CITY OF COVINA
PLANNING COMMISSION AGENDA
REGULAR MEETING, TUESDAY, DECEMBER 8, 2015
COUNCIL CHAMBER, CITY HALL
125 EAST COLLEGE STREET
7:00 P.M.

PLEASE NOTE: THOSE WHO WISH TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM ARE REQUESTED TO FILL OUT A SPEAKER'S CARD AND LEAVE IT WITH A MEMBER OF THE STAFF PRIOR TO THE ITEM BEING CALLED. THE PURPOSE OF THIS IS TO ENSURE THAT YOUR NAME AND ADDRESS ARE CORRECTLY IDENTIFIED IN THE MINUTES OF THE PLANNING COMMISSION.

CALL TO ORDER

A. Pledge of Allegiance.

B. Roll Call of Commissioners: Connors, Hodapp, Manning, McMeekin and Patterson.

C. Amendments to the Agenda.

PUBLIC COMMENTS

Citizens wishing to address the Commission on any matter **not** on the agenda may do so at this time. Citizens wishing to be heard on any matter on the agenda, please wait until that point on the agenda. **Please keep your comments to five minutes or less and try not to be repetitive.** Under the provisions of the Brown Act, the Commission is prohibited from taking action on oral requests but may refer the matter to staff or to a subsequent meeting.

CONSENT CALENDAR

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 Planning Commission votes on them, unless a member of the Planning Commission requests a specific item be removed from the Consent Calendar for discussion.

1. Approval of Minutes of the Regular Meeting of November 10, 2015.

CONTINUED PUBLIC HEARINGS

None.

PUBLIC HEARINGS

The Planning Commission will address the below-listed item in the following sequence:

- Staff Report
- Questions of staff from Commission
- Receive testimony in favor and in opposition of the item
- Close the public hearing
- Commission comments and discussion
- Motion to approve, deny, or continue application
- Roll Call Vote

1. Public Hearing to consider Conditional Use Permit (CUP) No. 15-016, a request to establish an eyebrow threading business in a vacant commercial tenant space, within a community shopping center, at 405 South Citrus Avenue.

   Staff Recommendation:
   1. Adopt **Resolution No. 2015-22PC** recommending approval of CUP 15-016.

   Pursuant to and in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines, the City has analyzed the proposed project and concluded that it will not have the potential for causing a significant effect on the environment. Therefore, it has been determined that the proposed action would be categorically exempt in accordance with Section 15301(a), Class 1 of the CEQA Guidelines. Staff's recommendation will be that the Planning Commission approve CUP No. 15-016.

2. Public Hearing to consider recommendations to the City Council on the following Applications for the proposed project located generally at 800 North Banna Avenue:

   a. **Mitigated Negative Declaration:** A request to certify a mitigated negative declaration and approve a mitigation monitoring program for General Plan Amendment 15-001, Development Agreement 15-001, Zone Change 15-001, Planned Community Development 15-001, Tentative Tract Map 73455, and Site Plan Review 15-009 for the proposed project located generally at 800 North Banna Avenue – APN: 8427-003-901.

      Staff Recommendation:
      Adopt **Resolution No. 2015-023PC** recommending approval of a Mitigated Negative Declaration and a mitigation monitoring program.

   b. **General Plan Amendment (GPA) 15-001:** An amendment to the Covina General Plan to change the existing land use designations for an 8.15-acre site located generally at 800 North Banna Avenue. The subject site is the former Banna Elementary School, which has been vacant for more than 15 years. The proposed change is to remove the "School" designation from the site to establish two new designations. Approximately 6.15 acres of the site would be changed from School to "Medium Density Residential" (6.1 to 14 dwelling units per acre), and the remaining approximately 2 acres would be changed from School to "Park" – APN: 8427-003-901.

      Staff Recommendation:
      Adopt Resolution **No. 2015-024 PC** recommending approval of General Plan Amendment (GPA) 15-001.

   c. **Development Agreement (DA) 15-001:** To enter into a Development Agreement between the City of Covina and One Charter Oak, LLC, for the conveyance of 0.57 acres for public parkland, the acquisition of an additional of 1.40 acres for public parkland, and the development of the remaining 6.15 acres into 63 single family residential homes, located generally at 800 North Banna Avenue – APN: 8427-003-901.

Staff Recommendation:
Adopt **Resolution No. 2015-025 PC** recommending approval of Development Agreement (DA) 15-001.

d. **Zone Change (ZCH) 15-001:** To change the zoning designations for an 8.15-acre site located generally at 800 North Banna Avenue from R-1-7500 (Residential Single Family) to RD-3,000 (Residential Multiple Family), for approximately 6.15 acres, and from R-1-7500 (Residential Single Family) to R-R (Residential Recreation), for the remaining approximately 2 acres – APN: 8427-003-901.

Staff Recommendation:
Adopt **Resolution No. 2015-026 PC** recommending approval of Zone Change (ZCH) 15-001.

e. **Planned Community Development (PCD) 15-001:** To establish a Planned Community Development overlay zone by creating flexible development standards that accommodate a 63 small-lot subdivision and the construction of the 63 single-family development proposal for the 6.15-acre portion of the site located generally at 800 North Banna Avenue – APN: 8427-003-901.

Staff Recommendation:
Adopt **Resolution No. 2015-027 PC** recommending approval, with conditions, of Planned Community Development (PCD) 15-001.

f. **Tentative Tract Map (TTM) 73455:** A proposed subdivision of the 8.15-acre site into 65 lots, with 63 lots for single-family residential development and 6 letter lots for common areas on approximately 6.15 acres, and with 2 lots (lots 64 and 65) for the proposed public park on approximately 2 acres, located generally at 800 North Banna Avenue – APN: 8427-003-901.

Staff Recommendation:
Adopt **Resolution No. 2015-028 PC** recommending approval, with conditions, of Tentative Tract Map (TTM) 73455.

g. **Site Plan Review (SPR) 15-009:** A Site Plan Review for the development of 63 single-family residential units and related common areas on approximately 6.15 acres of the site located generally at 800 North Banna Avenue - APN: 8427-003-901.

Staff Recommendation:
Adopt **Resolution No. 2015-029 PC** approving Site Plan Review (SPR) 15-009, with conditions.

The City of Covina has completed an Initial Study to determine whether the project may have a significant effect on the environment. The Initial Study determined that there could be significant impacts related to Cultural Resources, Hazards and Hazardous Materials, Noise, and Biological Resources but through the incorporation of mitigation measures, these impacts would be reduced to less than significant levels. Impacts to all other study areas were found to be less than significant. A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have therefore been prepared for the project. The Notice of Intent to adopt a Mitigated Negative Declaration was published in the San Gabriel Valley Tribune and the Draft Mitigated Negative Declaration was

released for a 30-day public comment period beginning on September 29, 2015 and ending on November 30, 2015.

<u>10-day appeal period</u>: Actions taken by the Planning Commission will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's office before close of business on the tenth day.

NEW BUSINESS
None.

GENERAL MATTERS
None.

ADMINISTRATIVE ITEMS
1. Information and Announcements

2. Commission Comments

ADJOURNMENT
Adjourn to a Regular Meeting of the Planning Commission on December 22, 2015 at 7:00 p.m. in the Council Chamber of Covina City Hall.

I, Alan Carter, City Planner of the City of Covina, or his designee, hereby declare that a true and accurate copy of the forgoing agenda was posted on December 3, 2015 near the front entrance of City Hall, 125 East College Street, Covina, and on the City's official Internet Website, in accordance with Governmental Code Section 54954.2(a.)

Additional information on any agenda item can be obtained by contacting the Planning Division at 125 East College Street, Covina, or by telephoning (626) 384-5450.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Planning Division office at (626) 384-5450 or the California Relay Service. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

MINUTES OF THE NOVEMBER 10, 2015 REGULAR MEETING OF THE COVINA PLANNING COMMISSION HELD IN THE COUNCIL CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET AT 7:00 P.M.

CALL TO ORDER

Chairman Hodapp called the Planning Commission meeting to order at 7:00 p.m.

A. PLEDGE OF ALLEGIANCE
Chairman Hodapp led the Pledge of Allegiance.

B. ROLL CALL
Commission Members Present: Connors, Hodapp, Manning, McMeekin, Patterson

Commission Members Absent: None

Staff Members Present: Director of Community Development, City Planner, Associate Planner, Assistant City Attorney

C. AMENDMENTS TO THE AGENDA
None.

PUBLIC COMMENTS
None.

CONSENT CALENDAR
1. Approval of Minutes of the Special Meeting of September 29, 2015.

Two changes to the minutes were noted: Under Item B, Staff Members Present, "City Engineer, City Traffic Engineer" should be changed to "City Engineer/City Traffic Engineer", as this is one staff position. Also, the Assistant City Attorney was not present at this meeting and that listing should be omitted.

A motion was made and seconded to approve the Minutes of the Special Meeting of September 29, 2015, with the noted corrections.

The motion carried 5-0, as follows:

AYES: CONNORS, HODAPP, MCMEEKIN, PATTERSON
NOES: NONE
ABSTAIN: MANNING
ABSENT: NONE

2. Approval of Minutes of the Regular Meeting of October 27, 2015.

One change was noted to the minutes. Under Item B, Staff Members Present, "City Planner" should be added.

A motion was made and seconded to approve the Minutes of the Meeting of October 27, 2015, with the noted correction.

The motion carried 5-0, as follows:

AYES: CONNORS, HODAPP, MCMEEKIN, PATTERSON
NOES: NONE
ABSTAIN: MANNING
ABSENT: NONE

CONTINUED PUBLIC HEARINGS
None.

PUBLIC HEARINGS

1. Application(s) Tentative Parcel Map (TPM) 73595, Site Plan Review (SPR) 15-014, and Minor Variance (MV) 15-003, which entail a proposed subdivision of four lots and the development of four new detached single family dwelling units (one dwelling unit on each lot) on a .91-acre property in the "R-1-10,000 Residential Single Family Zone" at 1732 East Ruddock Street.

   Associate Planner Vidal Marquez presented the report and answered the Commissioners' questions.

   The public hearing was opened.

   Richard Dell of Covina, the project architect, spoke in favor of the item. Mr. Dell asked for clarification of Condition of Approval 3.4 (R) of Resolution 2015-021PC, which reads "the applicant shall dedicate an additional 5 feet from the right of way…". He commented that the word "additional" was misleading. Associate Planner Marquez stated that Condition of Approval 3.4 (R) will be amended to read, "the applicant shall dedicate 5-feet of street right-of-way on Ruddock Street to the satisfaction of the City Engineer".

   The public hearing was closed.

   A motion was made and seconded to adopt **Resolution No. 2015-021PC**, with the noted amendment, recommending approval to the City Council of Tentative Parcel Map (TPM) 73595.

   The motion carried 5-0 as follows:

   AYES: CONNORS, HODAPP, MANNING, MCMEEKIN, PATTERSON
   NOES: NONE
   ABSTAIN: NONE
   ABSENT: NONE

A motion was made and seconded to adopt **Resolution No. 2015-019PC**, approving Site Plan Review (SPR) 15-014.

The motion carried 5-0 as follows:

AYES: CONNORS, HODAPP, MANNING, MCMEEKIN, PATTERSON
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

A second motion (under the same Resolution) was made and seconded to direct staff to approve the Minor Variance.

The motion carried 5-0 as follows:

AYES: CONNORS, HODAPP, MANNING, MCMEEKIN, PATTERSON
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

NEW BUSINESS

1. Application Site Plan Review (SPR) 15-026, which entails a proposed 1,480 square-foot, two-story addition to, a new 530 square foot garage attached to, and a 225 patio attached to an existing single family residence on a .22-acre property in the "RD-3000 Residential Multiple Family Zone" at 202 East Puente Street.

   Associate Planner Vidal Marquez presented the report and answered the Commissioners' questions.

   There were no public speakers

   A motion was made and seconded to adopt **Resolution No. 2015-020 PC,** approving Site Plan Review (SPR) 15-026.

   The motion carried 5-0 as follows:

   AYES: CONNORS, HODAPP, MANNING, MCMEEKIN, PATTERSON
   NOES: NONE
   ABSTAIN: NONE
   ABSENT: NONE

GENERAL MATTERS
None.

ADMINISTRATIVE ITEMS

1. INFORMATION AND ANNOUNCEMENTS

City Planner Alan Carter noted that at a recent Planning Commission meeting, the Commissioners requested to know which City Council members are the current Council liaisons to the Planning Commission. Mr. Carter stated that that Mayor John King and Council Member Peggy Delach are the two current Council liaisons to the Planning Commission.

2. COMMISSION COMMENTS
None.

ADJOURNMENT

Chairman Hodapp adjourned the Planning Commission meeting at 7:45 p.m. to a Regular Meeting to be held on Tuesday, November 24, 2015 at 7:00 p.m.

_____
Secretary

CITY OF COVINA

PLANNING COMMISSION AGENDA REPORT
ITEM NUMBER PH 1
DECEMBER 8, 2015

TO: **Chairman and Members of the Planning Commission**

FROM: **Jonathan Perez, Planning Aide**

SUBJECT: **Application CUP 15-016, a Conditional Use Permit to allow an eyebrow threading salon in a vacant, 1,200-square foot retail tenant space, within a community shopping center, at 405 South Citrus Avenue.**

SITE AND PROJECT DESCRIPTION

A. Project Information:

Request: CUP 15-016, A Conditional Use Permit to operate an eyebrow threading salon, "XOE Threading"
Applicant: Eifah Abdul "Chad" Nour
Property Owner: Howard Chan
Location: 405 S. Citrus Ave.
Assessor's Parcel Map No. 8444-021-005

B. Site and Surrounding Land Uses-Table 1:

	General Plan	Zoning	Existing Uses
Site	General Commercial	C-3 (Commercial Zone, Central Business)	Ranch Market, Millie's, Del Taco, etc.
North	General Commercial, Medium Density Residential	C-3A (Regional or Community Shopping Center, PCD/RD-4300 (Residential Zone, Multiple Family)	Vacant Commercial Property & Medium Density Condos
South	General Commercial	C-3 (Commercial Zone, Central Business), C-4 (Commercial Zone, Highway)	Cougar Park, Citrus Car Wash

East	General Commercial	C-P (Commercial, Administrative and Professional Office Zone)	Sumar Innovations, Century 21, various accounting/admin businesses.
West	General Commercial	C-3 (Commercial Zone Central Business)	Portion of Covina School District Field Complex & Cougar Park

C. Site Characteristics: The underlying site consists of a developed 55,201-square foot commercial building and associated parking improvements, both of which lie on a 4-acre community shopping center. The proposed eyebrow threading salon, "XOE Threading," would move into a vacant, 1,200-square foot, Citrus Avenue-facing tenant space in the northern portion of the northerly building on the site. Minor tenant improvement work would be performed to accommodate the business.

ANALYSIS

A. Proposed Use: "XOE Threading" would be a beauty salon-type establishment that would provide eyebrow threading-related services to the public. "Eyebrow threading," as defined by the applicant, is "a method used to groom eyebrows. In threading: a cotton thread is doubled, twisted, and then rolled over areas of unwanted hair, plucking the hair at the eyebrow." The 1,200-square foot tenant space in which the business would operate would consist of four (4) service stations (where the eyebrow threading would take place), a front desk and reception area with 10 waiting chairs, and a rearward restroom and break room (for employees only). In addition, there would be limited shelving around the reception area for business-related sales. The hours of operation would be Mondays through Saturdays from 10am-7pm, and Sundays from 10am-5pm. At the opening of the business, the applicant, who would also he the business owner/operator, would be the only employee.

B. Applicable Regulations: Under the applicable zoning-related provisions (or Title 17) of the Covina Municipal Code (CMC), eyebrow threading is classified as a "barber/beauty shop" and is allowed in all retail-focused zoning districts, such as the associated "C-3/Commercial-Central Business" zone, under the Conditional Use Permit process.

C. Land Use Compatibility: As a tenant within the above-described community shopping center, the proposed eyebrow threading business would be surrounded by many compatible uses, such as restaurants, a grocery store, various retail businesses, similar nail/hair salons, and, across Citrus Avenue, commercial office-related uses. Details and facts further supporting this compatibility are listed in Section F of the report.

D. Floor Area and Parking: The 1,200-square-foot tenant space in which the eyebrow threading business would function requires 5 total parking spaces (based on the applicable "1 parking space per 200 square feet of floor area and less a 15 percent credit for mixed occupancies in the center" standards of CMC Chapter 17.72 (Off-Street Parking and Loading). Because this tenant space was previously used by a very similar use, a hair salon (having the same parking requirements as noted above), the necessary parking for the eyebrow threading activity would be provided in the roughly 200-space frontward parking facility on the site.

E. Signage: Any proposed exterior signage of the applicant is not a part of this review process. A separate sign permit application and related plans would be required for any proposed exterior signage, showing compliance with applicable signage regulations.

F. Conditional Use Permit: Findings of Facts

Based on an analysis of the proposed project, the Planning Commission must determine that the following findings for a Conditional Use Permit can be made:

1. That the site for the use is adequate in shape and size to accommodate the proposed use.

   Fact: The overall project proposal only entails the operation of an eyebrow threading-related business in an existing retail-oriented tenant space, within a community shopping center, and an associated minor tenant improvement. No expansion of the underlying building is proposed, and the use will be required to abide by the occupancy limits of the Fire Department and the Building and Safety Section. In addition, the subject tenant space previously served as a hair salon, which is very similar to an eyebrow threading activity, with no issues being identified. The business is required to have 5 parking spaces and provides for this in an adjacent roughly 200-space parking facility. Therefore, the site is adequate in size and shape to accommodate the proposed use.

2. That the streets adjacent to the use are adequate to handle the traffic generated.

   Fact: The existing adjacent streets currently handle the traffic generated by the commercial uses in the surrounding shopping center. In addition, the re-occupancy of the appurtenant currently vacant tenant space with a typical service-type business will not cause significant impacts on the adjacent streets. Staff believes that the overall roadway system has sufficient widths and capacities to accommodate the additional, probably negligible, traffic that would be associated with the proposed business/use.

3. The use will have no adverse effects on the abutting properties.

   Fact: The tenant space in which the eyebrow threading business would be located is currently surrounded by various similar retail and service businesses, such as "Ranch market," "Eifel Nails," "Millie's restaurant," "Del Taco", and "Pizza Chalet." In addition, certain vacant or typical commercial enterprises prevail on adjoining properties. Therefore, the requested service-type use would be compatible with its surroundings or would not have any adverse impacts on adjacent properties.

4. The proposed use does not affect the public health, safety, and general welfare of the community.

   Fact: No issues or concerns arose during project review. The proposed business, as noted above, conforms to the surroundings and is typical of many other establishments in the area. In addition, the proposed use has been conditioned to ensure that no potential issues would arise during operations. Further, it is noted that the eyebrow threading activity would fill a vacant commercial space and therefore would bolster the mix of businesses in the underlying commercial center as well as arguably prevent blight and any negative effects on the public health, safety, and general welfare of the overall community.

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 November 25, 2015, a minimum of ten (10) days before the hearing, as required by law. The public hearing notice was further published in the San Gabriel Examiner newspaper on November 26, 2015.

ENVIRONMENTAL DETERMINATION

Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines according to Section 15301(a), which covers permitted and minor alterations of existing structures that involve negligible or no expansion of a use beyond that existing at the time of the lead agency's original documentation. The overall project is to permit an eyebrow threading salon in an existing empty retail tenant space and to perform associated minor tenant improvements. Staff finds that there is no substantial evidence that the project will have a significant effect on the environment.

RECOMMENDATION

Based upon an analysis of all applicable facts and evidence, the staff recommends that the Planning Commission approve application CUP 15-016.

Prepared by:

Jonathan Perez, Planning Aide

Reviewed by:

Alan Carter, City Planner

Approved by:

Brian K. Lee
Community Development Director

EXHIBITS

1. Resolution with Conditions of Approval
2. Project Plans (reductions--full sized plans under separate cover)
3. 300-foot Radius Map and Notification
4. Area Map

RESOLUTION NO. 2015-22 PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT, (CUP) 15-016, FOR AN EYEBROW THREADING SALON LOCATED AT 405 SOUTH CITRUS AVENUE – APN: 8444-021-005

WHEREAS, Eifah Abdul "Chad" Nour., on behalf of the property owner, Howard Chan, has filed a Conditional Use Permit, (CUP) 15-016, to operate an eyebrow threading salon in a vacant commercial tenant space located at 405 South Citrus Avenue, California 91723; and

WHEREAS, on December 8, 2015, the Planning Commission conducted a duly noticed public hearing at which time oral and written evidence along with a written recommendation from the Planning Division was presented to the Planning Commission. The Planning Commission concluded said hearing on that date.

NOW, THEREFORE, THE PLANNING COMMISSION 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. Based upon the entire record made available at the December 8, 2015 public hearing, the staff report, the oral presentation, and related documents submitted to the Planning Commission prior to and at the public hearing, the Planning Commission hereby finds and determines as follows:

1. That the site for the use is adequate in shape and size to accommodate the proposed use.

   Fact: The project would involve minor tenant improvements only to an existing commercial building. No expansion of the building is proposed, and the use will be required to abide by the occupancy limits of the Fire Department and the Building and Safety Section. In addition, the tenant space previously served other retail and service uses, with no issues being identified. The business is required to have five (5) parking spaces and provides this in adjacent public parking facilities that total approximately over 200 parking spaces. As stated earlier in the report, because the prior use was retail and this eyebrow threading salon (which is also considered a retail use) is taking up that prior retail space, no additional parking spaces are needed. Therefore, the site is adequate in size and shape to accommodate the proposed use.

2. That the streets adjacent to the use are adequate to handle the traffic generated.

   Fact: The existing adjacent streets currently handle the traffic generated by the commercial uses in the surrounding center. In addition, the re-occupancy

of a vacant space with a typical service-type business will not cause significant impacts on the adjacent streets. Staff believes that the overall roadway system has sufficient widths and capacities to accommodate the additional, probably negligible, traffic that would be associated with the proposed business/use.

3. The use will have no adverse effects on the abutting properties.

   Fact: The tenant space in which the site is located is currently surrounded by various retail and other similar types of service businesses, such as "Ranch Market", "Eifel Nails", "Pizza Chalet.", "Del Taco" Therefore, the requested service-type use would be compatible with its surroundings. As such, it will have no adverse effect on surrounding properties.

4. The proposed use does not affect the public health, safety, and general welfare of the community.

   Fact: No issues or concerns arose during project review. The business, as noted above, is compatible with its surroundings and is typical of other establishments in the commercial shopping center. It has also been conditioned to ensure that no potential impacts arise during its operation. Further, the proposed use will fill a vacant commercial space and will therefore bolster the mix of businesses as well as prevent blight and any negative effects on the public health, safety, and general welfare of the overall community.

SECTION 3. The Planning Commission has determined that this application is categorically exempt pursuant to CEQA Guidelines Section 15301, Class 1a. The project entails establishing an eyebrow threading salon at an existing empty commercial tenant space approximately 1,200 square feet in size. The Planning Commission further finds that there is no substantial evidence that the project will have a significant effect on the environment.

SECTION 4. Based upon the findings and conclusion set forth in Sections 1, 2 and 3 above, the Planning Commission hereby approves the application:

A. The Conditional Use Permit, CUP 15-016, is hereby approved, subject to the conditions of approval set forth in the written record before the Commission incorporated here and attached hereto as Exhibit "1."

B. The Secretary of the Planning Commission is directed to serve, by first-class mail, a written notice of this decision to the Applicant within five (5) days.

SECTION 5. This Resolution shall become effective immediately upon its adoption, subject to a 10 calendar-day appeal period.

PASSED, APPROVED AND ADOPTED by the members of the Planning Commission of the City of Covina at a regular meeting thereof held on the 8th day of December 2015.

_____
CHAIRMAN CHARLES HODAPP
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 day of December 8, 2015, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
COVINA PLANNING COMMISSION SECRETARY

CITY OF COVINA
RESOLUTION NO. 2015-022 PC FOR CONDITIONAL USE PERMIT 15-0016
CONDITIONS OF APPROVAL
DECEMBER 8, 2015

The Conditional Use Permit (CUP) is for the operation of an eyebrow threading salon within a leased space of 1,200 square feet on a property located at 405 South Citrus Avenue.

1.0 TIME LIMIT:

1.1 The approval shall expire one year from the date of approval by the Planning Commission if the approved use has not commenced.

2.0 GENERAL REQUIREMENTS:

2.1 Failure to comply with any conditions of approval noted herein shall be deemed just cause for revocation of application approval by the Planning Commission.

2.2 This grant shall not be effective for any purposes until the applicant and the property owner have each filed at the office of the Planning Division certain affidavits stating that they are aware of, and agree to accept, all of the conditions of this grant.

2.3 The business shall ohtain and maintain a valid City business license and pay the required fee(s) in compliance with the provision of Section 5.04.060 of the Covina Municipal Code.

2.4 The management of the business shall ensure that all business-related activities conduct fully within the building; all business-related patrons enter or leave the building using the front entry door.

2.5 All activities associated with the business shall be conducted in a manner that meets the provisions of Chapters 9.40 (Noise—which seeks to prevent unusual noises and vibrations on the surroundings) and 9.42 (Environmental Disturbances—which seeks to prevent issues such as odors, fumes, smoke, dust, temperature change, and electrical interference on the surroundings) of the Covina Municipal Code.

2.6 The hours of all activities associated with the business shall he limited from 7:00 a.m. to 9:00 p.m. on any day. Administrative, cleaning, maintenance, and repair activities may occur during all other periods.

2.7 The maximum number of business-related employees, patrons, and others on the premises at any one time shall not exceed the maximum associated occupancy(ies) established by and shall meet any other requirements of the Los Angeles County Fire Department as well as the Covina Building Division.

2.8 The management of the business shall at all times take reasonable steps a) to prevent any outside loitering and b) to encourage all individuals to be courteous with neighboring businesses and residences.

2.9 The management of the business shall ensure that all employees and customers of the business park on the shopping center site in legal parking spaces.

2.10 The doors of the business shall be kept closed during all times that the premises is occupied (except during deliveries and typical entering and exiting).

2.11 The outside storage of any business-related items shall be prohibited.

2.12 The site-, building-, signage-, and landscape-related improvements on the property shall be maintained in a sound and attractive condition, free of weeds, trash or debris, visible deterioration, graffiti, or other conditions that violate the Covina Municipal Code. The City may require that the applicant and/or the property owner pay the actual and reasonable cost for code compliance services needed to address any identified problem conditions.

2.13 The use shall be constructed and operated in accordance with all design details as approved by the Planning Commission, the approved plans on file with the City, all representations of record made by the applicant, the conditions contained herein, the Covina Municipal Code (CMC), and the Covina Design Guidelines (CDG). Prior to completion of the approved improvements and the opening of the business to the public, all conditions of approval shall be complied with to the satisfaction of the City Planner or his/her designee.

2.14 Final or construction plans, incorporating all conditions of approval and any plan-related changes required in the approval process, shall be submitted for review to and approval by the City Planner or his/her designee prior to building permit issuance in conjunction with the Plan Check process of the Building Division. All construction/final plans and documents shall conform to the plans approved by the Planning Commission. The conditions of approval listed herein shall be printed upon the face of and included as part of the construction/final plans.

2.15 Minor modifications to this approval that are determined by the City Planner or his/her designee to be in substantial conformance with the approved project plans and that do not intensify or change the use or require any deviations from adopted standards may be approved by the City Planner or his/her designee upon submittal of an administrative application and required fee.

2.16 Any proposed new or modified site features for the disabled that are associated with this project approval, including, but not limited to, property access identification, parking stall and unloading area dimensions, path of travel, and building access, must comply with all applicable State Codes and must first be reviewed and approved by the Building Division (please contact the Building Division for specific requirements and refer to Condition 5.0).

2.17 Any future-proposed new business types (other than an eyebrow threading salon), tenant improvements, building or interior business expansions, and/or site improvement modifications shall first be reviewed and approved by the City Planner for conformance with this Conditional Use Permit, the Covina Municipal Code and the Covina Design Guidelines, and the applicable permit issuance processes. If determined by the City Planner to exceed the scope or intent of this Conditional Use Permit or in any way conflict with the appurtenant conditions, then the City may require the approval of a new Conditional Use Permit, the approval of an additional zoning application (if applicable), and/or the submittal of certain use- or impact-related studies to address any identified concerns.

2.18 At all times when outside lighting typically operates, the exterior lighting on the property shall be fully functional, and it shall meet the design and minimum foot-candle standards of the City to sustain public safety (or, 1.0 foot-candle of illumination). If necessary, additional exterior lighting on the property shall be installed, prior to the opening of the business to meet this requirement. In addition, all exterior lighting on the site shall not generate any glare onto adjacent properties or public right-of-ways.

2.19 The business owner shall maintain proper trash enclosure(s) for disposing refuse, such enclosure shall meet the standards of the City of Covina refuse/trash bin guidelines.

2.20 All drainage on the site shall meet the applicable requirements of the Public Works Department.

2.21 Any new exterior wall-, ground-, and/or roof-mounted mechanical and utility equipment associated with the approved uses must be screened from view by building features or other elements or by painting that match the style and/or color of the building and/or landscaping. The method of screening shall be identified on the applicable construction or other plans and is subject to City Planner review and approval.

2.22 In accordance with Chapter 11.36 of the Covina Municipal Code, no street trees adjacent to the appurtenant site shall be cut or trimmed in any manner by any persons associated with property unless a written permit from the Public Works Department is first obtained.

2.23 Any proposed permanent and temporary exterior signage displaying the name of the subject business is not a part of this Conditional Use Permit application. All such signage is subjected to a separate application review and approval process, whereby all applicable requirements shall be met and all necessary permits shall be obtained.

2.24 Approval of this request shall not waive compliance with all other sections of the Covina Municipal Code, the Covina Design Guidelines, and all other applicable plans and non-City laws and regulations that are in effect at the time of application approval by the Planning Commission and at the time of building permit issuance(s) by the Covina Building Division.

2.25 The City shall have the reasonable right of entry to inspect the immediate premises and the overall property to verify compliance with the Conditions of Approval.

2.26 Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The City must promptly notify the permittee of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the permittee of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

2.27 The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

2.28 If any provision of this grant is held or declared to be invalid, then the entire approval shall be void and the privileges granted hereunder shall lapse.

2.29 The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by the applicant or property owner's violation of any condition imposed by this Conditional Use Permit or any provision of the Covina Municipal Code or the Covina Design Guidelines shall be paid by the applicant and/or the property owner.

2.30 Any construction work that could be heard by any adjacent residents must conform to the provisions of Chapter 7 (Noise) of the Covina Municipal Code,

which prohibits construction between 8:00 p.m. and 7:00 a.m. on any day and on Sundays and legal holidays (except by special permit).

3.0 The following requirement from the Los Angeles County Fire Department shall apply:

3.1 Occupancy load shall be posted. CFC Section 1004.3

3.2 Exit signs shall be internally or externally illuminated at all times. CFC Section 1011.3

3.3 Exit signs shall be connected to an emergency power system that provides Illumination for not less than 90 minutes in case of primary power loss. CFC 1011.6.3.

3.4. (In a power failure) the means of egress, including the exit discharge, shall be Illuminated at all times the building space served by the means of egress is Occupied CFC Section 1006.1

4.0 The following requirements from the Covina Police Department shall apply:

4.1 Permittee shall, at all times, maintain video security system in proper working order

4.2 The video security system shall be on and operating at all times during business hours.

4.3 Permittee shall, at all times during business hours, ensure that at least one employee or other person is present on the premises with the necessary knowledge and skills to operate the video security system so that he or she is able to provide the Police Department with the cooperation required.

4.4 The owners, operators or managers shall cooperate with all police investigations regarding crimes that occur at the location or are as a result of conduct while at the location. This cooperation includes, but is not limited to, allowing access to view video images and providing recordings of video images of any activity deemed important by any officer of the department investigating a crime that is alleged to have occurred on the premises or as a result of conduct occurring at the premises.

4.5 Permittee shall preserve the video security system's recorded information of each business day for a period of not less than ten (10) business days thereafter for the Police Department's review in connection with a criminal investigation.

4.6 These conditions will assist in not only crime prevention measures, but will also assist in crime solvability, if required.

5.0 The following requirements from the Building and Safety Section shall apply:

5.1 For proposed tenant improvements please submit_6_ sets of complete plans; two sets shall be "stamped approved" by the Covina Planning Division and include the Building Section's comments for consultant review. This project must comply with the 2013 California Building Standards and 2013 energy code.

5.2 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.

5.3 This project must comply with Federal and State Accessibility requirements to and throughout the building. Include compliance methods and structural details on the plans.

5.4 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 Division.

- **SCAQMD Headquarters; 21865 Copley Drive, Diamond Bar, CA, (909) 396-2381**

5.5 The Los Angeles County Fire Department needs to review your construction plans, to expedite this process you will need to contact one or more of their Regional plan check office(s): Appointments to discuss Fire Department requirements may be made between 7:30 a.m. and 10:30 a.m. The main office is located at 5823 Rickenbacker Road, Commerce, CA 90040-3027. Phone number is (323) 890-4125.

Regional plan check offices for the Los Angeles County Fire Department:

Glendora Office, Building Plan Review Only
231 W. Mountain View Avenue
Glendora, CA 91740
(626) 963-0067

Commerce Office, Sprinkler & Alarm Plan Review
5823 Rickenbacker Road
Commerce, CA 90040-3027
(323) 890-4125

Commerce Office, Land Development / Access
5823 Rickenbacker Road
Commerce, CA 90040-3027
(323) 890-4243

5.6 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.**

5.7 Construction activity within 500' of a residential zone is prohibited between the hours of 8:00pm and 7:00am and on Sundays and Holidays unless otherwise permitted by the City.

5.8 The Building Section plan check process may address additional concerns.

6.0 The following requirements from the Environmental Services Section shall apply:

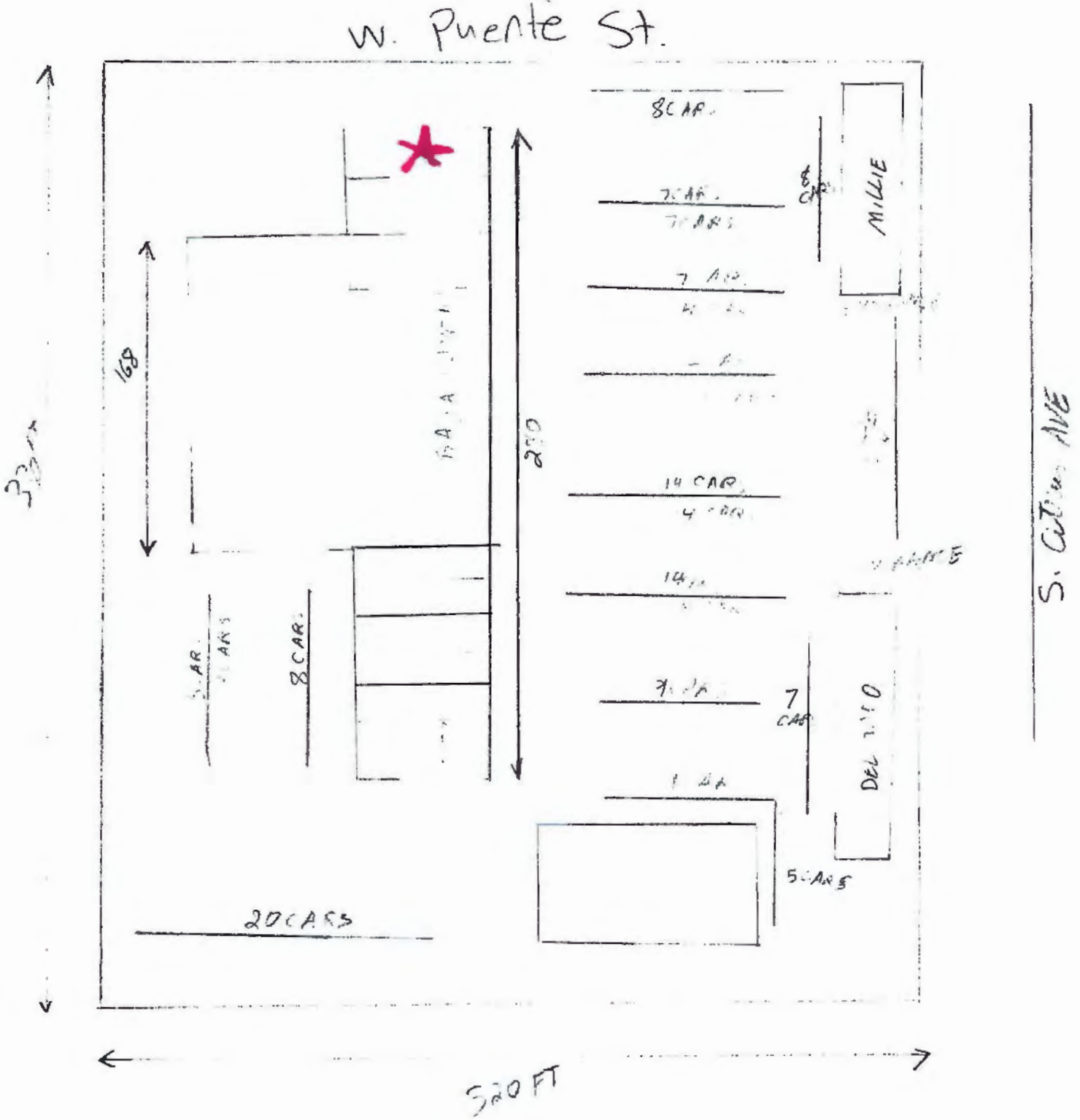
6.1 Plan Review fee of $40 is due.

6.2 No construction or use indicated that requires Industrial Waste Permit, If use changes Environmental review will be required.

- END OF CONDITIONS

Site Plan

Exhibit 2a



Tenant space 1,200 s.f

map of
405 S. Citrus AVE
Covina CA 91723
211 CAR' PARKING

Exhibit 2b

Floor Plan

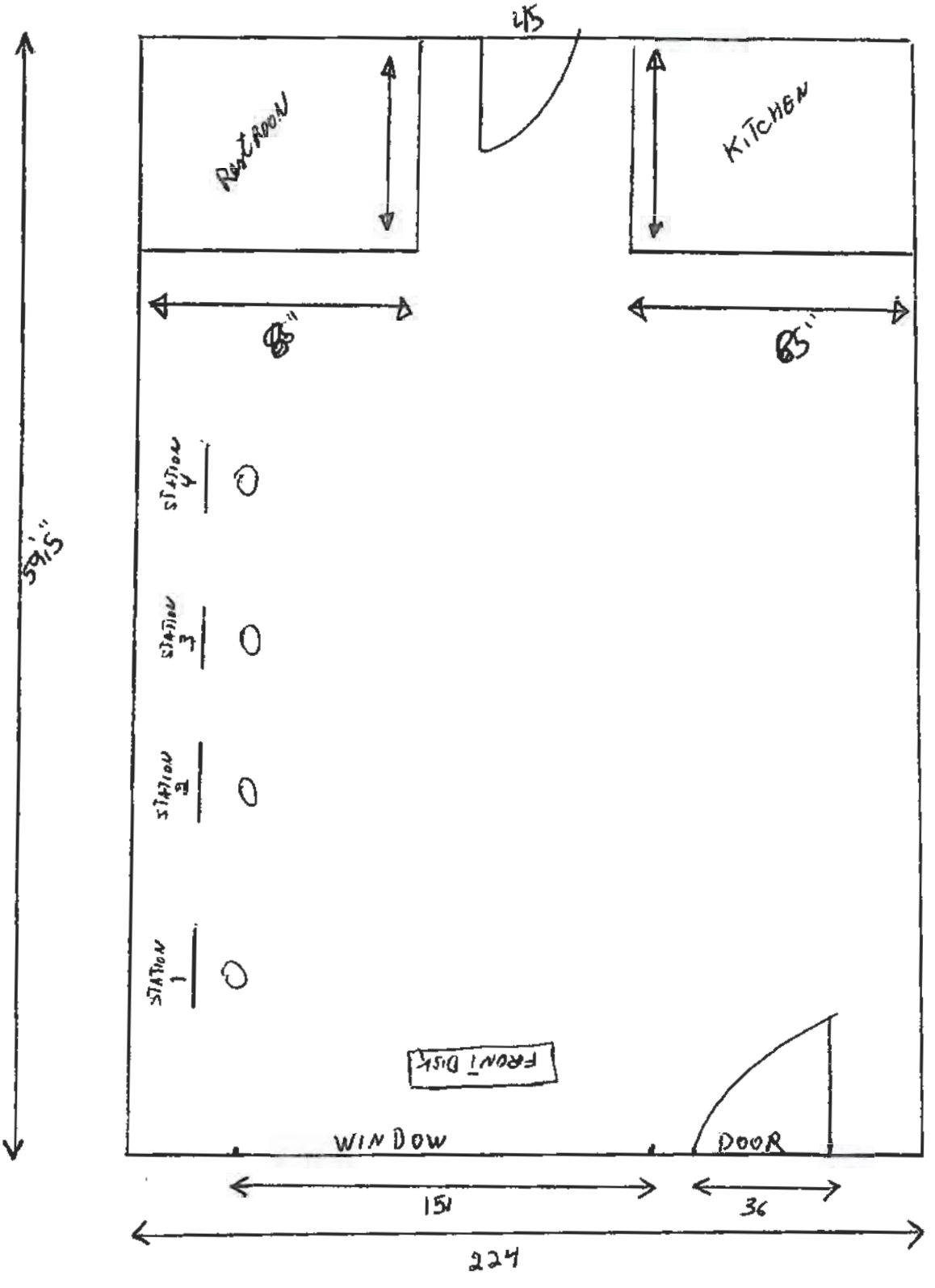


Exhibit 3

813.75 Feet

SUSAN RUCCIO
336 S CITRUS AVE
COVINA CA 91723

EDWIN A WEEGAR JR
125 E PUENTE ST
COVINA CA 91723

CHRISTINE PASINELLI
131 E PUENTE ST
COVINA CA 91723

YVONNE ANDERSON FAMILY TRUST
214 TRAILSIDE DR
YORBA LINDA CA 92887

GUAALPE CEBALLOS
116 E. PUENTE ST
COVINA CA 91723

MICHAEL ABOUHAIDAR
122 E PUENTE ST
COVINA CA 91723

FOUR S JOINT VENTURE LLC
PO BOX 880
UPLAND CA 91785

ROBERT JR & SUZANNE BANKS
121 E NAVILLA PL
COVINA CA 91723

JONES FAMILY TRUST
129 E NAVILLA PL
COVINA CA 91723

PRY PROPERTIES
528 S CITRUS AVE
COVINA CA 91724

INGHAM FAMILY TRUST
128 E NAVILLA PL
COVINA CA 91723

ELVINO MIALI TRUST
528 S CITRUS AVE
COVINA CA 91724

ELVINA MIALI TRUST
PO BOX 4235
COVINA CA 91723

RICHARD LOPEZ TRUST
8545 LA MADRINA DR
ROSEMEAD CA 91770

NATIVIDAD LOPEZ
205 W CASAD ST
COVINA CA 91723

DARREN SHEN
20031 RESTKNOLL DR
YORBA LINDA CA 92886

BRANDY HOLMAN
316 N ARMEL DR
COVINA CA 91722

ROBERT HERSH
163 W CASAD ST
COVINA CA 91723

WILLIAM EVERETT
514 S EDENFIELD AVE
COVINA CA 91723

RONALD LAUCIELLO
16239 E BENWOOD ST
COVINA CA 91722

JAMES RODELA
526 S EDENFIELD AVE
COVINA CA 91723

MARIA ISLAS
172 W CASAD ST
COVINA CA 91723

COVINA VALLEY UNIFIED
433 S CITRUS AVE
COVINA CA 91723

COVINA FIRST SOUTHERN BAPTIST
331 S 3RD AVE
COVINA CA 91723

TIMOTHY KUAN
813 S DORA ST
UKIAH CA 95482

LUCIO PADILLA
172 W REDWOOD CT
COVINA CA 91723

CINDY LUJAN
176 W REDWOOD CT
COVINA CA 91723

WILLIE MCKINNEY
182 W REDWOOD CT
COVINA CA 91723

OSCAR ONTIVEROS
167 W REDWOOD CT
COVINA CA 91723

GONZALO EGAS
171 W REDWOOD CT
COVINA CA 91723

CARLOS PICCIOTTO
516 SEFTON AVE
MONTEREY PARK CA 91755

SHIH YANG
168 W ARBORT CT
COVINA CA 91723

TAMMY TRINH
172 W ARBOR CT
COVINA CA 91723

GARY TAM
176 W ARBOR CT
COVINA CA 91723

JASON CHEN
182 W ARBOR CT
COVINA CA 91723

DAVID SU
1335 S GOLDEN VISTA DR
WEST COVINA CA 91791

VICTOR ARIVZU
171 W ARBOR CT
COVINA CA 91723

YILEI SHI
175 W ARBOR CT
COVINA CA 91723

1

ULISES PEREZ
511 N LEAF CT
WEST COVINA CA 91791

BERNARD THOUANEL
152 W REDWOOD CT
COVINA CA 91723

WAI LUI
156 W REDWOOD CT
COVINA CA 91723

ALLEN GOOCH
152 W REDWOOD CT
COVINA CA 91723

ARVIN NER
151 W REDWOOD CT
COVINA CA 91723

OLUFEMI OPANUBI
155 W REDWOOD CT
COVINA CA 91723

XIAO WEN
157 W REDWOOD CT
COVINA CA 91723

JOEL SONTOYO
152 W ARBOR CT
COVINA CA 91723

ALBERT MATIAS
20601 MANSEL AVE
TORRANCE CA 90503

BECKY TOY
158 W ARBOR CT
COVINA CA 91723

DEAN LI
151 W ARBOR CT
COVINA CA 91723

CHIA HAN
155 W ARBOR CT
COVINA CA 91723

FEI LI AND JIAN CHENG
157 W ARBOR CT
COVINA CA 91723

JAMES & JOELLE PEELGREN
161 W ARBOR CT
COVINA CA 91723

LA LAND LLC
2225 W VALLEY BLVD
ALHAMBRA CA 91803

Exhibit 4

CITY OF COVINA
NOTICE OF PUBLIC HEARING

CUP 15-016

405 S. CITRUS AVENUE

Subject Site

business

N

CITY OF COVINA

PLANNING COMMISSION AGENDA REPORT
ITEM NUMBER PH 2
December 8, 2015

TO: Chairman and Members of the Planning Commission

FROM: Brian K. Lee, AICP, Director of Community Development

SUBJECT: Applications for General Plan Amendment (GPA) 15-001, Development Agreement (DA) 15-001, Zone Change (ZCH) 15-001, Planned Community Development Overlay District (PCD) 15-001, Tentative Tract Map (TTM) 73455 and Site Plan Review (SPR) 15-009. A proposed development on the 8.15 acre site (former Banna Elementary School), consisting of a residential development of 63 lots on approximately 6.15 acres and a proposed public park on approximately 2 acres, for property located generally at 800 North Banna Avenue – APN: 8427-003-901.

BACKGROUND

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

- ***July 2014:*** Property Owner, Charter Oak Unified School District, approved a purchase agreement with applicant Sheldon Development Group for the development of the project site.

- ***April 2015:*** Applicant submitted an application for a 108-lot subdivision.

- ***May 2015***: Mitigated Negative Declaration circulated for 30 days; received six agency comment letters. On May 13, 2015, the City held a neighborhood meeting.

- ***June 17, 2015:*** City staff met with a small group of residents representing a larger group of residents to discuss the proposed project.

- ***September 2015:*** The Applicant revised the proposed development in response to community concerns, resulting in a smaller 63-lot subdivision.

- ***September 12 and September 14, 2015:*** The Applicant held two informational and community meetings (on a Saturday morning and Monday evening) at Charter Oak High School to present the revised plans to residents within the surrounding neighborhood.

- ***September 29, 2015:*** The City held a combined Planning Commission study session/neighborhood meeting of the revised development plans to present the Planning Commission with a brief background and overview of the proposed project, and allow the community to comment further on the project.

- ***October 30 – November 30, 2015***: The Revised Mitigated Negative Declaration was recirculated for 30 days; no comments have been received to date.

PROJECT HISTORY

In July 2014, Charter Oak Unified School District approved a purchase agreement with the developer, Sheldon Development Group, for the development of the project site. The developer initially submitted plans for development of the site in April 2015. At that time, the proposed development (One Charter Oak) consisted of 108 single-family lots on the 8.15-acre site, for a density of approximately 13.3 units per acre. An Initial Study/Mitigated Negative Declaration (IS/MND) was released for public review in May 2015, at which time the City held a neighborhood meeting to present the proposed project. Subsequently, City staff met with a small group of residents in June 2015. Based on comments received on the IS/MND and at the neighborhood meeting, the applicant resubmitted revised plans in September 2015 to respond to community concerns related to density, scale, orientation, traffic, and environmental impacts associated with safety and noise. These changes are summarized as follows:

- The density of the proposed residential development was reduced from 108 units to 63 units, with 2 acres of the site proposed for use as a City park. The City of Covina would program the park space, which may include active and passive recreation areas, gathering spaces and walking paths.
- The previously proposed residential density was reduced from 13.3 units per acre to 7.7 units per acre.
- The previously proposed residential development included two- and three-story residences. Maximum heights were approximately 35 feet. The currently proposed residential development includes only two-story residences, with maximum heights of approximately 26 feet, addressing the massing and bulk of units to be more in scale with the surrounding neighborhood.
- The previously proposed development was surrounded by a wall, with the backyard of units facing surrounding neighborhoods. The currently proposed residential development removes the wall and orients residences towards the streets of Banna and Kidder Avenues and Colver Place, with direct driveway access to units from the street, similar to the orientation of surrounding residences.

- The previously proposed development included interior site access from Banna Avenue and Cypress Street. The currently proposed residential development includes interior site access from Banna Avenue and Kidder Avenue. As such, the raised medians and turn pockets proposed for Cypress Street have also been removed from the Proposed Project.
- The previously proposed residential development included a number of design features to address safety concerns related to the adjacent railroad crossing at the intersection of Banna Avenue and Cypress Street. However, because the proposed residential uses would no longer front this intersection, the originally proposed design features have been eliminated.
- To address potential traffic concerns, new design features have heen incorporated consisting of restriping along Colver Place and adding a new crosswalk on Cypress Street.

The intent of the revised plans was to achieve a more compatible design with the surrounding neighborhood and reduce traffic and other impacts through a lower-density project. The developer held two informational and community meetings (on a Saturday morning and Monday evening) at Charter Oak High School to present the revised plans to residents within the surrounding neighborhood. The majority felt satisfied with the revisions; however, some still expressed concern over the density, traffic and the associated safety issues that additional traffic could cause on local streets, particularly at the intersection of Banna Avenue and Cypress Street.

The City held a combined Planning Commission study session/neighborhood meeting of the revised development plans on September 29, 2015. Comments received addressed a continued concern with the proposed density, traffic, safety, maintenance of the proposed park, and the style of the homes compared to the style of existing residences in the neighborhood. Additional concerns related to the inconvenience during construction as a result of noise, dust and rodents. The residents also proposed to move the 2-acre public park to the south end of the project fronting on to Colver Place instead of Cypress Street. Staff considered relocating the park as requested; however, after conferring with Police, it was determined that the park fronting onto Cypress Street is preferred for public safety purposes.

Due to the changes made to the site plan, a revised MND was circulated to the public for review and comment beginning October 30 and ending November 30, 2015. No comments have been received to date from the public.

PROJECT LOCATION AND SETTING

The project site is 8.15 acres in size and was originally developed as an elementary school. The project site has not been used as a school for approximately 15 years. The property is currently leased to the Vision of Faith International Church. Six single-story classroom and administration buildings, two restroom buildings, a parking lot, playground facilities, and field areas currently occupy the project site. The perimeter of the project is surrounded by chain link fencing. Access to the project site is provided via driveways located along North Banna Avenue.

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	School	R-1-7500 (Single Family Residential)	Owned by Charter Oak Unified School District; Leased to Vision of Faith International Church
North	Medium Density Residential, School	RD (Multiple Family Residential)	Charter High School, fire station and railroad tracks
South	Low Density Residential	R-1-7500 (Single Family Residential)	Single-family homes
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 Applicant is proposing to demolish the existing structures located on the project site and construct 63 detached single-family homes, oriented towards the existing residential neighborhoods on Banna and Kidder Avenues and Colver Place. The applicant will set aside two acres of land for a neighborhood park. The remaining acreage (6.15 acres) will be developed with the single-family homes, private streets and small landscaped area intended for use a storm water treatment. The following describes the project in more detail. The full development package is provided in Exhibit 3, Project Plans.

1. **Density**: The project density is calculated as a ratio of the total lot area (8.15 acres) to the total number of units (63), resulting in a density of 7.7 units per acre.

2. **Subdivision**: The proposed project includes the subdivision of the site into 71 lots, including 63 lots for single-family residential development and 6 letter lots for common areas on approximately 6.15 acres; and 2 lots (lots 64 and 65) for the proposed public park.

3. **Access and Circulation**: Access to the project site is provided on Banna Avenue and Kidder Avenue. Both access locations are proposed to be un-signalized with full-access, and with no gate control. On-site vehicular circulation is proposed to generally be one inner loop drive aisle (private streets). The streets would vary from 26 feet to 36 feet in width to accommodate on-street parking on either one or both sides of portions of the street loop. Each of the new lots within the development would take direct access from the new street segments and street loop, while the lots on the perimeter would take access directly from the existing streets.

   The proposed 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. Additionally, the following traffic improvements would be part of the proposed project:

   - Restripe the east leg of the Glendora Avenue/Colver Place intersection to provide two westbound approach lanes and one eastbound return lane. The westbound approach will be striped to have a shared left plus through lane, and a dedicated right turn lane. The additional westbound lane approach would improve vehicle delays and levels of service at the intersection (Condition No. C8).

   - Install a crosswalk, with appropriate signage and warning beacons (if warranted), across Cypress Street on the west leg of the intersection of Kidder Avenue/Cypress Street. This would provide for improved sight distance for pedestrians and bicyclists on the east side of the existing Metrolink train crossing. The existing crosswalk on the west side of the tracks would remain to serve pedestrians and bicyclists on the west side of the tracks (Condition No. C9).

4. **Parking**: 276 total parking spaces are provided, including two-car garages and two driveway spaces for each unit, and 24 guest spaces along the new private streets. Based on the City's parking code, the proposed project requires 139 spaces consisting of two garage spaces and 0.2 guest spaces per unit. Therefore, the project's parking supply exceeds the City's parking code requirement for the Proposed Project.

5. **Grading and drainage:** The proposed site drainage and water quality design would drain westerly and southwesterly as it currently does. Storm water management would include a "dry well system" installed throughout the site that would reduce the volume of runoff into the City's existing storm water system. The dry well system would retain and infiltrate surface runoff generated from the homes, private

streets, and parking areas, and would remove potential pollutants as water is absorbed into the subsurface soil. The only areas of the project site that would not be treated are the entrances at Banna Avenue and Kidder Avenue, which constitute 0.2 percent of the project area. Stormwater from these two areas would sheet flow to the street. For larger storm events, overflow from the drywells would be discharged to Banna Avenue or Colver Place via culverts, storm drain pipes, curb outlets, and/or sheet flow. Drainage would be collected at an existing flood control channel.

The project site is currently 37 percent impervious. Post-development, the project site would be a maximum of 55 percent impervious. According to the low impact development plan, the proposed project would increase the infiltration capacity of the project site due to the proposed addition of an infiltration system (i.e., thirteen drywells) to the site. Currently, the project site does not contain any infiltration system.

With respect to the infiltration capacity, 7 of the 13 drywells are located in common areas and on private streets while 6 of the drywells are located within front yards of lots 16, 22, 27, 28, 33 and 59. The placement of the drywell (typically looks like a grated design manhole cover with rock around it) within the front yard areas created concerns about the aesthetics and visual impact. Staff has included a condition of approval to place the drywells away from the front yard areas and/or in below grade facilities. (Condition No. D11)

6. **Common Open space:** 85,000 square feet (sq. ft.) of common open space is provided through the conveyance of land for the development of an approximately 2-acre park by the City. A small pocket park is provided at the entry into the project off Banna Avenue. The small pocket park contained 4 drywells and is used also to increase the storm water treatment infiltration capacity.

7. **Private Open Space**: 120,154 sq. ft. total of private open space is provided through private backyard and front yard areas for each single-family home. Private open space for the homes would range from 2,095 to 2,492 square feet with an average of 1,907 square feet of private open space per lot.

8. **Walls and Fencing**: An articulated masonry wall will be located at the perimeter of the project bordering the new park. Vinyl privacy fencing will be installed between the residential units.

9. **Landscaping**: A full complement of new landscaping will be installed, including both traditional and drought-tolerant species. These drought-tolerant plantings will include trees, shrubs, ground cover and grass. Plantings will include parkway areas

along the perimeter of the project and front yards for the new homes, as well as landmark landscaping for the main entry to the site on Kidder Avenue. The applicant proposed to install front yard landscaping for each lot. Staff has included a condition of approval requiring a demonstration front yard and back yard landscape design that addresses the City's Water Efficient Landscape requirements and the latest July 2015 Updated Model Water Efficient Landscape Ordinance (Condition No. E1 through E 10).

10. **Product Type and Architectural Style:** The proposed project will include two-story detached homes with three unique plan types providing four and five-bedroom floor plans. Each product type and floor plan is shown in Exhibit 3, Project Plans. Architectural styles for the proposed project consists of Spanish, California Ranch and Craftsman vernaculars. All units would have stucco exteriors and tile roofing, and would include design elements respective of its architectural style. Proposed design elements would include decorative shutters, gable accents, decorative trims, corbels, iron grilles, stone veneers, decorative rafters, and ornamental iron work. Each plan type would provide a minimum of two exterior style options. Proposed elevations for each plan type are shown in Exhibit 3, Project Plans.

11. **Floor Area:** The floor area for each unit ranges from approximately 2,095 square feet to 2,492 square feet (4 bedroom + loft or 5-bedroom units). Initially, the applicant proposed to have the option of a 5th bedroom for all House Plan 1 through House Plan 3. Staff raised concerns with 5 bedroom houses that have only 2-car garages. Having a 5th bedroom would increase tbe need for additional parking spaces. Therefore, staff recommends that no more than 20 lots of the total 63 lots can have a 5th bedroom. The applicant is in agreement with the requirement This item has been placed as a condition of approval (Condition No. D23).

B. **General Plan Amendment**:

The proposed project includes the request for a General Plan Amendment from the site's current designation of School to Medium Density Residential (6.1 -14 dwelling unit per acre) for 6.15 acres and Park for 2 acres. The site is currently surrounded by single-family homes located immediately east, west and south; and a fire station and Charter Oak High School to the north. The General Plan land use designations for the surrounding area include Low Density Residential (1-6 dwelling unit per acre) adjacent to the west, south and east of the project site; and Medium Density Residential (6.1-14 dwelling unit per acre) and School to the north.

Covina takes pride in the quality of its residential neighborhoods and the predominantly single-family character. The General Plan seeks to retain that primary character while also providing for a variety of housing densities. Diversity of housing types is important for long-term sustainability of the community. Furthermore, the General Plan encourages the development of

underutilized infill site where they are largely surrounded by other residential development to maximize efficient use of existing infrastructure and to meet housing demand.

The proposed change in land use designation from School to Medium Density Residential (6.1-14 dwelling units per acre) will allow a wide range of housing types. The lower range of intensity (6.1-10 dwelling units per acre) is characterized by detached or attached housing structures such as small-lot subdivisions, single-unit zero-lot-line homes, cluster and patio homes. The higher range of intensity (10.1 -14 dwelling unit per acre) is characterized by duplexes and triplexes, and attached townhouse-type developments. Typically higher building intensity is more appropriate adjacent to parks, along transit routes and arterial roads. Therefore, the Medium Density Residential designation serves as an appropriate buffer (transition of density) between low-density residential areas.

The proposed project supports the General Plan by developing an underutilized infill site in an established single-family neighborhood with compatible low-rise, owner-occupied, detached single-family homes. The homes will be set back a minimum of 13 feet and provide aesthetic architectural treatments and landscaping. The proposed project also addresses the deficiency in parkland by setting aside approximately two acres for the development of a neighborhood park. The proposed project would also contribute 63 housing units to the City's remaining unmet need for 991 housing units, reducing the unmet housing need in the City by more than 6 percent (Covina Draft Housing Element Update, dated November 15, 2010).

Specifically, the proposed project would support the following General Plan Land Use policies:

- **Objective 1, Policy 1.6:** ***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 policy is supported as the proposed project represents the development of an underutilized infill parcel (i.e., a parcel that is in a developed urban area that is no longer fulfilling its original purpose as a school). Furthermore, the proposed project supports this policy by creating new housing on a now-underutilized site.

- **Objective 1, Policy 1.7:** ***Require that new or expanded commercial, industrial, and medium- to high-density residential projects, when adjacent to single-family residences, hospitals, nursing homes, schools, day care centers, and other sensitive uses, 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 proposed project supports this policy by ensuring that the proposed medium-density residential development incorporates sufficient physical and visual buffers to ensure compatibility with the adjacent single-family homes. Homes are set back a minimum of 13 feet, and provide landscaped front yard setbacks, in addition to a landscaped parkway. The second floor of each unit is set back further to reduce the scale and massing of each home, and all homes are well articulated to soften the facades and create an aesthetic visual environmental within the neighborhood.

- **Objective 1, Policy 1.10:** ***Preserve the predominantly low-rise, low- to medium-intensity character of Covina's residential neighborhoods and commercial and industrial districts.***

  This policy is achieved as the proposed project is of medium-intensity and all units are two stories in height. Originally, the applicant proposed a 108-unit subdivision with 54 3-story units and 54 two-story units. Given the single-story character of the surrounding neighborhood, Staff required that all units be limited to two stories in height.

- **Objective 1, Policy 1.25:** ***Utilize Zoning's Planned Community Development (PCD) process (which allows for development standard modifications if certain conditions are met) as a vehicle for attaining spatially compatible, attractive, functional, and innovative projects, thus facilitating residential and non-residential development and General Plan implementation.***

  The proposed project meets this policy by utilizing the Planned Community Development process for facilitating the proposed small-lot subdivision. The proposed project is able to introduce a new housing variety in the City while still maintaining compatibility with the surrounding single-family neighborhood.

- **Objective 1, Policy 1.26:** ***Continue requiring developers to mitigate development impacts in the form of street improvements and public dedications as well as other reasonable requirements.***

  This policy is met as the proposed project will include street improvements to improve traffic conditions in the project vicinity (See Conditions No. C.8 and C.9); and will convey two acres of the site to the City for the development of a neighborhood park. In addition, other mitigation measures are required to minimize environmental impacts of the proposed project to less than significant levels (See Mitigation Monitoring and Reporting Program).

- **Objective 1, Policy 1.27:** ***Address its park/open space deficiency and attempt to mitigate the problem to the greatest extent possible.***

  The proposed project addresses the City's park deficiency by conveying two acres of the total site to the City for the development of a neighborhood park. A dedication of 0.57 acres is required to meet the City's parkland dedication requirement. An additional 1.4 acres of the site will be acquired by the City to help create a space large enough to support a new neighborhood park.

- **Objective 1, Policy 2.1:** ***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.***

  The proposed project meets this policy by contributing 63 housing units to the City's remaining unmet need for 991 housing units, reducing the unmet housing need in the City by more than 6 percent. The proposed density of the project falls within the density range permitted by the RD (Multiple Family) Zone, and allows for more units than otherwise allowed in the R-1-7500 zone, while still meeting street capacities and other infrastructure, community service, and utility capacities.

- **Objective 1, Policy 2.4:** ***Preserve the predominantly low-rise, low- to medium-density character of Covina's neighborhoods.***

  The proposed project preserves the predominately low-rise and low- to medium-density character of Covina' neighborhoods through introducing a two-story housing product in the medium-density residential housing range.

- **Objective 1, Policy 2.5:** ***Protect, to the greatest extent possible, single-family detached neighborhoods from incompatible encroachments.***

  The proposed project will include single-family detached homes, consistent and compatible with the surrounding neighborhood.

- **Objective 1, Policy 2.8:** ***Encourage the construction of owner-occupied housing.***

  This policy is met as the proposed development is intended for owner-occupied housing.

- **Objective 1, Policy 2.11:** ***Permit only single-family detached residences to be developed on large, underutilized single-family or "R-1"-designated parcels, in single-family detached neighborhoods, to ensure land use compatibility.***

  This policy is met as only single-family detached residences will be developed on the site, as well as a neighborhood park, which will ensure land use compatibility with the existing neighborhood.

C. Development Agreement:

A development agreement is a means of providing both the City of Covina and the property owner with assurances that the proposed project will be completed under the terms, conditions and regulations in effect at the time that the authority to proceed with the project is granted. In order for the City to approve a development agreement, the City Council must find that the agreement is in the best public interest of the City and its residents, that it is consistent with the goals and policies of the City's General Plan and imposes appropriate standards and requirements with respect to the development of the property in order to maintain the overall quality of life and of the environment within the City. The Development Agreement addresses such topics as the timing of development, processing fees, periodic review, terms of agreement, and other provisions.

Staff has analyzed the proposed project for consistency with the General Plan and has worked with the applicant to ensure that the project imposes appropriate standards and requirements with respect to the development of the property in order to maintain the overall quality of life and of the environment within the City. An IS/MND has been prepared and mitigation measures have been imposed to ensure that impacts to the environment as a result of implementation of the proposed project are less than significant. Such mitigation measures are included as conditions of approval. Staff has also determined that the setting aside of approximately 2 acres of land for the development and use by the City as a public park provides a public benefit to the City. Therefore, Staff supports the approval of the Development Agreement and recommends the Planning Commission make the recommendation of approval to the City Council.

D. Zone Change:

Related to the General Plan Amendment is a request for a Zone Change, from R-1-7500 to RD-3000 (Multiple Family) with a PCD overlay District for 6.15 acres of the project site and from R-1-7500 to Residential Recreation (RR) for approximately 2 acres of the project site. The site is currently surrounded by single-family homes located immediately east, west and south; and a fire station and Charter Oak High School to the north. Surrounding zoning designations include R-1-7,500 (Single-Family) to the west, south and east; and RD (Multiple Family) to the north.

The existing General Plan designation (School) and zoning (R-1-7500) for the site are inconsistent. A General Plan re-designation and zone change to Medium Density Residential

would create consistency between the General Plan and Zoning Code and be consistent with the zoning and designation to the north of the project site. Staff has worked with the applicant to ensure that the design and orientation of the development provides a degree of compatibility in size and scale with surrounding neighborhoods to the south, east and west. The applicant proposed to reduce the overall number and density of units on site from 108 units with a density of 13.3 units per acre, to 63 units with a density of 7.7 units per acre. The initial development was surrounded by a wall, with the backyard of units facing surrounding neighborhoods. The applicant removed the wall and modified the design to orient residences towards the streets of Banna and Kidder Avenues and Colver Place, with direct driveway access to units from the street similar to the orientation of surrounding residences. The applicant also reduced the height of all units to two stories and 26 feet maximum and set aside 2 acres of land onsite for the development of a neighborhood park.

In summary, the proposed project provides a transition of density with the intent to achieve a more compatible design with the surrounding neighborhood and reduce traffic and other impacts through a lower-density project. As such, Staff has found that the proposed project, with conditions and mitigation measures, is compatible with surrounding neighborhoods and creates consistency between the General Plan and the Zoning Code. Therefore, Staff supports the approval of the Zone Change and recommends the Planning Commission make the recommendation of approval to the City Council.

E. Planned Community Development (PCD):

The creation and adoption of a PCD is an implementation tool of the General Plan, which allows a more flexible application of development standards. A PCD is permitted when the applicant can demonstrate that the project will maintain compatibility with existing surrounding uses and consistency with the General Plan. A PCD may provide diversification in location of structures, uses and other site qualities while ensuring compatibility with uses and future developments in the surrounding areas as indicated within the General Plan. The PCD will allow for custom design and development regulations that deviate from conventional zoning requirements. It is typically accompanied by thorough design guidelines to ensure a coherent, quality result as the project area is built out.

The intent of these custom development standards is to create a small lot subdivision with a detached single-family housing product consistent with the existing surrounding single-family neighborhoods. While the applicant proposed a Zone Change from R-1-7500 to RD (Multiple Family), the current RD zone is more for multi-family housing products and not single-family housing products. The proposed development is more consistent in character with the surrounding neighborhood.

The following Table 2 compares the current RD (Multiple Family) development standards (Section 17.28 of the Covina Municipal Code) with the proposed custom development standards for the small lot single-family subdivision as provided in the PCD.

Table 2: Comparison of RD (Multiple Family) and PCD Overlay Zone Development Standards

Development Standards		Code Requirement (RD Zone)	Proposed (PCD)
1.	***Density***	1 unit per 1,250 sq. ft. of lot area (35 units per acre)	1 unit per 5,635 sq. ft. (7.7 units per acre)
2.	***Lot Area***	Min 7,200 sq. ft.	Min 3,200 sq. ft.; Range of 3,414-5,227 sq. ft.)
3.	***Lot Dimensions***		
	Width, Interior	Min 60 ft.	Min 40 ft.; Range of 40 – 51 ft.
	Width, Corner	Min 67.5 ft.	Min 40 ft.; Range of 40 – 51 ft.
	Depth	120 ft.	Min 80 ft.; Range of 80-86 ft. (80-91 ft. of usable lot depth)
4.	***Land Coverage***	35%	Range of 30.2% - 46.4% for individual lots; average coverage for project 39.6%.
5.	***Building Height***	2 stories or 35-feet	2 stories/ 26 ft. maximum
6.	***Number and Types of Unit***	Single-family detached	(20) Plan 1 = 2,095 SF (4BD + Loft or 5th BD) (20) Plan 2 = 2,210 SF (4BD + Loft) (23) Plan 3 = 2,492 SF (4BD + Loft)
7.	***Setbacks***		
	Front	25 ft for first story; 40 ft. for second story	Minimum 13 ft.; Range of 13-23 ft. from back of sidewalk
	Interior Side	10 ft.	Minimum of 5 ft.; Range of 5-15 ft.
	Street Side	12.5 ft.	5-14 ft.

	Rear	25 ft.	11-23 ft.
8.	***Distance between Buildings***	5 feet min. (plus additional for windows facing habitable rooms, and units above one story)	10 ft.
9.	***Off-Street Parking***	2 spaces per unit; plus one guest space per every 5 units	2 within garage plus two driveway spaces
10.	***Fence/Wall Height***	6 ft. on rear and side property lines, behind the front setback area	5'6" on rear and side property lines behind the front setback area; 6 ft. theme wall between subdivision and 2-acre park

The Planned Community Development (PCD) Section 17.58.090 requires the applicant to provide additional information to address school impact, traffic impact and financial feasibility of the project. The applicant has provided such reports to City for review.

School Impact Report

A school impact report was prepared to provide an assessment of school impacts related to the development of the One Charter Oak project. The Proposed Project is currently located within the boundaries of the Charter Oak Unified School District (COUSD). The analysis evaluated available school capacity at COUSD. Existing assigned neighborhood COUSD schools to the project site are Badillo Elementary, Royal Oak Middle School, and Charter Oak High School. Based on enrollment figures during the 2015–2016 school year and information provided by COUSD staff, there are 434 elementary seats available, 507 intermediate seats available and 316 high school seats available.

COUSD has not experienced a significant amount of new residential construction in the last ten years. The Proposed Project would include the development of 63 new detached single-family residential homes on the project site and would generate approximately 32 new elementary and middle school students and 13 new high school students. The number of new students was calculated using a student generation factor of 0.5 student per unit for elementary and middle school and 0.205 student per unit for high school.

The increase in the number of students is not expected to significantly impact school services because there is adequate classroom space available at Badillo Elementary School, Royal Oak Middle School, and Charter Oak High School, and payment of school impact fees as required by Senate Bill 50 render any impacts to be less than significant.

Feasibility Study

A feasibility study was prepared for the One Charter Oak project to determine 1) the projected recurring fiscal impacts, 2) the estimated major one-time City development

impact fees and 3) projected economic impacts of the proposed project. Based on this analysis, the total estimated recurring annual fiscal impact of revenue from this project (including property and sales tax, community facilities district, and other taxes and service fees) would be approximately $138,000. The total estimated one-time investments (including infrastructure construction, impact fees, permit and development fees) would be approximately $4,325,000.

Traffic Impact Study.
A Traffic Impact Study/Analysis (TIA) was prepared for the project to address any potential traffic to the neighborhood with the proposed project, and as part of the environmental impact analysis in compliance with California Environmental Quality Act (CEQA). The full TIA document is part of the Technical Appendixes of the Mitigated Negative Declaration (MND). The document is available on City's website - http://www.covinaca.gov/city-departments/community-development/planning.

The TIA conducted field studies of 9 intersections and 4 roadway segments within the neighborhood area. The TIA found that the proposed project, the development of 63 single-family homes and a 2.0 acre passive park, would generate approximately 600 daily trips, 47 a.m. peak hour trips (12 inbound and 35 outbound), and 63 p.m. peak hour trips (40 inbound and 23 outbound). Based on the existing conditions plus proposed project, the short term 2018 plus proposed project, and the significance threshold criteria of the City, the proposed project would not create any significant impacts to the study area intersections and its roadway segments. Therefore, mitigations are not required. Although no significant project-related traffic impacts are anticipated, the TIA recommended that City requires the project, through Conditions of Approval, to install the following improvements in improving traffic conditions in the project vicinity:

- Restripe the east leg of the Glendora Avenue/Colver Place intersection to provide two westbound approach lanes and one eastbound return lane. The westbound approach will be striped to have a shared left plus through lane, and a dedicated right turn lane. The additional westbound lane approach would improve vehicle delays and levels of service at the intersection. A conceptual striping plan of this improvement is shown in Exhibit 7. (Condition No. C8)
- Install a crosswalk, with appropriate signage and warning beacons (if warranted), across Cypress Street on the west leg of the intersection of Kidder Avenue/ Cypress Street. This would provide for improved sight distance for pedestrians and bicyclists on the east side of the existing Metrolink train crossing. The existing crosswalk on the west side of the tracks would remain to serve pedestrians and bicyclists on the west side of the tracks. (Condition No. C9)

In order to make a recommendation of approval to the City Council, the Planning Commission must make the following findings:

1) **That the site for the proposed use is adequate in size and shape to accommodate the use.**

The project site consists of one parcel 8.15 acres in size with frontages on Banna Avenue, Colver Place and Kidder Avenue. The proposed small-lot subdivision contains 63 lots ranging in size from 3,414 to 5,227 square feet, which are adequate in size to accommodate the proposed unit sizes ranging from 2,095 to 2,492 square feet. The average lot coverage for individual lots is 39.6%, which is more than the maximum lot coverage required of single-family lots in the RD zone (35%); however, appropriate for small-lot subdivisions. The proposed density of 7.73 units per acre is also consistent with the zoning standards for the RD Zone, which allows a density of 6.1 to 14 units per acre. Therefore, the site for the proposed use is adequate in size and shape to accommodate the use.

2) **That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;**

The surrounding streets (Colver Place, Cypress Street, Banna and Kidder Avenues) are Local and Collector Streets in the City of Covina which have been determined to have sufficient capacity to handle future project-related traffic in a safe manner as long as the project conditions are met. The City will ensure that the conditions of approval and mitigation measures are fulfilled through project inspection and adherence to the approved site plan. The project is responsible to install new curb, gutter, sidewalk and parkway for the entire street frontage around the perimeter of the proposed project, and re-finish half the street on the project side of all surrounding streets. In addition, the following traffic improvements would be part of the proposed project:

- Restripe the east leg of the Glendora Avenue/Colver Place intersection to provide two westbound approach lanes and one eastbound return lane. The westbound approach will be striped to have a shared left plus through lane, and a dedicated right turn lane. The additional westbound lane approach would improve vehicle delays and levels of service at the intersection. (Condition No. C8)

- Install a crosswalk, with appropriate signage and warning beacons (if warranted), across Cypress Street on the west leg of the intersection of Kidder Avenue/Cypress Street. This would provide for improved sight distance for pedestrians and bicyclists on the east side of the existing Metrolink train crossing. The existing crosswalk on the west side of the tracks would remain to serve pedestrians and bicyclists on the west side of the tracks. (Condition No. C9)

The above-mentioned improvements will satisfactorily mitigate adverse effects to surrounding properties.

3) **That the proposed use is not detrimental to the surrounding properties or uses permitted in the general area;**

The proposed use of the proposed development is single-family detached residential, similar in character and scale with the single-family detached housing products in the surrounding neighborhood. As the use would be compatible in type and scale to the surrounding neighborhood, it will not be detrimental to the surrounding properties or uses permitted in the general area.

The City has included a condition of approval to address any short term impacts to the surrounding properties with a Construction Mitigation Plan (Condition No. F2). The Construction Mitigation Plan addresses such issues as 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. (Condition No. F2)

Furthermore, the hours for construction-related and grading activities are more restrictive than the hours allow by City Codes. Any construction or grading activities are prohibited between 6:00 p.m. and 7:00 a.m. Monday through Friday and between 5:00 p.m. and 8:00 a.m. on Saturday and all day on Sundays and Holidays (except by special permit), whichever is stricter. At least one (1) on-site security guard shall be provided 24 hours 7 days a week for preventing nuisance problems for the duration of the construction of the project. (Condition Nos. F2)

4) **That the conditions stated in the decision are deemed necessary to protect the health, safety and general welfare.**

The IS/MND prepared for the proposed project identified all potential impacts of the proposed project on the environment, including health-related impacts associated with hazards and hazardous waste, air quality, water quality, noise and public services (i.e., police, fire, etc.). Mitigation measures have been provided, where applicable, to reduce all potential impacts to less than significant levels. Mitigation measures have been included as conditions of approval and are necessary to protect the health, safety and general welfare. For example, the applicant would be required to implement mitigation measure MM-HM-1, which requires the applicant to conduct a Phase 2 Environmental Site Assessment to evaluate the project site for the presence of herbicides or pesticides, and MM-HM-2, which requires testing for asbestos-containing material and/or lead-based paint. Implementation of MM-HM-1 and MM-HM-2 would ensure that impacts to the public or the environment through the transport and disposal of hazardous materials are less than significant during both construction and operation of the project. In addition, with implementation of mitigation measure MM-NO-1, interior noise levels would meet the City's required noise thresholds as established in the General Plan or Noise Ordinance.

F. Tentative Tract Map:

The proposed subdivision consists of 71 lots, including 63 lots for single-family residential development and 6 letter lots for common areas on approximately 6.15 acres; and 2 lots (lots 64 and 65) for the proposed public park. The single-family lots ranged from a low of 3,400 square feet in size to over 5,000 square feet. Of the 63 lots, 16 lots are over 4,000 square feet in size, 1 lot over 5,000 square feet and 46 lots ranged from 3,400 square feet to 3,900 square feet. The average lot size is 3,883 square feet. The density of the proposed subdivision is well within the proposed Medium Residential Density (6.1-14 dwelling units per acre). The related Planned Community Development will allow the custom lot size for the subdivision design.

In order to make a recommendation of approval to the City Council, the Planning Commission must make the following findings:

1) **The proposed subdivision is consistent with the general plan and all applicable codes and regulations.**

After the adoption of the related applications General Plan Amendment GPA 15-001, Zone Change ZCH 15-001 and Planned Community Development PCD 15-001, the proposed project will be consistent with the General Plan and all applicable codes and regulations. The creation and adoption of a PCD 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 proposed project supports policies of the General Plan by developing an underutilized infill site in an established single-family neighborhood with compatible low-rise, owner-occupied, detached single-family homes. The homes will be set back from the property line ranging from a minimum of 13 feet to 23 feet and provided with aesthetic architectural treatments and landscaping. The proposed project also addresses the deficiency in parkland by setting aside two acres for the development of a neighborhood park. The PCD would also contribute 63 housing units to the City's remaining unmet need for 991 housing units, reducing the unmet need by more than 6 percent (Covina Draft Housing Element Update, dated November 15, 2010).

The proposed parkway dimensions for Kidder Avenue and Colver Place include a 5-foot landscape strip at property line, a 4-foot sidewalk and a 3-foot landscape strip at curb face. The proposed parkway dimensions for Banna Avenue include a 3-foot landscape strip at property line, a 4-foot sidewalk and a 3-foot landscape strip at curb face. The proposed 5-foot or 3-foot landscape strip is within the City's public-right-of-way and adjacent to the front property line so as to visually lengthen the front yard setback area of each unit. However, this design is inconsistent with the General Plan Circulation Element. Staff is recommending that the parkway dimensions be made consistent with the City's General Plan Circulation element and the surrounding neighborhood as shown in Exhibit 18, and recommends either a 7-foot landscape strip adjacent to curb face and 5-foot sidewalk, or a

5-foot landscape strip adjacent to curb face and 5-foot sidewalk. Making this change will ensure that the proposed subdivision is consistent with the General Plan. (Condition No. C7)

2) **The design and improvements of the proposed subdivision is consistent with the General Plan.**

The Covina General Plan contains design-related policies to ensure that new medium- to high-density residential projects, when adjacent to single-family residences, 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 proposed project is surrounded by single-family residences to the south, east and west, and includes a Zone Change from R-1-7500 to RD (Multiple Family) with a PCD Overlay. Due to the project's proposed medium-density designation, the proposed project is required to address the design of the site to ensure compatibility with the surrounding neighborhood. The proposed project has been designed to reflect the same orientation and scale as surrounding residences. All homes will be single-family detached and oriented to the exterior streets of Banna Avenue, Kidder Avenue and Colver Place. The maximum height of each unit will be two stories and 26 feet in height, which is less than the maximum permitted in the single-family neighborhoods (2 ½ stories or 35 feet in height). The perimeter streets surrounding the development will have a new tree line within the front yard areas of the new homes and a landscaped parkway. Staff has included a condition of approval to require the planting of trees in the public parkway, to ensure adequate shade and an aesthetic interface between the new development and surrounding neighborhood. Also, as specified in Finding No. 1 above, Staff is recommending that the parkway dimensions be made consistent with the City's General Plan and recommends either a 7-foot landscape strip adjacent to the street and 5-foot sidewalk, or a 5-foot landscape strip and 5-foot sidewalk, instead of the proposed configuration. Making this change will ensure that the proposed subdivision is consistent with the General Plan

The architectural styles will be of the Spanish, California Ranch and Craftsman vernaculars of varying colors and details to lend variety and interest to the neighborhood. Staff has also placed a condition of approval to ensure that no five residences in a row provide the same architectural style or exterior detailing (Condition No. D24). With the conditions of approval and proposed changes, the design of the proposed subdivision will be consistent with the general plan.

3) **The subdivision is physically suitable for the type and proposed density of development proposed by the tentative map.**

The proposed subdivision includes the development of an 8.15 acre site with 63 single-family detached residential units and an approximate 2-acre park, resulting in a density of 7.7 units per acre. The proposed density requires a change in zone from R-1-7500 to RD (Multiple Family) with a PCD Overlay. The proposed density of 7.73 units per acre is also consistent with the zoning standards for the Medium Density Residential Zone, which allows a density of 6.1 to 14 units per acre. Therefore, the site for the proposed use is physically suitable for the type and proposed density of development proposed by the tentative map.

4) **The design of the subdivision and proposed improvements, with conditions of approval, will not cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**
The project site is about 8.15 acres in size, in a predominantly urban location and is surrounded by existing single family homes to the south, east and west; and a school to the north. The project site is currently underutilized, and the development proposal would constitute an in-fill development. The site is not designated fish or wildlife habitat nor is it located nearby to any such territory. Further, as noted in the Mitigated Negative Declaration 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 he likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5) **The design of the subdivision and the type of improvements are not likely to cause serious public health problems.**
The overall project design would incorporate sufficient amenities, such as on-site parking that meets the required standard for guest parking (Site Plan), a 2-acre neighborhood park, front yard setbacks and parkways around the perimeter of the site (Site Plan), and dwelling unit-related construction methods that would attenuate exterior noise (Mitigation Measures No. MM-NO-1), to name a few. The overall project design and the development and use of the overall project in a manner conforming to the various Mitigation Measures and Conditions of Approval will ensure development harmony with surrounding land uses and will not cause serious public health prohlems. (Land Use Element Section III – Goals, Objectives and Policies D-1a (6) and E-1a)

6) **The design of the subdivision provides for future passive or natural heating and cooling opportunities in the subdivision to the extent feasible.**
The design of the subdivision as a single-family detached development provides for hoth passive and natural heating and cooling opportunities. The units will be spaced a minimum of 10 feet apart. And all sides of each unit will provide operable windows for passive and natural heating. Due to the proximity of the railroad and the associated noise, mechanical heating and ventilation will also be provided for each unit. The development will also be required to comply with Title 24 of the Uniform Building Code.

7) **The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**
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.

8) **The subdivision is consistent with the city's parkland dedication requirements (Quimby Act – see Chapter 16.28 CMC).**
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 63-unit subdivision will generate a population of 190 persons, requiring a parkland dedication of .57 acres (63 x 3.02 x .003). The applicant is responsible for the dedication of the 0.57 acres of parkland to the City. With respect to the remainder 1.4 acres, the City Council has provided direction for staff and City Attorney to work with the applicant through a Development Agreement and a Purchase Agreement to acquire the remainder area for parkland.

9) **The subdivider is able to demonstrate that a sufficient water supply will be available to serve the subdivision, in accordance with California Government Code Section 66473.7. (Ord. 05-1915 § 1, 2005.)**
According to the City's Public Works Department, the City has sufficient capacity to provide water to serve the subdivision without negative impact to other properties in the City. However, given the progression and advancement of the State of California drought conditions and the continued emphasis on water conservation and efficiency, the PCD includes a Water Conservation and Efficiency Plan, in accordance with Covina Municipal Code Chapter 17.82. This plan will apply to the entire project, including both public and private spaces. This plan will include several exterior water conservation measures, including: Smart Irrigation Controllers, Central Computer Irrigation Controllers for Common Areas, Soil Moisture Sensor Systems, Large Rotary Nozzles, bubblers, micro-sprays and drip irrigation. Each resident will have the option to direct rainwater from the roof into a rain barrel or shrub bed. Interior water conservation strategies will include low flow fixtures (faucets) and appliances (tank toilets and clothes washers). This plan will be implemented in accordance with Section 17.82.050 of the Covina Municipal Code and with California Government Code Section 66473.7. Further, Staff has placed a condition of approval to provide each resident the option of installing underground cisterns in backyard areas for use as water storage and for irrigation purpose (Condition No. E10). Through these measures and conditions, the applicant is able to demonstrate that a sufficient water supply will be available to serve the subdivision.

G. Site Plan Review:

Analysis Section A of the staff report describes fully the proposed project. In order to approve the Site Plan Review, the Planning Commission must make the following findings. Further, the approval of the Site Plan Review is not valid unless the City Council has approved the preceding applications – General Plan Amendment, Zone Change, Planned Community Development, Tentative Tract Map and the issuance of the a Mitigated Negative Declaration:

1) **All provisions of the Zoning Ordinance are complied with:**
After approval of the General Plan Amendment, Zone Change and Planned Community Development Overlay Zone related to this project, as well as the applications of the conditions of approval and the mitigation measures, then, the overall project proposal will meet applicable zoning provisions.

2) **The basic project elements are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on surrounding property:**
The proposed 63-unit subdivision is arranged to resemble the orientation and scale of the surrounding neighborhood to the extent possible. Similar to other homes in the neighborhood, the proposed units are two stories in height, detached and oriented to face the street, with garage access provided directly from the street. Interior units are accessed from Banna Avenue and Kidder Avenue. Both access locations are proposed to be unsignalized with full-access, and with no gate control, so the public can enter if desired and walk the neighborhood similar to other blocks. On-site vehicular circulation is proposed to generally be one inner loop drive aisle. The streets would vary from 26 feet to 36 feet in width to accommodate on-street parking on either one or both sides of portions of the street loop. This would ensure ample parking for the development and avoid spill-over onto surrounding streets. Each of the new lots within the development would take direct access from the new street segments and street loop.

   Traffic improvements are also required for the proposed project. The Glendora Avenue/Colver Place intersection will be restriped to provide two westbound approach lanes and one eastbound return lane to improve vehicle delays and levels of service at the intersection. A crosswalk will also be installed across Cypress Street on the west leg of the intersection of Kidder Avenue/Cypress Street. This would provide for improved sight distance for pedestrians and bicyclists on the east side of the existing Metrolink train crossing. The existing crosswalk on the west side of the tracks would remain to serve pedestrians and bicyclists on the west side of the tracks.

   A front yard landscaped sethack ranging from 13 feet to 23 feet from the back of sidewalk is also provided to resemble other homes in the neighborhood. A full complement of new landscaping will be installed, including both traditional and

drought-tolerant species. In addition to front yard areas, plantings will also be located in the parkway area along the perimeter of the project, and enhance the main entry to the site on Kidder Avenue.

With the proposed arrangement of the subdivision, and installation of traffic improvements, and the implementation of other conditions of approval and mitigation measures, traffic congestion will he avoided, pedestrian and vehicular safety and welfare will be protected, and there will be no adverse effect on surrounding property.

3) **The project design conforms to the general plan, the design guidelines, transportation demand management regulations, and any specific plans or guidelines which may be applicable to the project.**
With the approval of General Plan Amendment GPA 15-001, Zone Change ZCH 15-001, and Planned Community Development PCD 15-001, the proposed project will be consistent with the General Plan. During early submittals of the project, Staff worked with the applicant to address inconsistencies with the City's design guidelines. As a result, the entire subdivision was redesigned to create a more pedestrian-friendly and community-oriented development. The density of the project was significantly reduced; the heights of the units were reduced from three to two stories; and a wall that originally surrounded the development and turned the backs of houses onto the neighborhood was removed, and units were re-oriented to face the street. A center median that was originally proposed on Cypress Street, preventing left turns onto Cypress from Banna Avenue, was removed. And a 2-acre portion of the property along Cypress Street to the north will be set aside for a neighborhood park, which also improved the safety of the site as homes were no longer located along the busy arterial of Cypress Street.

As a result of the above changes to the design of the proposed project, Staff has found the project to be consistent with the General Plan and citywide design guidelines.

4) **The project design is harmonious, consistent and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located;**
The proposed subdivision is designed to fit compatibly within the existing neighborhood. The units are all detached and oriented towards the streets of Banna Avenue, Colver Place and Kidder Avenue to face existing residences on the opposite side of each street. Only one break in the block along Kidder Avenue and Banna Avenue are formed to provide access to the internal loop street and residences, ensuring minimal disruption in the established block pattern. While surrounding homes are primarily one story, the proposed units are well articulated and the second floors are set back to reduce the massing. A landscaped front yard sethack and parkway will also contribute to an aesthetic streetscape, as will the new neighborhood

park. Architectural styles for the proposed project consist of Spanish, California Ranch and Craftsman vernaculars. All units would have stucco exteriors and tile roofing, and would include design elements respective of its architectural style, including decorative shutters, gable accents, decorative trims, corbels, iron grilles, stone veneers, decorative rafters, and ornamental ironwork. Each plan type would provide a minimum of two exterior style options. Staff has included a condition of approval to ensure that no five residences in a row provide the same architectural style or exterior detailing (Condition No. D24). In this way, the proposed subdivision will support a variety of facades that add interest to the streetscape similar to the varied homes in the neighborhood.

Based on the design and function of the subdivision and individual units, the project design is harmonious, consistent and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located.

5) **The development will constitute an adequate environment for the intended use by sustaining the desirability and stability of the neighborhood and community;**
The design of the proposed subdivision sustains the desirability and stability of the neighborhood and community by revitalizing an underutilized parcel with additional single-family homes and a neighborhood park. The new homes and park will be arranged to fit seamlessly into the surrounding neighborhood, add value to the neighborhood and community, and hring needed homes to the City of Covina.

6) **Proposed lighting is so arranged as to reflect the light away from adjoining properties;**
Construction of the new homes would produce nighttime lighting that is more than what is currently produced on the project site. 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, institutional, and transportation uses, light and glare from the proposed 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.

7) **Proposed signs will not hy size, location, color or lighting, interfere with traffic or limit visibility;**
There are no proposed signs associated with the subdivision. However, to improve pedestrian site distances on the east side of the existing Metrolink train crossing, the proposed project would include installation of a crosswalk with appropriate signage

and warning beacons (if warranted) across Cypress Street on the west leg of the intersection of Kidder Avenue and Cypress Street. Proposed signage would be installed by the City and be sized and located appropriately to maximize pedestrian safety.

8) **Utility and street improvements pursuant to CMC 17.64.120 and 17.64.130. (Ord. 93-1750 § 4, 1993; Ord. 1661 § 1, 1988.)**
Electrical and communication utilities serving the proposed subdivision will be provided underground in accordance with the City's Municipal Code. As a condition of approval, the applicant shall submit a composite utility plan depicting the location of all above ground utility equipment. The exact location of the equipment shall be approved by the Planning Division, during the plan check process, and shall be installed as per approved plans. They shall not be allowed within the parking, turnaround and landscape areas or on any façade facing a public street. All equipment shall be screened, located out of public view or be architectural integrated into the project design. As a condition of approval, the applicant shall also submit a street improvements plan that details all proposed improvements to the street and public right-of-way, which shall be reviewed and approved by the Public Works Department (Condition No. D5).

ENVIRONMENTAL DETERMINATION

An Initial Study/Mitigated Negative Declaration (IS/MND) and a Notice of Intent (NOI) to adopt an MND were released for public review for the original proposed project consisting of 108 units with 54 units of 2-story single-family housing product and 54 units of 3-story townhouse product in May 2015. Subsequent to the release of the May 2015 IS/MND and NOI, changes were made to the design of the proposed project. The proposed changes made were to reduce the number of units/lots from 108 to 63 and to set aside approximately 2 acres for a public park.

The changes to the project design are not considered substantial revisions under the California Environmental Quality Act (CEQA). A substantial revision is defined in CEQA Guidelines Section 15073.5 as follows: (1) a new avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or, (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significant and new measures or revisions must be required.

The City has determined that the changes that were made to the proposed project would not add any new significant effects that were not already identified in the May 2015 MND. Further, the the City has not determined that the previously proposed mitigation measures would fail to reduce potential effects to below a level of significance. However, the City has revised the originally released MND and NOI in accordance with the changes that were made to the proposed project and released the revised MND and NOI for a 30-day public comment period

between October 30, 2015 and November 30, 2015. Furthermore, a Notice of Intent to adopt a Mitigated Negative Declaration was published in the San Gabriel Valley Tribune on October 29, 2015.

The revised IS/MND determined that there could be significant impacts related to Cultural Resources, Hazards and Hazardous Materials, Noise, and Biological Resources but through the incorporation of mitigation measures, these impacts would be reduced to less than significant levels. Impacts to all other study areas were found to be less than significant.

PUBLIC HEARING NOTICE AND NOTIFICATION

The applicant was given a copy of the staff report with associated attachments, and all property owners within a radius of at least 1,000 feet from the overall project site were mailed notices of the Planning Commission public hearing on November 20, 2015, 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 Trihune newspaper on November 23, 2015

REQUIRED ACTIONS FROM THE PLANNING COMMISSION

Staff recommends that the Planning Commission hold a public hearing and consider the entitlement applications. If the Planning Commission can make the findings for approval of each application, than they may recommend approval to the City Council with the following actions:

A. Adopt Resolution No. 2015-23 PC recommending to City Council certification and adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program with the mitigation measures contained therein; and

B. Adopt Resolution No. 2015-24 PC recommending to City Council adoption of General Plan Amendment (GPA) No. 15-001; and

C. Adopt Resolution No. 2015-25 PC recommending to City Council approval of Development Agreement (DA) No. 15-001 by ordinance; and

D. Adopt Resolution No. 2015-26 PC recommending to City Council adoption of Zone Change (ZCH) No. 15-001 by ordinance; and

E. Adopt Resolution No. 2015-27 PC recommending to City Council adoption of Planned Community Development Overlay District (PCD) No. 15-001 by ordinance; and

F. Adopt Resolution No. 2015-28 PC recommending to City Council approval of Tentative Tract Map (TTM) 73455; and

G. Adopt Resolution No. 2015-29 PC approving Site Plan Review (SPR) No. 15-001, subject to conditions of approval. The SPR shall not be valid until the preceding six items are approved by the City Council.

OPTIONS FOR THE PLANNING COMMISSION

A. If the Planning Commission can make the findings, approve the attached resolutions recommending approval of the project to the City Council.

B. If the Planning Commission cannot make the findings, then direct staff to prepare the appropriate resolutions recommending denial to the City Council for the Planning Commission's action at the next available meeting. The Planning Commission will need to continue the public hearing.

C. Continue the public hearing and allow the Applicant time to revise the development proposal to address any concerns or impacts raised by the Planning Commission.

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Approved by:

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EXHIBITS

1. Area Map
2. 1,000-foot Radius Map and Notification
3. Project Plans (reductions), full size under separate cover
4. May 13, 2015 Neighborhood Meeting Attendance Sheet and Summary Notes of Meeting
5. June 17, 2015 Summary meeting notes with small group of residents representing part of neighborhood
6. September 29, 2015 Planning Commission Study Session Minutes
7. Striping concept for Glendora and Colver Intersection

8. Planned Community Development with School Impact Report and Financial Feasibility Report
9. Mitigated Negative Declaration – due to large file, the document is available at http://www.covinaca.gov/city-departments/community-development/planning
10. Technical Appendices for MND (Noise Impact Analysis, Air Quality Analysis, Cultural Resources and Traffic Impact Analysis) – due to large file, the document is available at http://www.covinaca.gov/city-departments/community-development/planning
11. Resolution No. 2015-023 PC - Mitigated Negative Declaration
12. Resolution No. 2015-024 PC - General Plan Amendment
13. Resolution No. 2015-025 PC - Development Agreement with attached Draft Ordinance
14. Resolution No. 2015-026 PC - Zone Change with attached Draft Ordinance
15. Resolution No. 2015-027 PC - Planned Community Development with Attached Draft Ordinance
16. Resolution No. 2015-028 PC - Tentative Tract Map
17. Resolution No. 2015-029 PC - Site Plan Review
    Exhibit A – Conditions of Approval
    Exhibit B – Mitigation Monitoring and Reporting Program
18. Excerpts of General Plan Circulation Element and Examples of Parkways within Neighborhood