

RESOLUTION NO. 16-029PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COVINA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL TO CERTIFY THE ENVIRONMENTAL IMPACT REPORT (SCH 2016051053) AS ADEQUATELY PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TO TAKE ACTIONS RELATED THERETO FOR GENERAL PLAN, AMENDMENT (GPA) 16-001, COVINA FORWARD SPECIFIC PLAN (SP) 16-001, ZONE CHANGE (ZCH) 16-002, VESTING TENTATIVE TRACT MAP (TTM) 74512, SITE PLAN REVIEW (SPR) 16-023, SITE PLAN REVIEW (SPR) 16-033, AND DEVELOPMENT AGREEMENT (DA) 16-001, FOR PROPERTY GENERALLY LOCATED 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD – APN: 8406-019-019, 8406-019-020 AND 8406-019-017

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

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

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

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

b. A Covina Forward Specific Plan (SP) 16-001 to establish the “Covina Forward Specific Plan (CFSP)” with 6.12 acres for “CFSP - RD (Multi-Family)” and 4.54 acres for “CFSP - I (Institutional Use/Zone)”; and to establish special development standards and design guidelines for facilitating the proposed iTEC Transit Oriented Mixed-Use development.

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

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

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

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

g. A Development Agreement (DA) 16-001 between MLC and COVINA where MLC shall convey 1.11 acres of the project site to COVINA, a parkland conveyance of 0.351 acres of the project site to COVINA and the development of 117 for-sale townhouse units with private drive aisles, recreation facilities and common open spaces area on approximately 6.12 acres.

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

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of City of Covina conducted study sessions to review the development concepts of the Project and to

provide directions to staff. Both Study Sessions were open to the general public and the immediate neighborhood was invited to attend.

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

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers, who presented their views on the Project.

WHEREAS, the Project is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code § 21000, *et seq.* (“CEQA”). Pursuant to CEQA) and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, *et seq.*, the City staff determined that an Environmental Impact Report (EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the required 30-day review period. Further, the NOP was posted at the Los Angeles County Registrar Office and COVINA City Clerk’s office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

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

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project’s potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

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

WHEREAS, the Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public

comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

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

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

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COVINA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Based on the entire record, and reviewing the Draft EIR and considering all oral and written information regarding the Project and the Draft EIR presented before and at the Planning Commission's hearing on November 8, 2016, the Planning Commission hereby finds and determines as follows:

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

SECTION 2. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office or the Community Development Department, Planning Division, located at 125 E. College Street, Covina, CA 91723 or at www.covinaca.gov. The custodian of these records is the City Clerk.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the members of the Planning Commission of Covina this 8th day of November, 2016.

CHARLES HODAPP, CHAIRMAN
CITY OF COVINA PLANNING COMMISSION

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Covina at a regular meeting thereof held on the 8th day of November, 2016, by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

COVINA PLANNING COMMISSION SECRETARY

RESOLUTION NO. 16-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT, SCH2016051053 AS ADEQUATELY PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM AND TO TAKE ACTIONS RELATED THERETO, GENERAL PLAN AMENDMENT (GPA) 16-001, COVINA FORWARD SPECIFIC PLAN (SP) 16-001, ZONE CHANGE (ZCH) 16-002, VESTING TENTATIVE TRACT MAP (TTM) 74512, SITE PLAN REVIEW (SPR) 16-023, SITE PLAN REVIEW (SPR) 16-033 AND DEVELOPMENT AGREEMENT (DA) 16-001, FOR THE PROPOSED iTEC TRANSIT ORIENTED MIXED-USE DEVELOPMENT. THE PROJECT SITE IS APPROXIMATELY 10.66 ACRES AND GENERALLY LOCATED AT 1162 NORTH CITRUS AVENUE AND 117 EAST COVINA BOULEVARD - APN: 8406-019-019, 8406-019-020 and 8406-019-17

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

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

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designation to the “Covina Forward Specific Plan (CFSP)” with 6.12 acres for “High Density Residential (HDR - 15 to 22 dwelling units per acre)” and 4.54 acres for “General Commercial (GC).”

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

WHEREAS, on February 16, 2016 and on July 19, 2016, the City Council of City of Covina conducted the study sessions to review the development concepts of the Project and to provide directions to staff. Both Study Sessions were opened to the general public and the immediate neighborhood was invited to attend.

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

WHEREAS, on September 13, 2016, the Planning Commission conducted a Study Session on the Project. There were five speakers who presented their views on the Project.

WHEREAS, the Project is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. (“CEQA”). Pursuant to the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, 14 Cal. Code Regs., § 15000, et. seq, the City staff determined that a Draft Environmental Impact Report (Draft EIR) was necessary to evaluate the potential environmental effects of the Project. A Notice of Preparation (NOP) was published in the San Gabriel Valley Tribune on May 11, 2016 for the 30-day review period, and was posted at the Los Angeles County Registrar Office and COVINA City Clerk’s office and was distributed to the State Clearinghouse, agencies, organizations, and interested parties. Input was received during this period from public agencies and the general public regarding the environmental issues and concerns related to the Project. The City received four comment letters in response to the NOP.

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

WHEREAS, in September 2016, the Draft EIR was completed for the Project. In accordance with CEQA and the State CEQA Guidelines, the Draft EIR fully analyzed and disclosed the Project’s potential impacts on the environment, proposed mitigation measures where appropriate to reduce potentially significant impacts to the extent possible, and evaluated potential alternatives to the Project.

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

WHEREAS, The Notice of Availability of the Draft EIR was published in the San Gabriel Valley Tribune on September 13, 2016 and the Draft EIR was released for a 45-day public comment period beginning on September 13, 2016 and ending on October 27, 2016. The City received five comment letters on the Draft EIR during this period.

WHEREAS, on November 8, 2016, at a duly noticed public hearing as prescribed by law, the Planning Commission considered the Draft EIR, the proposed Project and any comments received prior to or at the public hearing, at which time the City staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed Project and the Draft EIR and the Mitigation Monitoring and Reporting Program. Following consideration of the entire record of information received at the public hearing and due consideration of the Project and the Draft EIR, the Planning Commission found that there is not substantial evidence that the Project will have a significant effect upon the environment and adopted Resolution No. 16-029PC, incorporated herein by this reference, recommending that the City Council certify the Draft EIR and adopt the Mitigation Monitoring and Reporting Program prepared for the project.

WHEREAS, on _____, 2016, the City Council of the City of Covina held a duly noticed public hearing to consider the Project including the General Plan Amendment (GPA) 16-001, Covina Forward Specific Plan (SP) 16-001, Zone Change (ZCH) 16-002, Vesting Tentative Tract Map (TTM) 74512, Site Plan Review (SPR) 16-023, Site Plan Review (SPR) 16-033 and Development Agreement (DA) 16-001, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the project, the Draft EIR and the Mitigation Monitoring and Reporting Program, prior to and at the public hearing.

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Based on the entire record, and reviewing the Final EIR and considering all oral and written information regarding the Project and the Final EIR presented before and at the City Council's hearing on _____, 2016, the City Council hereby finds and determines as follows:

- a. The above recitals are true and correct, and the City Council hereby incorporates them into this Resolution by this reference.
- b. Public agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final EIR and the Project.
- c. The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines. The City Council has reviewed and considered the Final EIR and, in the exercise of its independent judgment, certify the Final EIR,

make appropriate environmental findings, and adopt a Mitigation Monitoring and Reporting Program for the Project. The City Council further finds that substantial evidence in light of the whole record supports the conclusion, as found in the Final EIR, that the Project will not result in any significant effect on the environment following the incorporation of mitigation. Therefore, the City Council finds that the project will not have a significant effect on the environment.

SECTION 2. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office or the Community Development Department, Planning Division, located at 125 E. College Street, Covina, CA 91723 or at www.covinaca.gov. The custodian of these records is the City Clerk.

SECTION 3. The City Council of City of Covina hereby adopts the Project EIR (SCH 2016051053), the Findings of Facts and the Mitigation Monitoring and Reporting Program as shown in Exhibit "A" attached hereto and incorporated by reference. The Project EIR, the Findings of Facts and the Mitigation Monitoring and Reporting Program are available at the Community Development Department, Planning Division Public Counter.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings and this Resolution are based are located at the City Clerk's office located at 125 E. College Street, Covina, CA 91723. The custodian of these records is the City Clerk.

SECTION 5. The City Council hereby directs the Director of Community Development to prepare and file a Notice of Determination with the County Clerk under Title 14, California Code of Regulations Section 15075.

SECTION 6. This Resolution shall become effective upon adoption.

SECTION 7. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

SIGNED AND APPROVED this ___ day of _____, 2016.

KEVIN STAPLETON, MAYOR

ATTEST:

SHARON F. CLARK, Chief Deputy City Clerk

APPROVED AS TO FORM:

CANDICE K. LEE, City Attorney

CERTIFICATION

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

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

Dated:

SHARON F. CLARK, Chief Deputy City Clerk

EXHIBIT "A"

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

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

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
Aesthetics						
MM-AES-1 New sources of exterior lighting on the project site shall be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east. Exterior overhead lighting shall also be of the minimum required intensity to provide for safety and security of project residents and visitors. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources in the area.	Project planning and operation	Project applicants	City of Covina Planning Division and Building & Safety Department			
MM-AES-2 Prior to the issuance of building permits, the project applicants shall prepare and submit to the City of Covina for review a photometric study for the proposed residential townhome development and parking structure to ensure that off-site residential land uses to the north and east are not subjected to unnecessary light spillover and trespass. A detailed lighting plan shall be developed for the residential townhome development and parking structure and shall be utilized by a qualified photometric specialist to prepare the photometric study. If excessive light spillover is identified in the photometric, then appropriate measures including but not limited to use of lower intensity lighting shall be considered to avoid unnecessary light spillover and trespass.	Project planning and permitting	Project applicants (MLC Holdings Inc. and Foothill Transit); qualified photometric specialist	City of Covina Planning Division and Building & Safety Department			
Air Quality						
MM-AQ-1 The following dust control measures shall be implemented by the contractor/builder to reduce fugitive dust PM ₁₀ and PM _{2.5} emissions generated during earthmoving construction activities	Construction (earthmoving activities)	Contractor/builder	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	<i>Implementing Period</i>	<i>Implementing Party</i>	<i>Enforcing Agency</i>	<i>Comments</i>	<i>Date</i>	<i>Initials</i>
<p>of all three components of the proposed project:</p> <ul style="list-style-type: none"> a. During cleaning, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the project site and to create a crust after each day's activities cease. b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the project site. At a minimum, this would include wetting down such areas later in the morning, after work is completed for the day, and whenever winds exceed 15 miles per hour. c. Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation. d. Speeds on unpaved roads shall be reduced to less than 15 miles per hour. e. All grading and excavation operations shall be halted when wind speeds exceed 25 miles per hour. f. Dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday. g. All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be covered and/or a minimum 2 feet of freeboard shall be maintained. h. At a minimum, at each vehicle egress from the project site to 						

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
<p>a paved public road, a pad consisting of washed gravel (minimum size: 1 inch) shall be installed and maintained in clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by the SCAQMD).</p> <p>i. Any additional requirements of SCAQMD Rule 403 shall be reviewed and complied with.</p>						
<p>MM-AQ-2 During project demolition, site preparation, and grading activities, off-road equipment with engines rated at 75 horsepower or greater, shall meet Tier 3 engine standards or better. An exemption from these requirements may be granted by the City of Covina in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Los Angeles County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment. Based on the anticipated equipment for these phases, this measure would be applicable to, but not limited to, excavators, graders, rubber tired dozers, and tractors/loaders/backhoes used during earth moving activities.</p>	Construction (demolition, site preparation, and grading)	Contractor/builder	City of Covina Planning Division			
Biological Resources						
<p>MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors),</p>	Prior to construction; during construction (if active nests are identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
<p>preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors.</p> <p>If active nests are found (California Department of Fish and Wildlife defines "active" as any nest that is under construction or modification; United States Fish Wildlife Service defines "active" as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City of Covina within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than</p>						

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
30 days.						
<p>MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e., guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required.</p> <p>If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave</p>	Prior to construction; during construction (if active bat roosts identified)	Contractor/builder; qualified biologist	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
<p>during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).</p>						
Cultural Resources						
<p>MM-CUL-1 Inadvertent Discovery of Archaeological Resources. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.</p>	Construction	Contractor/builder; qualified archaeologist	City of Covina Planning Division			
<p>MM-CUL-2 Paleontological Mitigation Program. Prior to commencement of any grading activity on-site, the City, Foothill Transit and MLC shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or qualified designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These</p>	Prior to and during grading activity	Project applicants; contractor/builder; qualified paleontologist	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).						
MM-CUL-3 Inadvertent Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the	Construction (ground disturbance)	Contractor/builder	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

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

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
MM-HAZ-2 Prior to obtaining a certificate of occupancy, the removal of the underground storage tank shall be permitted and completed in accordance with the Los Angeles County Fire Department Health Hazardous Materials Division protocol.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department; Los Angeles County Fire Department Health Hazardous Materials Division			
MM-HAZ-3 Prior to obtaining a certificate of occupancy, the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm. At a minimum, soil samples shall be analyzed for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Should visually stained soil be observed in the reservoir pit area, additional soil samples shall be collected to further evaluate subsurface impact. Should TPH, VOCs, or PCBs be detected in the soil sample(s), the environmental consultant shall advise the City of Covina about additional steps to be taken, which may include regulatory agency notification and remediation. Additional sampling may also be required prior to the disposal of the hydraulic lift units.	Prior to or during construction	Project applicants	City of Covina Planning Division and Building & Safety Department			
Noise						
MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City's Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m. Monday through Saturday, and not at all during other hours or on Sundays or public holidays. This condition shall be	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
listed on the project's final design to the satisfaction of the City Engineering Department.						
<ul style="list-style-type: none"> • MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit: • The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment. • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department. • Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors. • Construction hours, allowable 	Construction	Project applicants; contractor/builder	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
<p>workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.</p> <ul style="list-style-type: none"> If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source. 						
<p>MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.</p>	Project planning and permitting	Project applicant (Foothill Transit)	City of Covina Planning Division			
<p>MM-NOI-4 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project</p>	Project planning and construction	Project applicants; acoustical specialist	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	Implementing Period	Implementing Party	Enforcing Agency	Comments	Date	Initials
<p>construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.</p>						
<p>MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.</p>	Project operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
<p>MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.</p>	Project planning and operation	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			
<p>MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally, sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise</p>	Project planning and construction	Project applicant (MLC Holdings Inc.)	City of Covina Planning Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting		
	<i>Implementing Period</i>	<i>Implementing Party</i>	<i>Enforcing Agency</i>	<i>Comments</i>	<i>Date</i>	<i>Initials</i>
analysis shows that impacts are above the State and City's 45 dBA L _{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.						

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