

ORDINANCE NO. 93-1747

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA ESTABLISHING A PCD ZONE CLASSIFICATION FOR CERTAIN PROPERTY IN THE CITY OF COVINA, APPLICATION PCD 92-001.

THE CITY COUNCIL OF THE CITY OF COVINA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to public hearing and processing in the manner set forth by State law and local ordinance, and after recommendation thereon by the Planning Commission, the property classification set forth in Section 2 is made for the reasons of public interest, convenience and necessity.

SECTION 2. The following described real property in the City of Covina, County of Los Angeles, State of California, is hereby zoned RD-2200 (PCD) as such zone is defined in Title 17 of the Covina Municipal Code.

The northerly 175 feet of the easterly 248.915 feet (measured from the westerly line of 4th Street) of Lot 6 in Block 10 of the Phillips Tract, in the Rancho La Puente, in the City of Covina, County of Los Angeles, State of California, as per map recorded in Book 9 Pages 3 and 4 of Miscellaneous Records, in the Office of the County Recorder of said County. Except the west 30 feet thereof.

SECTION 3. After giving full consideration to all evidence presented at said HEARINGS, both oral and documentary, and after being fully informed, said City Council does hereby find and decide:

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

FACT: The site provides adequate parking, open space, landscaping and setbacks. Lot coverage complies with city standards.

- 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.

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

FACT: The proposed townhouse development will provide owner occupied housing consistent with the single family residential area to the south and multiple family residential area to the north and east. The proposed architectural style is attractive and will compliment the area.

4. That the requested PCD overlay zone is compatible with the General Plan.

FACT: The General Plan designates the site for medium density residential development of a type and density consistent with this proposal

5. That the proposal will not create any adverse effect or impacts upon the immediate neighborhood.

FACT: No significant adverse impacts have been identified through public review or by staff review pursuant to the California Environmental Quality Act.

SECTION 4. That the Negative Declaration is hereby approved subject to the following one mitigation measure having found that the mitigated project will have no significant adverse environmental impacts:

1. The applicants will be required to have a soil test done of the site prior to any construction. If tanks and/or contamination is discovered, the applicants shall be responsible for all necessary clean-up and the associated costs.

SECTION 5. The application for a Planned Community Development Overlay Zone is hereby granted subject to the following conditions deemed necessary to protect the public health, safety and general welfare of the Community:

1. All floor plans and elevation plans shall include scale, north arrow and dimensions.
2. The elevation plans shall include decorative windows and garage doors to be used throughout the project.
3. The plot plan shall show the curb radius.
4. All perimeter walls shall be of decorative masonry material.

5. The applicant shall attempt to save the two existing oak trees on the site. If the construction activity should require the trees removal, then the trees shall be planted elsewhere on the site.
6. The tentative tract map shall indicate the development is for condominium purposes.
7. The map shall contain the information required pursuant to Chapter 16.12 of the Covina Municipal Code.
8. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
9. All roof, wall and ground-mounted utility equipment shall be screened to staff approval. This includes mechanical equipment and utility meters. The method of screening shall be shown in the construction plans.
10. Landscape and irrigation plans identifying all plants with complete irrigation system must be approved prior to issuance of building permits. Please submit these plans along with the appropriate plan check and inspection fee to the Planning Division.
11. Provisions of Chapter 24 of the State Code relating to handicapped persons shall apply to this development.
12. A Homeowners Association (HOA) shall be established to maintain common areas.
13. Covenants, Conditions and Restrictions (CC&R's) shall be recorded to regulate the entire development. The CC&R's shall grant the City the right but not the obligation, to enforce their terms. These CC&R's shall be to staff and City Attorney approval and shall be recorded prior to or concurrent with the final tract map.
14. The developer shall lay in ducts from public right-of-way to provide for the expansion of cable television within the residential area. The ducts shall be stubbed to the most appropriate location within the living area.
15. The placement of post box receptacles must be coordinated with the Covina Post Office. The Planning Division will review the proposal.

16. Installation of a security system is required as per Section 8.20.067 of the Covina Municipal Code. Please coordinate this activity with the Police/Fire Departments.
17. Please submit a sign plan for the development of the site prior to erection of any signs.
18. Ordinance requirements not herein listed are still applicable.
19. A construction noise permit is required prior to beginning construction on the site. This permit can be obtained from the Building or Planning Division.
20. All construction shall conform with City noise ordinances restricting construction prior to 7:00 a.m. and on Sundays and Holidays.
21. Automatic garage door openers are required due to potential conflicts between through traffic and individuals entering their garages.
22. The following items shall be identified as on the plans and are required in order to comply with the necessary Building Division code requirements as they pertain to this proposal:
 - a. Provisions of the California Building State Code, Title 24, relating to handicapped persons, shall apply to this project.
 - b. California State Building Code, Title 24, Energy Compliance, is required. Show the Mandatory Energy requirements on the plan. Attach the necessary compliance forms, CF forms, on the plans.
 - c. Submit complete architectural, structural, electrical, mechanical and plumbing plans with calculations at time of Plan Check submittal.
 - d. Plans shall be prepared, signed and stamped by a registered architect or engineer.
 - e. Separate permits are required for each building, block wall, etc.
 - f. Indicate Occupancy Group and type construction on cover sheet.
 - g. Smoke detectors are required in all rooms used for sleeping and areas leading to those rooms.
 - h. Submit sprinkler and alarm plans at time of Plan Check submittal. Sprinkler plans shall be prepared and signed by a Fire Engineer.

- i. Submit grading plans with copy of soils report with separate application for Plan Check.
 - j. Demo permits are required for demolition of the existing structure.
 - k. Five (5) sets of complete construction drawings with calculations shall be submitted at the time of Plan Check submittal.
 - l. Additional items may be required when the plans are submitted for Building Division Plan Check.
23. The following Engineering Division requirements are applicable for this project:
- a. A copy of a current grant deed or title policy showing the current record owner(s) and legal description of the subject property shall be submitted.
 - b. The current owner(s) shall sign forms (prepared by the Engineering Division requesting that the subject property be annexed to the Covina Lighting District and the Covina Landscaping District. Once the property is annexed to these districts, the property owner(s) will be periodically assessed for street light energy, landscaping and appurtenant maintenance costs.
 - c. The owner(s) shall dedicate the northerly 3.5' of subject property to the city for alley widening purposes.
 - d. The owner(s) shall dedicate the east 5 feet of subject property together with sufficient land for a 15 foot property line radius at the northwest corner of Dexter Street and Fourth Avenue for street widening. The new parkway width for Fourth Avenue is 12 feet.
 - e. The developer shall submit drainage plans of the area subject to engineering approval.
 - f. The developer shall install the following improvements in accordance with the city standard:
 - 1) Pave alley widening, remove and reconstruct up to the centerline of ally with 3" asphalt concrete on 4" aggregate base. The new alley paving shall slope to the centerline of the alley.
 - 2) Widen Fourth Avenue to a 30 foot half street including 12 foot parking along entire property frontage and construct new sidewalk, curb, gutter, street paving,

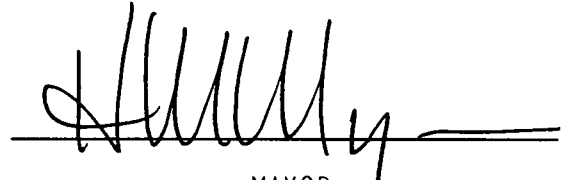
irrigated tree wells with street trees and modification of cross gutter at Fourth and Dexter intersection.

- 3) Construct a wheelchair ramp at the northwest corner of Dexter Street and Fourth Avenue.
 - 4) Replace and reconstruct broken portion of existing sidewalk of Dexter Street.
 - 5) Install two (2) street trees at Dexter Street. Relocate or replace existing palm tree and install one (1) street tree at Fourth Avenue. Tree species, locations, and planting requirements shall be determined by the Covina Engineering Division.
 - 6) Replace existing steel street light pole at Dexter Street south of subject property with Southern California Edison Company-owned marbelite street light pole. The new street light shall have underground wiring and 5,800 lumen HPSV light.
 - 7) Install two (2) Southern California Edison Company-owned marbelite street light poles with underground wiring and 5,800 lumen HPSV light at Fourth Avenue. The approximate location is 10 feet north of curb BCR and 10 feet south of alley.
 - 8) Relocate existing wooden suspension pole just north of new property line.
- g. A faithful performance or cash bond covering the required public improvements shall be submitted.
- h. The following fees are required (amounts to be determined later):
- 1) Engineering and inspection fees
 - 2) Street light energy fee.
- i. All utilities serving the development shall be placed underground.
- j. Developer shall revise the site plan to show the public improvements to be constructed.
- k. A quantity and cost estimate which covers all required public improvements shall be submitted by the developer's engineer. The performance bond amount and engineering and inspection fee will be based on this amount.

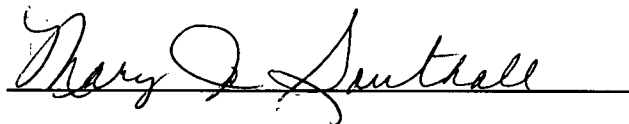
1. The contractor planting the trees and constructing the improvements shall obtain a City business license and public improvement permit and shall meet the City's insurance requirements.
24. The following Fire Department requirements shall be shown on the plans:
 - a. Fire extinguisher and hydrants shall be accessible and not be obstructed by landscaping.
 - b. Driveway shall be designated fire access lane and be marked and signed to Covina Municipal Code 14.28.200.
 - 1) Alley shall also be designated as a fire access lane.
 - c. All structures shall have fire sprinklers installed to N.F.P.A. 13R requirements.
25. The site shall be maintained free of violations of city zoning, building, health and safety codes.
26. The Home Owner's Association will maintain all walls; any graffiti shall be removed within 24 hours.
27. The 15' triangle of land located at the southwest corner shall be landscaped and left outside of the project's perimeter wall.
28. The wall along Dexter Street shall be not more than 42" high with not more than 30" of wrought iron or tubular steel fencing on the top.
29. The Home Owner's Association shall maintain the parkways along Dexter and Fourth Streets.
30. The patios shall be landscaped to staff approval..
31. The sidewalks shall be next to the curb and the remaining right-of way shall be joined with the private area to create a bigger landscape area.
32. Patios shall be designed for each unit and such design incorporated as a mandatory provision in the Covenants, Conditions and Restrictions. No patio cover shall be within 9 feet of the parkway on Dexter Street.

SECTION 6. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published according to law.

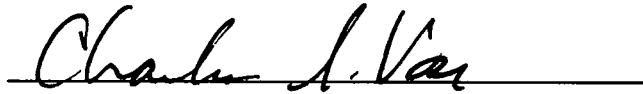
APPROVED AND ADOPTED THIS 19th DAY OF January 1993.


MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

I, MARY JO SOUTHALL, City Clerk, Covina, California, hereby CERTIFY that Ordinance No. 93-1747 was regularly introduced and placed upon its first reading at a regular meeting of the Covina City Council held January 5, 1993, and that thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council held January 19, 1993, by the following vote:

AYES: Biancardi, Lancaster, Richardson, Morgan
NOES: King
ABSENT: None


City Clerk