

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 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 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 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

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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.

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“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).”

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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

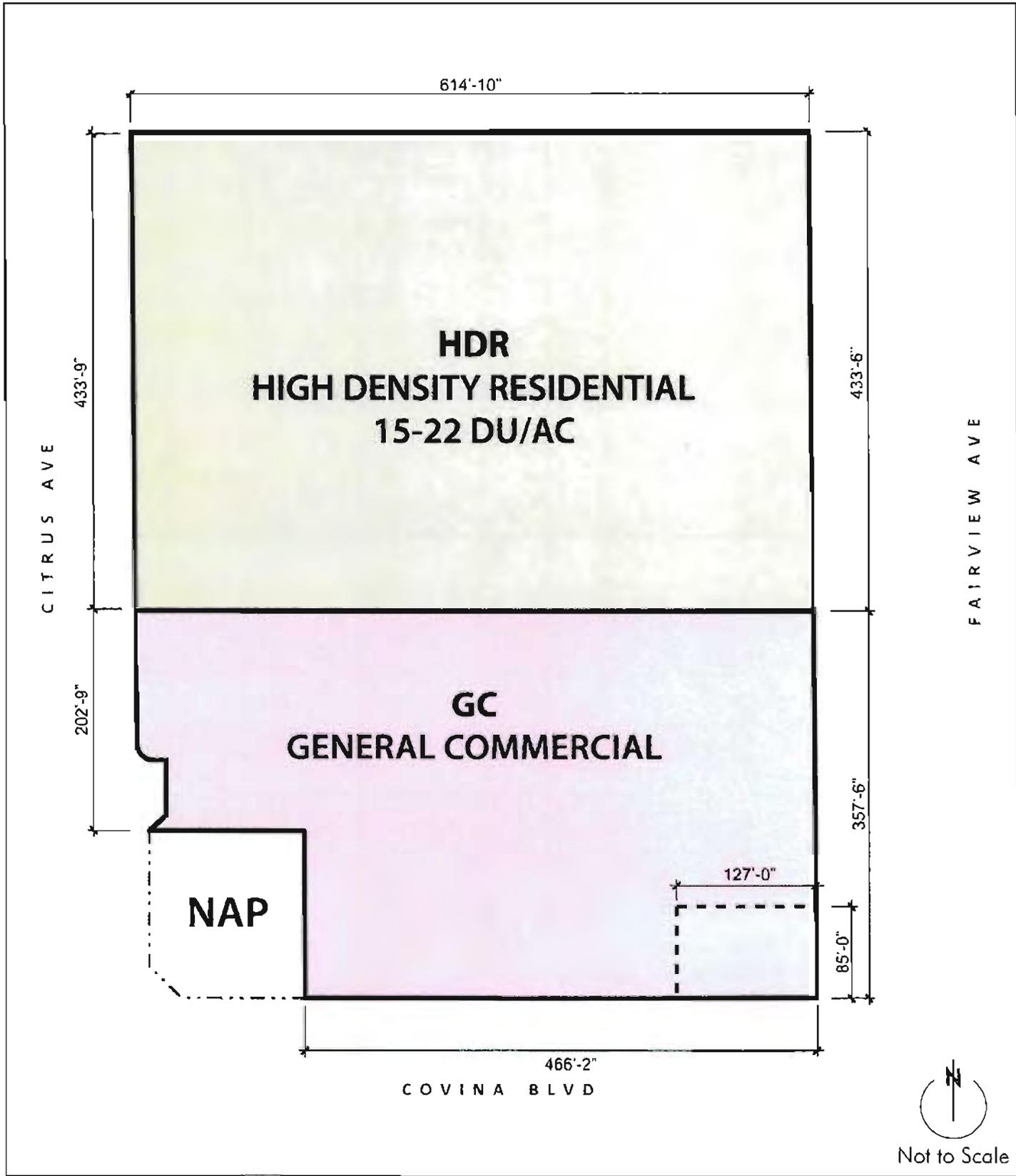


Exhibit A
 GPA 16-001 COVINA FORWARD SPECIFIC PLAN (CFSP)
GENERAL PLAN - PROPOSED



Not to Scale

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 "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

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

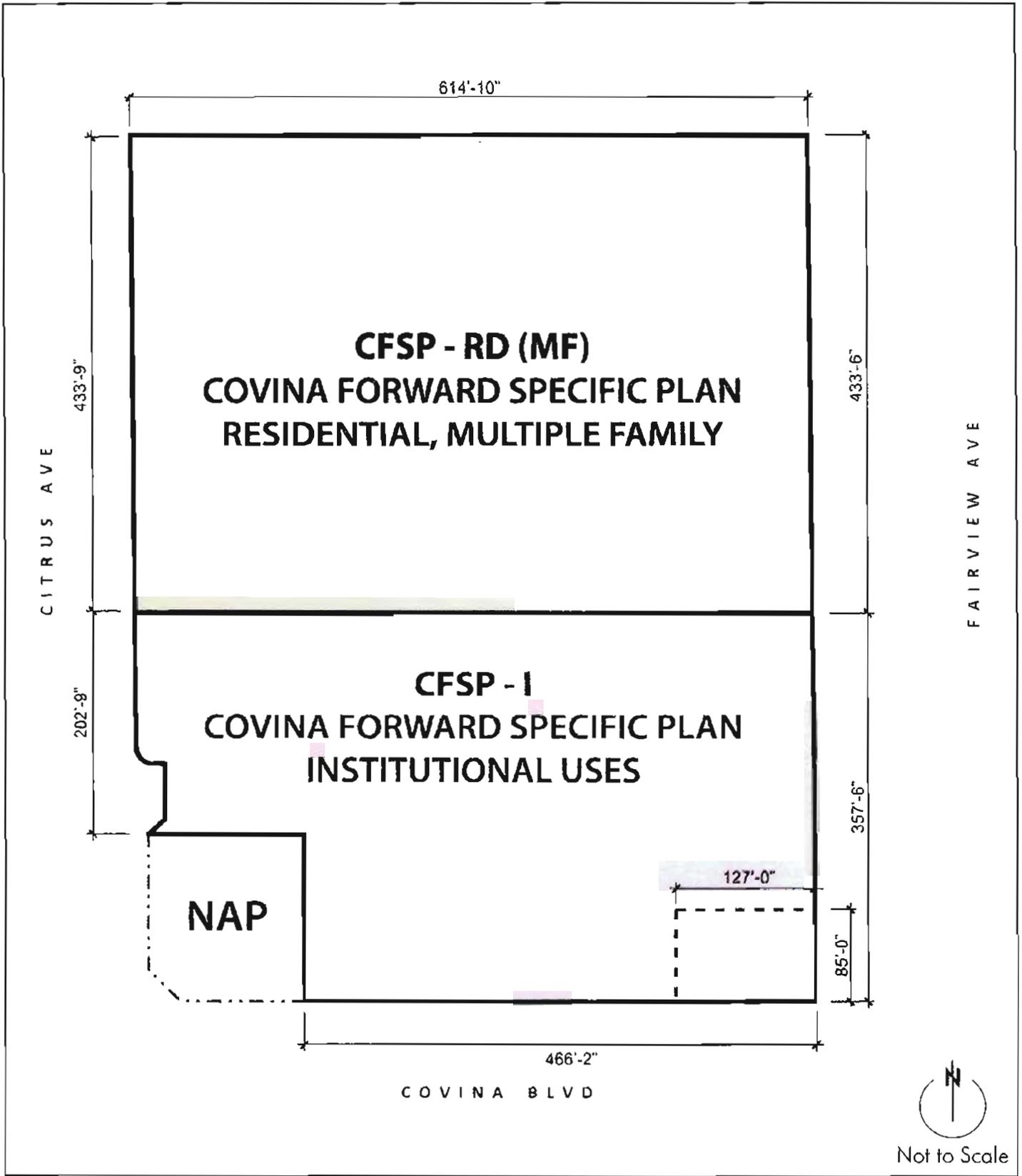


Exhibit A
 ZCH 16-002 COVINA FORWARD SPECIFIC PLAN (CFSP)
ZONING - PROPOSED

