City has adopted rules and regulations establishing procedures and requirements for consideration of development agreements; and

WHEREAS, MLC Holdings, Inc. (the "Applicant") proposes to construct 117 for-sale townhouse units with private drive aisles, recreation facilities and common open space areas on approximately 6.12 acres of land, to make an irrevocable offer to dedicate 1.11 acres to the City and to convey 0.351 for parkland, for property generally located at 1162 North Citrus Avenue and 117 East Covina Boulevard. The proposed development will require approvals from the City, potentially including, but not limited to, a general plan amendment, a zone change, a specific plan, vesting tentative tract map, final subdivision maps, site plan review, demolition permits, grading permits, encroachment permits, building permits and certificates of occupancy; and

WHEREAS, a copy of the proposed Development Agreement is attached hereto and incorporated herein as Exhibit "A" to this Ordinance; and

WHEREAS, as part of its consideration of the Project, the City prepared Draft Environmental Impact Report ("EIR") (SCH 2016051053) on the Project pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*, "CEQA"), the Guideline for Implementation of the California Environmental Quality Act (14 California Code of Regulations, Sections 15000 et seq., the "State EIR Guidelines"); and

WHEREAS, pursuant to the Development Agreement Statute, the Planning Commission held a duly noticed public hearing on November 8, 2016, on the proposed Project and has found

that the proposed Development Agreement is consistent with objectives of the general plan, compatible with the uses authorized for the project area, in conformity with public convenience and beneficial to the public welfare, and will not adversely impact the orderly development of property; and

WHEREAS, the City Council, after published notice, held a public hearing on November 29, 2016 concerning the proposed Project, and has considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

WHEREAS, on November 29, 2016, the City Council of the City of Covina held a noticed public hearing to review the Project pursuant to the California Environmental Quality Act, Cal. Pub. Res. Code § 21000 *et seq.* ("CEQA"), and the State CEQA Guidelines, 14 C.C.R. § 15000 *et seq.* and considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

WHEREAS, upon the close of the public hearing, the City Council adopted Resolution No. 16-XXXX, adopting the Final EIR (SCH 2016051053), adopting the Findings of Facts and adopting a Mitigation Monitoring and Reporting Program for the Project. Resolution No. 16-XXXX and the findings therein are hereby incorporated by this reference as though set forth in full.

WHEREAS, on November 29, 2016, the City Council of the City of Covina considered the proposed Project including General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) No. 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) No. 16-023, Site Plan Review (SPR) No. 16-033 and Final EIR, Findings of Facts and Mitigation Monitoring and Reporting Program at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the proposed Project, the Final EIR, the Findings of Facts and the Mitigation Monitoring and Reporting Program, prior to and at the public hearing.

WHEREAS, all legal prerequisites prior to adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA DOES ORDAIN AS FOLLOWS:

SECTION 1. Based on the full record of these proceedings, the City Council hereby finds the Development Agreement:

1) Is consistent with the General Plan and the City Council finds that the proposed project as conditioned, complies with all applicable provisions of the General Plan;
2) Is in conformity with public conveniences and good land use practices as the project approvals, mitigation monitoring program and development agreement

will guarantee adequate infrastructure for the development and land uses that are compatible with their surroundings;

3) Will not be detrimental to the health, safety and general welfare as the project approvals, mitigation monitoring program and development agreement will guarantee adequate infrastructure, safety measures and public services such as police, fire, utilities and sanitation;

4) Will not adversely affect the orderly development of property or the preservation of property values because the proposed development is conditioned so as to be consistent with the General Plan and compatible with surrounding land uses; and

5) Is consistent with the provisions of Government Code 65864 through 65869.5.

SECTION 2. Based upon the aforementioned findings, the City Council hereby approves the Development Agreement between MLC Holdings, Inc. and the City of Covina attached hereto as **Exhibit "A"** and incorporated herein by reference.

SECTION 3. CEQA. The environmental effects of the proposed Development Agreement were analyzed in the Final EIR. The City Council reviewed the Final EIR and found that it reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the Development Agreement. The City Council certified and approved the Final EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"), made the necessary findings, and adopted a Mitigation Monitoring and Reporting Program through Resolution No. XXXX. Said Resolution is incorporated herein by this reference as though set forth in full. The City Council incorporates by this reference the findings and mitigation measures contained in the Final EIR, Findings of Facts and Mitigation Monitoring and Reporting Program as to the environmental effects of the Development Agreement. Those actions apply equally to this approval and are incorporated herein by this reference. The Director of Community Development shall file a Notice of Determination with the County Clerk under Title 14, California Code of Regulations Section 15075.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The Mayor is authorized to execute the Development Agreement on behalf of the City once this Ordinance is effective. The executed development agreement shall be recorded against the title to the property.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings and this Ordinance are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 6. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the

City of Covina hereby declare that they would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall become effective within thirty (30) days after its adoption.

SECTION 8. Publication. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the City Clerk shall cause to be published once the Ordinance, or a summary of thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Covina.

SECTION 9. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall enter the same in the Book of Original Ordinances.

SIGNED AND APPROVED this 5th day of January, 2017

_____
KEVIN STAPLETON, MAYOR

ATTEST:

_____
SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief Deputy City Clerk of the City of Covina, do hereby certify that Ordinance No. 16-XXXX was duly adopted by the City Council of the City of Covina at a specific meeting held on the 29th day of November 2016, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Dated:

_____

SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "A"

DEVELOPMENT AGREEMENT

PLEASE RECORD AND WHEN RECORDED
RETURN TO:
City Clerk
City of Covina
125 East College Street
Covina, California 91723

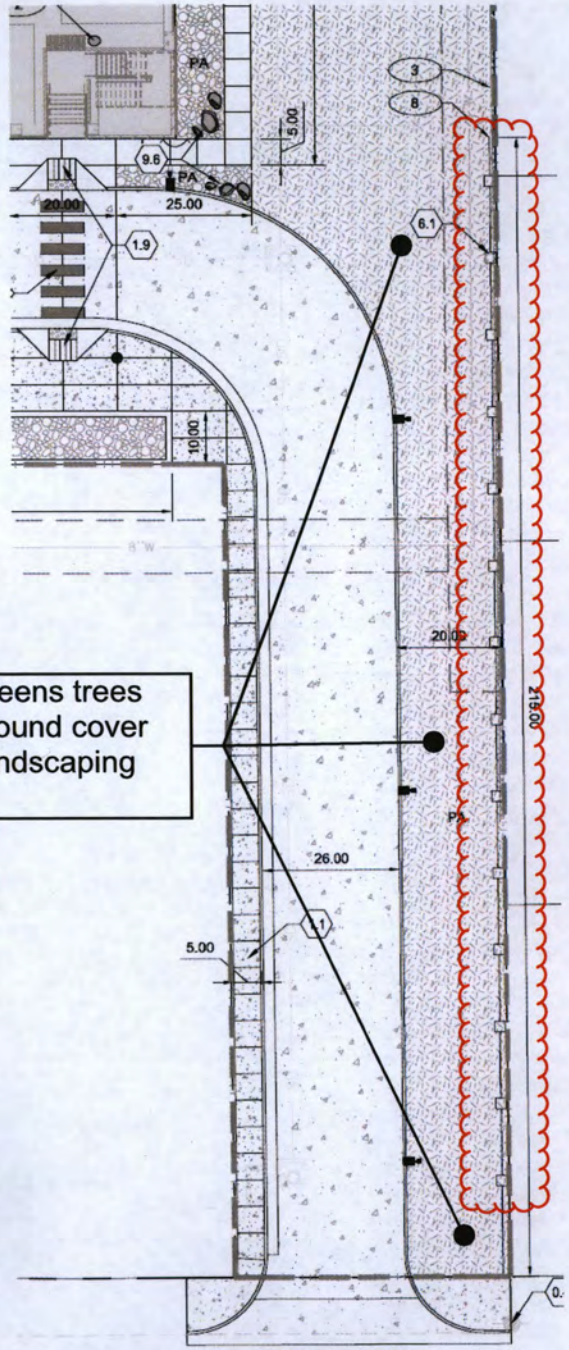
Space above this line for Recorder's use only
No recording fee under Government Code Sections 2783 and 6103

DEVELOPMENT AGREEMENT

Attachment L:

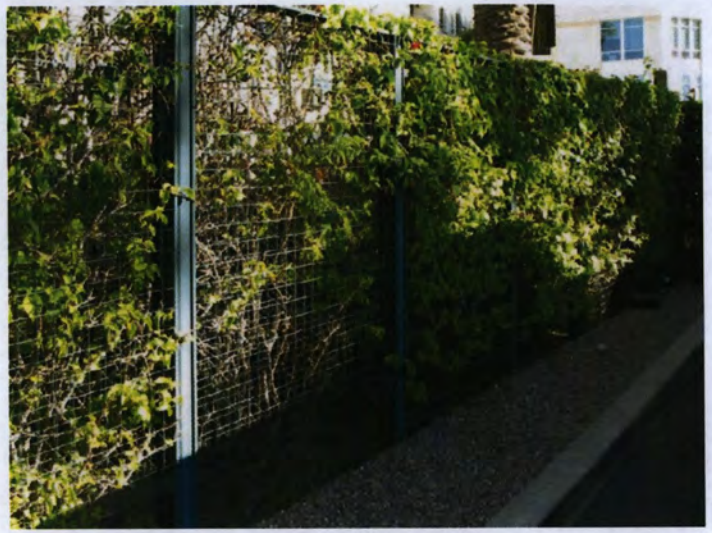
Proposed Screen Barrier

Foothill Transit Center (Per PC Condition)



Evergreens trees and ground cover per Landscaping Plans

8' HT. Plant Screening Fence System



*block wall not part of plan

Railings, Barriers & Fencing

8' HT. Plant Screen Fence System Examples

Covina Transit Center and Park & Ride
Screen Barrier

Attachment M:

Letter from Foothill Transit Executive Director regarding Foothill Transit bus operations policies and procedures

Foothill Transit
Going Good Places

November 18, 2016

Mr. Brian Lee
Community Development Director
City of Covina
125 E. College Street
Covina, CA 91723

Dear Mr. ~~Lee~~ Brian

During the City of Covina's Planning Commission meeting on November 8, 2016 a number of questions were posed. As a follow up to Foothill Transit's comments during that meeting, , we continue to work with the Covina Forward project team to respond and address the needs of the community regarding any potential noise, traffic, and safety concerns. While Foothill Transit has served the City of Covina for many years, we recognize some members of the community may not be familiar with our service.

We believe that the overall project will bring great benefits to the City of Covina. In particular, the Covina Transit Center (CTC) component will offer members of the community additional mobility options and will offer residents of Covina a new alternative for commuting into Downtown Los Angeles.

The standard operating procedures at the transit center include:

- The CTC will only provide bus stops for Foothill Transit buses providing local and express service.
- No overnight parking will be allowed for buses at the CTC or vehicles in the parking structure.
- Foothill Transit's idling policy which limits our buses' idling time to no more than five minutes after which time engines must be shut down.

Foothill Transit requires that bus operators follow operational policies and procedures at all times. Currently Foothill Transit operates a transit center with a park & ride facility in the City of Industry and another in the City of Azusa where bus travel speeds are limited to 8 mph. Bus travel speeds at the CTC will also be limited to 8 mph. Plans for the CTC include signage and on-road striping with speed limits posted along the bus roadway. Additionally, to ensure safety standards and operational procedures are followed, Foothill Transit has a team of quality assurance inspectors who work in the field overseeing transit service delivery throughout our

100 S Vincent Ave , Suite 200 • West Covina, CA 91790 **W** foothilltransit.org **P** 626 931 7300 **F** 626 915 1143

MEMBER CITIES Arcadia, Azusa, Baldwin Park, Bradbury, Claremont, Covina, Diamond Bar, Duarte, El Monte, Glendora, Industry, Irwindale, La Puente, La Verne, Monrovia, Pasadena, Pomona, San Dimas, South El Monte, Temple City, Walnut, West Covina and Los Angeles County **A PUBLIC AGENCY**

service area, including service to the new CTC. Should there be any concerns from the public about bus operations, customers can call to report incidents, ask questions or leave comments at our 1-800-RIDE-INFO (743-3463) customer service line.

Foothill Transit is excited to be part of the Covina Forward Project and look forward to serving the community transit needs now and for the years to come.

Sincerely,

Doran J. Barnes
Executive Director

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Attachment N:

Final EIR under separate cover

(posted on the City website)

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Attachment O:

Development Plan for SPR 16-023

EXHIBIT 7

SHEET INDEX

A0.1 Sheet Index

C-1 Residential Master Plan
Conceptual Grading Plan
Vesting Tentative Tract Map
Hydrology Map Existing Condition
Hydrology Map Proposed Condition

A1.0 Open Space Exhibit

A2.0 Elevations - Building A1
A2.1 Elevations - Building A2
A2.2 Elevations - Building B1
A2.3 Elevations - Building B2
A2.4 Elevations Enhanced - Building B3
A2.5 Pool House Elevations

A3.0 Building Plans - Building A
A3.1 Building Plans - Building B

A5.0 Unit Plans - Plan 1
A5.1 Unit Plans - Plan 2
A5.2 Unit Plans - Plan 3

A6.0 Perspective 1
A6.1 Perspective 2
A6.2 Perspective 3

L-1 Conceptual Landscape Plan
L-2 Rec Area / Entry Enlargement
L-3 Paseo Enlargement and Elevation
L-4 Pedestrian Circulation and Amenity Area

ktgy
Architecture + Planning
17911 Von Karman Ave,
Suite 200
Irvine, CA 92614
949.851.2133
ktgy.com

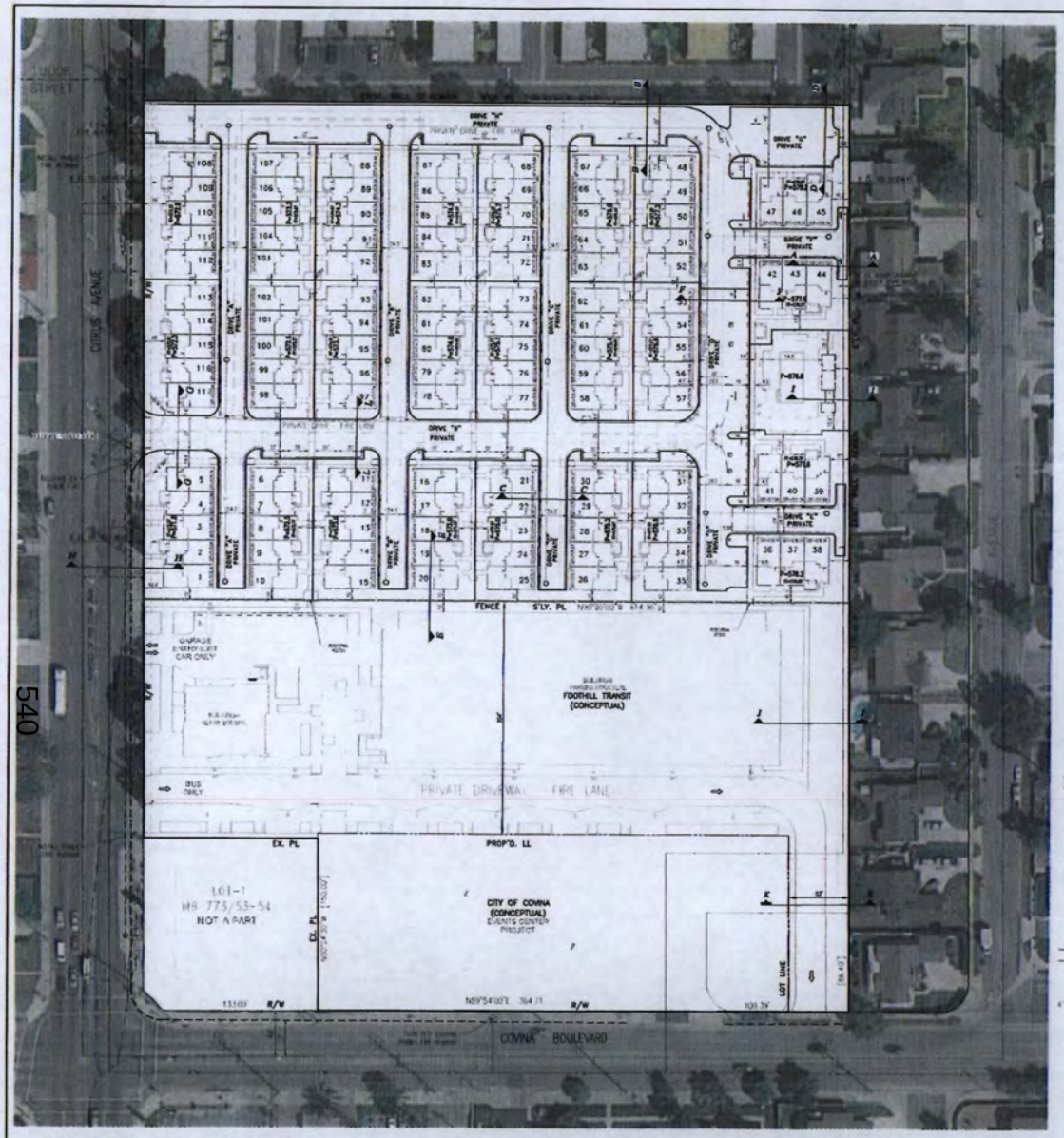
MLC Holding, Inc.
12657 Alcosta Blvd. Suite 175
San Ramon, CA 94583

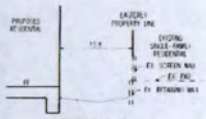
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

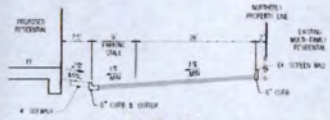
COVER SHEET
SHEET INDEX

A0.1

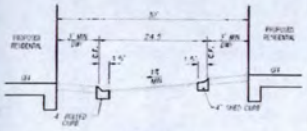




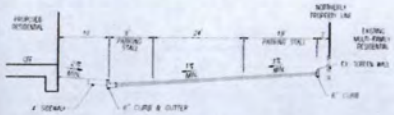
SECTION A–A
N.T.S.



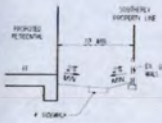
SECTION B–B
PRIVATE DRIVE N.T.S.



SECTION C–C
PRIVATE DRIVE N.T.S.

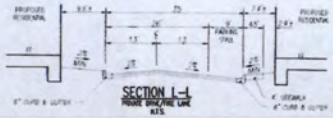


SECTION D–D
PRIVATE DRIVE N.T.S.



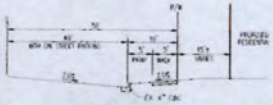
SECTION E–E
N.T.S.

SECTION F–F
PRIVATE DRIVE N.T.S.

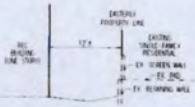


SECTION I–I
PRIVATE DRIVE/FIRE LANE N.T.S.

SECTION G–G
PRIVATE DRIVE/FIRE LANE N.T.S.



SECTION H–H
PUBLIC CITRUS AVENUE N.T.S.



SECTION I–I
N.T.S.

DEVELOPMENT STANDARDS

PARCEL-1 ACREAGE	6.12 ACRES
REC. AREA	7,400± SF
NO. OF DWELLING UNITS	117 DU
PROJECT DENSITY	19.1 DU/AC
GROSS BUILDING AREA	298,905 SQ. FT.
ZONING	PCD DISTRICT

BUILDING SUMMARY

3-PLEX	4 BLDGS.	12 UNITS
5-PLEX	21 BLDGS.	105 UNITS
TOTAL:	25 BLDGS.	117 UNITS

UNIT TYPE SUMMARY

UNIT TYPE	# UNITS
1 BEDROOM	21
3 BEDROOM	46
3 BEDROOM + DEN	46
4 BEDROOM	50
TOTAL:	117

UNIT MIX SUMMARY

PLAN 1	21 UNITS	17.9%
PLAN 2	46 UNITS	39.3%
PLAN 3	50 UNITS	42.7%
TOTAL:	117 UNITS	100%

PARKING SUMMARY

	# UNITS	PER UNIT	PARKING
COVERED PARKING	117	2	234
ASSIGNED OPEN SPACES	-		46
GUEST OPEN SPACES			24
(4 H.C. PARKING SPACES @ 1/8 FOR 6N SPACES)			
TOTAL:		2.6 SPACES/UNIT =	303

SITE DIMENSIONS

BLDG. TO BLDG.	10' MIN
BLDG. TO P/L, PL	10' MIN
BLDG. TO CURB FACE	5' MIN
DRIVEWAY TO CURB FACE	3' MIN

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF COVINA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 2 OF TRACT NO. 22506, IN THE CITY OF COVINA, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 725 PAGES 51 AND 54 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 8406-015-013 AND 8406-015-020

BASIS OF BEARING

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN CALIFORNIA SPATIAL REFERENCE CENTER (CSRC) CONTINUOUSLY OPERATING REFERENCE STATION (CORS) STATION AZUS AND STATION CWHS BEING S05°35'16"W PER RECORDS ON FILE AT THE C.S.R.C.

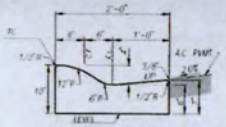
BENCHMARK

COUNTY OF LOS ANGELES BENCHMARK NO. L 2624
ELEVATION: 574.663
DATUM: NAVD 88
YEAR: 2005

DESCRIPTION:
LEAD AND TAPE IN WEST CURB CITRUS AVE. 44' WEST OF CONDRIDGE AND 57' NORTH OF NORTH END OF BRIDGE OVER SAN DIMAS WASH, NEAR CATCH BASIN. THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN CALIFORNIA SPATIAL REFERENCE CENTER (CSRC) CONTINUOUSLY OPERATING REFERENCE STATION (CORS) STATION AZUS AND STATION CWHS BEING S05°35'16"W PER RECORDS ON FILE AT THE C.S.R.C.

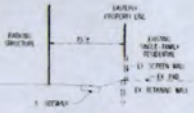
LEGEND

EXISTING STREET ELEVATION	
EXISTING SEWER SYSTEM	
EXISTING WATER SYSTEM	
PROPOSED STORM DRAIN SYSTEM	
PROPOSED SEWER SYSTEM	
PROPOSED DOMESTIC WATER SYSTEM	
PROPOSED LOT NUMBER	LOT-2
PROPOSED VESTING TENTATIVE TRACT BOUNDARY	
PROPOSED FIRE HYDRANT LOCATION	
RIGHT-OF-WAY	

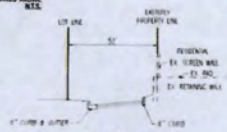


4" ROLLED CURB DETAIL
N.T.S.

4" SHED CURB DETAIL
N.T.S.



SECTION J–J
N.T.S.



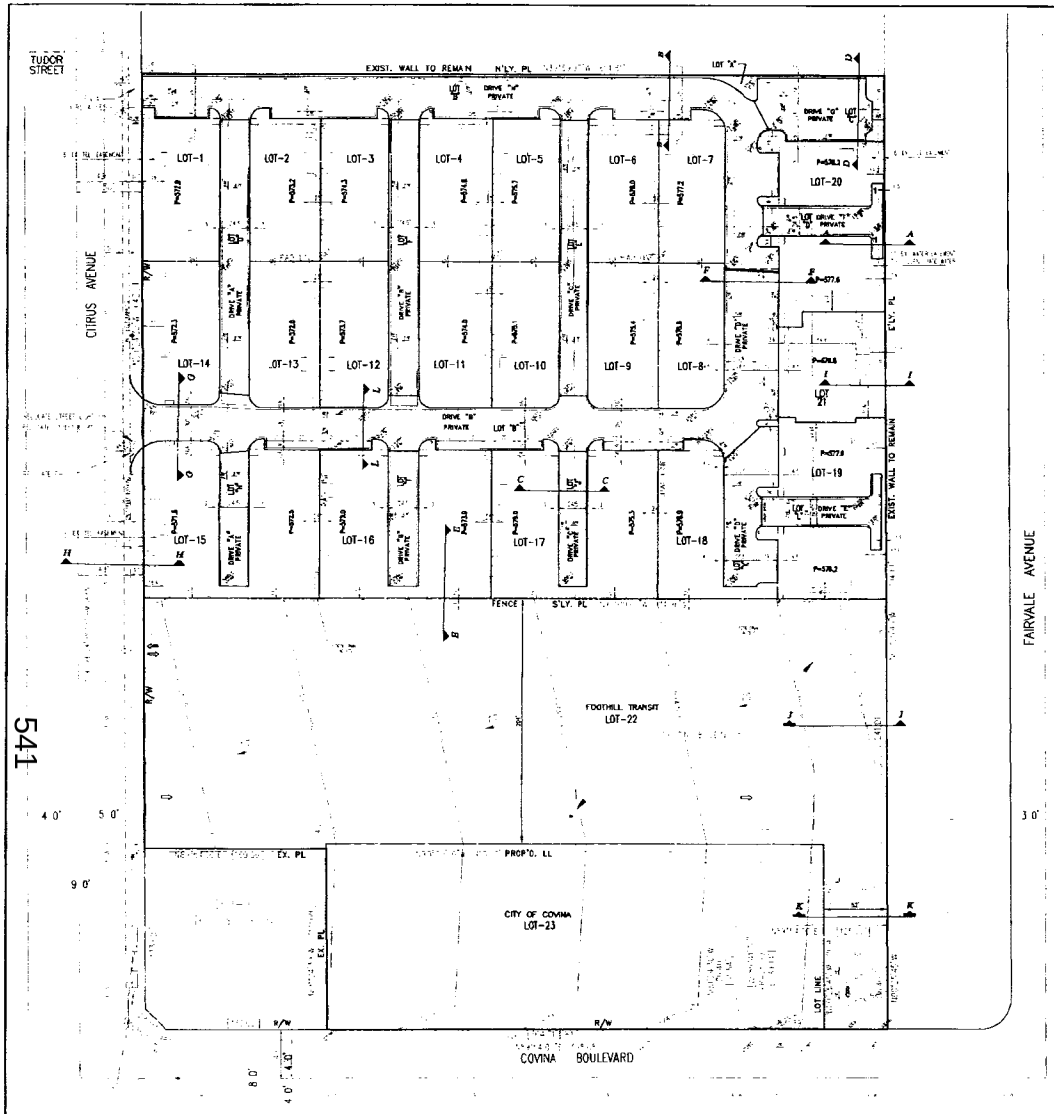
SECTION K–K
PRIVATE DRIVE N.T.S.

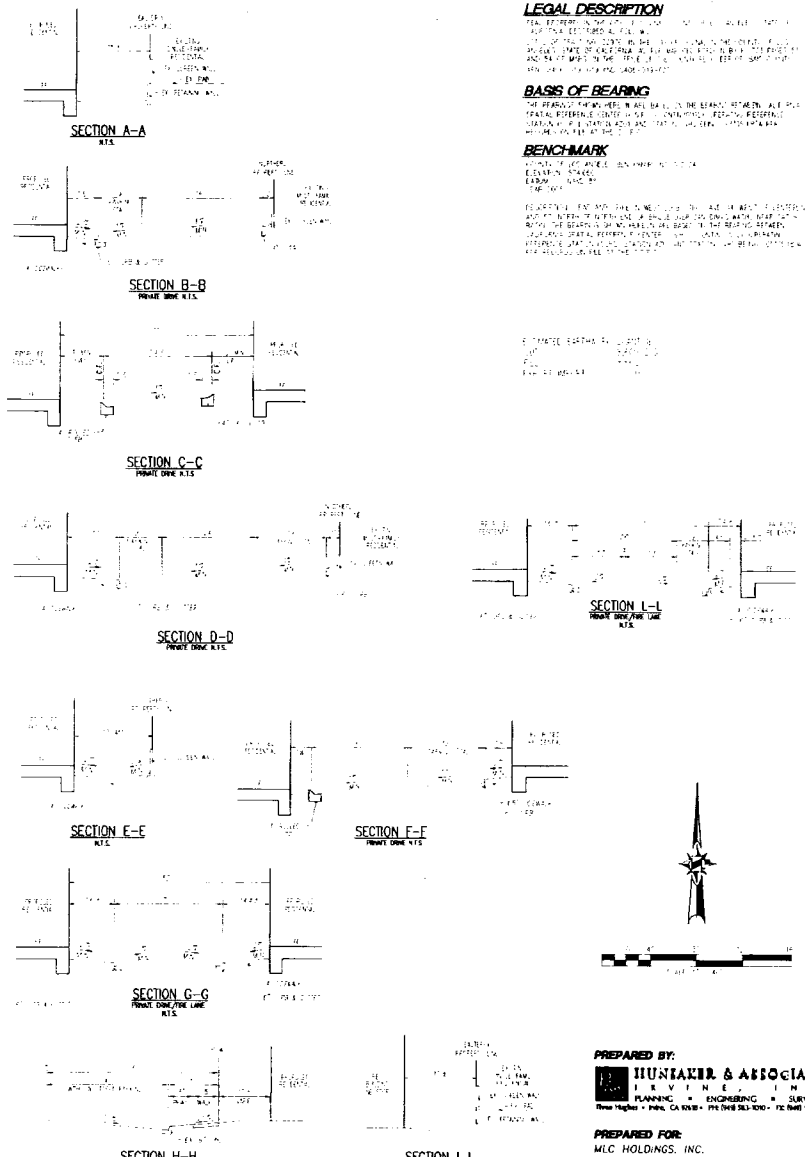
PREPARED BY:
HUNSAKER & ASSOCIATES IRVINE, INC.
PLANNING • ENGINEERING • SURVEYING
Three Hughes • Irvine, CA 92618 • PH: (949) 583-1010 • FX: (949) 583-0759

PREPARED FOR:
MLC HOLDINGS, INC.
1401 DOVE ST, SUITE 640
NEWPORT BEACH, CA 92660
(949) 372-3305

RESIDENTIAL MASTER SITE PLAN
"CITRUS PROMENADE"
TENT. TRACT NO. 74512, LOT 1
117 ATTACHED CONDOMINIUMS
CITY OF COVINA
COUNTY OF LOS ANGELES
(ASSESSOR'S PARCEL NUMBERS: 8406-015-013 AND 8406-015-020)

SHEET
C-1





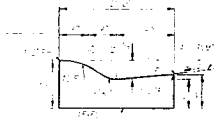
LEGAL DESCRIPTION

BASIS OF BEARING

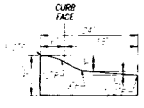
BENCHMARK

LEGEND

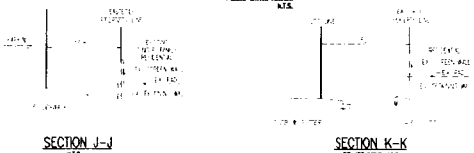
LOT-2



4" ROLLED CURB DETAIL
N.T.S.



4" SHED CURB DETAIL
N.T.S.



SECTION J-J
N.T.S.

SECTION K-K
PRIVATE DRIVE N.T.S.

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PREPARED FOR:
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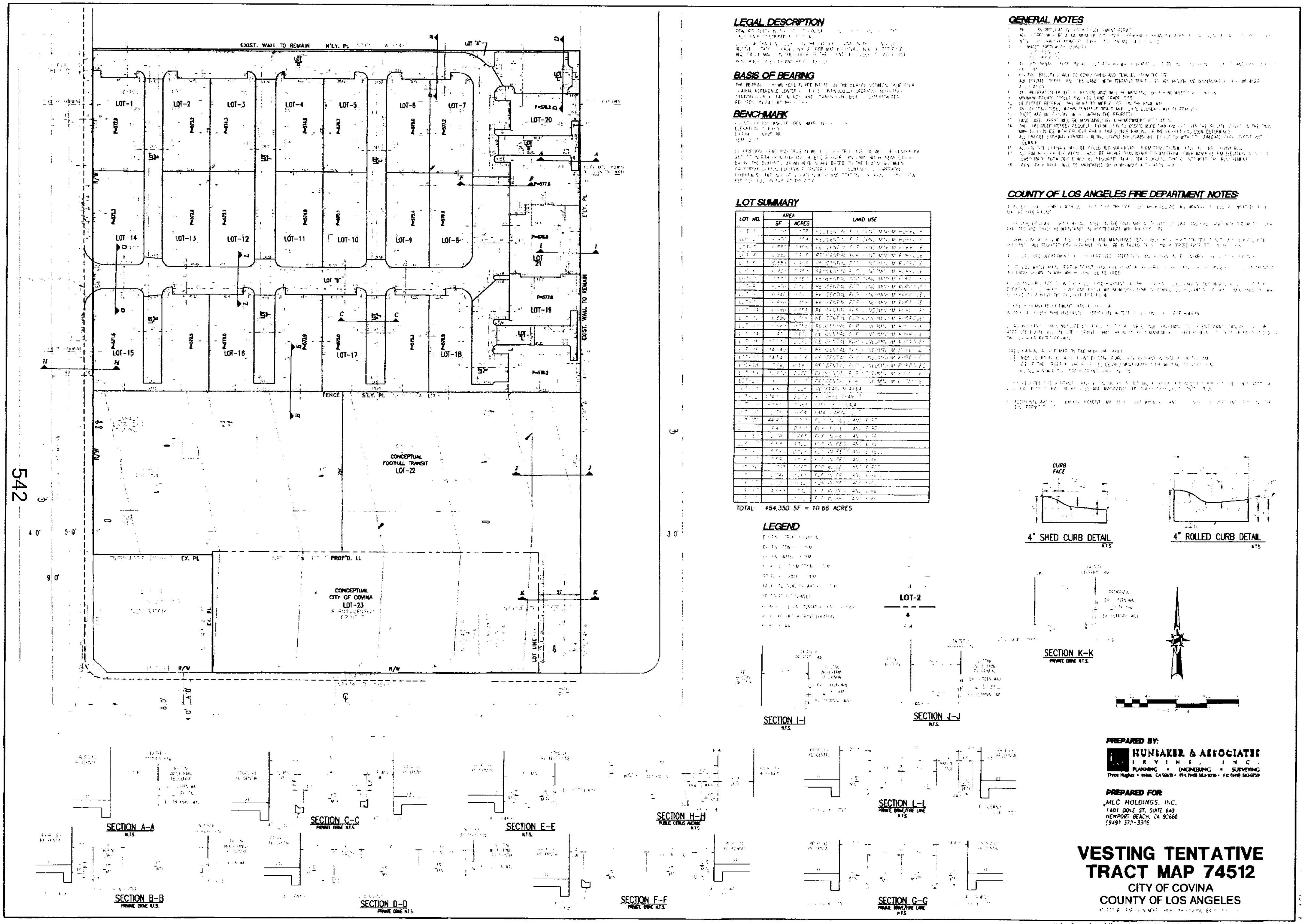
1451 DOVE ST, SUITE 640
NEWPORT BEACH, CA 92660
(949) 372-3305

CONCEPTUAL GRADING PLAN
"CITRUS PROMENADE"
TENT. TRACT NO. 74512, LOT 1
117 ATTACHED CONDOMINIUMS
CITY OF COVINA
COUNTY OF LOS ANGELES

SHEET
1 OF 1


LEGAL DESCRIPTION
BASIS OF BEARING
BENCHMARK
GENERAL NOTES
COUNTY OF LOS ANGELES FIRE DEPARTMENT NOTES
LOT SUMMARY
LOT NO.
AREA
SF
ACRES
LAND USE
TOTAL 464,350 SF = 10.66 ACRES
LEGEND
EXIST. WALL TO REMAIN
N'LY. PL
E'LY. PL
S'LY. PL
LOT "A"
LOT "B"
LOT-1
LOT-2
LOT-3
LOT-4
LOT-5
LOT-6
LOT-7
LOT-8
LOT-9
LOT-10
LOT-11
LOT-12
LOT-13
LOT-14
LOT-15
LOT-16
LOT-17
LOT-18
LOT-19
LOT-20
LOT 21
FENCE
CONCEPTUAL FOOTHILL TRANSIT LOT-22
CONCEPTUAL CITY OF COVINA LOT-23
PROP'D. LL
EX. PL
LOT LINE
R/W
4" SHED CURB DETAIL
CURB FACE
4" ROLLED CURB DETAIL
SECTION A-A
SECTION B-B
SECTION C-C
SECTION D-D
SECTION E-E
SECTION F-F
SECTION G-G
SECTION H-H
SECTION I-I
SECTION J-J
SECTION K-K
SECTION L-L
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PREPARED FOR:
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NEWPORT BEACH, CA 92660
(949) 377-3305
VESTING TENTATIVE
TRACT MAP 74512
CITY OF COVINA
COUNTY OF LOS ANGELES

LEGEND

- MAJOR DRAINAGE BOUNDARY
- MINOR DRAINAGE BOUNDARY
- 1a / 1.18 — AREA DESIGNATION / AREA ACREAGE (IN ACRES)
- EL = 580 FT / INV = 575 FT — SURFACE ELEVATION / PIPE INVERT ELEVATION
- 2a — NODE ID
- EXISTING STORM DRAIN
- SURFACE FLOW
- PIPE FLOW

HYDROLOGY SUMMERY

NODE ID	AREA (AC)	Q_{10} (CFS)	Tc (MIN)	Q_{25} (CFS)	Tc (MIN)	Q_{50} (CFS)	Tc (MIN)
1a	1.6	4.4	5	5.4	5	6.2	5
2a	1.1	3.0	5	3.7	5	4.3	5
3a	0.5	1.4	5	1.7	5	1.9	5
4b	3.4	8.5	6	11.5	5	13.1	5
5b	2.2	6.1	5	7.5	5	8.5	5
6b	1.0	3.0	5	3.7	5	4.3	5
7ab	5.8	23.3	–	30.7	–	35.5	–
8a	1.3	2.6	8	3.7	7	4.2	7
9c	1.6	3.1	12	4.2	10	4.9	9
10ac	12.7	28.9	–	38.1	–	43.8	–

SITE DATA

50-YEAR 24-HR RAINFALL = 7.2 INCHES
DEVELOPMENT TYPE = COMMERCIAL (REGIONAL SHOPPING CENTER)
% IMPERVIOUS = 95%
SOIL CLASSIFICATION AREA = 006

THOMAS GUIDE LOCATION: PAGE 569 GRID B3

0 20 40 80 120 160
SCALE: 1" = 40'

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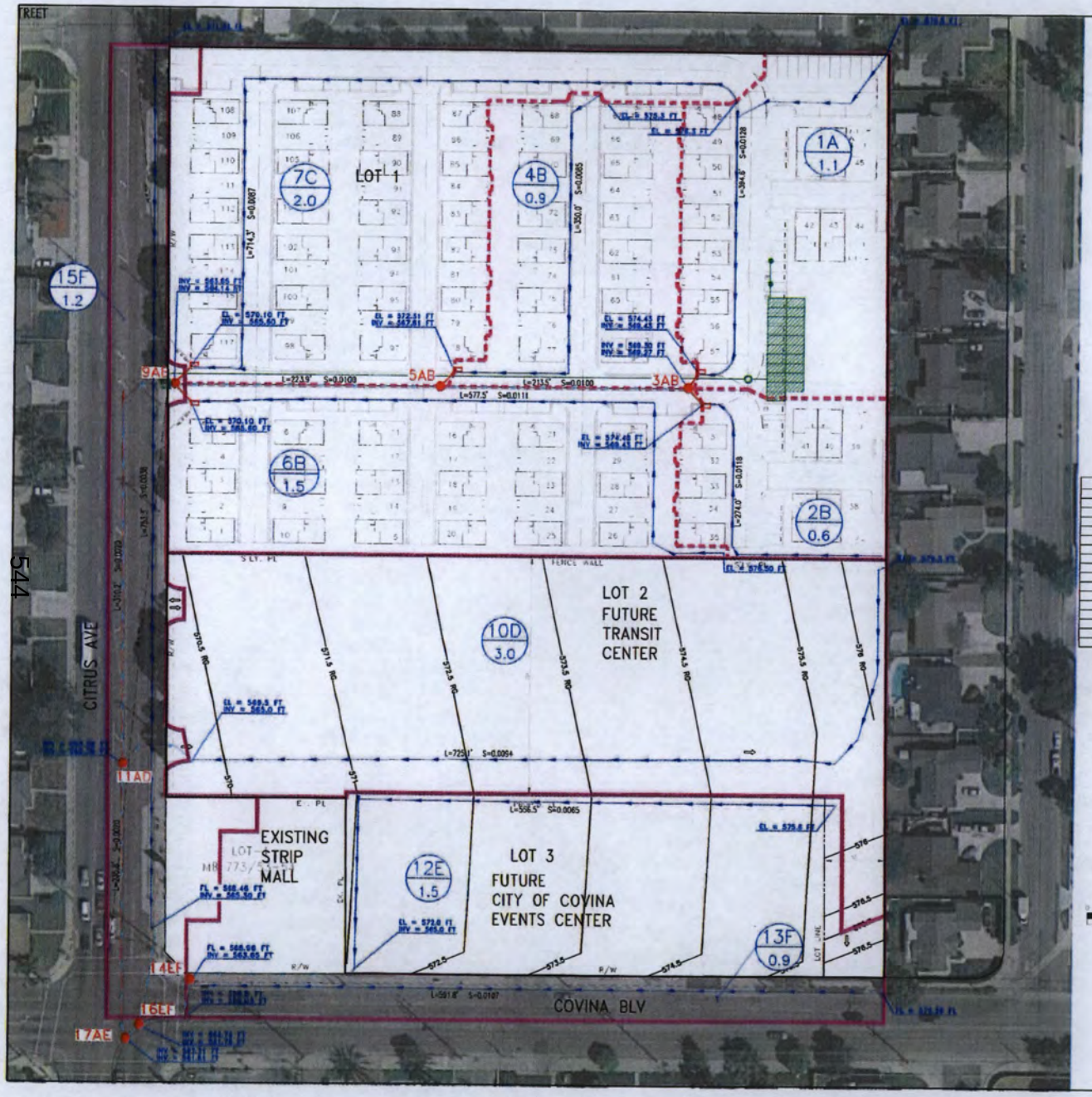
(949) 372-1305

HYDROLOGY MAP
EXISTING CONDTION

TR 74512
1162 CITRUS AVE
CITY OF COVINA
COUNTY OF LOS ANGELES
(ASSESSOR'S PARCEL NUMBERS: 8408-019-049 AND 8408-019-020)



LEGEND

- MAJOR DRAINAGE BOUNDARY
- MINOR DRAINAGE BOUNDARY
- 1A / 1.18 — AREA DESIGNATION / AREA ACREAGE (IN ACRES)
- SURFACE ELEVATION / PIPE INVERT ELEVATION
- 2A — NODE ID
- EXISTING STORM DRAIN
- SURFACE FLOW
- PIPE FLOW
- PROPOSED STORM DRAIN
- PROPOSED CATCH BASIN
- PROPOSED STORM DRAIN (WATER QUALITY)
- BYPASS STRUCTURE (WATER QUALITY)
- UNDERGROUND MODULAR CONCRETE VAULT (WATER QUALITY)
- CDS UNIT (WATER QUALITY)
- DRY WELL (WATER QUALITY)

HYDROLOGY SUMMERY

NODE ID	AREA (AC)	Q_{10} (CFS)	Tc (MIN)	Q_{25} (CFS)	Tc (MIN)	Q_{50} (CFS)	Tc (MIN)
1A	1.1	2.7	6	3.7	5	4.3	5
2B	0.6	1.6	5	2.0	5	2.3	5
3AB	1.7	4.3	–	5.7	–	6.5	–
4B	0.9	2.2	6	3.0	5	3.5	6
5AB	2.6	6.4	–	8.2	–	9.3	–
6B	1.5	3.2	8	4.3	7	4.9	7
7C	2.0	3.9	10	5.1	8	6.1	8
8BC	3.5	7.1	–	9.3	–	10.9	–
9AB	6.1	13.3	–	17.2	–	20.1	–
10D	3.0	6.0	10	7.7	9	9.2	8
11AD	9.1	18.7	–	24.2	–	28.4	–
12E	1.5	3.1	9	4.0	8	4.9	7
13F	0.9	2.0	8	2.6	7	2.9	7
14EF	2.4	5.0	–	6.4	–	7.8	–
15F	1.2	2.2	12	2.9	10	3.5	9
16EF	3.6	7.2	–	9.5	–	11.2	–
17AE	12.7	25.1	–	32.3	–	37.7	–

SITE DATA

50-YEAR 24-HR ISOHIET = 7.2 INCHES
DEVELOPMENT TYPE – LOT 1 RESIDENTIAL (LOW-RISE APARTMENTS, CONDOMINIUMS) – 95% IMPERVIOUS
LOT 2 & 3 COMMERCIAL (REGIONAL SHOPPING CENTER) – 95% IMPERVIOUS
SOIL CLASSIFICATION AREA – 006
THOMAS GUIDE LOCATION PAGE 569 GRID B3

SCALE: 1" = 40'

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HYDROLOGY MAP
PROPOSED CONDTION

TR 74512
1162 CITRUS AVE
CITY OF COVINA
COUNTY OF LOS ANGELES
(ASSESSOR'S PARCEL NUMBERS: 8406-019-019 AND 8406-019-020)

Open Space Summary			
Common/Open Space Required	No. Units	Multifamily Required (Sq. Ft./Unit)	G.S. Required
Total Common	117	200 (1/2 Ch.)	39,000
Private Open Space Provided	No. Units	G.S. Provided	G.S. Provided
Total Private	117	10,04*	885 P.
	No. Units	G.S. Provided	G.S. Provided
Total Common	117	44,795	382.9 C.

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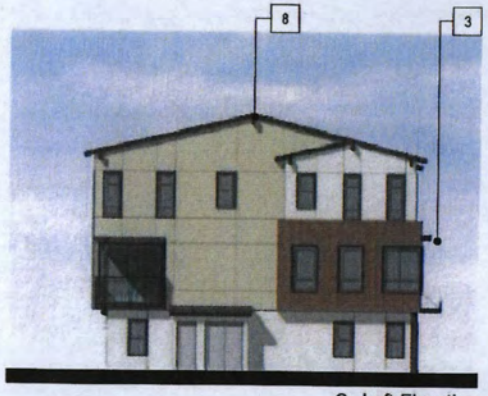
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

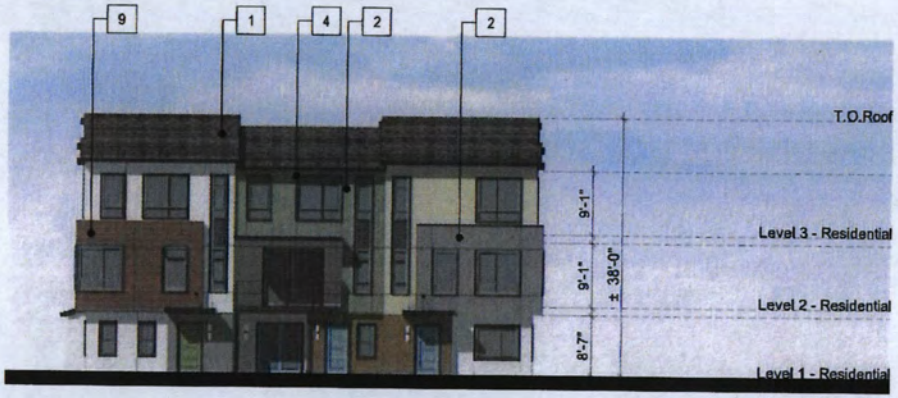
0 15 30 60

OPEN SPACE EXHIBIT
PRIVATE AND COMMON SPACE

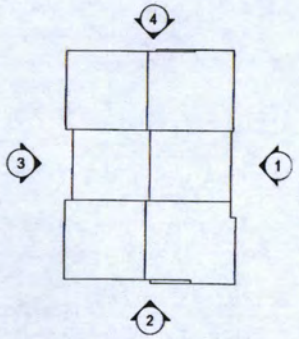
A1.0



2. Left Elevation



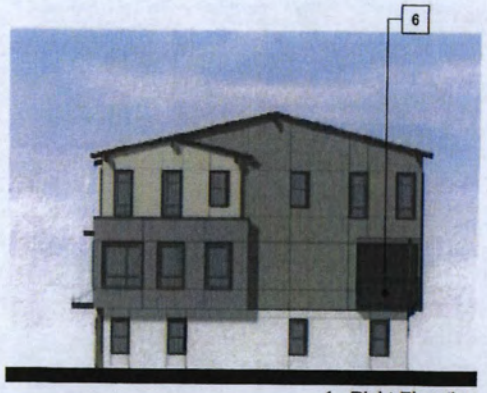
1. Front Elevation



Key Map / Roof Plan $\frac{1}{16}$"=1'

Material Legend

1. Flat Tile Roof
2. Stucco
3. Decorative Metal Awning
4. Trim
5. Light Fixture
6. Metal Railing
7. Sectional Garage Door
8. 6x12 Wood Beam
9. Brick Siding



4. Right Elevation

3. Rear Elevation

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COVINA, CA #20015-0617

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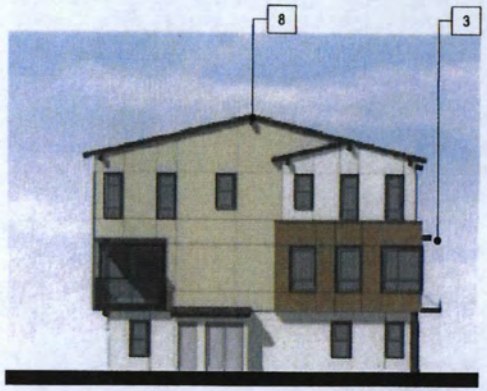
October 17, 2016

0 4 8 16

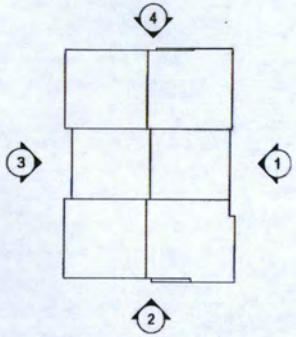
ELEVATIONS
BUILDING A1

A2.0



2. Left Elevation

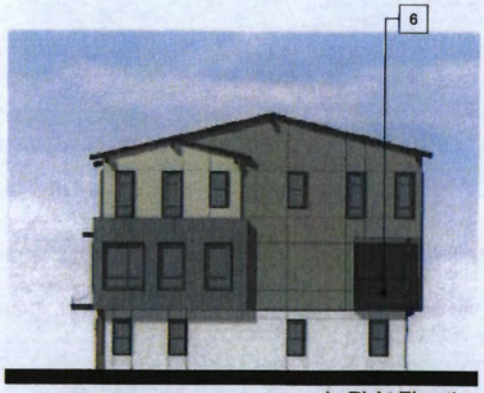
1. Front Elevation



Key Map / Roof Plan $\frac{1}{16}$"=1'

Material Legend

1. Flat Tile Roof
2. Stucco
3. Decorative Metal Awning
4. Trim
5. Light Fixture
6. Metal Railing
7. Sectional Garage Door
8. 6x12 Wood Beam
9. Brick Siding



4. Right Elevation

3. Rear Elevation

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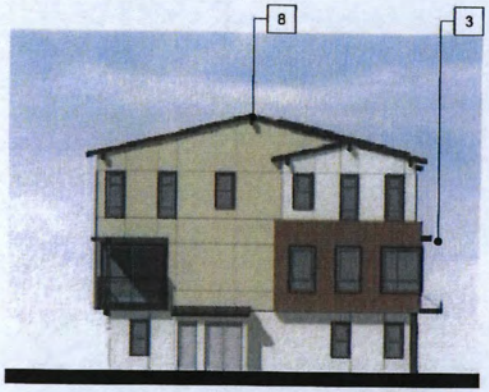
CITRUS PROMENADE
COVINA, CA #20015-0517

SCHEMATIC DESIGN
October 17, 2016

0 4 8 16

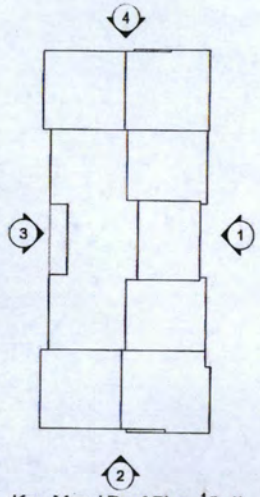
ELEVATIONS
BUILDING A2

A2.1



2. Left Elevation

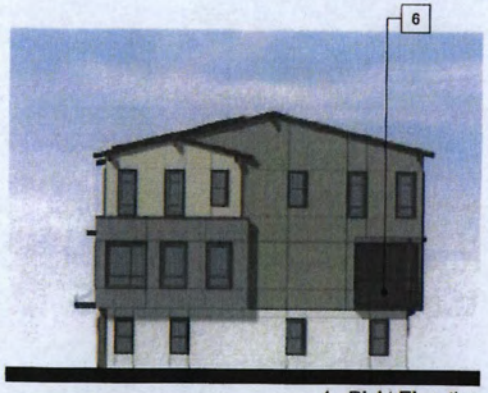
1. Front Elevation



Key Map / Roof Plan $\frac{1}{16}$"=1'

Material Legend

1. Flat Tile Roof
2. Stucco
3. Decorative Metal Awning
4. Trim
5. Light Fixture
6. Metal Railing
7. Sectional Garage Door
8. 6x12 Wood Beam
9. Brick Siding



4. Right Elevation

3. Rear Elevation

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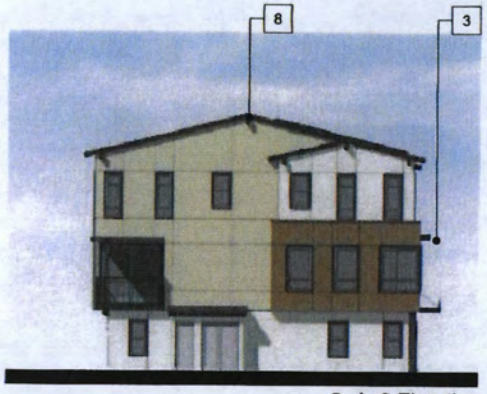
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

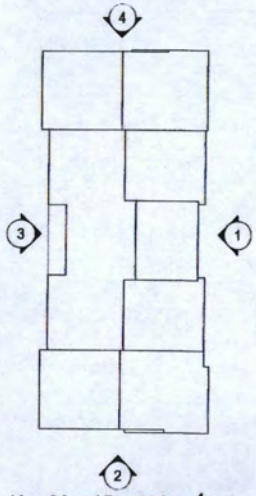
ELEVATIONS
BUILDING B1

A2.2



2. Left Elevation

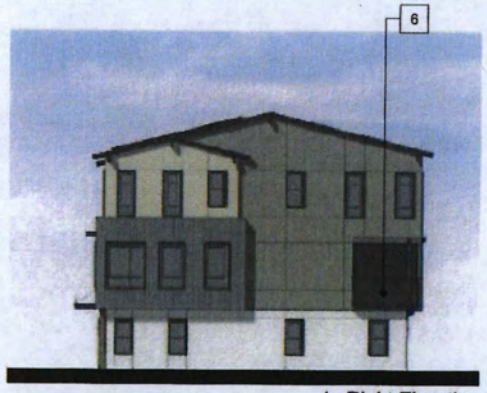
1. Front Elevation



Key Map / Roof Plan $\frac{1}{16}$"=1'

Material Legend

1. Flat Tile Roof
2. Stucco
3. Decorative Metal Awning
4. Trim
5. Light Fixture
6. Metal Railing
7. Sectional Garage Door
8. 6x12 Wood Beam
9. Brick Siding



4. Right Elevation

3. Rear Elevation

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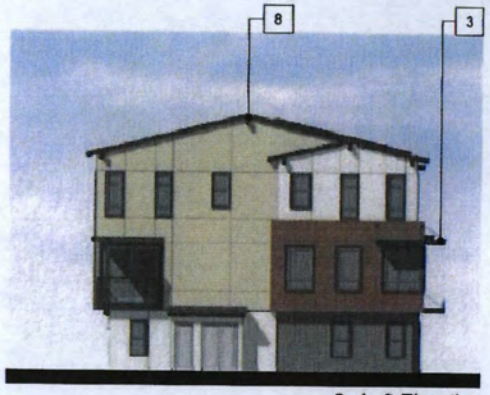
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

0 4 8 16

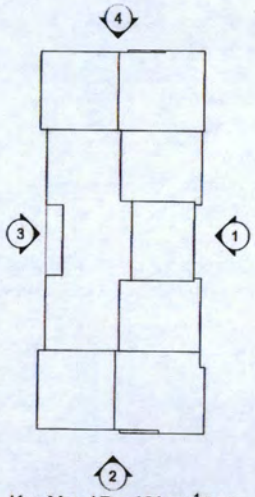
ELEVATIONS
BUILDING B2

A2.3

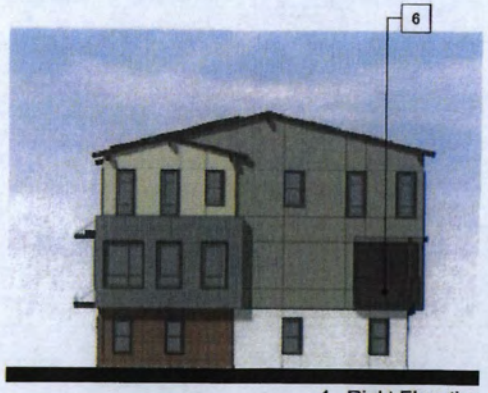


2. Left Elevation

1. Front Elevation



Key Map / Roof Plan $\frac{1}{16}$"=1'



4. Right Elevation

3. Rear Elevation

Material Legend

1. Flat Tile Roof
2. Stucco
3. Decorative Metal Awning
4. Trim
5. Light Fixture
6. Metal Railing
7. Sectional Garage Door
8. 6x12 Wood Beam
9. Brick Siding

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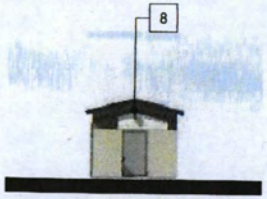
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

0 4 8 16

ELEVATIONS ENHANCED
BUILDING B3 CITRUS AVE.

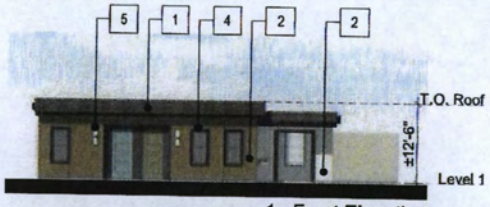
A2.4



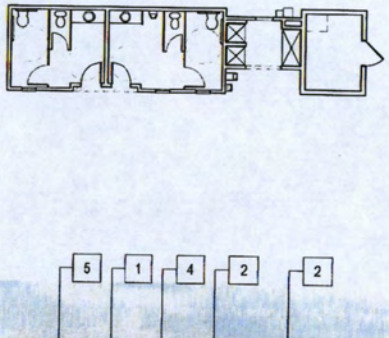
4. Right Elevation

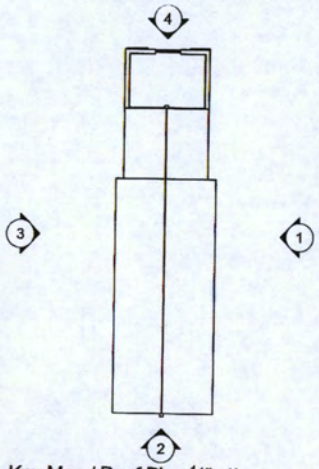
3. Rear Elevation

2. Left Elevation



1. Front Elevation





Key Map / Roof Plan 1/8"=1'

Material Legend

1. Flat Tile Roof
2. Stucco
3. Decorative Metal Awning
4. Trim
5. Light Fixture
6. Metal Railing
7. Sectional Garage Door
8. 6x12 Wood Beam
9. Brick Siding

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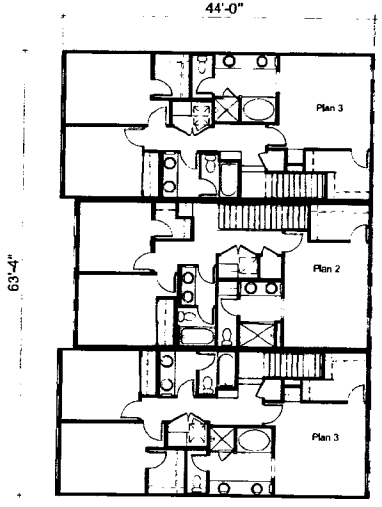
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

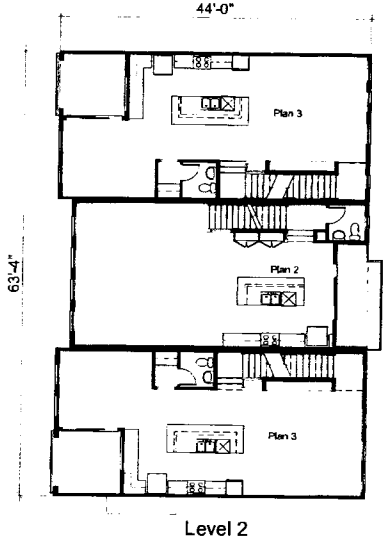
0 4 8 16

ELEVATIONS
POOL BUILDING

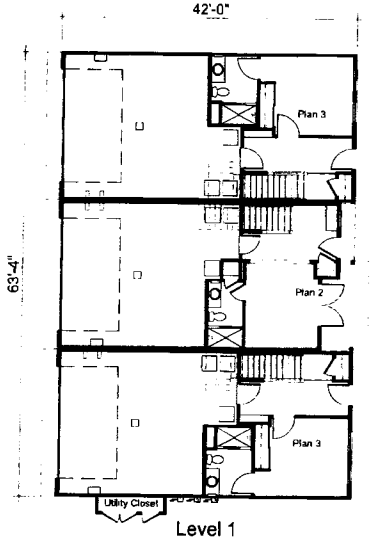
A2.5



Level 3



Level 2



Level 1

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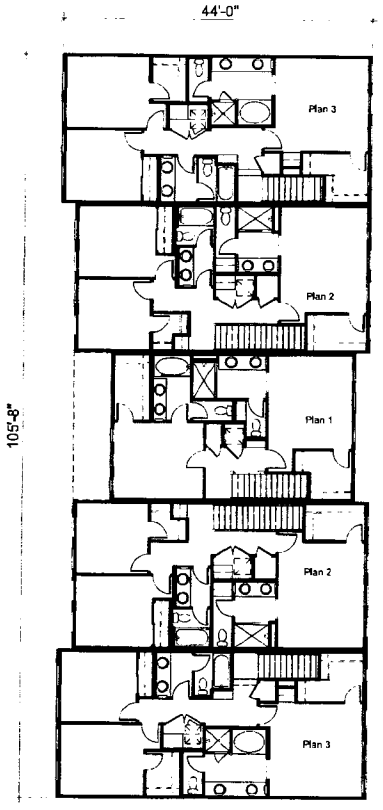
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

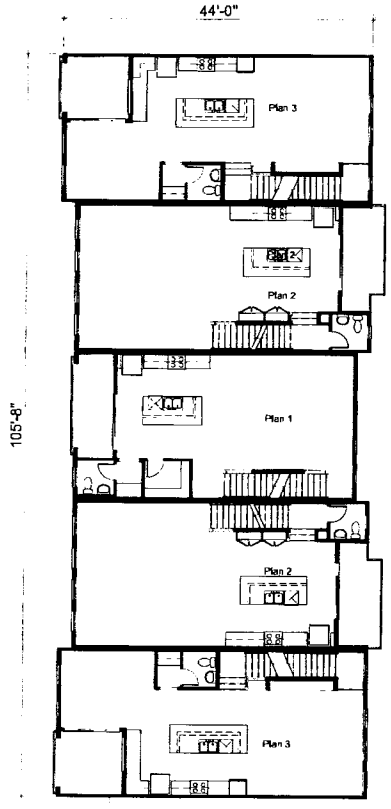
0 4 8 16

BUILDING PLANS
BUILDING A

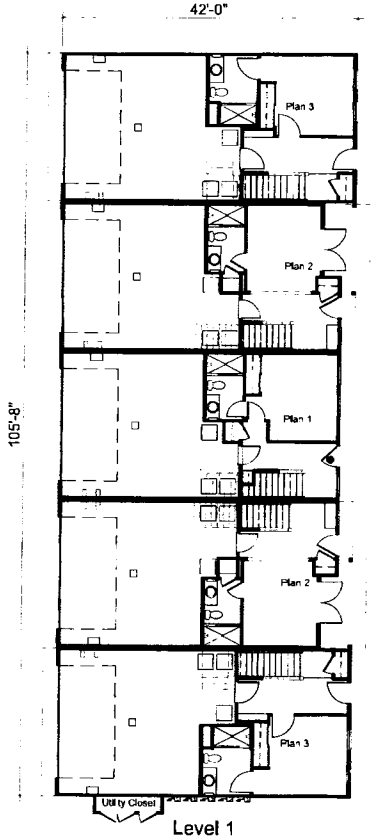
A3.0



Level 3



Level 2



Level 1

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CITRUS PROMENADE
COVINA, CA #2015-0617

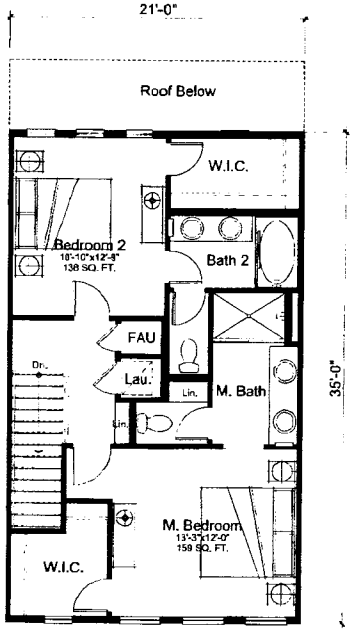
SCHEMATIC DESIGN
October 17, 2016

0 4 8 16

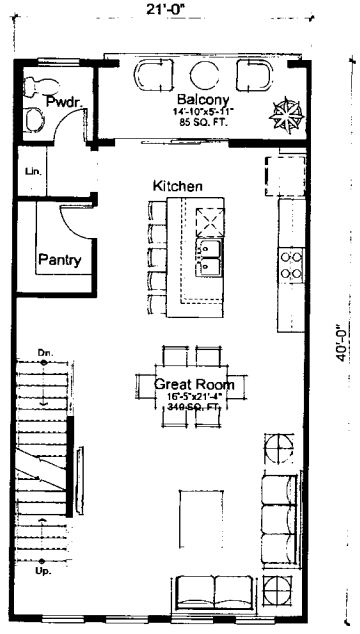
BUILDING PLANS
BUILDING B

A3.1

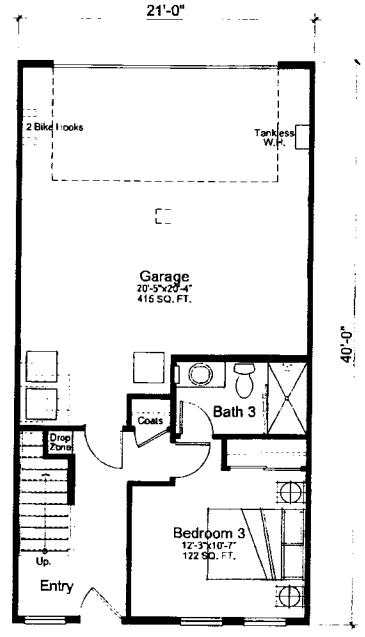
Plan 1 Summary:
- Occupancy: R-3
- Sprinkler System: 13D
- Construction Type: V-B



Third Floor
674 SQ. FT.



Second Floor
711 SQ. FT.



First Floor
325 SQ. FT.

Plan 1
3 Bed, 3.5 Bath
1,710 SQ. FT. Net Area
Private Open Space: 85 SQ. FT.

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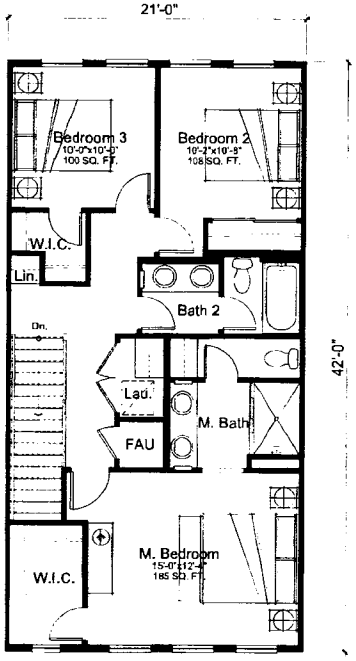
October 17, 2016

0 2 4 8

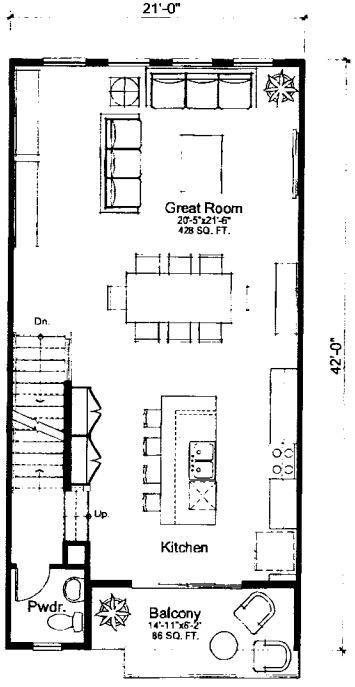
UNIT PLANS
PLAN 1

A5.0

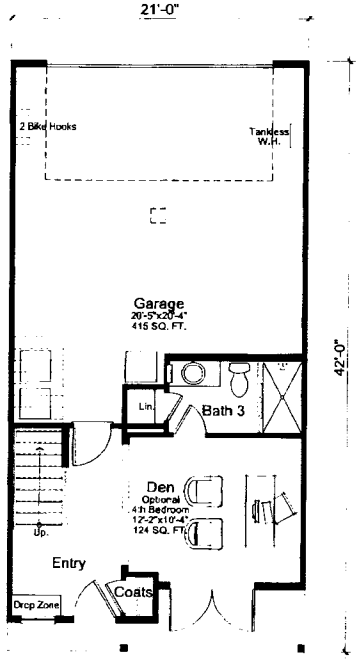
Plan 2 Summary:
- Occupancy: R-3
- Sprinkler System: 13D
- Construction Type: V-B
- Optional 4th Bedroom at First Floor



Third Floor
815 SQ. FT.



Second Floor
771 SQ. FT.



First Floor
303 SQ. FT.

Plan 2
3 Bed + Den , 3.5 Bath
1,889 SQ. FT. Net Area
Private Open Space: 86 SQ. FT.

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COVINA, CA #29015-0517

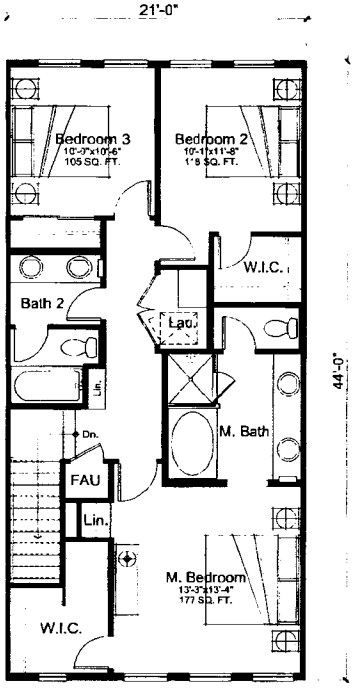
SCHEMATIC DESIGN
October 17, 2016

0 2 4 8

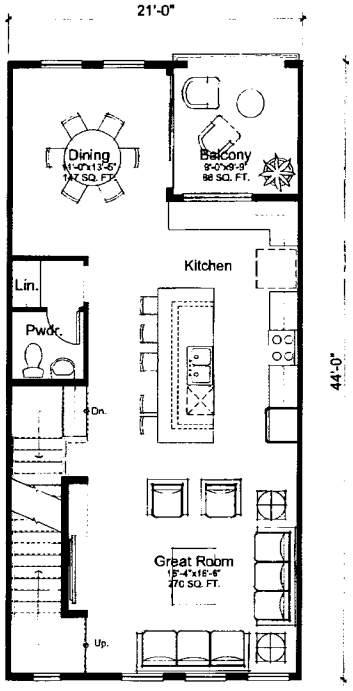
UNIT PLANS
PLAN 2

A5.1

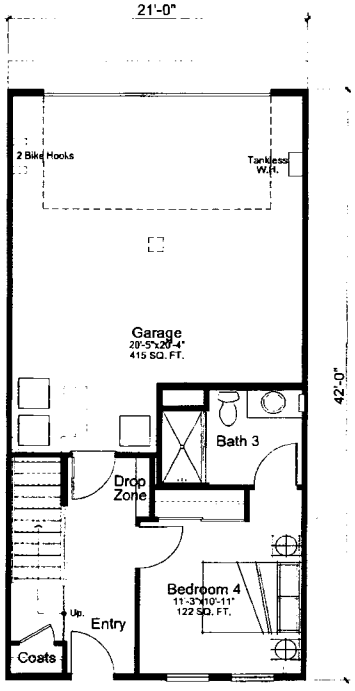
Plan 3 Summary:
- Occupancy: R-3
- Sprinkler System: 13D
- Construction Type: V-B



Third Floor
847 SQ. FT.



Second Floor
791 SQ. FT.



First Floor
363 SQ. FT.

Plan 3
4 Bed, 3.5 Bath
2,001 SQ. FT. Net Area
Private Open Space: 86 SQ. FT.

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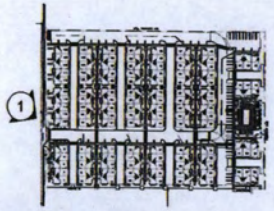
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

0 2 4 8

UNIT PLANS
PLAN 3

A5.2



Key Map N.T.S

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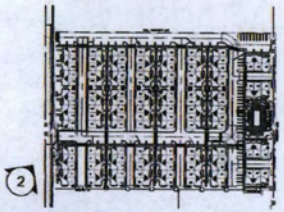
CITRUS PROMENADE
COVINA, CA #2015-0617

SCHEMATIC DESIGN
October 17, 2016

PERSPECTIVE
1.ENTRY VIEW FROM NORTH CITRUS

A6.0



Key Map N.T.S

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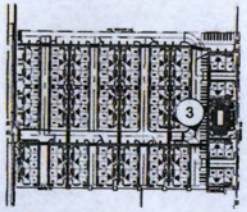
CITRUS PROMENADE
COVINA, CA #20815-0617

SCHEMATIC DESIGN
October 17, 2016

PERSPECTIVE
2.ENTRY VIEW FROM SOUTH CITRUS

A6.1



Key Map N.T.S

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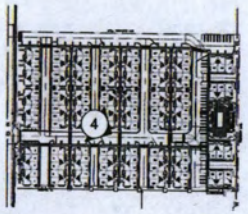
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

PERSPECTIVE
3. VIEW OF 3 PLEX ADJACENT TO POOL

A6.2



Key Map N.T.S

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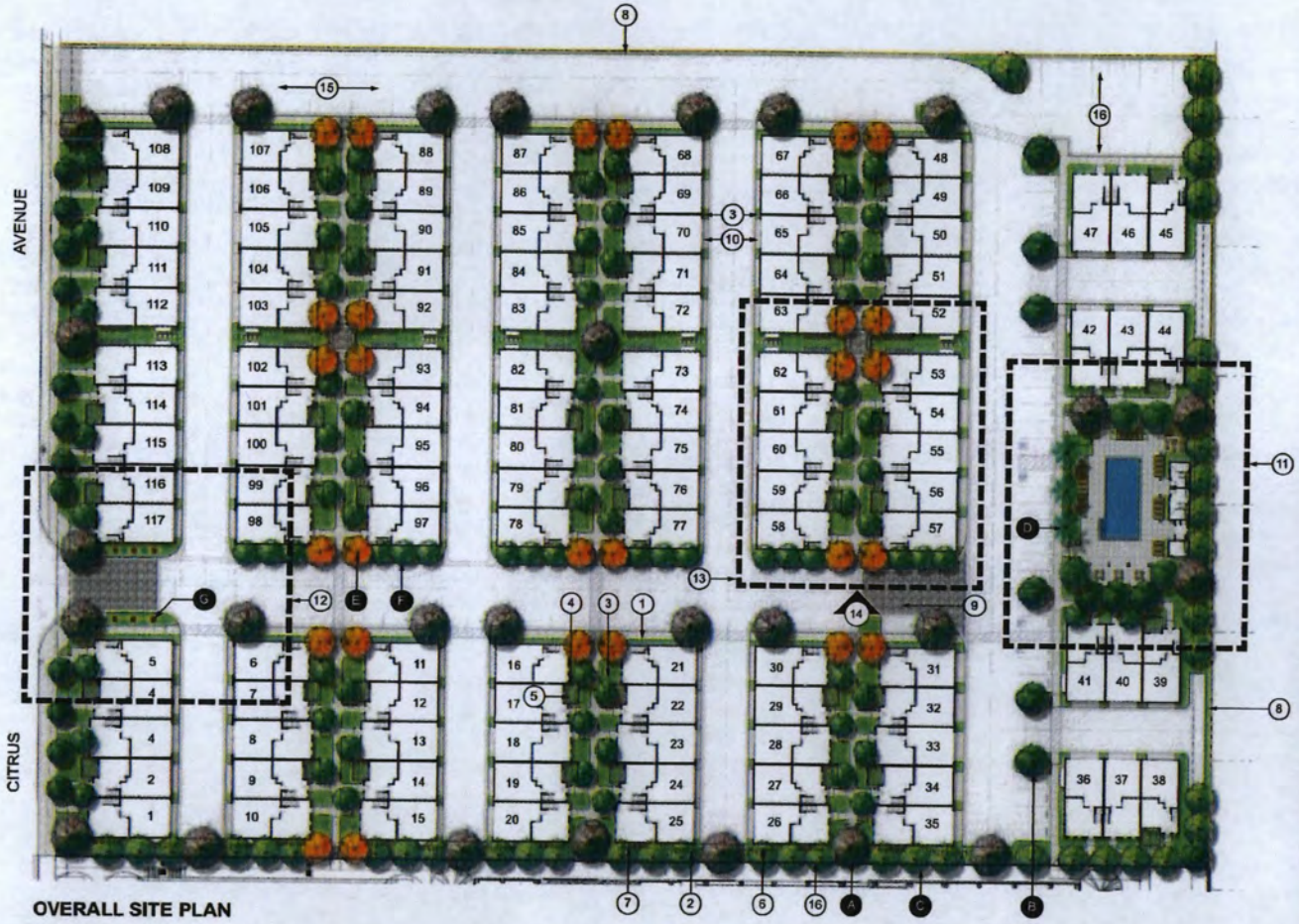
CITRUS PROMENADE
COVINA, CA #20015-0617

SCHEMATIC DESIGN
October 17, 2016

PERSPECTIVE
4. VIEW OF 5 PLEX TOWARDS POOL AREA

A6.3



OVERALL SITE PLAN

LEGEND

1. CONCRETE PAVING
2. CONCRETE PAVERS
3. COMMON AREA LANDSCAPE
4. PATIO FENCE / WALL
5. PRIVATE PATIO
6. UTILITY CLOSETS
7. A/C UNITS
8. PERIMETER WALL, SEE SHEET L-4
9. ENHANCED PAVING WITH CONCRETE BAND
10. BUILDING DRIVEWAY
11. RECREATION AREA ENLARGEMENT - SEE SHEET L-2
12. PROJECT ENTRY ENLARGEMENT - SEE SHEET L-2
13. TYPICAL PASEO ENLARGEMENT - SEE SHEET L-3
14. PASEO ELEVATION - SEE SHEET L-3
15. A.C. PAVING
16. RESIDENT PARKING

- A LARGE ACCENT TREE
- B EVERGREEN CANOPY TREE
- C EVERGREEN BUFFER TREE
- D PHOENIX DACTYLIFERA PALM TREE (25' MIN. BROWN TRUNK HEIGHT)
- E VERTICAL ACCENT TREE
- F VERTICAL SCREEN TREE
- G VERTICAL ENTRY FOCAL ELEMENTS - SEE SHEET L-2

PLANT IMAGES

TREES

SHRUBS

GROUNDCOVER

PLANT PALETTE

TREES

GENUS / SPECIES	COMMON NAME	WUCOLS
ARBUTUS X 'MARINA'	ARBUTUS STANDARD	L
CERCIDIUM SPECIES	PALO VERDE	L
CHITALPA TASHKENTENSIS	PINK DAWN TREE	L
LAGERSTROEMIA INDICA	CRAPE MYRTLE	M
MAGNOLIA G. 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	M
MELALEUCA QUINQUENERVIA	CAJEPUT TREE	L
PHOENIX DACTILYFERA	DATE PALM (25'-0' MIN. BTH)	L
PYRUS 'CHANTICLEER'	NCN	M
RHUS LANCEA	AFRICAN SUMAC	L
TRISTANIA CONFERTA	BRISBANE BOX	M

SHRUBS

GENUS / SPECIES	COMMON NAME	WUCOLS
AEONIUM X PSEUDO-TABULAEFORMUS	AEONIUM SAUCER PLANT	L
AGAVE ATTENUATA	CENTURY PLANT	L
ANIGOZANTHOS FLAVIDUS	KANGAROO PAW	L
CALLISTEMON V. 'LITTLE JOHN'	DWARF WEEPING BOTTLEBRUSH	L
DIANELLA TASMANICA	FLAX LILY	M
LIGUSTRUM J. 'TEXANUM'	DWARF JAPANESE PRIVET	M
LIRIOPE MUSCARI	BIG BLUE LILY TURF	M
LOMANDRA LONGIFOLIA 'BREEZE'	MAT RUSH	L
MAHONIA AQUIFOLIUM	OREGON GRAPE	L
PODOCARPUS MACROPHYLLUS	YEW PINE	M
PRUNUS CAROLINIANA 'COMPACTA'	CAROLINA CHERRY	M
RHAPHIOLEPIS INDICA	INDIAN HAWTHORN	M
ROSMARINUS SPP	NCN	L

GROUNDCOVER

GENUS / SPECIES	COMMON NAME	WUCOLS
FESTUCA OVINA GLAUCA	BLUE SHEEP FESCUE	L
LIRIOPE SPICATA	CREEPING LILY TURF	M
OPHIOPOGON JAPONICUS	MONDO GRASS	M
SENECIO MANDRALISCAE	BLUE FINGER	L
ROSMARINUS SPP	PROSTRATE ROSEMARY	L

CITRUS PROMENADE

PARCEL #20015-0716 COVINA, CA

MLC Holdings, Inc.

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Phone: 949-372-3305 Contact: Matt Brady

0 30 60 90 120 feet
SCALE: 1" = 30'

CONCEPTUAL LANDSCAPE PLAN

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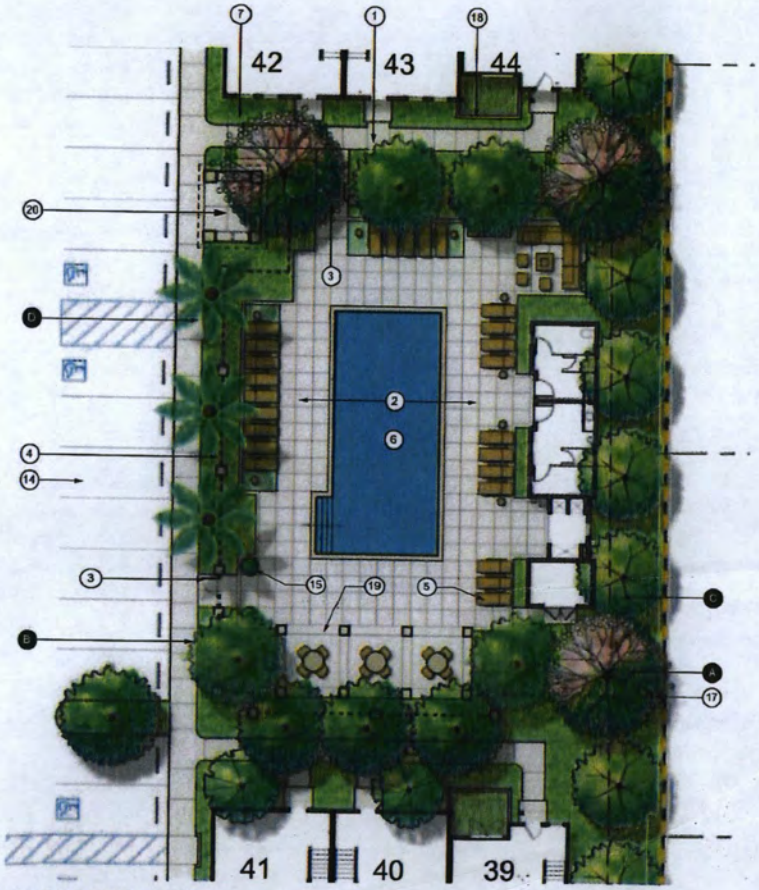
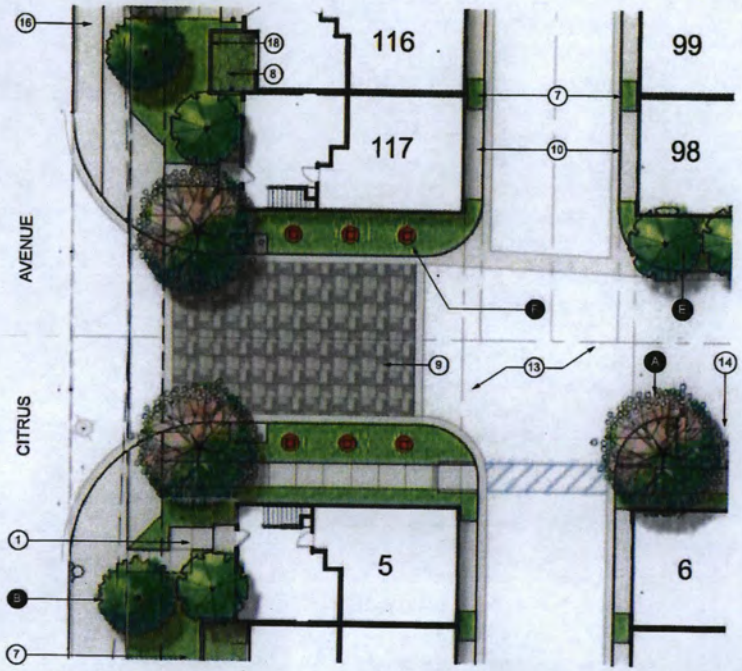
L-1

10/14/2016



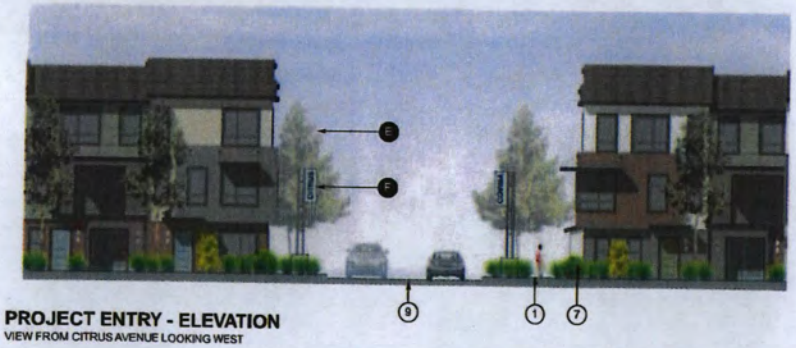
RECREATION AREA



PROJECT ENTRY

EXAMPLE OF PROJECT ENTRY FOCAL FEATURE:

APPROXIMATELY 15'-0" – 20'-0" TALL KINETIC SOULPTURES AND / OR DECORATIVE LIGHT FIXTURES (TO BE DETERMINED).



PROJECT ENTRY - ELEVATION
VIEW FROM CITRUS AVENUE LOOKING WEST

LEGEND

1. CONCRETE WALK
2. POOL DECK
3. POOL GATE
4. POOL FENCE WITH DECORATIVE PILASTERS
5. POOL FURNITURE
6. POOL
7. COMMON AREA LANDSCAPE
8. PRIVATE PATIO
9. ENHANCED PAVING WITH CONCRETE BAND
10. BUILDING DRIVEWAY
13. A.C. PAVING
14. RESIDENT PARKING
15. DECORATIVE PLANTER
16. EXISTING SIDEWALK
17. PERIMETER WALL
18. PATIO FENCE / WALL
19. SHADE STRUCTURE
20. MAIL DELIVERY STATION

- A. LARGE ACCENT TREE
- B. EVERGREEN CANOPY TREE
- C. EVERGREEN BUFFER TREE
- D. PHOENIX DACTYLIFERA PALM TREE (25' MIN. BROWN TRUNK HEIGHT)
- E. VERTICAL SCREEN TREE
- F. VERTICAL ENTRY FOCAL ELEMENTS - SEE IMAGE / ELEVATION, THIS SHEET

REC AREA / ENTRY ENLARGEMENT

CITRUS PROMENADE

PARCEL #20015-0716 COVINA, CA

MLC Holdings, Inc.

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Phone: 949-372-3355 Contact: Matt Brady

SCALE: 1" = 10'

0 10 20 30 40 feet

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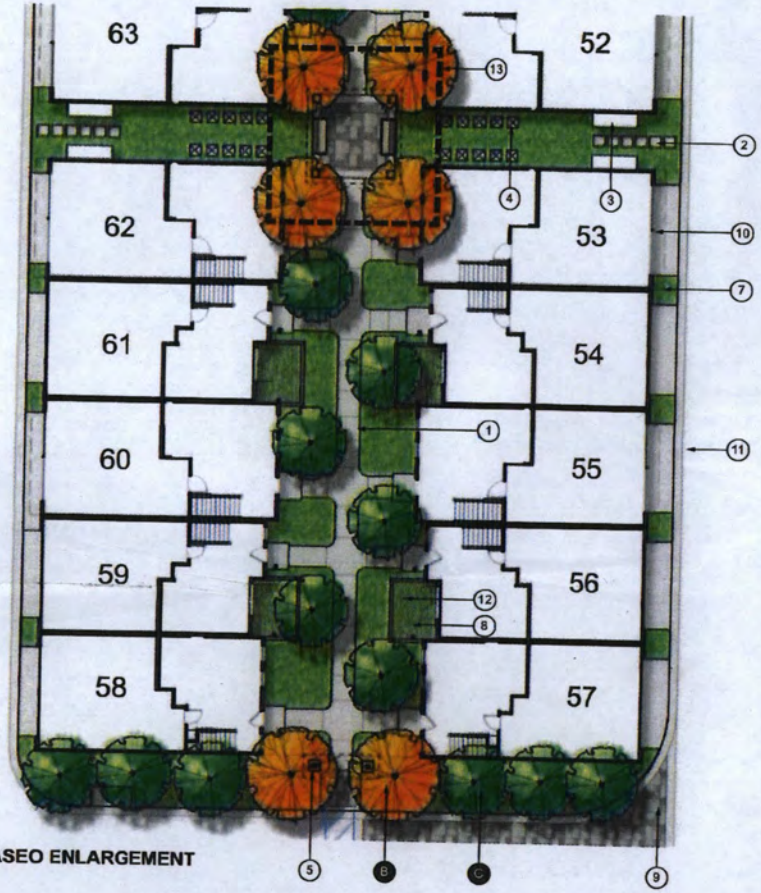
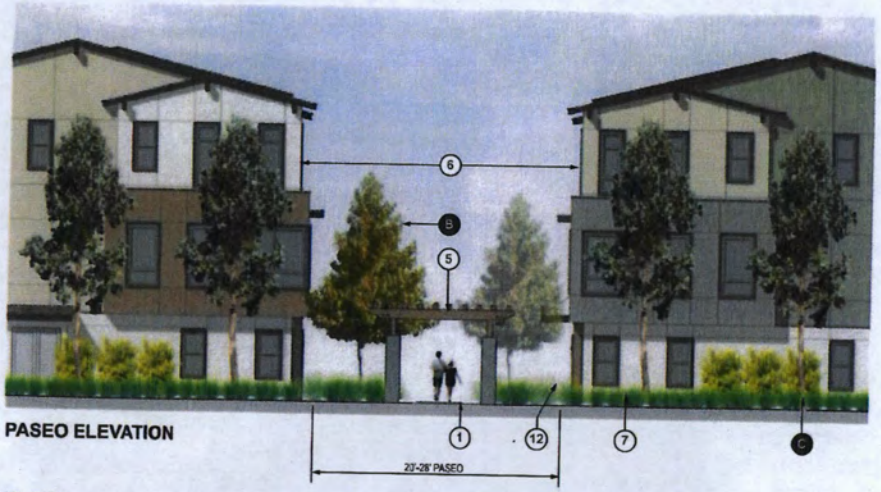
L-2
10/14/2016



PASEO ENLARGEMENT

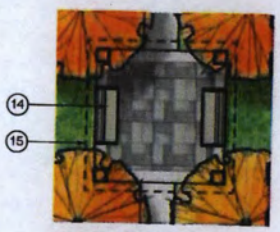


PASEO ELEVATION

LEGEND

1. CONCRETE PAVING
2. CONCRETE PAVERS
3. UTILITY CLOSETS
4. A/C UNITS
5. ARBOR STRUCTURE
6. BUILDING
7. COMMON AREA LANDSCAPE
8. PRIVATE PATIO
9. ENHANCED PAVING WITH CONCRETE BAND
10. BUILDING DRIVEWAY
11. A.C. PAVING
12. PATIO FENCE / WALL (BEYOND)
13. PASEO FOCAL NODE - SEE ENLARGEMENTS BELOW
14. PASEO BENCH
15. FREE STANDING SQUARE TRELLIS

A. LARGE ACCENT TREE
B. EVERGREEN CANOPY TREE
C. VERTICAL ACCENT TREE



PASEO FOCAL NODE 'A'

PASEO FOCAL NODE 'B'

- GAZEBO ELEVATION SIMILAR TO ARBOR STRUCTURE ABOVE
- SEE SHEET L-1 FOR LOCATIONS

PASEO ENLARGEMENT AND ELEVATION

CITRUS PROMENADE

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0 10 20 30 40 feet
SCALE: 1" = 10'

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L-3
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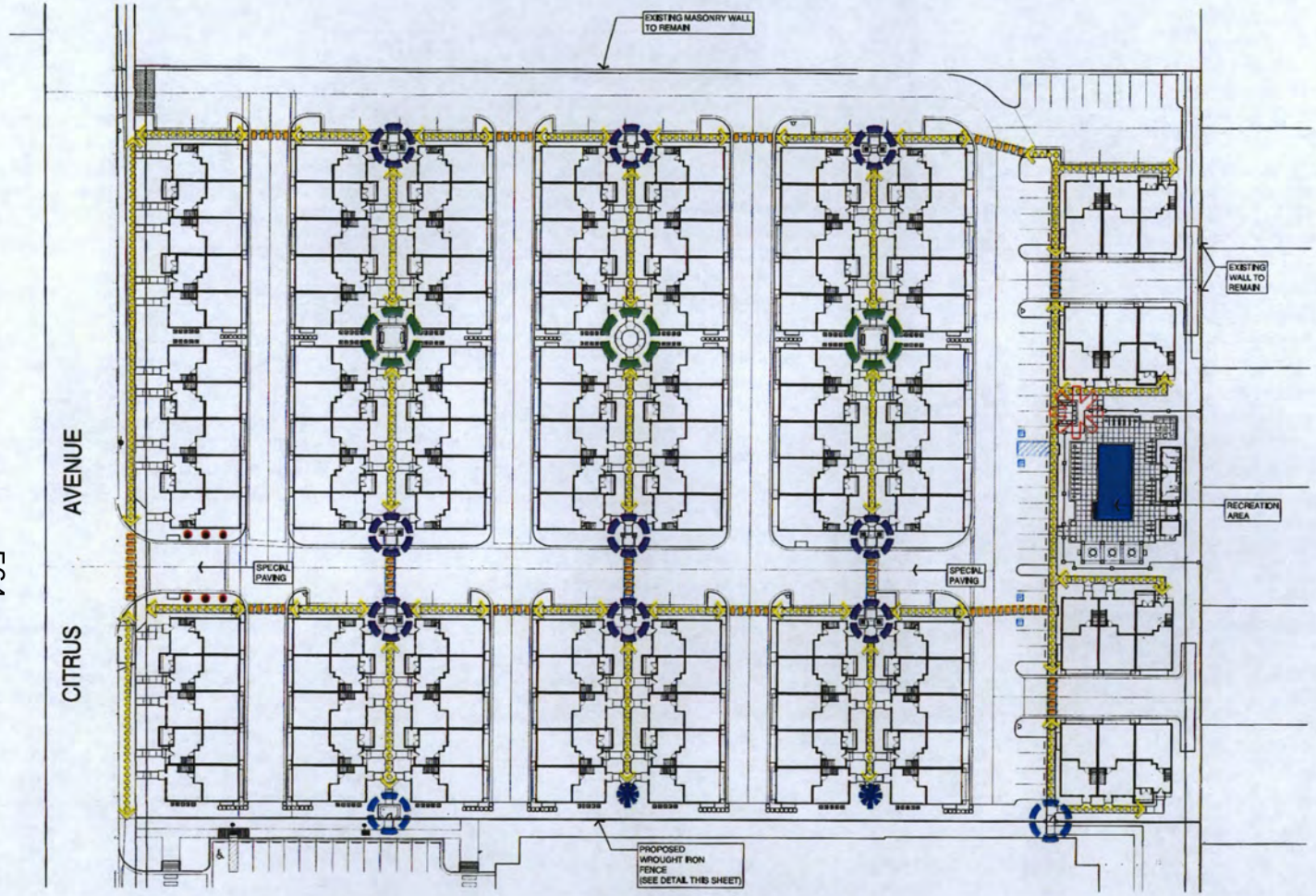
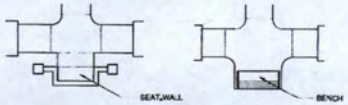


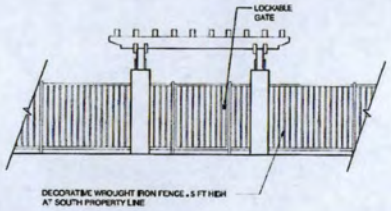
TRANSIT CENTER

LEGEND

SYMBOL	NOTES
	PASEO ENTRY NODE (SEE SHEET L-3)
	PASEO FOCAL NODE (SEE SHEET L-3)
	MINOR PASEO NODE
	CONNECTION TO TRANSIT CENTER WITH DECORATIVE GATE AND PILASTERS
	POSTAL SERVICE AREA
	PEDESTRIAN PATH OF TRAVEL CONCRETE WALK
	STRIPED CROSSWALK
	PROJECT ENTRY FOCAL FEATURE (SEE SHEET L-3)



MINOR PASEO NODES



TRANSIT CENTER CONNECTION

PEDESTRIAN CIRCULATION AND AMENITY PLAN

CITRUS PROMENADE

PARCEL #20015-0716 COVINA, CA

MLC Holdings, Inc. 1401 Dove Street, Suite 640 - Newport Beach, CA 92660 Phone: 949-372-3305 Contact: Matt Brady

0 30 60 90 120 feet
SCALE: 1" = 30'

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L-4
10/14/2016

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Attachment P:

Development Plan for SPR 16-033

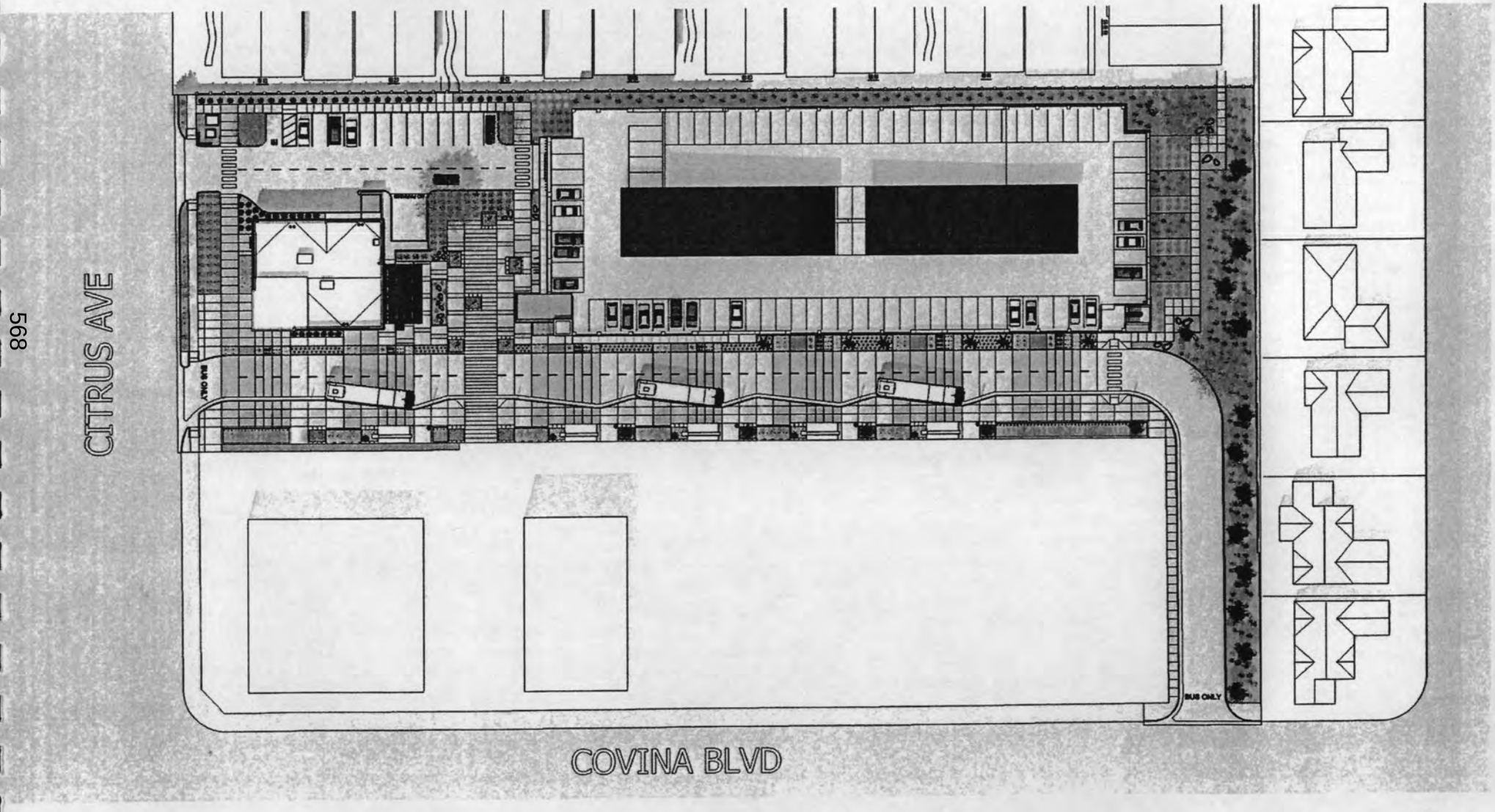
Foothill Transit

COVINA TRANSIT CENTER AND PARK & RIDE

PLANNING COMMISSION MEETING

NOVEMBER 8, 2016

ILLUSTRATIVE SITE PLAN



RNL CPC

COVINA TRANSIT CENTER
PRELIMINARY DESIGN
NOVEMBER 8, 2016

Foothill Transit

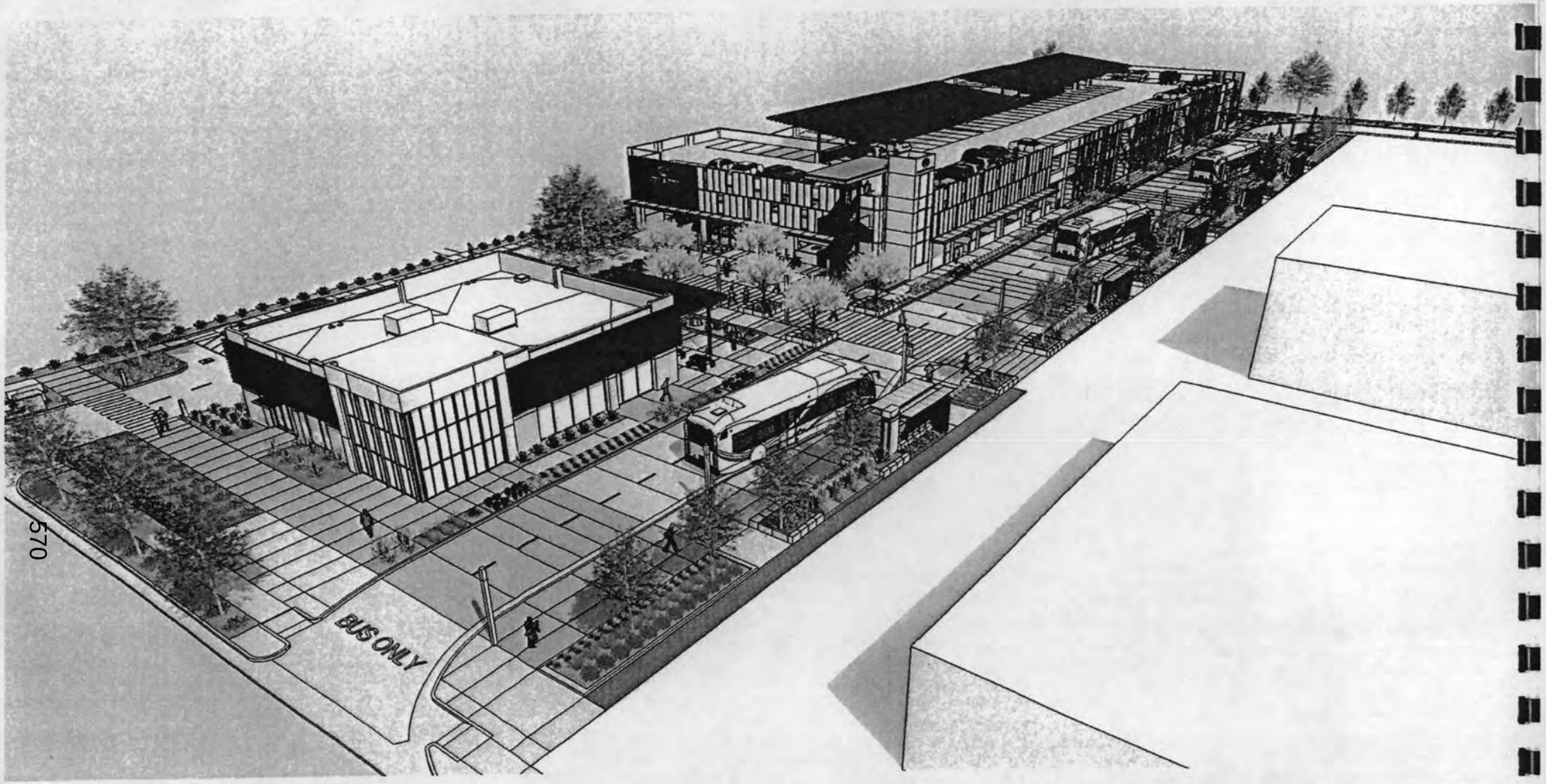
AERIAL PERSPECTIVE: TRANSIT PLAZA WEST

RNL CPC

COVINA TRANSIT CENTER
PRELIMINARY DESIGN
NOVEMBER 8, 2016

Foothill Transit

AERIAL PERSPECTIVE: SOUTH/WEST

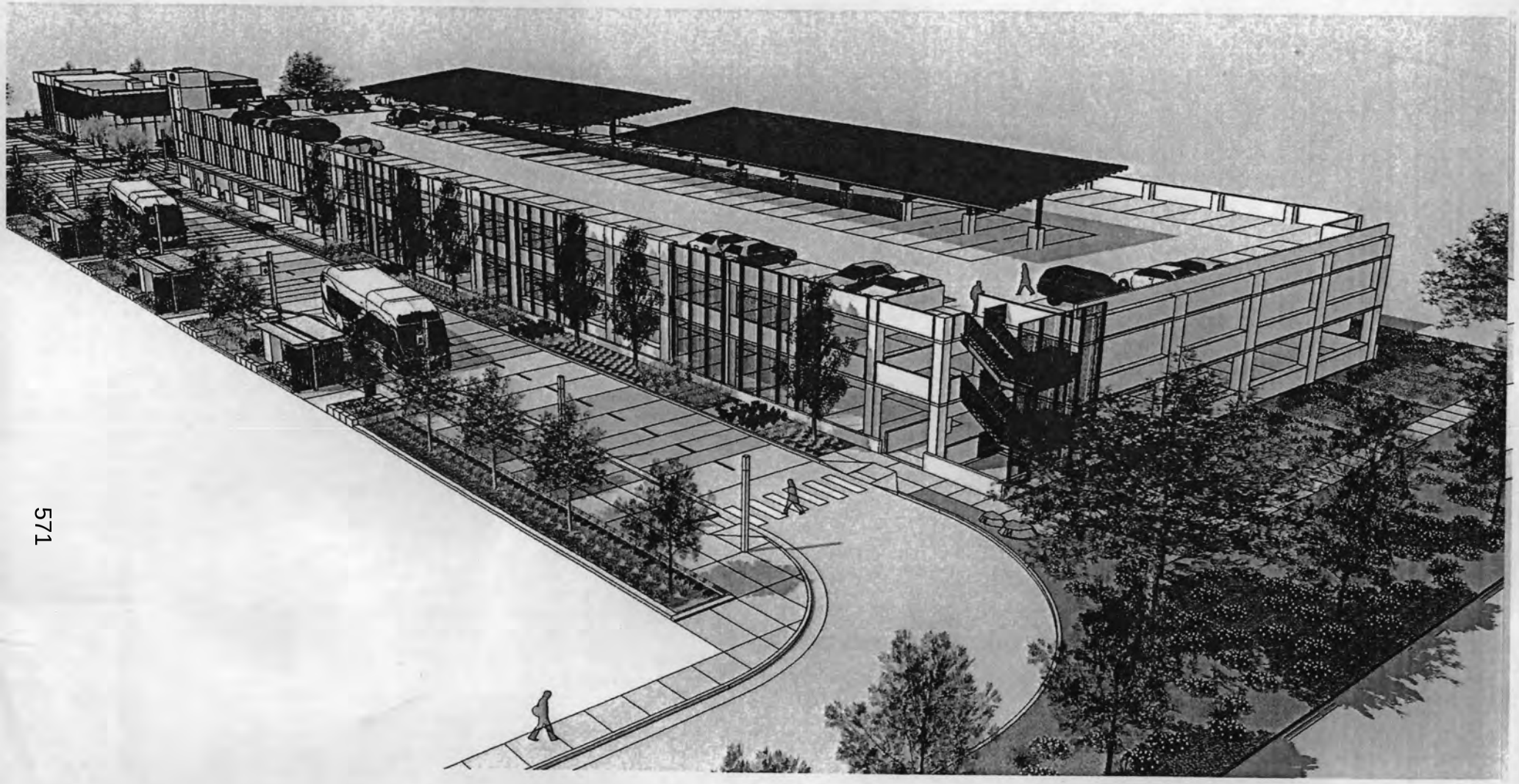


RNL CPC

COVINA TRANSIT CENTER
PRELIMINARY DESIGN
NOVEMBER 8, 2016

Foothill Transit

AERIAL PERSPECTIVE: SOUTH/EAST



RNL CPC

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PRELIMINARY DESIGN
NOVEMBER 8, 2016

Foothill Transit