



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

JULY 20, 2021, 7:00 PM
REGULAR MEETING

CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

Mayor Letty Lopez-Viado
Mayor Pro Tem Dario Castellanos
Councilwoman Rosario Diaz
Councilmember Brian Tabatabai
Councilman Tony Wu

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, suspending certain requirements of the Brown Act relating to the conduct of public meetings. Pursuant to the Executive Orders, Council Members may attend City Council meetings telephonically and the City Council is not required to make available a physical location from which members of the public may observe the meeting and offer public comment.

Due to the ongoing COVID-19 emergency and pursuant to State and County public health directives, Los Angeles County Department of Health strongly recommends that masks be worn indoors regardless of vaccination status

Members of the public may also watch City Council the meeting live on the City's website at: <https://www.westcovina.org/departments/city-clerk/agendas-and-meetings/current-meetings-and-agendas> under the "Watch Live" tab or through the West Covina City YouTube channel at www.westcovina.org/LIVE. If you are experiencing symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, or sore throat, the City requests that you participate in the meeting from home by watching the meeting live via the links set forth above.

EMAILED PUBLIC COMMENT:

Members of the public can submit public comments to the City Clerk via e-mail at City_Clerk@westcovina.org. The subject line should specify "Oral Communications – 7/20/2021" or "Public Hearing Item # - 7/20/2021. Please include your full name and address in your e-mail. All emails received by 5:00 P.M. on the day of the Council meeting will be posted to the City's website under "Current Meetings and Agendas" and provided to the City Council prior to the meeting. No comments will be read out loud during the meeting. All comments received by the start of the meeting will be made part of the official public record of the meeting.

Please turn off all cell phones and other electronic devices prior to entering the Council Chambers

AMERICANS WITH DISABILITIES ACT

The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at Council meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Do call at least one day prior to the meeting date to inform us of your particular needs and to determine if accommodation is possible. For sign language interpreter services at Council meetings, please request no less than four working days prior to the meeting.

AGENDA MATERIAL

Agenda material is available for review at the City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue South, West Covina and at www.westcovina.org. Any writings or documents regarding any item on this agenda, not exempt from public disclosure, provided to a majority of the City Council that is distributed less than 72 hours before the meeting, will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall

located at 1444 W. Garvey Avenue South, West Covina, during normal business hours.

NOTICE

The City Council will regularly convene on the first and third Tuesday of the month. The West Covina Community Development Commission, West Covina Public Financing Authority and the West Covina Community Services Foundation are agencies on which the City Council serves as members. Agendas may contain items for these boards, as necessary.

**PUBLIC COMMENTS
ADDRESSING THE CITY COUNCIL
(Per WCMC 2-48, Ordinance No. 2150)**

Any person wishing to address the City Council on any matter listed on the agenda or on any other matter within their jurisdiction should complete a speaker card that is provided at the entrance to the Council Chambers and submit the card to the City Clerk.

Please identify on the speaker card whether you are speaking on an agenda item or non-agenda. Requests to speak on agenda items will be heard prior to requests to speak on non-agenda items. All comments are limited to five (5) minutes per speaker.

Oral Communications may be limited to thirty (30) minutes, unless speakers addressing agenda items have not concluded.

Any testimony or comments regarding a matter set for a Public Hearing will be heard during the hearing.

RULES OF DECORUM

Excerpts from the West Covina Municipal Code and Penal Code pertaining to the Rules of Decorum will be found at the end of agenda.

AGENDA

**CITY OF WEST COVINA
CITY COUNCIL/SUCCESSOR AGENCY**

**TUESDAY JULY 20, 2021, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Pastor Samuel Martinez from Amazing Love Ministries

PLEDGE OF ALLEGIANCE

Led by Councilmember Tabatabai

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Norma Quinones, Executive Director, San Gabriel Valley Conservation Corps.
- Certificate of Recognition for West Covina Pony Baseball All Stars

ORAL COMMUNICATIONS - Five (5) minutes per speaker

Please step forward to the podium and state your name and city of residence for the record when recognized by the Mayor.

CITY MANAGER'S REPORT

City Manager's report on current City projects.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

CITY CLERK'S OFFICE

- 1) **CONSIDERATION OF APPROVAL OF THE JULY 06, 2021, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE JULY 06, 2021, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

It is recommended that the City Council approve the July 06, 2021, Closed Session Meeting Minutes, and the July 06, 2021, Regular Session Meeting Minutes.

CITY MANAGER'S OFFICE

- 2) **CONSIDERATION OF RESOLUTION NO. 2021-86 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY**

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2021-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020, AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020, JUNE 2, 2020, JUNE 23, 2020, JULY 21, 2020, AUGUST 18, 2020, SEPTEMBER 15, 2020, OCTOBER 6, 2020, OCTOBER 20, 2020, NOVEMBER 17, 2020, DECEMBER 1, 2020, JANUARY 19, 2021, FEBRUARY 16, 2021, MARCH 16, 2021, APRIL 6, 2021, MAY 4, 2021, JUNE 1, 2021, JUNE 15, 2021 AND JULY 6, 2021.

COMMUNITY DEVELOPMENT

- 3) **CONSIDERATION OF ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR FISCAL YEAR 2019-20 RESIDENTIAL STREET REHABILITATION PROGRAM – PROJECT NO. 20011**

It is recommended that the City Council take the following actions:

1. Accept project completion of Fiscal Year 2019-20 Residential Street Rehabilitation Program (Project No. 20011) as performed by Gentry Brothers, Inc. with a final contract amount of \$988,678.33; and
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

- 4) **CONSIDERATION OF ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR THE SHADOW OAK PARK PLAYGROUND INSTALLATION – PROJECT NO. 21027**

It is recommended that the City Council take the following actions:

1. Accept project completion for Shadow Oak Park Playground Installation (Project No: 21027) as performed by Jaynes Brothers Construction, Inc., with a final contract amount of \$64,593; and
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

- 5) **INITIATION OF CODE AMENDMENT NO. 21-01 AND ZONE CHANGE NO. 21-01 – WEST COVINA AUTO PLAZA OVERLAY ZONE AND STANDARDS**

It is recommended that the City Council adopt the following Resolution:

RESOLUTION NO. 2021-85 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 21-01 AND ZONE CHANGE NO. 21-01 TO CREATE AN OVERLAY ZONE FOR THE WEST COVINA AUTO PLAZA

POLICE DEPARTMENT

- 6) **CONSIDERATION OF APPLICATION FOR 2021 JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE**

It is recommended that the City Council authorize the application for, and acceptance of, 2021 Justice Assistance Grant Program funds, totaling \$20,715, authorize the Mayor, City Manager and City Manager's designee to execute all grant related documents, and authorize the necessary budget amendments by adopting the following resolution:

RESOLUTION NO. 2021-73 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE FISCAL YEAR 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (2021 JUSTICE ASSISTANCE GRANT)

7) CONSIDERATION OF 2021-2023 LAW ENFORCEMENT TOBACCO GRANT

It is recommended that the City Council authorize the City Manager or designee to accept the 2021-2023 Law Enforcement Tobacco grant and execute all grant related documents and authorize the necessary budget amendment by adopting the following resolution:

RESOLUTION NO. 2021-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF 2021-2023 TOBACCO LAW ENFORCEMENT GRANT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE, AND ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (2021-2023 LAW ENFORCEMENT TOBACCO GRANT)

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

8) CAMERON II - CONSIDERATION OF GENERAL PLAN AMENDMENT NO 20-04, PRECISE PLAN NO. 20-09, VESTING TENTATIVE TRACT MAP NO. 83216, TREE REMOVAL PERMIT NO. 21-05, AND MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT TO CHANGE THE GENERAL PLAN LAND-USE DESIGNATION FROM NEIGHBORHOOD MEDIUM TO NEIGHBORHOOD HIGH, DEMOLISH ALL EXISTING BUILDINGS/USES ON THE SITE AND CONSTRUCT 84 RESIDENCES (ATTACHED THREE-STORY TOWNHOME STYLE UNITS, RANGING FROM 1,210 SQ. FT. TO 1,796 SQ. FT.), INTERNAL DRIVE AISLES, COMMON OPEN SPACE, GUEST PARKING SPACES, AND OTHER ASSOCIATED INCIDENTAL IMPROVEMENTS ON A 3.25 ACRE SITE. AT 1600 - 1616 W. CAMERON AVENUE.

It is recommended that the City Council conduct a public hearing, and thereafter adopt the following resolutions:

RESOLUTION NO. 2021-81 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CERTIFYING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR GENERAL PLAN AMENDMENT NO 20-04, PRECISE PLAN NO. 20-09, AND VESTING TENTATIVE TRACT MAP NO. 83216, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

RESOLUTION NO. 2021-82 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 20-04 CHANGING THE GENERAL PLAN LAND-USE DESIGNATION OF 1600-1616 W. CAMERON AVENUE FROM NEIGHBORHOOD-MEDIUM TO NEIGHBORHOOD-HIGH

RESOLUTION NO. 2021-83- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 20-09 AND TREE REMOVAL PERMIT NO. 21-05 AT 1600-1616 W. CAMERON AVENUE

RESOLUTION NO. 2021-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 83216 AT 1600-1616 W. CAMERON AVENUE

- 9) **VINCENT PLACE SPECIFIC PLAN - CONSIDERATION OF GENERAL PLAN AMENDMENT NO 20-02, ZONE CHANGE NO. 20-03, PRECISE PLAN NO. 20-06, TREE REMOVAL PERMIT NO. 21-03, TENTATIVE TRACT MAP NO. 83166, AND MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT TO CHANGE THE GENERAL PLAN LAND-USE DESIGNATION FROM CIVIC: SCHOOLS TO NEIGHBORHOOD MEDIUM, TO CHANGE THE ZONING FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO A SPECIFIC PLAN, TO DEMOLISH ALL EXISTING SCHOOL BUILDINGS/USES ON THE SITE, CONSTRUCT 119 RESIDENCES (47 TWO-STORY SINGLE-FAMILY RESIDENTIAL STYLE DETACHED UNITS, RANGING FROM 1,465 SQ. FT. TO 2,125 SQ. FT. AND 72 ATTACHED THREE-STORY TOWNHOME STYLE UNITS, RANGING FROM 1,214 SQ. FT. TO 1,822 SQ. FT.), INTERNAL DRIVE AISLES, COMMON OPEN SPACE, GUEST PARKING SPACES, AND REMOVE ON 8 SIGNIFICANT TREES ON AN 8.05 ACRE SITE AT 1024 W. WORKMAN AVENUE**

It is recommended that the City Council adopt the following resolutions and ordinance:

RESOLUTION NO. 2021-77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CERTIFYING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR GENERAL PLAN AMENDMENT NO 20-02, ZONE CHANGE NO. 20-03, PRECISE PLAN NO. 20-06, AND VESTING TENTATIVE TRACT MAP NO. 83166, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED.

RESOLUTION NO. 2021-78 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 20-02 CHANGING THE GENERAL PLAN LAND-USE DESIGNATION OF 1024 W. WORKMAN AVENUE FROM CIVIC: SCHOOLS TO NEIGHBORHOOD-MEDIUM

RESOLUTION NO. 2021-79 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 20-06 AND TREE REMOVAL PERMIT NO. 21-03 AT 1024 W. WORKMAN AVENUE

RESOLUTION NO. 2021-80 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 83166 AT 1024 W. WORKMAN AVENUE

ORDINANCE NO. 2485 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ZONE CHANGE NO. 20-03 AND ADOPTING THE VINCENT PLACE SPECIFIC PLAN

MAYOR/COUNCILMEMBERS REPORTS

AB 1234 Conference and Meeting Report (verbal, if any)

(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)

- 10) **CONSIDERATION OF RESOLUTION NO. 2021-62- VOTE OF NO CONFIDENCE IN LOS ANGELES COUNTY DISTRICT ATTORNEY GEORGE GASCÓN.**

It is recommended that the City Council provide direction on adoption of the following resolution:

RESOLUTION NO. 2021-62 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DECLARING AND AFFIRMING A VOTE OF NO CONFIDENCE IN LOS ANGELES DISTRICT ATTORNEY GEORGE GASCÓN BASED ON ISSUED SPECIAL DIRECTIVES AND THEIR IMPACT ON CRIMINAL FILING PRACTICES AND PUBLIC SAFETY IN THE CITY OF WEST COVINA

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

(Per City of West Covina Standing Rules 4.f - Requests for reports, studies, or investigations that are not readily available must be placed on the City Council/Successor Agency agenda as items of business and must be approved by a majority of the City Council/Successor Agency Board.)

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting

Regular Meeting

August 10, 2021

7:00 PM

RULES OF DECORUM

The following are excerpts from the West Covina Municipal Code:

Sec. 2-48. Manner of addressing council; time limit; persons addressing may be sworn.

- a. Each person addressing the council shall step up to the rostrum, shall give his or her name and city of residence in an audible tone of voice for the record and unless further time is granted by the council, shall limit his or her address to five (5) minutes.
- b. The city council may establish a limit on the duration of oral communications.
- c. All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked of a councilmember except through the presiding officer.
- d. The presiding officer may require any person to be sworn as a witness before addressing the council on any subject. Any such person who, having taken an oath that he or she will testify truthfully, willfully and contrary to such oath states as true any material matter which he knows to be false may be held to answer criminally and subject to the penalty prescribed for perjury by the provisions of the Penal Code of the state.

Sec. 2-50. Decorum--Required.

- a. While the council is in session, the members shall preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or disrupt the proceedings or the peace of the council nor interrupt any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.
- b. Members of the public shall not willfully disrupt the meeting or act in a manner that actually impairs the orderly conduct of the meeting. For the purposes of this code, "willfully disrupt" includes, but is not limited to, continuing to do any of the following after being warned by the Mayor that continuing to do so will be a violation of the law:
 - a. Addressing the Mayor and City Council without first being recognized.
 - b. Persisting in addressing a subject or subjects, other than that before the Mayor and City Council.
 - c. Repetitiously addressing the same subject.
 - d. Failing to relinquish the podium when directed to do so.
 - e. From the audience, interrupting or attempting to interrupt, a speaker, the Mayor, a council member, or a staff member or shouting or attempting to shout over a speaker, the Mayor, a council member or a staff member.
 - f. As a speaker, interrupting or attempting to interrupt the Mayor, a council member, or a staff member, or shouting over or attempting to shout over the Mayor, a council member, or a staff member. Nothing in this section or any rules of the council shall be construed to prohibit public criticism of the policies, procedures, programs, or services of the City or of the acts or omissions of the City Council. It shall be unlawful to violate the provisions of this Section.

If any subsection, sentence, clause, or phrase or word of this Section 2-50 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have passed this section and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, phrases or words had been declared invalid or unconstitutional.

Sec. 2-52. Persons authorized to be within council area.

No person, except city officials, their representatives and members of the news media shall be permitted within the rail in front of the council chamber without the express consent of the council.

The following are excerpts from the Penal Code

148(a) (1) Every Person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

403 Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 303 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF APPROVAL OF THE JULY 06, 2021, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE JULY 06, 2021, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.

RECOMMENDATION:

It is recommended that the City Council approve the July 06, 2021, Closed Session Meeting Minutes, and the July 06, 2021, Regular Session Meeting Minutes.

DISCUSSION:

That the City Council adopt the attached minutes.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - 7/6/2021 Closed Session Minutes Draft

Attachment No. 2 - 7/6/2021 Regular Session Minutes Draft

CITY COUNCIL GOALS & OBJECTIVES: Enhance the City Image and Effectiveness



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**JULY 6, 2021, 6:00 PM
REGULAR MEETING - CLOSED SESSION**

**MANAGEMENT RESOURCE CENTER 3RD FLOOR
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790**

**Mayor Letty Lopez-Viado
Mayor Pro Tem Dario Castellanos
Councilwoman Rosario Diaz
Councilmember Brian Tabatabai
Councilman Tony Wu**

MINUTES

CALL TO ORDER

A Closed Session Meeting was called to order by Mayor Lopez-Viado on Tuesday, July 6, 2021, at 6:00 p.m., in the Management Resource Center Conference Room on the 3rd Floor, 1444 West Garvey Avenue South, West Covina, California

ROLL CALL

Council Members

Present: Council Members Tony Wu, Brian Tabatabai, Rosario Diaz, Mayor Pro Tem Castellanos, Mayor Lopez-Viado.

Council Members

Absent: None

City Staff: David Carmany City Manager, Thomas P. Duarte City Attorney, Helen Tran Human Resources Director, Robbeyn Bird Finance Director, Paulina Morales Assistant City Manager, Jim Touchstone Deputy City Attorney

PUBLIC COMMENTS ON ITEMS ON THE AGENDA

None

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code § 54956.9(d)(1)

1. RUBEN BRISENO V. CITY OF WEST COVINA, IAN PAPPARO, CHRISTOPHER QUEZADA, ABEL HERNANDEZ, DOES 1-50; USDC, Central District of California, Western Division, Case No. 2:20-cv-02986-MRW)

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

City Negotiators: Carmany, Duarte

Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

Unrepresented Employee Group

- Department Heads

-This Section has intentionally been left blank-

ADJOURNMENT

A motion to adjourn the Closed Session Meeting was made by Mayor Lopez-Viado, and the meeting was adjourned at 6:53 P.M. The next regularly scheduled Closed Session City Council Meeting will be held on Tuesday July 20, 2021 at 6:00 p.m. in the Management Resource Center Conference Room, 3rd Floor, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

Lisa Sherrick
Assistant City Clerk

Letty Lopez-Viado
Mayor



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**JULY 6, 2021, 7:00 PM
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790**

**Mayor Letty Lopez-Viado
Mayor Pro Tem Dario Castellanos
Councilwoman Rosario Diaz
Councilmember Brian Tabatabai
Councilman Tony Wu**

MINUTES

CALL TO ORDER

A Regular Meeting was called to order by Mayor Lopez-Viado on Tuesday, July 6, 2021 at 7:05 p.m. in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California.

INVOCATION

Led by Chaplain Kelly Dupee from Faith Community Church

PLEDGE OF ALLEGIANCE

Led by Councilman Wu

ROLL CALL

Present: Council Members Brian Tabatabai, Tony Wu, Rosario Diaz, Mayor Pro Tem Castellanos, Mayor Lopez-Viado.

Council Members

Absent: None

City Staff: David Carmany City Manager, Thomas P. Duarte City Attorney, Lisa Sherrick Assistant

City Clerk; other City staff presented reports and responded to questions as indicated in the minutes.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code § 54956.9(d)(1)

1. RUBEN BRISENO V. CITY OF WEST COVINA, IAN PAPPARO, CHRISTOPHER QUEZADA, ABEL HERNANDEZ, DOES 1-50; USDC, Central District of California, Western Division, Case No. 2:20-cv-02986-MRW)

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

City Negotiators: Carmany, Duarte
Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

Unrepresented Employee Group

- Department Heads

REPORTING OUT FROM CLOSED SESSION

City Attorney Thomas P. Duarte reported that no reportable action was taken during the Closed Session Meeting.

PRESENTATIONS

- Proclamation for Parks and Recreation

ORAL COMMUNICATIONS - Five (5) minutes per speaker

Ryan Serrano

Bob Ryan

Armondo Herman

John Carson

CITY MANAGER'S REPORT

Presentation given by Mr. Carmany.

CONSENT CALENDAR.

ACTION: Motion by Councilman Wu, Second by Councilwoman Diaz 5-0 to: Approve Consent Calendar Items 1,2, 6, 7 (Item 5 was removed from the Agenda by City Manager David Carmany).

ACTION: Motion by Mayor Pro Tem Castellanos, Second by Councilwoman Diaz 5-0 to: Approve Consent Calendar Item 3 (Item 3 was pulled for discussion by Mayor Pro Tem Castellanos).

ACTION: Motion by Councilwoman Diaz, Second by Mayor Pro Tem Castellanos 5-0 to: Approve Consent Calendar Item 4 (Item 8 was pulled for discussion by Councilwoman Diaz).

ACTION: Motion by Mayor Lopez-Viado, Second by Councilmember Tabatabai 5-0 to: Approve Consent Calendar Item 8 (Item 8 was pulled for discussion by Mayor Lopez-Viado).

APPROVAL OF MEETING MINUTES

- 1) **JUNE 15, 2021, CITY COUNCIL/SUCCESSOR AGENCY SPECIAL CLOSED SESSION MEETING MINUTES**
JUNE 15, 2021, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES
JUNE 15, 2021, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES

Carried 5-0 to: approve the June 15, 2021, Closed Session Meeting Minutes, the June 15, 2021, Special Closed Session Meeting Minutes and the June 15, 2021, Regular Session Meeting Minutes.

CITY MANAGER'S OFFICE

- 2) **CONSIDERATION OF RESOLUTION NO. 2021-76 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY**

Carried 5-0 to: adopt the following resolution:

RESOLUTION NO. 2021-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020, AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020, JUNE 2, 2020, JUNE 23, 2020, JULY 21, 2020, AUGUST 18, 2020, SEPTEMBER 15, 2020, OCTOBER 6, 2020, OCTOBER 20, 2020, NOVEMBER 17, 2020, DECEMBER 1, 2020, JANUARY

COMMUNITY DEVELOPMENT

3) **CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT FOR TRANSIT SERVICE EVALUATION (SPEC. NO. 61-010)**

Carried 5-0 to: take the following actions:

1. Authorize the City Manager to negotiate and execute a Professional Services Agreement with IBI Group Professional Services (USA) Inc. (IBI Group), effective July 15, 2021, in an amount not to exceed \$69,880, for an evaluation of transit service, and authorize the City Manager to execute any amendments to the agreement; and
2. Adopt the following Resolution:

RESOLUTION NO. 2021-75 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (TRANSIT SERVICES EVALUATION)

FIRE DEPARTMENT

4) **CONSIDERATION OF A FIRE DEPARTMENT MUTUAL APPARATUS AND EQUIPMENT LEASE AGREEMENT BETWEEN THE CITY OF LA VERNE AND THE CITY OF WEST COVINA**

Carried 5-0 to: approve the following:

1. Ratify the Fire Department Mutual Apparatus and Equipment Lease Agreement between West Covina and the City of La Verne, for use of La Verne's Quint fire truck while the City's Quint is out of service; and
2. Authorize the City Manager to execute future amendments to the Agreement.

5) **CONSIDERATION TO PURCHASE A FIRE DEPARTMENT VEHICLE**

This item was pulled by City Manager Dave Carmany, no action was taken.

HUMAN RESOURCES/RISK MANAGEMENT

6) **CONSIDERATION OF LEGAL SERVICES AGREEMENT WITH LIEBERT CASSIDY WHITMORE FOR LABOR RELATIONS AND EMPLOYMENT MATTERS**

Carried 5-0 to: take the following actions:

1. Authorize the City Manager to negotiate and execute an agreement with Liebert Cassidy Whitmore for labor and employment relations services; and

2. Approve, by a majority vote of the Council, waiving bidding requirements for legal services with Liebert Cassidy Whitmore due to ongoing labor negotiations, updating Personnel Rules and personnel matters that require investigations, as allowed by West Covina Municipal Code Section 2-330(b).

PUBLIC SERVICES

7) CONSIDERATION OF USE OF STATE OF CALIFORNIA FLEET PAYMENT SYSTEM CONTRACT AWARDEE, WEX BANK, FOR CITY'S FUEL CARD PROGRAM

Carried 5-0 to: approve the use the State of California Fleet Card System Awardee, WEX Bank, for the City's fuel card program.

8) CONSIDERATION OF ACCEPTANCE OF DROUGHT TOLERANT LANDSCAPING IMPROVEMENTS IN LANDSCAPE MAINTENANCE DISTRICT NO. 1 - PROJECT NUMBER 18014

Carried 5-0 to: take the following actions:

1. Accept the Drought Tolerant Landscaping Improvements in Landscape Maintenance District 1 for Project No. 18014;
2. Authorize recordation of Notice of Completion with the Los Angeles County Recorder; and
3. Authorize the release of retention funds after recordation of the Notice of Completion.

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

9) PUBLIC HEARING TO CONSIDER WEST COVINA AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT FISCAL YEAR 2021-2022 ANNUAL REPORT AND ASSESSMENT

Mayor Lopez-Viado announced the Public Hearing matter, Assistant City Clerk Lisa Sherrick verified that proper legal notice was given, and Mayor Lopez-Viado opened the Public Hearing. Staff responded to questions from Council.

Public Comments in Favor
None

07/06/2021 Regular Session Minutes Draft
Public Comments neither in Favor nor in Opposition
None

Attachment #2

Public Comments in Opposition
None

---End of Public Comment---

ACTION: Motion by Mayor Pro Tem Castellanos, Second by Councilmember Wu 5-0 to:

adopt the following resolution:

RESOLUTION NO. 2021-61 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CONFIRMING THE ANNUAL REPORT FILED BY THE WEST COVINA AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD AND LEVYING AN ANNUAL ASSESSMENT FOR THE WEST COVINA AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2021-2022

DEPARTMENTAL REGULAR MATTERS

POLICE DEPARTMENT

10) CONSIDERATION OF GRAFFITI REWARDS PROGRAM

ACTION: Motion by Councilwoman Diaz, Second by Mayor Pro Tem Castellanos 5-0 to:
increase the graffiti reward amount from \$100 to \$500.

MAYOR/COUNCILMEMBERS REPORTS

None

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

None

CITY COUNCIL COMMENTS

None

-This Section has Intentionally Been Left Blank-

ADJOURNMENT

The meeting was adjourned in honor of Sharon Holtz beloved wife, mother, grandmother, and great-grandmother, passed away on June 22, 2021, in West Covina, California at the age of 81 with her loving family around her. Sharon was the wife of our former Planning Commissioner Don Holtz. The meeting was adjourned at 9:17 p.m. The next regularly scheduled Regular City Council Meeting will be held on Tuesday, July 20, 2021, at 7:00 p.m. in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

Lisa Sherrick
Assistant City Clerk

Letty Lopez-Viado
Mayor

DRAFT



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF RESOLUTION NO. 2021-86 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY

RECOMMENDATION:

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2021-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020, AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020, JUNE 2, 2020, JUNE 23, 2020, JULY 21, 2020, AUGUST 18, 2020, SEPTEMBER 15, 2020, OCTOBER 6, 2020, OCTOBER 20, 2020, NOVEMBER 17, 2020, DECEMBER 1, 2020, JANUARY 19, 2021, FEBRUARY 16, 2021, MARCH 16, 2021, APRIL 6, 2021, MAY 4, 2021, JUNE 1, 2021, JUNE 15, 2021 AND JULY 6, 2021.

BACKGROUND:

On March 17, 2020, the City Council adopted Resolution 2020-19, ratifying Proclamation 2020-01 declaring the existence of a local emergency, which was issued by the City Manager acting in the capacity of Director of Emergency Services. The local emergency is due to the novel coronavirus (COVID-19) pandemic. Following adoption of the resolution, the City Council needs to review and reevaluate the need for continuing the local emergency at least once every thirty (30) days in accordance with Section 8-7(a)(2) of the West Covina Municipal Code (WCMC). The City Council previously continued the local emergency on April 7, 2020, May 5, 2020, June 2, 2020, June 23, 2020, July 21, 2020, August 18, 2020, September 15, 2020, October 6, 2020, October 20, 2020, November 17, 2020, December 1, 2020, January 19, 2021, February 16, 2021, March 16, 2021, April 6, 2021, May 4, 2021, June 1, 2021, June 15, 2021 and July 6, 2021.

During a proclaimed local emergency, the City Manager, as the Director of Emergency Services, has the powers enumerated in Section 8-7 of the WCMC. On October 20, 2020, the City Council clarified that the exercise of the City Manager's emergency powers is limited to actions directly related to responding to the COVID-19 emergency.

DISCUSSION:

On March 4, 2020, Governor Newsom declared a state of emergency in California. The emergency status allows the State (and cities) to access needed supplies, resources, and funding. For example, the City has received Coronavirus Relief monies to help offset City costs associated with the COVID-19 pandemic. In addition, West Covina is seeking reimbursement for COVID-19 related expenses through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. To remain eligible for COVID-19 reimbursement, the City would have to continue to be under a declared state of emergency. The State of California continues to be under the state's declared state of emergency.

As of July 14, 2021, there were 187,519,798 confirmed cases of COVID-19 globally. On July 14, 2021, California reported that, as of July 13, 2021, there were 3,740,092 confirmed cases in California. As of July 12, 2021, there were 1,259,772 confirmed cases in Los Angeles County, including 13,041 confirmed cases in the City of West Covina, according to the Los Angeles County Department of Public Health.

In mid-December 2020, the State began administering the COVID-19 vaccine under "Vaccinate All 58," the State's campaign for a safe, fair and equitable vaccine for all 58 counties in the State. As of July 12, 2021, the State reported that LA County had administered 10,869,552 doses of the vaccine.

Despite the distribution of the vaccine, health officials have indicated that transmission of the virus remains widespread especially with the coronavirus variants that are considered highly transmissible, such as the Delta variant. In addition, as noted above, the State of California remains in a state of emergency.

It is essential that the City continue to provide basic services and provide for continuity of services over the long-term.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

Prepared by: David Carmany, City Manager

Attachments

Attachment No. 1 - Resolution No. 2021-86

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Respond to the Global COVID-19 Pandemic

RESOLUTION NO. 2021-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020 AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020, JUNE 2, 2020, JUNE 23, 2020, JULY 21, 2020, AUGUST 18, 2020, SEPTEMBER 15, 2020, OCTOBER 6, 2020, OCTOBER 20, 2020, NOVEMBER 17, 2020, DECEMBER 1, 2020, JANUARY 19, 2021, FEBRUARY 16, 2021, MARCH 16, 2021, APRIL 6, 2021, MAY 4, 2021, JUNE 1, 2021, JUNE 15, 2021 AND JULY 6, 2021

WHEREAS, the California Emergency Services Act (Government Code Section 8550 et seq.) authorizes the City Council, or an official designated by ordinance adopted by the City Council, to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, West Covina Municipal Code section 8-7(a)(1) empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, on March 16, 2020, the City Manager declared a local emergency as authorized by Government Code section 8630(a) and West Covina Municipal Code section 8-7(a)(1) through Proclamation No. 2020-01 due to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. 2020-19, ratifying the City Manager's proclamation as required by Government Code section 8630(b) and West Covina Municipal Code section 8-7(a)(1); and

WHEREAS, Section 8-7(a)(2) of the West Covina Municipal Code empowers the City Manager to request that the City Council review the need for continuing the local emergency at least once every 30 days until the City Council terminates the local emergency; and

WHEREAS, at the time the City Council ratified the proclamation, the World Health Organization (WHO) reported, as of March 15, 2020, 153,517 confirmed cases of COVID-19 globally, 5,735 of which resulted in death. On July 14, 2021, the WHO reported 187,519,798 confirmed cases globally, 4,049,372 of which resulted in death; and

WHEREAS, at the time the City Council ratified the proclamation, the California Department of Public Health (CDPH) reported that, as of March 15, 2020, there were 335 confirmed cases of COVID-19 in California, six (6) of which resulted in death. On July 14, 2021, CDPH reported that, as of July 13, 2021, there were 3,740,092 confirmed cases in California, 63,508 of which resulted in death; and

WHEREAS, at the time the City Council ratified the proclamation, the Los Angeles County Department of Public Health (“LA County Health Department”) reported that, as of March 15, 2020, Los Angeles County had 69 confirmed cases, including one (1) death and one (1) confirmed case at West Covina High School. On July 13, 2021, the LA County Health Department reported that, as of July 12, 2021, Los Angeles County had 1,259,772 confirmed cases, 24,554 of which resulted in death; and

WHEREAS, as of July 12, 2021, the LA County Health Department reported 13,041 confirmed cases in the City of West Covina, 266 of which resulted in death; and

WHEREAS, on April 7, 2020, the City Council adopted Resolution No. 2020-22, determining there was a need to continue the local emergency and confirming the written orders and regulations promulgated by the City Manager; and

WHEREAS, on May 5, 2020, the City Council adopted Resolution No. 2020-41, determining there was a need to continue the local emergency and confirming the written orders and regulations promulgated by the City Manager; and

WHEREAS, on June 2, 2020, the City Council adopted Resolution No. 2020-45, determining there was a need to continue the local emergency; and

WHEREAS, on June 23, 2020, the City Council adopted Resolution No. 2020-68, determining there was a need to continue the local emergency; and

WHEREAS, on July 21, 2020, the City Council adopted Resolution No. 2020-85, determining there was a need to continue the local emergency; and

WHEREAS, on August 18, 2020, the City Council adopted Resolution No. 2020-91, determining there was a need to continue the local emergency and confirming a written order promulgated by the City Manager; and

WHEREAS, on September 15, 2020, the City Council adopted Resolution No. 2020-96, determining there was a need to continue the local emergency; and

WHEREAS, on October 6, 2020, the City Council adopted Resolution No. 2020-101, determining there was a need to continue the local emergency; and

WHEREAS, on October 20, 2020, the City Council adopted Resolution No. 2020-105, determining there was a need to continue the local emergency and clarifying the City Manager’s emergency powers; and

WHEREAS, on November 17, 2020, the City Council adopted Resolution No. 2020-116, determining there was a need to continue the local emergency; and

WHEREAS, on December 1, 2020, the City Council adopted Resolution No. 2020-118, determining there was a need to continue the local emergency and providing that, notwithstanding the requirements of West Covina Municipal Code section 8-7(a)(2), due to the City Council’s

meeting schedule, the next regular meeting at which the City Council would consider the need to continue the local emergency would be January 19, 2021; and

WHEREAS, on January 19, 2021, the City Council adopted Resolution No. 2021-01, determining there was a need to continue the local emergency; and

WHEREAS, on February 16, 2021, the City Council adopted Resolution No. 2021-12, determining there was a need to continue the local emergency; and

WHEREAS, on March 16, 2021, the City Council adopted Resolution No. 2021-17, determining there was a need to continue the local emergency; and

WHEREAS, on April 6, 2021, the City Council adopted Resolution No. 2021-25, determining there was a need to continue the local emergency; and

WHEREAS, on May 4, 2021, the City Council adopted Resolution No. 2021-49, determining there was a need to continue the local emergency; and

WHEREAS, on June 1, 2021, the City Council adopted Resolution No. 2021-65, determining there was a need to continue the local emergency; and

WHEREAS, on June 15, 2021, the City Council adopted Resolution No. 2021-72, determining there was a need to continue the local emergency; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution No. 2021-76, determining there was a need to continue the local emergency; and

WHEREAS, in mid-December 2020, the State began administering the COVID-19 vaccine under “Vaccinate All 58,” the State’s campaign for a safe, fair and equitable vaccine for all 58 counties in the State; and

WHEREAS, as of June 15, 2021, the Governor terminated the executive orders that put into place the Stay at Home Order and the Blueprint for a Safer Economy; and

WHEREAS, notwithstanding widespread administration of the COVID-19 vaccine and the reopening of the State’s economy, the LA County Health Department has raised concerns about the highly transmissible Delta variant; and

WHEREAS, the City Manager has requested that the City Council review the need for continuing the local emergency in accordance with Section 8-7(a)(2) of the West Covina Municipal Code; and

WHEREAS, the City Council has reviewed the need for continuing the local emergency as required by West Covina Municipal Code section 8-7(a)(2); and

WHEREAS, the City Council finds that the conditions resulting from the COVID-19 emergency are still beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat.

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

SECTION 1. The City Council has reviewed the need for continuing the local emergency as required by West Covina Municipal Code section 8-7(a)(2), and determines, based on the foregoing recitals, that there is a need to continue the local emergency.

SECTION 2. This local emergency shall continue to exist until the City Council proclaims the termination of the local emergency. The City Council shall review the need for continuing the local emergency in the manner required by law.

SECTION 3. Pursuant to Resolution No. 2020-105, while the local emergency remains in effect, the City Manager shall limit the exercise of the powers granted to the City Manager, as the Director of Emergency Services, during a proclaimed local emergency pursuant to Section 8-7 of the West Covina Municipal Code, to actions directly related to responding to the COVID-19 pandemic.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-86 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR FISCAL YEAR 2019-20 RESIDENTIAL STREET REHABILITATION PROGRAM – PROJECT NO. 20011

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Accept project completion of Fiscal Year 2019-20 Residential Street Rehabilitation Program (Project No. 20011) as performed by Gentry Brothers, Inc. with a final contract amount of \$988,678.33; and
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

DISCUSSION:

On April 7, 2020, the City Council awarded a contract to Gentry Brothers, Inc., in the amount of \$969,070.55 for Fiscal Year 2019-20 Residential Street Rehabilitation Program. The project included asphalt coldmill and overlay, construction of slurry seal, concrete curb ramps, installation of signage and striping at various locations Citywide. The project also included traffic safety improvements at Cameron Avenue and Citrus Street.

The City Council also authorized the City Manager to approve change orders in an amount not to exceed \$145,360.60 (15% of awarded contract) for unanticipated project costs. The total established construction budget was \$1,114,431.15.

All required improvements were constructed in conformance with the approved plans and specifications. The project was substantially completed on May 30, 2021, within the project schedule. The final contract amount was \$988,678.33, within the approved project budget. The City retains five percent (5%) of each payment to the contractor as retention to ensure payment to subcontractors and material suppliers before final payment to the contractor. The City Council's acceptance of the project and the City's recordation of the Notice of Completion trigger timeframes within which subcontractors or material suppliers must file claims for payment if they have not been paid by the general contractor. If no claims are filed within 35 days of the filing of the Notice of Completion, the City will release retention and any remaining amount due to the contractor.

OPTIONS:

The City Council has the following options:

1. Approve Staff's recommendation; or
2. Provide alternative direction.

Fiscal Impact

FISCAL IMPACT:

The following table shows the total budget approved and actual costs for this project.

No.	Item	Budget Approved	Actual Cost
1.	Construction Contract	\$969,070.55	\$969,070.55
2.	Contingency	\$145,360.60	\$19,607.78
3.	Construction Management and Inspection	\$111,443.00	\$94,075.00
Total		\$1,225,874.14	\$1,082,753.33

Funding for this project came from the following source:

Project No.	Funds	Account Number	Budgeted Amount
20011	SB-1 Funds	20011.124.7200	\$515,553.33
20011	General Fund Transfer (MOE)	20011.124.7200	\$567,200.00
Total			\$1,082,753.33

CITY COUNCIL GOALS & OBJECTIVES: Maintain and Enhance City Facilities and Infrastructure
Enhance the City Image and Effectiveness
Protect Public Safety



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR THE SHADOW OAK PARK PLAYGROUND INSTALLATION – PROJECT NO. 21027

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Accept project completion for Shadow Oak Park Playground Installation (Project No: 21027) as performed by Jaynes Brothers Construction, Inc., with a final contract amount of \$64,593; and
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

DISCUSSION:

On January 19, 2021, the City Council awarded a contract to Jaynes Brothers Construction, Inc., in the amount of \$59,113 for Shadow Oak Park Playground Installation. The project included installation of new playground equipment at Shadow Oaks Park.

The City Council also authorized the City Manager to approve change orders in an amount not to exceed \$8,867 (15% of awarded contract) for unanticipated project costs. The total established construction budget was \$67,980.

All required improvements were constructed in conformance with the approved plans and specifications. The project was substantially completed on April 30, 2021, within the project schedule. The final contract amount was \$64,593, within the approved project budget. The City retains five percent (5%) of each payment to the contractor as retention to ensure payment to subcontractors and material suppliers before final payment to the contractor. The City Council's acceptance of the project during the public meeting and the City's recordation of the Notice of Completion trigger timeframes within which subcontractors or material suppliers must file claims for payment if they have not been paid by the general contractor. If no claims are filed within 35 days of the filing of the Notice of Completion, the City will release retention and any remaining amount due to the contractor.

OPTIONS:

The City Council has the following options:

1. Approve Staff's recommendation; or
2. Provide alternative direction.

Prepared by: Okan Demirci, PE, CIP Manager

Fiscal Impact

FISCAL IMPACT:

The following table shows the total budget approved and actual costs for this project.

No.	Item	Budget Approved	Actual Cost
1.	Construction Contract	\$59,113	\$59,113
2.	Contingency	\$8,867	\$5,480
3.	Playground Equipment Purchase Order	\$212,831	\$212,831
4.	Project Management and Administration (Preparation of Bid Documents)	\$25,000	\$25,000
5.	Construction Management and Inspection	\$27,000	\$27,000
6.	Newspaper Advertisement, Misc. Expenses	\$10,000	\$10,000
	Total	\$342,811	\$339,424

Funding for this project came from the following source:

Project No.	Funds	Account Number	Budgeted Amount
21027	Measure A	21027.236.7700	\$339,424
		Total	\$339,424

CITY COUNCIL GOALS & OBJECTIVES: Maintain and Enhance City Facilities and Infrastructure
Enhance the City Image and Effectiveness
Protect Public Safety



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: INITIATION OF CODE AMENDMENT NO. 21-01 AND ZONE CHANGE NO. 21-01 – WEST COVINA AUTO PLAZA OVERLAY ZONE AND STANDARDS

RECOMMENDATION:

It is recommended that the City Council adopt the following Resolution:

RESOLUTION NO. 2021-85 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 21-01 AND ZONE CHANGE NO. 21-01 TO CREATE AN OVERLAY ZONE FOR THE WEST COVINA AUTO PLAZA

BACKGROUND:

On July 6, 2021, the City received a letter from Envision Motors on behalf of the Advisory Board of the West Covina Auto Plaza Business Improvement District (Auto Plaza BID) (Attachment No. 2), requesting the City to amend the West Covina Municipal Code and zoning designation for the Auto Plaza BID (Attachment No. 3) to create an overlay zone that would accomplish the following:

- Allow only new car franchises to operate in the West Covina Auto Plaza
- Require all properties to be brightly lit from sundown until 9:00 pm, and dim lighting to be used from 9:00 pm to sunrise
- Prohibit professional filming/film-making except for filming conducted by a dealership for the advertising purpose of the said dealership
- Allow the West Covina Auto Plaza BID to sell off-site digital readerboard advertising in order to use the proceeds to advertise the West Covina Auto Plaza businesses through other means (i.e. radio, digital readerboards located in other cities, social media, etc).

As the West Covina Auto Plaza was created with the intention of establishing a specific area within the City for the sales of new vehicles for the City's economic development, staff believes that the request is reasonable with a modification to restrict the offsite advertising to new car dealerships within the City of West Covina. In addition, the request includes required lighting at all dealerships which could help deter crime in the Auto Plaza district.

DISCUSSION:

If the City Council initiates the code amendment and zone change, the Auto Plaza BID Advisory Board will be directed to submit the required applications and pay associated application fees. A public hearing will then be scheduled to allow the Planning Commission to discuss the code amendment and zone change. Following a formal recommendation from the Planning Commission, the City Council will also be required to conduct a public hearing to take action.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

OPTIONS:

The City Council has the following options:

1. Initiate Code Amendment No. 21-01 and Zone Change 21-01 by adopting Resolution No. 21-01 as requested by the applicant with staffs' modification to restrict the offsite advertising to new car dealerships within the City of West Covina; or
2. Provide alternative direction; or
3. Receive and file the staff report thereby declining to initiate the code amendment and zone change.

ENVIRONMENTAL REVIEW:

The proposed code amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines in that it consists of a code amendment initiation, which does not have the potential for causing a significant effect on the environment.

Prepared by: Jo-Anne Burns, Planning Manager

Attachments

Attachment No. 1 - Initiation of Code Amendment

Attachment No. 2 - Request Letter

Attachment No. 3 - Auto Plaza District Map

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Enhance the City Image and Effectiveness
Engage in Proactive Economic Development

RESOLUTION NO. 2021-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 21-01 AND ZONE CHANGE NO. 21-01 TO CREATE AN OVERLAY ZONE FOR THE WEST COVINA AUTO PLAZA

WHEREAS, on July 20, 2021, the City Council considered the initiation of a code amendment and zone change related to creating the West Covina Auto Plaza Overlay Zone; and

WHEREAS, the studies and investigations made by the City Council reveal the following facts:

1. The West Covina Auto Plaza was created with the intent to establish a specific area within the City for the sales of new vehicles in order to encourage economic development within the City.
2. The West Covina Auto Plaza is zoned as Service-Commercial (SC), which allows for a variety of land uses including adult care centers, alcoholic treatment institutions, ambulance service/yard, appliance repair shops, art galleries, art studios, gyms, auto rentals, used vehicle sales, service stations, auto repair garage, car wash, auto supply stores, bakeries, bail bond service, banks, beauty shops, billiard parlors, bowling alleys, lumber yards, churches, daycare centers, offices, mortuaries, hospitals, medical clinics, and other retail/service uses.
3. On July 6, 2021, the City Council received a letter requesting City Council initiation of a code amendment and zone change to create a West Covina Auto Plaza overlay zone in order to adopt specific standards for the West Covina Auto Plaza area to maintain its intended use.
4. The proposed action is considered to be exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of a code amendment, which does not have the potential for causing a significant effect on the environment.

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

SECTION 1. In conformance with Section 26-153(a)(2) of the West Covina Municipal Code, the City Council does hereby initiate Code Amendment No. 21-01 and Zone Change No. 21-01 related to the creation of the West Covina Auto Plaza Overlay Zone.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-85 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July 2021, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lisa Sherrick
Assistant City Clerk



Envision Motors
2010 E Garvey Ave. S
West Covina, CA 91791
(626) 859-1200

Attn: City Council
City of West Covina
Planning Division, Second Floor, Room 208
1444 West Garvey Avenue South
West Covina, CA 91790

Re: Initiation of Overlay Zone Relating to West Covina Auto Plaza

Dear Ms. Burns:

On behalf of the Advisory Board of the West Covina Auto Plaza Business Association, we are hereby submitting a request for the creation of an overlay zone for the benefit of the West Covina Auto Plaza Business Association. We request the overlay zone include the following items:

1. Only new car franchises are permitted to operate in the West Covina Auto Plaza
2. All properties must be brightly lit from sundown until at least 9 pm each night, with dimmer lights to be used between 9 pm and sunrise.
3. The West Covina Auto Plaza Business Association shall be permitted to sell advertising space and time on the West Covina Auto Plaza electronic leaderboard, upon the terms and conditions agreed to by the West Covina Auto Plaza Business Association.
4. No professional filming or filmmaking is permitted in the West Covina Auto Plaza, except for filming conducted by a dealership for the purposes of advertising said dealership.

Thank you again for your time and consideration. If you have any questions, please feel free to contact me at (925) 596-1222.

Regards,

A handwritten signature in blue ink, appearing to read 'Patrick Elahmadie', is written over the 'Regards,' text.

Patrick Elahmadie
General Counsel
Envision Motors

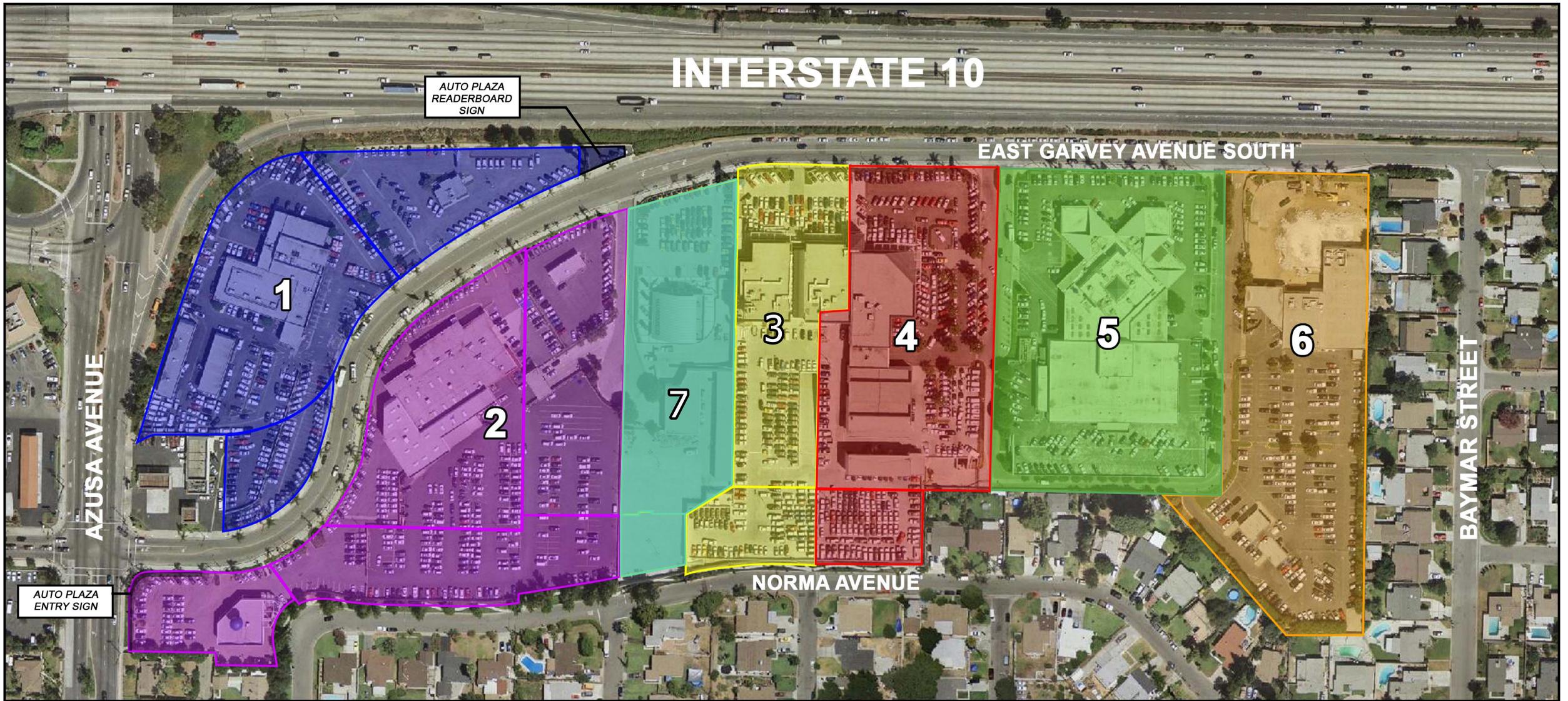


IMAGE NOT TO SCALE

WEST COVINA AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT BOUNDARIES

	DEALERSHIPS	APN	LOT SIZE
1	Penske Toyota of West Covina	8478-007-025, 30, 31	4.17 acres
2	Norm Reeves Honda Super Store	8478-007-028, 34, 38, 8478-008-015	5.52 acres
3	Former Clippinger Chevrolet	8474-004-047, 048	2.27 acres
4	Ford of West Covina	8478-004-046, 49	3.42 acres
5	Penske Mercedes	8478-004-042	4.16 acres
6	Penske Audi	8478-004-026	3.72 acres
7	Former DriveTime	8474-007-039, 040	2.23 acres



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF APPLICATION FOR 2021 JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE

RECOMMENDATION:

It is recommended that the City Council authorize the application for, and acceptance of, 2021 Justice Assistance Grant Program funds, totaling \$20,715, authorize the Mayor, City Manager and City Manager's designee to execute all grant related documents, and authorize the necessary budget amendments by adopting the following resolution:

RESOLUTION NO. 2021-73 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE FISCAL YEAR 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (2021 JUSTICE ASSISTANCE GRANT)

DISCUSSION:

In 2005, the federal Bureau of Justice Assistance (BJA), within the United States Department of Justice (DOJ), combined several grant programs and created the Justice Assistance Grant (JAG). According to federal requirements, this grant may be used to hire additional personnel and/or purchase equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, and cannot be used to supplant existing funds or ongoing activities budgeted elsewhere. The DOJ requires that the City Council consider and approve the grant application at an open meeting *before* the application is submitted online. The application is due by August 9, 2021. With City Council's approval, Police Department staff can complete the process of obtaining 2021 JAG funds totaling \$20,715.

Based on the grant purpose areas and restrictions in mind, the Police Department prioritized a list of unmet law enforcement supply needs in anticipation of this grant. In total, these supplies cost \$20,715 (the exact grant amount for which the City is eligible), and include the following items:

- Cartridges and batteries for non-lethal weapons;
- Investigation tools that retrieve digital and cellphone data;
- Computer software and services associated with the City's Computer Aided Dispatch & Records Management System (CAD-RMS) and the National Incident-Based Reporting System (NIBRS)

Using 2021 JAG funds for these items aligns with the federal purpose areas and meets all requirements from the

BJA. This grant is reimbursable, and purchases will not be made until the grant application is completed and approved by the DOJ.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

Prepared by: Alex B. Houston, Police Administrative Services Manager

Additional Approval: Richard Bell, Chief of Police

Additional Approval: Robbeyn Bird, Finance Director

Fiscal Impact

FISCAL IMPACT:

The City of West Covina will receive an estimated \$20,715 in 2021 BJA JAG funds to meet unfunded law enforcement supply needs. There is no local match requirement, and no cost to the City General Fund. As detailed in the proposed budget amendment, City staff is recommending an expenditure appropriation of \$20,715 and a corresponding revenue appropriation in Fund 130.

Attachments

Exhibit A - Budget Amendment

Attachment No. 1 - Resolution No. 2021-73

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety

RESOLUTION NO. 2021-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE FISCAL YEAR 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (2021 JUSTICE ASSISTANCE GRANT)

WHEREAS, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states and local governments to support a broad range of criminal justice related activities based on their own needs and conditions; and

WHEREAS, the City of West Covina is eligible to receive an allocation of \$20,715 through the 2021 JAG Program; and

WHEREAS, the City of West Covina supports the JAG Program goals and wishes to participate in the 2021 JAG Program; and

WHEREAS, the City Manager, on or about June 15, 2021, submitted to the City Council a proposed budget for the appropriation and expenditure of funds for the City for West Covina for Fiscal Year 2021-2022; and

WHEREAS, following duly given notice and prior to budget adoption, the City Council held public meetings, receiving, considering and evaluating all comments, and adopted a budget for the fiscal year commencing July 1, 2021 and ending June 30, 2022; and

WHEREAS, amendments must periodically be made to the budget to conform to changed circumstances following adopting of the budget.

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

SECTION 1. The City Council hereby approves the application for, and acceptance of, 2021 JAG Program funds from the United States Department of Justice.

SECTION 2. The Mayor, City Manager and City Manager's designee are hereby authorized to execute all documents required in connection with the grant, including any certifications and assurances, and to take all steps necessary to implement this authorization and JAG Program requirements and objectives.

SECTION 3. The City Council hereby approves Budget Amendment No. 001, attached hereto as Exhibit A, related to 2021 Justice Assistance Grant.

SECTION 4. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-73 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF 2021-2023 LAW ENFORCEMENT TOBACCO GRANT

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager or designee to accept the 2021-2023 Law Enforcement Tobacco grant and execute all grant related documents and authorize the necessary budget amendment by adopting the following resolution:

RESOLUTION NO. 2021-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF 2021-2023 TOBACCO LAW ENFORCEMENT GRANT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE, AND ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (2021-2023 LAW ENFORCEMENT TOBACCO GRANT)

BACKGROUND:

The Police Department recently obtained a new competitive grant from the State of California, the 2021-2023 Tobacco Law Enforcement Grant, with funds from Proposition 56. Proposition 56, the California Healthcare, Research and Prevention Tobacco Tax Act of 2016, was approved by voters in November 2016, and raised the tax on cigarettes and other tobacco products effective in April 2017. Proposition 56 specifically allocated revenue to be distributed annually by the California Department of Justice through grants to local law enforcement agencies for activities intended to reduce the illegal sale of tobacco products to minors.

DISCUSSION:

In recent years, while demands for public safety services and calls for services have increased, Police Department staffing has decreased. The City Council recently expressed their directive to add back 10 Police Officer positions. Police Department staff continue to pursue grant opportunities and other resources to help address the problems of insufficient Police staffing, and respond to City Council directives.

Police Department staff recently obtained a new competitive Law Enforcement Tobacco grant from the State of California, Department of Justice. This grant will add a new sworn position to the Police Department—a new “Tobacco” School Resource Officer (SRO) position, funded by the grant for an estimated two years. This new Tobacco SRO will rotate among middle school locations and focus on tobacco enforcement, coordinating with school officials and their anti-tobacco efforts. During the summer months or other school breaks, the Tobacco SRO

will focus on tobacco violations at City parks, and conduct tobacco retailer inspections and enforcement, with a special emphasis on targeting any illegal tobacco sales to minors. The Tobacco SRO may also make recommendations concerning local tobacco ordinances, licenses, etc.

This is a reimbursable grant, contributing \$300,084 exclusively to fund the salary, benefits, and some overtime for the new Tobacco SRO position, between July 2021 and June 2023. These funds cannot be used for other purposes or to supplant existing law enforcement funding. The Police Department plans to assign a veteran Officer to work the Tobacco SRO grant activities, while the grant will fund/“backfill” a new entry-level Officer position. In order to receive grant funds, the California Department of Justice requires the City to accept the grant via resolution, and also execute a grant Memorandum of Understanding—see Attachments 1 and 2.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

Prepared by: Alex B. Houston, Police Administrative Services Manager

Additional Approval: Richard Bell, Chief of Police

Additional Approval: Robbeyn Bird, Finance Director

Fiscal Impact

FISCAL IMPACT:

The City will receive \$300,084 in reimbursement funds from the State during the two-year grant period. As detailed in the proposed budget amendment, Staff is recommending an appropriation of this amount and a corresponding revenue amendment in Fund 238.

Attachments

Attachment No. 1 - Resolution No. 2021-74

Exhibit A - Budget Amendment

Attachment No. 2 - 2021-2021 Tobacco Grant MOU

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety

RESOLUTION NO. 2021-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF 2021-2023 TOBACCO LAW ENFORCEMENT GRANT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE, AND ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (2021-2023 LAW ENFORCEMENT TOBACCO GRANT)

WHEREAS, the City of West Covina desires to participate in the Tobacco Law Enforcement Grant Program, which is made available through Proposition 56, the California Healthcare, Research and Prevention Tobacco Tax Act of 2016, and administered by the California Department of Justice (DOJ) to support local efforts to reduce the illegal sale of tobacco products in the City; and

WHEREAS, the West Covina Police Department submitted a proposal to participate in the grant program, and the DOJ awarded the City \$300,084 for the period covering July 1, 2021 through June 30, 2023; and

WHEREAS, the grant funds will be used for salary expenditures related to educational opportunities for children, tobacco enforcement operations, and local retailer inspections and enforcement; and

WHEREAS, in order to be eligible to receive grant funding, the City must submit to the DOJ a resolution from the City Council authorizing the City to enter into an agreement with the State and identifying the person authorized to execute the agreement on behalf of the City; and

WHEREAS, the City Manager, on or about June 15, 2021, submitted to the City Council a proposed budget for the appropriation and expenditure of funds for the City for West Covina for Fiscal Year 2021-2022; and

WHEREAS, following duly given notice and prior to budget adoption, the City Council held public meetings, receiving, considering and evaluating all comments, and adopted a budget for the fiscal year commencing July 1, 2021 and ending June 30, 2022; and

WHEREAS, amendments must periodically be made to the budget to conform to changed circumstances following adopting of the budget; and

WHEREAS, a budget amendment is needed in connection with the Tobacco Law Enforcement Grant Program grant award.

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

SECTION 1. The City Manager or his designee is hereby authorized, on behalf of the City, to accept the 2021-2023 Tobacco Law Enforcement Grant Program funding in the amount of \$300,084 from the California Department of Justice.

SECTION 2. The City Manager or his designee is hereby authorized and directed, on behalf of the City, to execute and submit to the DOJ all grant documents, including, without limitation, the Memorandum of Understanding and any amendments thereto, and any contracts, amendments, extensions, and payment requests as necessary to accept the funds under and comply with conditions of the grant.

SECTION 3. The Tobacco Law Enforcement Grant Program funds shall be used to add one School Resource Officer (Police Officer) position to the Police Department, which will be responsible for implementing and performing this grant project. The grant-funded School Resource Officer will focus on tobacco enforcement and outreach, at middle schools and other City locations, during the term of the grant. These Tobacco Law Enforcement Grant Program funds shall be accounted for in a separate fund (not co-mingled with any other funds), and shall not be used to supplant ongoing law enforcement expenditures.

SECTION 4. The City Manager is hereby authorized and directed to establish all required accounts and make any and all expenditures, transfers, and/or distributions of funds on behalf of the City as are necessary and appropriate to carry out the purpose and intent of this resolution.

SECTION 5. The City Council hereby approves Budget Amendment No. 002, attached hereto as Exhibit A, related to 2021-23 Tobacco Law Enforcement Grant Program grant.

SECTION 6. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

PASSED, APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-74 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

MEMORANDUM OF UNDERSTANDING

PURPOSE

This Memorandum of Understanding (“MOU”) is entered into by the Department of Justice (“DOJ”) and the West Covina Police Department (hereinafter, “Grantee”), to provide grant funds to Grantee for expenditure in compliance with the Grantee Handbook. The Grantee will expend funds for the purposes identified in the approved Grant Application submitted by Grantee in response to the DOJ’s Request for Proposals for activities of Local Government Agencies to be funded under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (the “Act”), approved by the voters as Proposition 56.

The Request for Proposals, Grantee Handbook (dated November 2019), and Grant Application are hereby incorporated by reference into this MOU.

COST REIMBURSEMENT

DOJ agrees to reimburse Grantee in arrears, for Grantee’s actual expenditures in performing the Scope of Work included in the approved Grant Application, upon receipt of invoices from Grantee and approval of the invoices by DOJ, in accordance with the reimbursement procedures set forth in the Grantee Handbook.

BUDGET CONTINGENCY CLAUSE

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under the agreement does not appropriate sufficient funds for this MOU, this MOU shall be of no further force and effect. In this event, the DOJ shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this MOU and Grantee shall not be obligated to continue performing any provisions of this agreement for which it would have been reimbursed.

If funding for any fiscal year is reduced or deleted in the Budget Act for purposes of this MOU, the DOJ shall have the option to either cancel this MOU with no liability occurring to the DOJ, or offer an amendment to the Grantee to reflect the reduced amount.

ADMINISTRATION

Should Grantee fail to comply with this MOU, including any expenditures for purposes not permitted under the MOU, DOJ may take one or more of the actions described under Remedies for Noncompliance in the Grantee Handbook.

MISCELLANEOUS PROVISIONS

Amendment – No amendment or variation of the terms of this MOU is valid unless made in writing, and signed by the duly authorized representatives of the parties.

Assignment – This MOU is not assignable by Grantee in whole or in part.

Indemnification – Grantee agrees to indemnify and hold harmless the DOJ, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

Termination – The DOJ may terminate this MOU and be relieved of any obligation to provide grant funds to Grantee should Grantee fail to perform the Scope of Work at the time and in the manner provided in this MOU.

TERMS

Grant Duration: 7/1/2020 – 6/30/2023

Award Amount			
Category of Expenditure	Budget FY 2020-2021	Budget FY 2021-2022	Budget FY 2022-2023
Personal Services	\$0	\$146,513	\$153,571
Operating Expenses and Equipment	\$0	\$0	\$0
Administrative Costs (Not to Exceed 5%)	\$0	\$0	\$0
TOTAL AWARD AMOUNT	\$300,084		

The time limit for reimbursements against this award ends 6/30/2023. Requests received after 7/15/2023 cannot be reimbursed by the DOJ.

GRANTEE CONTACT INFORMATION

Alex Houston, Police Administrative Services Manager
 West Covina Police Department
 1444 W. Garvey Ave., West Covina, CA 91790
 626-939-8536
 alex.houston@wcpd.org

AUTHORIZATION

The DOJ and Grantee, by their duly authorized officials, have executed this MOU on the respective dates indicated below. This MOU and any future amendments shall be mailed to the Division of Operations, Local Assistance Unit, Tobacco Grant Program, and will become fully executed upon completion of signatures from all parties.

 RICHARD BELL, CHIEF OF POLICE
 West Covina Police Department

 Date

 STACY HEINSEN, GRANT MGR.
 Division of Operations
 California Department of Justice

 Date

 CHRIS RYAN, CHIEF
 Division of Operations
 California Department of Justice

 Date



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CAMERON II - CONSIDERATION OF GENERAL PLAN AMENDMENT NO 20-04, PRECISE PLAN NO. 20-09, VESTING TENTATIVE TRACT MAP NO. 83216, TREE REMOVAL PERMIT NO. 21-05, AND MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT TO CHANGE THE GENERAL PLAN LAND-USE DESIGNATION FROM NEIGHBORHOOD MEDIUM TO NEIGHBORHOOD HIGH, DEMOLISH ALL EXISTING BUILDINGS/USES ON THE SITE AND CONSTRUCT 84 RESIDENCES (ATTACHED THREE-STORY TOWNHOME STYLE UNITS, RANGING FROM 1,210 SQ. FT. TO 1,796 SQ. FT.), INTERNAL DRIVE AISLES, COMMON OPEN SPACE, GUEST PARKING SPACES, AND OTHER ASSOCIATED INCIDENTAL IMPROVEMENTS ON A 3.25 ACRE SITE. AT 1600 - 1616 W. CAMERON AVENUE.

RECOMMENDATION:

It is recommended that the City Council conduct a public hearing, and thereafter adopt the following resolutions:

RESOLUTION NO. 2021-81 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CERTIFYING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR GENERAL PLAN AMENDMENT NO 20-04, PRECISE PLAN NO. 20-09, AND VESTING TENTATIVE TRACT MAP NO. 83216, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

RESOLUTION NO. 2021-82 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 20-04 CHANGING THE GENERAL PLAN LAND-USE DESIGNATION OF 1600-1616 W. CAMERON AVENUE FROM NEIGHBORHOOD-MEDIUM TO NEIGHBORHOOD-HIGH

RESOLUTION NO. 2021-83- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 20-09 AND TREE REMOVAL PERMIT NO. 21-05 AT 1600-1616 W. CAMERON AVENUE

RESOLUTION NO. 2021-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 83216 AT 1600-1616 W. CAMERON AVENUE

BACKGROUND:

The project was initially reviewed by the Planning Commission on June 22, 2021. During the public hearing, two neighbors spoke with concerns regarding density, noise, traffic, and parking. The Planning Commission voted 5-0 to recommend City Council approval of the project with the following changes:

- Reduce the number of residential units from 84 to 80 in order to provide a total of 25 on-site guest parking spaces (10 additional) and increase the common open space area.
- Increase safety and security by providing efficient onsite lighting along the walkways, drive aisles/lane, common open space areas, and guest parking areas.

- Post no parking signs to ensure that vehicles are not parked on fire lanes and in front of garages.
- Revise the landscape plan to change the perimeter trees from cypress to podocarpus.
- Revise the perimeter wall design to a minimum 6'-6" tall split-face cinder block wall.
- Ensure the following items are addressed in the Covenant, Conditions, and Restrictions (CC&R):
 - The homeowner's association shall ensure that the perimeter trees are maintained to not encroach on the neighboring adjacent single-family residential properties.
 - The homeowner's association shall allow individual unit owners to install a CCTV system without invading the privacy of neighbors.
 - The homeowner's association shall establish a parking permit program for the guest parking spaces and work with a local towing company to enforce the properties parking regulations.
 - Revisions to the CC&Rs shall require City Council approval.

The applicant has provided an alternate site plan and data table with the Planning Commission's recommended changes.

DISCUSSION:

The project site is a 3.25-acre property consisting of two assessor parcels (8468-015-010 and 8468-015-024) located on the southwest side of West Cameron Avenue, between its intersections with Orange Avenue and Sunset Avenue. The site is currently developed with office buildings and surface parking lots. Both parcels have parking lot trees, ornamental shrubs, and grassy knolls around the buildings. The site is in an urban area that is developed on all sides.

To the north the project site is bordered by the Floor & Decor shopping center; the residential development by the same applicant (Cameron 56 Townhomes) is to the east; single-family residential properties on Sawyer Street are along the south; and office uses are along the west. There are three existing driveways to the site; these will all be removed and a new driveway constructed near the center of the site.

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN	Downtown Plan, T4 General Urban Zone; Neighborhood - Medium (NM)
SURROUNDING LAND USES AND ZONING	<u>East:</u> Shopping Center and medical office; Downtown Plan, T-5 Urban Center Zone (north of Toluca) and T-4 General Urban Zone (south of Toluca) <u>Northwest:</u> Medical office; Downtown Plan, T-4 General Urban Zone <u>West:</u> Single-family neighborhood; Single-Family Residential (R-1) Zone <u>Southeast:</u> Cameron 56 Townhomes; Downtown Plan, T-4 General Urban Zone
CURRENT DEVELOPMENT	Office buildings, parking lot, and landscaping
LEGAL NOTICE	Notices of Public Hearing have been mailed to 93 owners and occupants of properties located within 300 feet of the subject site. The Public Hearing Notice has also been posted on the City's website and published in the San Gabriel Valley Tribune.

The applicant proposes to build an 84-unit residential project consisting of attached, rowhouse-style single-family residences. The units will be distributed among 8 buildings; two buildings with 12 units each along Cameron Avenue; and six buildings, each with 10 units, will be located interior to the site. Parking will be provided with 2-car garages for each unit plus 15 guest parking spaces (including one Americans Disability Act (ADA) -compatible space) arranged in parallel configuration along the westerly side of the property.

The project requires the granting of the following entitlements:

- General Plan Amendment to change the General Plan designation of the site from Neighborhood Medium (9-20 dwelling units per acre) to Neighborhood High (21-54 dwelling units per acre)
- Precise Plan for the development of the site
- Tree removal Permit to remove five (5) significant trees
- Tentative Tract Map to re-subdivide the site and create individual properties for each home/unit

General Plan Amendment

Approval of a General Plan Amendment (GPA) is required to enable the project to be built at the proposed density of 25.8 dwellings per acre and the Planing Commission's recommended density of 24.6 units per acre. The existing designation of Neighborhood Medium (NM) allows from 9 to 20 dwelling units per acre; the Neighborhood High (NH) designation allows from 21 to 54 dwelling units per acre. These designations supports a range of land uses, including residential.

The project is in the T4 General Urban Zone of the Downtown Specific Plan. The T4 General Urban Zone is intended to be a transitional zone between the T5 Urban Center and T4 Urban Neighborhood zones. New buildings are to be block scale, up to three stories in height with buildings moved forward to the right-of-way. The proposed project is designed to meet the intent of the Downtown Specific Plan. The Plan does not have a minimum or maximum allowed density. It is a form-based code, emphasizing the design of the buildings and their presence in the public realm. The proposed project adheres to the standards of the T-4 zone and the rowhouse style of building proposed. The buildings are a maximum of 3 stories tall. The rowhouse design is one of the allowed styles in the zone. The buildings are pushed to the street and incorporate a front stoop along the Cameron frontage. The project provides sufficient parking.

The proposed project is consistent with the following General Plan policies and actions:

- *Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.*

The project is located on a street in transition. The former Kmart site across the street is vacant. A 3-story tall residential project, Cameron 56, by the same developer was constructed adjacent to the project site. The design of that project is very similar to that of the proposed project.

- *Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.*

The project site is in the Downtown Plan. It will be urban infill on a site suitable for residential development, in the style recommended by the Downtown Plan.

- *Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.*

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

The proposed project is consistent with the following Housing Element Goals:

- *Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.*

The project will create new for-sale housing in the downtown at densities designed to be more affordable than traditional detached housing.

- *Goal 4 Promote equal housing opportunity for all residents.*

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

- *Goal 5 Identify adequate sites to achieve housing variety.*

The project will be an infill development of a site in transition in the downtown area. It will help revitalize the street. It will provide for-sale, attached housing as an alternative to more traditional detached housing forms or attached apartments.

The proposed project supports the following Goals, Policies and Actions of the Downtown Specific Plan:

- *Goal 3 Reinforce the Downtown West Covina brand as a Great Place to Live, Work and Play in the San Gabriel Valley.*
- *Policy 3.1 Direct new growth in the downtown area to create vibrancy and invest in key public improvements.*

The project is infill development within the Plan area. It creates new housing and promotes a healthy mix of uses within the area.

- *Goal 6 Make great places by insisting on the highest standards of quality in architecture, urban design, and landscape architecture.*
- *Action 6.1a Adopt new form-based development code for Downtown area that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living spaces.*

The project complies with the standards of the Downtown Specific Plan. The buildings along Cameron Avenue have pedestrian orientation. The design of the front stoops will help promote an active streetscape.

- *Goal 7 Provide high-quality, urban housing for a diverse range of income levels.*
- *Policy 7.1 Provide a production of a range of housing types that meet the diverse needs of the community.*
- *Action 7.1b Facilitate the development of higher intensity and high-quality residential projects with a mix of product and*

unit types, and ownership (a range of affordable housing, live-work spaces, co-housing opportunities, senior housing and assisted living facilities).

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will help to re-invigorate downtown.

Precise Plan

The project as initially proposed is an 84-unit residential rowhouse-style single-family residences. The Planning Commission is recommending that the project is reduced by 4 units, from 84 to 80 residential units, in order to increase the common open space area and to increase the number of onsite parking spaces provided.

Three floor plans will be provided:

Plan 1 - has two bedrooms, a two-car garage and totals 1,210 square feet.

Plan 2 - has three bedrooms, a two-car garage with tandem parking and totals 1,500 square feet.

Plan 3 - has three bedrooms, a two-car garage and totals 1,796 square feet.

The two buildings fronting Cameron Avenue each contain 12 units and are 3-stories tall. These building incorporate a front stoop, as required by the Downtown Specific Plan. Eight more 3-story buildings, each with 10 units, are located across the middle of the site. The site is flat. The precise plan is for the review of the site plan and architecture.

The table below summarizes how the project compares with the Downtown Plan and Code standards, and the Planning Commission's recommended changes:

STANDARD	EXISTING	PROPOSED	PLANNING COMMISSION RECOMMENDATION	REQUIRED/ALLOWED
Number of Units	n/a	84	80	65 175 (with General Plan Amendment)
Lot Area	3.25 acres - 141,570 sq. ft.	Vesting Tentative Tract Map combining two lots, creating condominium development	No change	Existing Legal Lots
Building Type	1-2 story commercial buildings	Rowhouse	No change	Rowhouse, Flex, Court, Hybrid, Linear, Live-Work
Frontage Type	Conventional with parking in front	Stoop	No change	Stoop, Forecourt, Shopfront, Gallery, or Arcade
Setbacks Front (street) Side Rear	20-30 ft 0' > 50'	7'-0" max. 7.2' min. 50' min.	No change	0' min. 10' max. 0' min. 50'
Building Height	1-2 stories	3 stories, 34'-10" w/in 100' of SFR; 36-6" max. w/ on Cameron Ave. (beyond 100' from SFR)	No change	35'-0" within 100' of SFR; up to 40'-0" beyond
First Floor Height	Approx. 16 feet	10'-0"	No change	10'-0"
Rowhouse & Pedestrian Access	---	From primary street	No change	From primary street
Rowhouse Vehicle Access & Parking	---	Enclosed garages and open	No change	Enclosed, covered, or open

Parking		168 garage spaces, 14 parallel guest parking spaces, 1 ADA (183 parking spaces total)	160 garage spaces, 23 guest parking spaces, 2 ADA (185 parking spaces total)	2 per unit, 168 total
Private Open Space Min. Area	---	Plan 1: 140 sf Plan 2 & 3: 101 sf	No change	100 sf min
Min. Dimension		6' upper floor space		6' min.
Common Open Space	---	3,260 square feet	6,600 square feet	No requirement

Site Design

The proposed development will be visible from the surrounding area, including the homes in the single-family neighborhood along Sawyer Avenue behind the project site. Each of the homes along Cameron Avenue has an entrance facing the street, opening onto a raised stoop. The buildings along Cameron have 5 to 7-foot front setbacks, a 10-foot setback to the northerly property line, and a 20-foot setback to the southerly property line. The buildings are just over 12 feet from the entrance driveway and 4.3 feet from the interior street (Street B) providing access to the garages for these units. Building 3, located near the northerly property line, has interior setbacks of 7.2 to 10.5 feet from the northerly property line, at least 50 feet from the westerly property line, approximately 10 feet from the extension of Street east of the building, and 4 feet from Street south of the building. A 4-foot path runs along the northerly property line and provides access to the front doors of the units. The garages of Buildings 3 and 4 are separated by over 40 feet across Street. Buildings 4 and 5, and Buildings 6 and 7, are separated by 4-foot wide paths. They are 8 feet apart measured at the patio fences, at least 20 feet from front door to front door of Plan 2 units, and 24 feet from front door to front door of Plan 3 units. Buildings 5 and 6 are each 3.4 feet from Alley. Building 6 and 7 have identical interior separations as Buildings 4 and 5. Buildings 4, 5, 6 and 7 are 5 feet from Street and 9 feet from Street. Building 7 is 8.8 feet, and Building 8 is 3 feet, from Street. Building 8 has a 7.5-foot minimum and 10.5-foot maximum setback from the southerly property line. It is 10 feet from Street, 3 feet from Street, and at least 50 feet from the westerly property line. A 4-foot path runs along the northerly property line and provides access to the front doors of the units. Buildings 7 and 8 are 39.3 feet apart from garage to garage. All setbacks conform to the standards of the Downtown Plan. Setback details are provided on sheet S-3.

The homes in the project come in 3 different floor plans; only plans 2 and 3 are used in the buildings fronting Cameron Avenue. The buildings along Cameron are designed with an elevated front stoop as required by the Downtown Specific Plan. The homes in the other buildings are at-grade. Floor plan 1 and 2 units have the front door behind an unfenced porch, while the front door for plan 3 units is within a fenced patio.

Air conditioning condensers for all dwellings are at the ground level. The condensers for some dwelling units along Cameron are within the front setback. Others are located at each end of the buildings. They will be screened by a combination of metal screens and landscaping. The location of all condensers is shown on plan sheet L-3. Screening and stoop details are shown on plan sheet L-2.

A single driveway to Cameron Avenue provides access to the site. The driveway and the internal drive aisles that also function as fire lanes will be 26-feet wide. There will also be a 20-foot-wide alley separating buildings 5 and 6. There will be 28 feet between the garage doors facing this alley providing adequate backup distance for vehicles entering and exiting the garages along the alley.

Architecture

All buildings on the site are the same contemporary style. Buildings along the Cameron Avenue frontage each have 12 dwellings and are raised above grade to incorporate a front stoop. Total height of the buildings along Cameron Avenue, including the stoop, will be 36 feet 6 inches. The buildings behind the frontage are at-grade and will have an overall height of 34 feet 10 inches. The Downtown Plan allows rowhouses to be 3-stories or 40 feet tall. The buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. The buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. Color schemes and material details are shown on plan sheet A-21.

An existing 7-foot-tall metal fence along the westerly property line will be retained and painted black. New 6-foot-tall concrete block walls will be constructed along the northerly and southerly property lines. Wall and fence details are found on sheet L-3. Light poles, approximately 21 feet tall to the fixture, will be located along the westerly property line, illuminating the parallel parking spaces. Low bollards and sconces will provide illumination throughout the rest of the site. Lighting details are shown

on sheet L-5.

Parking

The parking requirements for the T-4 General Urban Zone are 2 spaces for dwellings with two or more bedrooms. The total parking requirement is 168 spaces. The applicant's proposed project exceeds the Downtown Plan & Code parking requirement by providing 15 parallel guest parking spaces (guest parking is not required) including 1- ADA compatible space. Per the Planning Commission's recommended changes to remove 4 units, 10 additional guest parking spaces would be provided (resulting in a total of 25 guest parking spaces including 2 ADA spaces).

Landscaping

The applicant is proposing to install landscaping on all non-paved/non-built surfaces of the site, primarily around the buildings. Tulip trees, or other street trees approved by the City, will be planted along Cameron Avenue within the parkway. Brisbane Box, California Sycamore and Magnolias will be planted along the north, south and westerly property lines. Specimen Olive trees will be planted at the northwest and southwest corners of the site. Queen and Date Palms will be planted beside the entrance driveway. Australian Willows, Italian Cypress, Crepe Myrtle and Strawberry Trees will be planted as accents in various locations. A variety of shrubs and groundcovers will also be planted. Approval of a final landscape and irrigation plan is required per the conditions of approval.

Tree Removal

An arborist performed a tree survey of the site as part of the environmental review. There are a total of 70 trees either on-site or immediately adjacent to the property that could be impacted by development. Development of the site will require removal of all 62 of the on-site trees and 7 street trees. Of these, 5 trees are Significant Trees. Per Section 26-289 of the West Covina Municipal Code, a significant tree is a tree located on private and/or public property that meets one (1) or more of the following requirements:

- a. is located in the front yard of a lot or parcel and has a caliper of one (1) foot or more;
- b. is located in the street-side yard of a corner lot and has a caliper of one (1) foot or more; and
- c. is located anywhere on a lot, has a caliper of six (6) inches, or more, and is one of the following species: Valley Oak, California Oak, Canyon Oak, Scrub Oak, Mesa Oak, Live Oak, California Sycamore, or American Sycamore.

In addition, a California Sycamore located offsite near the northerly corner of the site is Significant and could be affected by site development. The removal of the on-site trees requires the approval of a tree removal permit by the Planning Commission. Mitigation measures are proposed as part of the Precise Plan Conditions of Approval and Mitigated Negative Declaration to address the loss of the 5 Significant Trees and to protect the offsite California Sycamore. The 5 significant trees are required to be replaced on a 1:1 ratio with 5 - 36" box-sized trees. The applicant proposes to plant a total of 111 trees of various species on the property, including 16 street trees and 42 trees 24-inch box size or larger.

Open Space

Each unit has private open space in the form of decks on the upper floors. Plan 1 has a 70 square foot deck on both the 2nd and 3rd floors, totaling 140 square feet. Plan 2 has a 101 square foot deck on 2nd floor. Plan 3 has a 101 square foot deck on the 3rd floor. In addition, the Plan 3 units that are in buildings 4 and 5, and 6 and 7, have a ground floor patio approximately 101 square feet in area enclosed by a low stuccoed wall. The applicant's proposed project exceeds the Downtown Plan & Code open space requirement by providing 1,630 square feet of common areas (not required) in the northwest and southwest corners of the site (3,260 square feet total) that will feature pet areas, seating and the community mailboxes. Per the Planning Commission's recommended change to remove 4 units, the total private open space area will increase by 3,340 square feet (6,600 square feet common open space total; 1,670 square foot increase on each corner).

Public Art

The project is subject to the provisions of the Art in Public Places ordinance (WCMC Section 17-41). The project has elected to pay an in-lieu fee. This will be enforced by a condition of approval.

Development Impact Fees

The City adopted Development Impact Fees in December, 2015. In this case, the fees are currently (for FY 2020/2021) \$1,297 per attached residential unit. The estimated cost for the development impact fee is \$108,948 for 84 residential units and \$103,760 for 80 residential units.

Signs

The applicant is proposing to construct two entry signs for the project on either side of the entry driveway. An example of these monument signs is shown on sheet L-3 (detail 8). Other details have not been provided. Section 26-342 of the WCMC allows one monument sign per street frontage up to a maximum of two. The sign may be up to 40 square feet in area and up to 6 feet tall. Signage will be approved ministerially under a separate review process.

Tentative Tract Map

The applicant has applied for a Vesting Tentative Tract Map (No. 83216) to resubdivide the land and create parcels for home ownership. As proposed, the project will have 84 individual for-sale lots and 6 street and alley lots in common ownership. The Planning Commission's recommendation would reduce the project to 80 individual for-sale lots, but would increase the size of the common ownership areas to provide for more common open space and guest parking. The project will utilize a Homeowner's Association (HOA) that will be responsible for maintaining the entire project, except for the interior of the units. Covenants, Conditions, and Restrictions (CC&Rs) will be created to regulate the HOA. The HOA will maintain all streets, curbs, and gutters, utilities, perimeter walls, building exteriors, common open space areas, sidewalks, site walls, entrance monument, and exterior lighting.

The proposed project density will be 25.8 units per acre while the Planning Commission's recommended density is 24.6 units per acre. The proposed General Plan designation of Neighborhood High allows a maximum density of 54 units per acre.

Community Outreach

Due to the Covid-19 pandemic, a typical community meeting could not be held. Between April 3, 2021, and April 10, 2021, the applicant scheduled video conference calls with interested neighbors. Notices of the meeting were mailed to the 93 property owners and occupants within 300 feet of the property (Attachment No. 5). According to the applicant, the plans were revised to address the neighbor's concerns. The applicant has continued to reach-out to concerned neighbors.

REQUIRED FINDINGS:

Findings are required to approve the precise plan and tentative tract map. Findings are not required for approval of a general plan amendment. The findings for entitlements are included in each individual resolution (Attachment Nos. 2 and 3) and are also presented below.

Findings necessary for the approval of a **Precise Plan** are as follows:

a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.

The project is a request for a Precise Plan to allow for the construction of an 84-unit, rowhouse-style residential development. There will be 168 garage parking spaces and 15 parallel parking spaces along the driveway adjacent to the westerly property line. The applicant is also requesting approval of a General Plan Amendment from Neighborhood Medium (NM) to Neighborhood High (NH) to change the allowed residential density to accommodate the proposed density of 25.8 dwelling units per acre. The project is also requesting approval of a Vesting Tentative Tract Map to create individual lots for sale. The proposed project is consistent with the following General Plan policies and actions:

- *Policy 3.3* New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.

The project is located on a street in transition. The former Kmart site across the street is vacant. A 3-story tall residential project, Cameron 56, by the same developer was constructed adjacent to the project site. The design of that project is very similar to that of the proposed project.

- *Policy 3.4* Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.

The project site is in the Downtown Plan. It will be urban infill on a site suitable for residential development, in the style recommended by the Downtown Plan.

- *Policy 3.6* Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

The proposed project is consistent with the following Housing Element Goals:

- *Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.*

The project will create new for-sale housing in the downtown at densities designed to be more affordable than traditional detached housing.

- *Goal 4 Promote equal housing opportunity for all residents.*

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

- *Goal 5 Identify adequate sites to achieve housing variety.*

The project will be an infill development of a site in transition in the downtown area. It will help revitalize the street. It will provide for-sale, attached housing as an alternative to more traditional detached housing forms or attached apartments.

The project is consistent with the following Goals, Policies and Actions of the Downtown Specific Plan:

- *Goal 3 Reinforce the Downtown West Covina brand as a Great Place to Live, Work and Play in the San Gabriel Valley.*
- *Policy 3.1 Direct new growth in the downtown area to create vibrancy and invest in key public improvements.*

The project is infill development within the Plan area. It creates new housing and promotes a healthy mix of uses within the area.

- *Goal 6 Make great places by insisting on the highest standards of quality in architecture, urban design, and landscape architecture.*
- *Action 6.1a Adopt new form-based development code for Downtown area that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living spaces.*

The project complies with the standards of the Downtown Specific Plan. The buildings along Cameron Avenue have pedestrian orientation. The design of the front stoops will help promote an active streetscape.

Goal 7 Provide high-quality, urban housing for a diverse range of income levels.

- *Policy 7.1 Provide a production of a range of housing types that meet the diverse needs of the community.*
- *Action 7.1b Facilitate the development of higher intensity and high-quality residential projects with a mix of product and unit types, and ownership (a range of affordable housing, live-work spaces, co-housing opportunities, senior housing and assisted living facilities).*

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will help to re-invigorate downtown.

b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood High (NH), and the standards of the T-4 General Urban zone of the Downtown Specific Plan, and all other applicable development standards in the Zoning Code.

c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

The proposed project is on a rectangular site currently developed with one and two-story office buildings. The site will be developed according to applicable development standards. A similar project to the south abuts the project site.

The project will include required parking. The site will be landscaped. Mitigation measures and conditions of approval will ensure that the site is developed such that it will not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.

The proposed project will be located on Cameron Avenue near the intersection with Toluca Avenue. The site is 3.25 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the Downtown Specific Plan. The site is served by all necessary utilities. A similar project was developed adjacent to the project. Appropriate mitigation measures and conditions of approval will ensure

that the site is improved in a manner consistent with City standards.

e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.

The buildings are contemporary in style and provide for a variety of articulation in building surfaces and a variety of materials. The eight buildings on the site are three stories tall. The buildings along Cameron have a stoop that increases the overall height to 36 feet 6 inches. The other buildings on the site are at-grade and have a height of 34 feet 10 inches. The buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. The buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. New concrete block walls will be constructed along the northerly and southerly property lines. The design characteristics create an attractive project with substantial landscaping and buildings with visual interest.

Findings necessary for the approval of a **Tentative Tract Map** are as follows:

a. The proposed map is consistent with the general plan and any applicable adopted specific plans.

An amendment to the City's General Plan land-use map to change the designation of the project site from Neighborhood Medium to Neighborhood High (21 to 54 units/acre) would be required in order to develop the site. The proposed density will be 25.8 units per acre, which is consistent with the proposed designation. As listed in Finding A for the General Plan Amendment, the project is consistent with a number of Goals, Policies and Actions of both the General Plan and the Downtown Specific Plan.

b. The design or improvement of the proposed subdivision is consistent with the general plan and applicable adopted specific plans.

The design and improvements of the proposed subdivision and precise plan are consistent with the General Plan in that the proposed condominium subdivision is compatible with single-family and multi-family residential and commercial uses in the vicinity. The project involves changing the land use designation of the project site from Neighborhood Medium (NM) to Neighborhood High (NH) to allow the construction of an 84-unit multiple-family residential development. The project conforms to the standards of the Downtown Specific Plan and all other applicable development standards in the Zoning Code.

c. The site is physically suitable for the type of development.

The 3.25-acre site is flat and is a size and shape compatible with the proposed development. Residential uses are to the west and southeast; commercial uses are to the north and east. Adequate provisions have been incorporated into the design to accommodate the required development standards as specified in proposed Specific Plan. The site has access from Cameron Avenue.

d. The site is physically suitable for the proposed density of development.

The proposed project type is consistent in form with style recommended by the Downtown Specific Plan. The proposed development will be accessible from a driveway along Cameron Avenue. The site is 3.25 acres and, as conditioned, is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required standards of the proposed Specific Plan subject to the approval of the Zone Change and General Plan amendment. The proposed General Plan designation of Neighborhood High allows a maximum density of 54 units per acre. The proposed project density will be 25.8 units per acre. Additionally, there is a condition that requires that CC&Rs be recorded as a part of this project to ensure orderly operation. The site will be developed in accordance with the grading and construction requirements of the West Covina Municipal Code and the City Engineer.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

The site consists of a 3.25-acre parcel developed with office buildings, parking and landscaping. No known endangered, threatened or rare species or habitats, or designated natural communities, wetlands habitat, or wildlife dispersal, or migration corridors are present on site. A mitigated negative declaration was prepared for the project, which included required mitigation measures for Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems, to ensure that the project will not cause substantial environmental damage or injure fish, wildlife, or their habitat.

f. Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.

The proposed map and improvements will have access to a public sanitary sewer system for the removal and disposal of wastewater and to other necessary utility services. The site will be developed in accordance with the standards of the Engineering Division, the Municipal Code, the Uniform Building Code, and other applicable requirements.

g. The design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.

There are no easements on the property that would be affected by the implementation of the proposed project. Access to the site will be provided via Cameron Avenue.

LEGAL REVIEW:

The City Attorney's Office has reviewed the staff report and the attached resolutions as to form.

OPTIONS:

The City Council has the following options:

1. Approve the project as recommended by the Planning Commission; or
2. Provide alternative direction.

ENVIRONMENTAL REVIEW:

The Mitigated Negative Declaration of Environmental Impact (MND) prepared for the project disclosed that the project will not have a significant impact on the environment. Mitigation measures have been incorporated into the project's design and as conditions of approval to reduce impacts on the environment to a less than significant level. The MND has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended and was circulated for public comment for 20 days (from May 19, 2021 to June 8, 2021).

Comments were received from the County Sanitation Districts of Los Angeles County and from two concerned individuals. A Response to Comments was prepared and is provided has been included as Appendix J in the Final IS-MND document.

Traffic

Gandini Group prepared a traffic analysis for the project in November 2020, to assess traffic impacts. The traffic analysis evaluated potential project-related traffic impacts on Cameron Avenue and at the Cameron Avenue/Toluca Avenue intersection.

The existing office uses on the site generated a total of 342 daily trips. The proposed residential use is estimated to generate 457 daily trips. The net impact was an increase of 115 daily trips, but 11 fewer trips during the AM peak period and 3 fewer during the PM peak period. The project Vehicle Miles Traveled (VMT) impact was assessed in accordance with the City of West Covina VMT guidelines and guidance from City staff. The proposed project was found to satisfy the criteria for projects in a Transit Priority Area (TPA), and is therefore presumed to result in a less than significant VMT impact in accordance with City guidelines. The traffic impact analysis determined that the addition of project-related trips to existing traffic levels would have less than significant impact on the study intersection, and that project traffic would fall below significant impact thresholds with the implementation of various traffic design features. Since the traffic study was completed utilizing the applicant's proposed project, the analysis reflects the traffic impact for an 84 unit project.

Air Quality

According to the Air Quality Study (Attachment A of the Initial Study), the construction and operation emissions are below the regional thresholds of significance. The cumulative short-term construction-related emissions and long-term operational emissions from the project will not contribute considerably to any potential cumulative air quality impact because short-term project and operational emissions will not exceed any SCAQMD daily threshold. Conditions of Approval are included to minimize construction emissions, including watering of the site, covering truck beds leaving the site and limiting idling times for diesel equipment.

Required Mitigations

- The environmental study concluded that mitigation measures are required for the following topics:
- Biological Resources (nesting birds and tree protection);
- Cultural Resources (archeological resources);

- Geology and Soils (paleontological resources);
- Hazards and Hazardous Materials (materials in buildings to be demolished, potential soil contamination);
- Noise (protecting residents from elevated noise levels in new buildings);
- Transportation (implementing design features to ensure safe turning movements entering and exiting the site);
- Tribal Cultural Resources;
- Utilities and Service Systems (replacing sewer lines).

A Mitigation Monitoring Program is an exhibit of Attachment No. 1 and provides information on the mitigation measures and monitoring by responsible agencies.

LARGE ATTACHMENTS

A copy of the plans and Mitigated Negative Declaration of Environmental Impact is posted on the City website at <https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents>

Prepared by: Jo-Anne Burns, Planning Manager

Attachments

- Attachment No. 1 - Mitigated Negative Declaration Resolution
- Attachment No. 2 - General Plan Amendment Resolution
- Attachment No. 3 - Precise Plan Resolution
- Attachment No. 4 - Tentative Tract Map Resolution
- Attachment No. 5 - Neighborhood Outreach Letter
- Attachment No. 6 - June 22, 2021 Planning Commission Staff Report

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Enhance the City Image and Effectiveness
Engage in Proactive Economic Development

RESOLUTION NO. 2021-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CERTIFYING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR GENERAL PLAN AMENDMENT NO 20-04, PRECISE PLAN NO. 20-09, AND VESTING TENTATIVE TRACT MAP NO. 83216, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a precise plan to:

Construct an 84-unit residential rowhouse-style development on that certain property described as:

Assessor's Parcel No. 8468-015-010 and 8468-015-024, in the records of the Los Angeles County Assessor; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, an initial study was prepared for said project; and

WHEREAS, based upon the findings of the initial study, it was determined that the proposed project will not have a significant impact on the environment and will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Fish and Game Code; and

WHEREAS, revisions to and/or conditions placed on the Project, were made or agreed to by the applicant before the mitigated negative declaration was released for public review, were determined by the environmental coordinator to avoid or reduce the potentially significant effects to a level that is clearly less than significant and that there was, therefore, no substantial evidence that the Project, as revised and conditioned, would have a significant effect on the environment; and

WHEREAS, a Mitigated Negative Declaration of Environmental Impact was prepared for the proposed project pursuant to the requirements of the California Environmental Quality Act of 1970, as amended, and mitigation measures are included in said Negative Declaration in support of the finding that there will not be a significant effect on the environment as a result of this project.

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly advertised public hearing to consider the subject application, at which time the City Council adopted a resolution certifying the Mitigated Negative Declaration; and

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

SECTION 1. Based on the initial study, the revisions and conditions incorporated into the Project, and information received during the public review process, the City Council of the City of West Covina finds that there is no substantial evidence that the Project, as revised and conditioned, may have a significant effect on the environment.

SECTION 2. The mitigated negative declaration reflects the independent judgment of the City Council.

SECTION 3. All feasible mitigation measures identified in the City of West Covina General Plan Environmental Impact Reports which are applicable to this Project have been adopted and undertaken by the City of West Covina and all other public agencies with authority to mitigate the project impacts or will be undertaken as required by this project.

SECTION 4. After receiving and considering all determinations, studies, documents, and recommendations, as well as other appropriate public comments, the City Council certifies the Mitigated Negative Declaration of Environmental Impact, subject to compliance with the mitigation measures that are recommended in the Mitigated Negative Declaration of Environmental Impact as set forth in Exhibit A.

SECTION 5. The Mitigation Monitoring Program prepared in connection with the Project is hereby recommended for approval for the Project.

SECTION 6. The documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in the office of the West Covina Community Development Director, 1444 West Garvey Avenue South, West Covina, CA 91790. The custodian of these documents and other materials is the West Covina Community Development Director.

SECTION 7. Upon approval of the Project by the City Council, the environmental coordinator shall file a Notice of Determination with the County Clerk of Los Angeles County and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

SECTION 8. Non-compliance with the aforementioned mitigation measures as determined by the monitoring department/agency, and any measures taken to correct said non-compliance, shall be immediately reported to the Planning Department on the City of West Covina Monitoring Checklist Form.

SECTION 9. The applicant agrees to implement the aforementioned mitigation measures and monitoring or reporting requirements.

SECTION 10. Failure to comply with any aforementioned mitigation measures and/or monitoring or reporting requirements will result in a written notice of violation from the City to the applicant at which time the City may order that all or a portion of pre-construction, construction, post-construction activity or project implementation must cease until compliance is reached.

SECTION 11. The California Environmental Quality Act (CEQA) and State and local guidelines, rules, regulations, and procedures adopted pursuant thereto permits the City of West Covina to impose any fees or charges associated with implementing the above monitoring program upon the applicant.

SECTION 12. The City Clerk shall certify to the adoption of this Resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-81 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

EXHIBIT A

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Introduction to the MMRP

The California Environmental Quality Act (CEQA) requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code [PRC] 21081.6). PRC Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the Final Initial Study-Mitigated Negative Declaration (IS-MND).

This mitigation monitoring and reporting program (MMRP) is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the IS-MND, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

MMRP Matrix

Table 1, *Mitigation Monitoring and Reporting Program*, below, lists mitigation measures and project design features that reduce the potentially significant effects of the proposed project to a less than significant level. These measures correspond to those discussed in in the IS-MND. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised that identifies the timing and entity/agency responsible for monitoring each measure. The City of West Covina will have the responsibility for implementing the measures, and various public agencies will have the primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures.

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Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
Biological Resources			
BIO-1: Nesting Bird Avoidance			
<p>Prior to issuance of grading permits, the following measures shall be implemented:</p> <ul style="list-style-type: none"> To avoid disturbance of nesting birds, including raptorial species protected by the MBTA and CFGC, construction activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 31). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on foot inside the project site, including a 100-foot buffer, and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in southern California. If nests are found, the 100-foot avoidance buffer shall be demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No parking, storage of materials, or construction activities shall occur within this buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist. A survey report by the qualified biologist documenting and verifying compliance with the mitigation and applicable State and federal regulations protecting birds shall be submitted to the City. The qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur. 	<p>Preconstruction survey results and written verification of appropriate buffers or mitigation measures if bird nests are identified in the survey.</p>	<p>Prior to issuance of grading permits. If construction activities will take place between February 1 and August 31, confirm that the applicant has contracted with a qualified biologist to conduct a preconstruction nesting survey within 7 days of commencing construction, and review the survey report to verify that buffers and recommended measures to avoid nests are in place prior to commencing construction.</p>	<p>City of West Covina Planning Division</p>
BIO-2: Tree Protection Measures			
<p>The following measures are required to avoid and minimize impacts to the overhanging California sycamore, a significant tree not proposed for removal. The planning director may impose additional measures determined necessary to preserve and protect the health of trees not planned for removal.</p> <ul style="list-style-type: none"> All personnel shall be educated by a certified arborist regarding tree protection measures prior to working adjacent to the California sycamore. The education shall include an 	<p>Receipt of proof that all construction personnel have been educated by a certified arborist regarding tree protection measures</p>	<p>Prior to work adjacent to the California sycamore</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
<p>explanation of the tree protection measures and the protocol for working within the tree’s dripline.</p> <ul style="list-style-type: none"> ▪ The California sycamore shall be shielded from damage during construction with an appropriate construction barrier, such as chain link and steel stake fence enclosing the entire dripline area. All exposed roots shall be inside the fence or barrier. The fence or barrier shall have a minimum height of 6 feet measured from the grade. The fence or barrier shall be installed prior to commencement of any development activity on the site and shall remain in place throughout all phases of construction. Fences may not be removed without obtaining written authorization from the Planning Director. ▪ Branches that interfere with the development activity may be pruned to the satisfaction of the Planning Director, superintendent of maintenance operations, or arborist. ▪ Compaction of the soil within the dripline of the California sycamore shall be minimized to the greatest extent feasible. ▪ Cutting of roots shall not occur within a distance equal to three and one-half times the trunk diameter, as measured at ground level. The trunk diameter of the California sycamore is 26 inches; accordingly, the appropriate root avoidance distance is at least 7.5 feet from the trunk. Any roots encountered within the dripline shall be cleanly cut with a sharp cutting tool such as a lopping shear or hand saw and not ripped by equipment. 	<p>Receipt of proof that measures to shield the California sycamore from damage have been carried out</p> <p>Verify that any activities permitted in the last three bullets of this mitigation measure are carried out consistent with the requirements of the mitigation measure</p>	<p>Prior to commencement of any development activity on the site</p> <p>Prior to or during these activities</p>	<p>City of West Covina Planning Director</p> <p>City of West Covina Planning Director, superintendent of maintenance operations, or arborist</p>

Cultural Resources

CR-1: Worker’s Environmental Awareness Program

<p>A qualified archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualifications Standards for archeology (National Park Service [NPS] 1983) should conduct WEAP training, prior to the commencement of any ground-disturbing activities. The sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, the regulatory environment, and the proper protocol for treatment and disposition of cultural materials in the event of a find. The training should be required for all earthmoving construction personnel and a sign-in-sheet also will be required.</p>	<p>Contract with qualified archaeologist; submittal of WEAP training materials and logs to the City prior to the start of construction</p>	<p>Prior to start of construction</p>	<p>City of West Covina Planning Division</p>
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CR-2: Archaeological Monitoring

<p>Archaeological monitoring of all project-related ground disturbing activities by a qualified archaeologist as designated by the lead agency shall be performed under the guidance and direction of a Project Archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archeology (National Park Service 1983). Monitors shall have the</p>	<p>Written verification of compliance with archaeological monitoring requirements</p>	<p>Prior to project-related ground disturbing activities, confirm that the applicant has provided written evidence that a</p>	<p>City of West Covina Planning Division</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
<p>authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and the find evaluated for listing in the CRHR. Construction monitoring may be reduced or halted at the discretion of the Project Archaeologist, in consultation with the lead agency, as warranted by conditions that include, but are not limited to encountering bedrock, non-native sediments (infill), or negative findings. Should archaeological spot-checking be recommended by the Project Archaeologist, it shall only occur in areas of new construction, where ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Upon completion of project related ground disturbance and monitoring efforts, a monitoring report should be submitted to the City of West Covina for review and approval, and the final report shall be transmitted to the South Central Coastal Information Center housed at California State University, Fullerton.</p>		<p>qualified archaeologist has been retained During ground-disturbing phases of construction, if any archaeological resources are discovered, ensure that all applicable actions of this mitigation measure are carried out.</p>	<p>City of West Covina Planning Division</p>
CR-3: Unanticipated Discovery of Archaeological Resources			
<p>In the unlikely event archaeological resources are unexpectedly encountered during ground-disturbing activities after monitoring has been reduced, work in the immediate area including a 50-foot buffer shall be halted and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the find is prehistoric, then a Native American representative shall also be contacted to participate in the evaluation of the find (see also Mitigation Measure TCR-1 of this IS-MND). If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be eligible for the CRHR and cannot be avoided by the proposed project, additional work, such as data recovery excavation, may be warranted to mitigate any significant impacts to cultural resources to less than a significant level.</p>	<p>Written verification of compliance with the requirements of this mitigation measure</p>	<p>If archaeological resources are encountered, confirm that work has been halted and a qualified archaeologist has been retained and that all applicable actions of this mitigation measure are carried out before work resumes</p>	<p>City of West Covina Planning Division</p>
CR-4: Unanticipated Discovery of Human Remains			
<p>In the event of an unanticipated discovery of human remains, the Los Angeles County Coroner must be notified immediately and all work within the immediate area shall be halted and no further disturbance shall occur until the county coroner has made a determination of origin and disposition of the remains pursuant to PRC Section 5097.98 and to the State of California Health and Safety Code Section 7050.5. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The requirements of Mitigation Measure TCR-1 of this IS-MND shall also be carried out.</p>	<p>Written verification of compliance with the requirements of this mitigation measure</p>	<p>If human remains are encountered, confirm that work has been halted and all applicable actions of this mitigation measure are carried out before work resumes</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
Geology and Soils			
GEO-1: Unanticipated Discovery of Paleontological Resources			
<p>In the event an unanticipated fossil discovery is made during the course of project development, construction activity shall be halted in the immediate vicinity of the fossil, and a qualified professional paleontologist shall be notified and retained to evaluate the discovery, determine its significance, and determine if additional mitigation or treatment is warranted. Work in the area of the discovery shall resume once the find is properly documented and the qualified professional paleontologist authorizes resumption of construction work. Any significant paleontological resources found during construction monitoring shall be prepared, identified, analyzed, and permanently curated in an approved regional museum repository under the oversight of the qualified paleontologist.</p>	<p>Written verification of compliance with the requirements of this mitigation measure</p>	<p>If fossil discoveries are made during ground-disturbing phases of construction, confirm that a qualified paleontologist has been retained and all applicable actions of this mitigation measure are carried out</p>	<p>City of West Covina Planning Division</p>
Hazards and Hazardous Materials			
HAZ-1: Testing and Disposal for Building Materials Containing ACMs, Lead-Based Paint, and PCBs			
<p>Prior to issuance of a demolition permit for any building on the project site, the applicant shall obtain and submit to the City for review and approval a letter from a qualified consultant verifying that no ACMs, lead-based paint, or PCB-containing materials are present in the on-site buildings. If any of these materials are found to be present, they shall be abated in compliance with SCAQMD Rule 1403, as well as other applicable State and federal rules and regulations. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement activities on-site. All such materials removed from any on-site structure shall be hauled and disposed off-site by a transportation company certified to handle these materials. If these abatement measures are necessary, the applicant shall submit documentation to the City demonstrating that they have been properly carried out prior to issuance of building permits for the project.</p>	<p>Written verification that applicant has retained a qualified asbestos abatement consultant and that ACM abatement (if required) has been appropriately completed.</p>	<p>Prior to issuance of demolition permits</p>	<p>City of West Covina Planning Division, SCAQMD</p>
HAZ-2: Near-Surface Soil Testing, Soil Gas Assessment, and Soil Management Plan			
<p>Prior to issuance of grading permits, the applicant shall retain a qualified consult to carry out the following mitigation measures for potential soil contamination:</p> <ul style="list-style-type: none"> ▪ Perform sampling of near-surface soil to determine if potential impacts from residual agricultural chemicals exist at the project site ▪ Perform a soil gas assessment to evaluate soil gas and potential vapor intrusion conditions at the project site ▪ Prepare a Site Management Plan for proper handling of any soil or groundwater that may 	<p>Written verification that the applicant has retained a qualified consultant to carry out this mitigation measure</p>	<p>Prior to issuance of grading permits</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
<p>be generated during project construction activities</p> <p>The applicant shall submit the results of the near-surface soil testing and soil gas assessment, and the Site Management Plan, to the City for review and approval prior to issuance of grading permits.</p>	<p>Review and approval of the results of the near-surface soil testing and soil gas assessment and the Site Management Plan</p>	<p>Prior to issuance of grading permits</p>	<p>City of West Covina Planning Division</p>

Noise

N-1: Construction Noise Reduction

<p>The project contractor shall be required to implement noise reduction measures during construction, which may include but are not limited to:</p> <ul style="list-style-type: none"> ▪ Schedule construction activities to avoid operating several pieces of equipment simultaneously, which can cause high noise levels ▪ Enclose stationary equipment with materials capable of reducing noise levels by at least 10 dBA (see Appendix H for barrier specifications) ▪ Locate all construction areas for staging and warming up as far as possible from adjacent residential buildings and sensitive receivers ▪ Erect temporary noise barriers with a minimum height of 10 feet along the southwestern boundary of the construction site when construction is performed within 50 feet of the residences at these boundaries. The noise barriers shall be constructed of material with a minimum weight of two pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, and hay bales. Per the specification in Appendix H, barriers would be able to reduce construction noise by 10 to 20 dBA. 	<p>Written and field verification of noise reduction measures</p>	<p>Prior to construction, review and approve a written description of noise reduction measures submitted by the applicant that shall be implemented.</p> <p>Once prior to and then periodically during construction, confirm through field verification that these measures have been implemented</p>	<p>City of West Covina Planning Division and City of West Covina Building Division</p>
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N-2: Sound Insulation

<p>To comply with Title 24, Part 2, Section 1206.4 (Allowable Interior Noise Levels) of the California Code of Regulations, the applicant shall install exterior building materials with sufficient Sound Transmission Class (STC) ratings to reduce interior noise levels in habitable rooms to 45 CNEL or lower. To reduce potential noise impacts to future project residents, residential units fronting on West Cameron Avenue shall incorporate design measures for windows, walls, and doors that achieve a composite STC rating of at least 30 and all exterior doors and windows shall be installed such that there are no air gaps or perforations. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of West Covina for review and</p>	<p>Written verification of design measures and Acoustical Analysis.</p>	<p>Prior to issuance of building permits, review and approve applicant-provided acoustical design measures</p> <p>Prior to issuance of an occupancy permit, review and approve applicant-provided acoustical analysis</p>	<p>City of West Covina Building Division</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
approval prior to the issuance of building permits. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City and California Code of Regulations, Title 24, Section 1206.4.		demonstrating that noise levels do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City	

Transportation

TRAN-1: Traffic Safety and Control

<p>For safety purposes, the applicant shall incorporate all recommendations provided by the City traffic engineer and City Conditions of Approval into the final grading, landscaping, and street improvement plans submitted to the City for review; and these plans shall also show the following improvements:</p> <ul style="list-style-type: none"> ▪ Construct the West Cameron Avenue (North-South) at Project Driveway (East-West) to provide one inbound lane and one outbound lane with eastbound stop-control and the following lane configurations: <ul style="list-style-type: none"> ○ Northbound – One left turn lane (two-way left turn median) and two through lanes ○ Southbound – One through lane and one shared through/right turn lane ○ Eastbound – One shared left/right turn lane <p>The City traffic engineer shall confirm that these recommendations, conditions of approval, and project design features have been incorporated into the final grading, landscaping, and street improvement plans before they are approved by the City.</p>	<p>Review contents of final grading, landscaping, and street improvement plans and confirm that they comply with the requirements of this mitigation measure</p>	<p>Before approval of final grading, landscaping, and street improvement plans by City</p>	<p>City of West Covina Traffic Engineer</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
Tribal Cultural Resources			
TCR-1: Unanticipated Discovery of Tribal Cultural Resources			
<p>In the event that cultural resources of Native American origin are identified during construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.</p>	<p>If cultural resources are identified during construction and the City determines, consistent with the requirements of this mitigation measure, that they are tribal cultural resources, verify preparation of and compliance with mitigation plan</p>	<p>If cultural resources are identified during construction</p>	<p>City of West Covina Planning Division</p>
Utilities and Service Systems			
U-1: Replacement of Existing Sewer Line			
<p>Before issuance of building permits, the City shall determine the applicant’s fair-share payment towards replacement of the existing 8-inch sewer line in West Cameron Avenue currently serving the project site. The applicant shall then make this payment, after which this improvement shall be carried out prior to issuance of building permits. The existing sewer line shall be replaced from manhole 103 to manhole 65 at which point it connects to the existing 12-inch sewer line in Orange Avenue.</p>	<p>Confirm written verification of compliance with this mitigation measure</p>	<p>Before issuance of building permits</p>	<p>City of West Covina Engineering Division</p>

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RESOLUTION NO. 2021-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 20-04 CHANGING THE GENERAL PLAN LAND-USE DESIGNATION OF 1600-1616 W. CAMERON AVENUE FROM NEIGHBORHOOD-MEDIUM TO NEIGHBORHOOD-HIGH

WHEREAS, there was filed with the City a verified application to change the General Plan land-use designation of 1600-1616 W. Cameron Avenue from “Neighborhood Medium” (9 to 20 units/acre) to Neighborhood High (21 to 54 units/acre); and

WHEREAS, the Planning Commission, upon giving the required notice, did on June 22, 2021, conduct a duly advertised public hearing as prescribed by law and voted to recommend the City Council’s approval of the above stated application; and

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly noticed public hearing to consider the general plan amendment application; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The project includes a general plan amendment requesting to amend the land use designation of the property located at 1600-1616 W. Cameron Avenue from “Neighborhood Medium (NM)” to “Neighborhood High (NH)” to allow for development to occur as indicated by the Precise Plan and the Downtown Specific Plan.
2. The project includes a Vesting Tentative Tract Map to allow for the subdivision of the property and sale of the dwelling units.
3. The project includes a precise plan to demolish all existing buildings/uses on the site and construct 84 dwelling units (84 attached three-story townhome style units, ranging from 1,210 sq. ft. to 1,796 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 3.25-acre site. The project also includes a tree removal permit to remove 5 significant trees on the site (Ficus trees).
4. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating the project will not have a significant effect on the environment.

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

SECTION 1. The above recitals are true and correct and are incorporated herein as if set forth herein in full.

SECTION 2. The City Council of the City of West Covina hereby adopts General Plan Amendment No. 20-04, amending the land use designation for the subject property as set forth on the Land Use Map of the Land Use Element as shown on Exhibit "A."

SECTION 3. Should any provision of this Resolution, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Resolution or the application of this Resolution to any other person or circumstance and, to that end, the provisions hereof are severable. The City Council of the City of West Covina declares that it would have adopted all the provisions of this Resolution that remain valid if any provisions of this Resolution are declared invalid.

SECTION 4. The City Clerk shall certify to the adoption of this resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-82 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

EXHIBIT A

*Indicates the area to be changed from “Neighborhood—Medium” to
“Neighborhood—High”*

Subject Property: Neighborhood Medium

1600-1616 W. Cameron Avenue



RESOLUTION NO. 2021-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 20-09 AND TREE REMOVAL PERMIT NO. 21-05 AT 1600-1616 W. CAMERON AVENUE

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a Precise Plan to:

Construct an 84-unit residential rowhouse-style development on that certain property described as:

Assessor's Parcel No. 8468-015-010 and 8468-015-024, in the records of the Los Angeles County Assessor; and

WHEREAS, a General Plan Amendment has been submitted to amend the land use designation of the property from "Neighborhood Medium" to "Neighborhood High" to allow for development to occur as indicated on the project plans; and

WHEREAS, a Tentative Tract Map has been submitted to allow for the condominium subdivision of air rights; and

WHEREAS, the Planning Commission upon giving the required notice did on June 22, 2021, conduct duly advertised public hearings as prescribed by law to consider said application and voted to recommend the City Council's approval of the above stated application; and

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly noticed public hearing to consider the precise plan and tree removal permit applications; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The applicant is requesting approval of a precise plan to approve the design and allow the construction of an 84-unit residential rowhouse-style development.
2. Appropriate findings for approval of a precise plan of design are as follows:
 - a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.
 - b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provision of the Municipal Code.

- c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.
 - d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.
 - e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.
3. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating the project will not have a significant effect on the environment.

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

SECTION 1. On the basis of the evidence presented, both oral and documentary, the City Council makes the following findings:

- a. *The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.*

The project is a request for a Precise Plan to allow for the construction of an 84-unit, rowhouse-style residential development. There will be 168 garage parking spaces and 15 parallel parking spaces along the driveway adjacent to the westerly property line. The applicant is also requesting approval of a General Plan Amendment from Neighborhood—Medium (NM) to Neighborhood—High (NH) to change the allowed residential density to accommodate the proposed density of 25.8 dwelling units per acre. The project is also requesting approval of a Vesting Tentative Tract Map to create individual lots for sale. The proposed project is consistent with the following General Plan policies and actions:

Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.
The project is located on a street in transition. The former Kmart site across the street is vacant. A 3-story tall residential project, Cameron 56, by the same developer was constructed adjacent to the project site. The design of that project is very similar to that of the proposed project.

Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses

that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.

The project site is in the Downtown Plan. It will be urban infill on a site suitable for residential development, in the style recommended by the Downtown Plan.

Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

The proposed project is consistent with the following Housing Element Goals:

Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.

The project will create new for-sale housing in the downtown at densities designed to more affordable than traditional detached housing.

Goal 4 Promote equal housing opportunity for all residents.

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

Goal 5 Identify adequate sites to achieve housing variety.

The project will be an infill development of a site in transition in the downtown area. It will help revitalize the street. It will provide for-sale, attached housing as an alternative to more traditional detached housing forms or attached apartments.

The project is consistent with the following Goals, Policies and Actions of the Downtown Specific Plan:

Goal 3 Reinforce the Downtown West Covina brand as a Great Place to Live, Work and Play in the San Gabriel Valley.

Policy 3.1 Direct new growth in the downtown area to create vibrancy and invest in key public improvements.

The project is infill development within the Plan area. It creates new housing and promotes a healthy mix of uses within the area.

Goal 6 Make great places by insisting on the highest standards of quality in architecture, urban design, and landscape architecture.

Action 6.1a Adopt new form-based development code for Downtown area that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living spaces.

The project complies with the standards of the Downtown Specific Plan. The buildings along Cameron Avenue have pedestrian orientation. The design of the front stoops will help promote an active streetscape.

Goal 7 Provide high-quality, urban housing for a diverse range of income levels.

Policy 7.1 Provide a production of a range of housing types that meet the diverse needs of the community.

Action 7.1b Facilitate the development of higher intensity and high-quality residential projects with a mix of product and unit types, and ownership (a range of affordable housing, live-work spaces, co-housing opportunities, senior housing and assisted living facilities).

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will help to re-invigorate downtown.

- b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.*

The project conforms to the proposed General Plan designation of Neighborhood—High (NH), and the standards of the T-4 General Urban zone of the Downtown Specific Plan, and all other applicable development standards in the Zoning Code. The proposed project includes parking and landscaping improvements.

- c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.*

The proposed project is on a rectangular site currently developed with one and two-story office buildings. The site will be developed according to applicable development standards. A similar project to the south abuts the project site.

The project will include required parking. The site will be landscaped. Mitigation measures and conditions of approval will ensure that the site is developed such that it will not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

- d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.*

The proposed project will be located on Cameron Avenue near the intersection with Toluca Avenue. The site is 3.25 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the building, parking and all required development standards set forth in the West Covina Municipal Code. The site is served by all necessary utilities. A similar project was

developed adjacent to the project. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

- e. *The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.*

The buildings are contemporary in style and provide for a variety of articulation in building surfaces and a variety of façade materials. The eight buildings on the site are three stories tall. The buildings along Cameron have a stoop that increases the overall height to 36 feet 6 inches. The other buildings on the site are at-grade and have a height of 34 feet 10 inches. The buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. The buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. New concrete block walls will be constructed along the northerly and southerly property lines. The overall characteristics create an attractive project as viewed from the street with substantial landscaping and a building with visual interest and will be comparable in style to the adjacent residential project to the south.

SECTION 2. Pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Precise Plan No. 20-09 and Tree Removal Permit No. 20-05 are approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued.

SECTION 3. The precise plan shall not be effective for any purpose until the applicant (or a duly authorized representative) has filed at the office of the Planning Director, his/her/its affidavit stating he/she/it is aware of, and accepts, all conditions of this precise plan as set forth below. Additionally, no permits shall be issued until the applicant (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.

SECTION 4. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

SECTION 5. The City Council approves the precise plan subject to the following conditions:

PLANNING DIVISION

- a. Comply with plans reviewed by the City Council on July 20, 2021.

- b. Approval of this precise plan is contingent upon, and shall not become effective unless and until, approval of General Plan Amendment No. 20-04 and Vesting Tentative Tract Map No. 83216.
- c. These conditions of approval shall be printed on or attached to the working drawings submitted to the Building Division for approval.
- d. That the project complies with all requirements of the "T-4 General Urban" Zone and Rowhouse-style development as described in the Downtown Specific Plan, and all other applicable standards of the West Covina Municipal Code.
- e. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
- f. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
- g. This approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.
- h. The applicant shall sign an affidavit accepting all conditions of this approval.
- i. The applicant shall defend, indemnify, and hold harmless the City of West Covina, 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, approval of this Precise Plan. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense.
- j. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
- k. That any proposed change to the approved site plan, floor plan or elevations be reviewed by the Planning, Building, Fire and Police Departments and that the written authorization of the Planning Director shall be obtained prior to implementation.
- l. The applicant shall revise the plans to reduce the number of residential units from 84 to 80 in order to provide a total of 25 on-site guest parking spaces (10 additional) and increase the common open space area.
- m. The applicant shall increase safety and security by providing efficient onsite lighting along the walkways, drive aisles/lane, common open space areas, and guest parking areas. The

required lighting shall be included in the site lighting plan and shall be installed prior to Final Occupancy.

- n. No parking signs shall be posted to ensure that vehicles are not parked on fire lanes and in front of garages.
- o. The perimeter wall design shall be revised so that the minimum height is 6'-6" and is made of a split-face cinder block wall.
- p. Graffiti-resistant coatings shall be used on all walls, fences, sign structures or similar structures to assist in deterring graffiti.
- q. Any graffiti that appears on the property during construction shall be cleaned or removed on the same business day.
- r. All outstanding fees and Development Impact Fees will be due at the time of building permit issuance.
- s. This approval does not include approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.
- t. All approved materials and colors shall be clearly indicated on the plans.
- u. Areas where a two-foot parking space overhang is utilized shall not be calculated as landscaped area for purposes of complying with minimum landscape requirements.
- v. All new ground-mounted, wall-mounted and/or roof-mounted equipment not shown on the approved plans shall be screened from all views, in a manner that is architecturally compatible with the main building. Plans and elevations indicating the type of equipment and method of concealment shall be submitted to the Planning Director for review and approval prior to the issuance of building permits.
- w. The location of new electrical transformers, vaults, antennas, mechanical and all other equipment not indicated on the approved plans must be approved by the Planning Director prior to the issuance of building permit. Provide construction details prior to issuance of a building permit.
- x. All new pole mounted parking lot lighting shall be accurately indicated on the grading plan and shall be located within landscaped or hardscaped area. Pole locations shall be accurately staked prior to installation by the Engineer. Poles shall be limited to a maximum height of 16 feet.
- y. All parking facilities shall comply with the "Parking Lot Design and Lighting Standards."
- z. A parking lot lighting plan showing electrolier types and locations, average illumination levels, points of minimum illumination and photometric data in conformance with Planning

Commission Resolution No. 2513 and as requested shall be submitted to and approved by the Planning Division and the City Engineer.

- aa. Building and parking lot lighting is required to be architecturally integrated with the building design. Standard security wall packs are not acceptable unless they are provided with hooding that is architecturally compatible with the building.
- bb. The paved areas at the site shall be maintained clean and free of oil stains. All paved areas shall be pressure washed as needed to maintain the site in a clean and orderly manner.
- cc. That prior to final building permit approval, a detailed landscape and irrigation plan in compliance with AB 1881 and executive order 13-29-15 shall be submitted for all planted areas to be affected by project. Plans shall include type, size and quantity of landscape materials and irrigation equipment. All vegetation areas shall be automatically irrigated and a detailed watering program and water budget shall be provided. All damaged vegetation shall be replaced and the site shall be kept free of diseased or dead plant materials and litter at all times.
- dd. The landscape plan shall include the planting of five 36" box-sized replacement trees pursuant to Tree Removal Permit No. 21-03. The replacement trees shall be identified as such on the landscape plan and shall be installed prior to building permit final.
- ee. The landscape plan shall be revised to change the perimeter trees from cypress to podocarpus.
- ff. The California Sycamore tree located on the neighboring property shall be shielded from damage during construction with an appropriate construction barrier, such as chain link and steel stake fence enclosing the entire dripline area. All exposed roots shall be inside the fence or barrier. The fence or barrier shall have a minimum height of 6 feet measured from the grade. The fence or barrier shall be installed prior to commencement of any development activity on the site and shall remain in place throughout all phases of construction. Fences may not be removed without obtaining written authorization from the Planning Director. Branches that interfere with the development activity may be pruned to the satisfaction of the Planning Director, superintendent of maintenance operations, or arborist. Compaction of the soil within the dripline of the California sycamore shall be minimized to the greatest extent feasible. Cutting of roots shall not occur within a distance equal to three and one-half times the trunk diameter, as measured at ground level. The trunk diameter of the California sycamore is 26 inches; accordingly, the appropriate root avoidance distance is at least 7.5 feet from the trunk. Any roots encountered within the dripline shall be cleanly cut with a sharp cutting tool such as a lopping shear or hand saw and not ripped by equipment.
- gg. The applicant shall work with the Public Services Department and Engineering Division for the removal of street trees and to identify the proper locations for new street trees. The new street trees shall be identified as such on the landscape plan and shall be installed prior to building permit final.

- hh. Clinging vines shall be installed on all street facing perimeter retaining or freestanding walls to assist in deterring graffiti. The vines shall be installed prior to building permit final.
- ii. All trees shall be indicated on the grading plan, including trees on, or near the property line on adjacent properties. The trees shall be marked as to whether they will be preserved or removed. Trees that are preserved should not be topped but should be pruned to preserve their natural form.
- jj. Prior to the issuance of building permits, the applicant shall submit a detailed wall and fencing plan to the Planning Director for review and approval. Fences and/or walls shall be constructed around all properties, as determined by the Planning Director. Said plan shall indicate the locations for all fences and walls, and shall further indicate the height, materials, and colors for all fences and walls. Perimeter block walls (retaining walls) shall be constructed of a decorative material, such as split-face block. The wall and fencing plan shall include the location, design and materials. Wood fences shall include steel posts for maintenance purposes.
- kk. Any sidewalk, hardscape or parking facility, with potholes, broken, raised or depressed sections, large cracks, mud and/or dust, accumulation of loose material, faded or illegible pavement striping or other deterioration shall be repaired.
- ll. Prior to requesting a final inspection, the Planning Division shall inspect the development.
- mm. All new utilities shall be placed underground prior to issuance of Certificate of Occupancy per WCMC 23-273.
- nn. The applicant shall defend, indemnify, and hold harmless the City of West Covina, 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, approval of this Vesting Tentative Tract Map. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense.
- oo. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
- pp. The applicant shall meet any and all monitoring or reporting requirements necessary to ensure compliance with the mitigation measures contained in the Mitigated Negative Declaration of Environmental Impact as those may be determined by the City, including, but not limited to, entering into an agreement to perform and/or for monitoring and reporting during project construction and implementation. The applicant further agrees it will cease construction of the project immediately upon written notice of a violation of such requirement and that such a provision may be part of any agreement of City and applicant.

- qq. The Zoning Code provides for up to two one-year extensions to keep entitlements active. Therefore, prior to permit expiration, (if building permits have not been obtained) you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. Please be advised that the applicant will not be notified by the Planning Department about the pending expiration of the subject entitlement.
- rr. The new development shall comply with the Development Impact Fees (Ordinance No. 2286 and Resolution No. 2015-81). Development Impact Fees for attached residential development are calculated at \$1,297 per unit. The proposed project will have 84 units; the estimated fees are \$108,948 (84 x \$1,297 = \$108,948). The impact fees will be due at the time of building permit issuance.
- ss. During construction, the delivery of materials and equipment, outdoor operations of equipment, and construction activity shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
- tt. The project shall comply with to the provisions of the Art in Public Places ordinance (WCMC Section 17-41) prior to issuance of building permits.

BUILDING DIVISION

- a. All Conditions of Approval as approved by the Planning Commission shall appear as notes on the plans submitted for building plan check and permits.
- b. Building design shall comply with the 2020 County of Los Angeles Building Codes and 2019 California Green Building Standards Code and California Energy Code. Plans shall be submitted for plan check and required permits shall be obtained from the Building & Safety Division prior to start of construction.
- c. Separate application(s), plan check(s), and permit(s) is/are required for:
 - i. Model/Office Improvements & Removal
 - ii. Grading (*see Engineering Division for requirements*)
 - iii. Demolition work
 - iv. Retaining walls (*see Engineering Division for requirements*)
 - v. Required Masonry Walls
 - vi. Signs
 - vii. Fire sprinkler/Alarm systems (*see Fire Department Prevention Bureau for requirements*)
 - viii. Plumbing
 - ix. Mechanical
 - x. Electrical
 - xi. Sewer

- d. A soils and geology report is required to address the potential for and the mitigation measures of any seismic induced landslide/liquefaction. Soils report shall address foundation design and site preparation requirements.
- e. All new on-site utility service lines shall be placed underground.
- f. Fire sprinklers required pursuant to the West Covina Municipal Code.
- g. The building sanitary system shall be connected to a public sewer. A separate permit shall be obtained from the Engineering Division for any work within the public right-of-way.
- h. Proof of payment of Sanitation District connection fee or waiver is required. Please contact (562) 699-7411, Ext 2727 for additional information.
- i. Proof of payment of School Development Fees required prior to permit issuance. Photovoltaic system is required in compliance with the 2019 California Energy Code.
- j. Compliance with the State of California Accessibility regulations is required:
 - A minimum of ten (10) percent, but not less than one of the multistory dwelling units shall comply with the provisions of C.B.C. Section 1102A.3.1
 - The primary entry to the dwelling unit shall be on an accessible route
 - At least one powder room or bathroom shall be located on the primary entry level served by an accessible route and shall comply with the provisions in Division IV.
 - All rooms or spaces located on the primary entry level shall be served by an accessible route.
 - Common use areas shall be accessible.
- k. The minimum number of multifamily dwelling units which must comply with the State of California Accessibility regulations shall be calculated using the total number of all multistory dwelling units in buildings on a site which are subject to the provisions of C.B.C. Section 1102A.3.1. Any fraction thereof shall be rounded to the next highest whole number.
- l. A Prior to issuance of building permits, the applicant shall submit and obtain approval for a Waste Management Plan (WMP) for Construction and Demolition providing:
 - Estimated volume or weight of materials that can be reused or recycled.
 - Estimated maximum volume or weight of materials that can be reused or recycled
 - Identify the vendor or facility that the applicant proposes to use to collect and receive the materials.
 - Estimated volume of waste materials that will be landfilled.
 - Identify any special or specific activities that will be used to comply with the Recycling and Disposal requirements.
 - Submit Security Deposit.

- m. Prior to final inspection and approvals, the applicant shall submit documentation and obtain approval from the WMP Compliance Official showing that the Waste Diversion Requirement has been met, and shall include the following information:
- Receipts from the vendor and/or facility that collected and received each material, showing the actual volume or weight of that material.
 - A copy of the previously approved WMP for the project adding the actual volume or weight of each material diverted or disposed of at a landfill.
 - Security Deposit will not be returned until this has been accomplished
 - Any additional information the applicant believes is relevant to assist in making the determination that the necessary efforts to comply have been achieved.
- n. All work shall be completed with a valid permit and in accordance with applicable Building Regulations. Final building inspections and approvals shall be completed prior to the occupancy of the building.

ENGINEERING DIVISION

- a. The second sheet of building plans, grading plans and/or offsite improvement plans is to list all conditions of approval and to include a copy of the City Council Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- b. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
- i. Observation of cleared areas and benches prepared to receive fill;
 - ii. Observation of the removal of all unsuitable soils and other materials;
 - iii. The approval of soils to be used as fill material
 - iv. Inspection of compaction and placement of fill;
 - v. The testing of compacted fills; and
 - vi. The inspection of review of drainage devices.
- c. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.
- d. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
- e. Stormwater Planning Program LID Plan Checklist (Form PC) completed by Engineer of Record shall be copied on the first sheet of Grading Plans. The form can be found at the following link <https://www.westcovina.org/home/showdocument?id=18427>
- f. Sanitary sewers shall be provided to each "lot" in compliance with Municipal Code Chapter 23, Article 2, and to the satisfaction of the City Engineer.

- g. Conduct a sewer capacity study of existing sewer facilities that serve the proposed development. The developer shall either pay in-lieu fees equal to the estimated cost (based on Los Angeles County Land Development Division Bond Calculation Sheets) of the proposed development's percentage of design capacity of the existing sewer system prior to the issuance of building permits or provide sewer improvements to deficient sewer segments serving the subject property to the satisfaction of the City Engineer.
- h. Prepare a hydrology/hydraulic study of existing and proposed development per the Los Angeles County Hydrology Manual.
- i. The required street improvements shall include those portions of roadways contiguous to the subject property and include:
 - 1. Remove and reconstruct existing driveway approaches shall be removed and reconstructed to meet current ADA requirements.
 - 2. Repair all damaged and off-grade curbs, gutters and sidewalks.
- j. The developer shall either pay an in-lieu fee equal to the estimated cost of street rehabilitation based on Los Angeles County Land Development Division Bond Calculation Sheets prior to the issuance of building permits or provide street rehabilitation work up to centerline of all streets contiguous to subject property.
- k. Required street dedications shall include those portions of roadways contiguous to the subject property and be recorded in the Office of the Los Angeles County Recorder prior to the issuance of any Building Permits and/or Engineering Permits to the satisfaction of the City Engineer.
- l. Sidewalks (with trees in tree wells or in parkways) shall be constructed along roadways contiguous to subject property adjacent to curb or R/W line to the satisfaction of the City Engineer.
- m. Adequate provision shall be made for acceptance and disposal of surface drainage entering the property from adjacent areas.
- n. Parking lot and driveway improvements on private property for this use shall comply with Planning Commission Resolution No. 2513 and be constructed to the City of West Covina Standards.
- o. Water service facilities shall be constructed to at least meet the requirements for fire flow established by the City's Fire Department and the requirements of the subsequent water purveyor/owner of the facilities.
- p. Easements contiguous to the street right-of-way shall be granted for utility, street lighting, and traffic signing purposes to the satisfaction of the City Engineer.

- q. Private street improvements shall comply with Municipal Code Chapter 19, Article 8, and Planning Commission Resolution No. 2519.
- r. Prior to (issuance of Building Permit) (approval of a final map), all of the following requirements shall be satisfied:
 1. A final grading and drainage plan showing existing and proposed elevations and drainage structures (and showing existing and proposed on-site and off-site improvements) shall be submitted to and approved by the Planning Department and Engineering Division.
 2. Arrangements for the installation of streetlights with underground wiring shall be made with Southern California Edison Company. At the time of installation, the applicant shall provide the necessary trenching and backfill. Submit two sets of the subdivision and/or development plans to the Engineering Division, Traffic and Lighting Section, to be used for designing the street lighting system.
 3. A parking lot lighting plan showing electrolier types and locations, average illumination levels, points of minimum illumination and photometric data in conformance with Planning Commission Resolution No. 2513 and as requested shall be submitted to and approved by the City Engineer.
 4. An itemized cost estimate based on Los Angeles County Land Development Division Bond Calculation Sheets for all on-site and off-site improvements to be constructed (except buildings) shall be submitted to the Engineering Division for approval. Based upon the approved cost estimates, required fees shall be paid and improvement securities for all on-site and off-site improvements (except buildings) and 100% labor/material securities for all off-site improvements, shall be posted prior to final approval of the plans.
 5. A soils erosion and sediment control plan shall be submitted to and approved by the Planning Department and Engineering Division
- s. The proposed subdivision shall conform to West Covina Municipal Code Chapter 20 - Subdivisions.
- t. Comply with all regulations of the Los Angeles Regional Water Quality Control Board and Article II of Chapter 9 of the West Covina Municipal Code concerning Stormwater/Urban Run-off Pollution control.
- u. A park dedication in-lieu fee shall be paid to the City of West Covina prior to issuance of a Building Permit pursuant to Section 20-40 of the Municipal Code. The estimated park fee is approximately $438 \times (\text{No. of lots}) \times \$25/\text{sqft}$ (unit price of a developed park).
- v. Provide will serve letter from the water purveyor that services the project area.

FIRE DEPARTMENT

- a. Provide NFPA 13D Fire Sprinkler System.

- b. Ensure turning radius of 45' Outside and 19' Inside
- c. New Fire Flow Test required.
- d. Required Fire Flow of 1,000 GPM @ 20 PSI for two (2) hours (each unit).
- e. Ensure one (1) fire hydrant within 600 feet of all property lines.
- f. Hard-wired smoke and carbon monoxide detectors with battery back-up are required.
- g. Provide/Maintain 26ft Fire Apparatus Access Road (excludes Alley A)
- h. Premises identification/address numbers must be added and approved by fire code official prior to final

NOTE: Additional Fire Department Requirements may be set upon future review of a full set of architectural plans.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-83 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

RESOLUTION NO. 2021-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 83216 AT 1600-1616 W. CAMERON AVENUE

WHEREAS, there was filed with this Commission a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a tentative tract map to:

Subdivide the 3.25-acre site into 84 multi-family condominium air space lots on that certain property described as:

Assessor's Parcel Numbers 8468-015-010 and 8468-015-024, in the records of the Los Angeles County Assessor; and

WHEREAS, a precise plan has been submitted for the approval to construct 84 residential condominium units (three-story attached townhome-style units in ten buildings, ranging from 1,210 sq. ft. to 1,796 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 3.25-acre site; and

WHEREAS, a General Plan Amendment has been submitted to amend the land use designation of the property from "Neighborhood Medium" to "Neighborhood High" to allow for development to occur as indicated on the project plans; and

WHEREAS, the Planning Commission, upon giving the required notice, did on June 22, 2021, conduct duly noticed public hearings to consider said application and voted to recommend the City Council's approval of the above stated application; and

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly noticed public hearing to consider the tentative tract map application; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The applicant is requesting approval of a tentative tract map to allow the subdivision of a 3.25-acre site into 84 multi-family condominium air space lots.
2. The proposed project includes a precise plan for the development of 84 residential condominium units (84 attached three-story townhome style units, ranging from 1,210 sq. ft. to 1,796 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 3.25-acre site.
3. Appropriate findings for approval of a tentative tract map are as follows:

- a. That the proposed map is consistent with applicable general and specific plans.
 - b. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
 - c. That the site is physically suitable for the type of development.
 - d. That the site is physically suitable for the proposed density of development.
 - e. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.
 - f. Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.
 - g. That the design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.
4. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating the project will not have a significant effect on the environment.

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

SECTION 1. On the basis of the evidence presented, both oral and documentary, the City Council makes the following findings:

- a. *The proposed map is consistent with the general plan and any applicable adopted specific plans.*

An amendment to the City's General Plan land-use map to change the designation of the project site from Neighborhood Medium (9 to 20 units/acre) to Neighborhood High (21 to 54 units/acre), would be required in order to develop the site. The proposed project density will be 25.8 units per acre. The proposed General Plan designation of Neighborhood High allows a maximum density of 54 units per acre.

The proposed project is consistent with the following General Plan Policies and Actions:

Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.

The project is located on a street in transition. The former Kmart site across the street is vacant. A 3-story tall residential project, Cameron 56, by the same developer was constructed adjacent to the project site. The design of that project is very similar to that of the proposed project.

Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.

The project site is in the Downtown Plan. It will be urban infill on a site suitable for residential development, in the style recommended by the Downtown Plan.

Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

The proposed project is consistent with the following Housing Element Goals:

Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.

The project will create new for-sale housing in the downtown at densities designed to more affordable than traditional detached housing.

Goal 4 Promote equal housing opportunity for all residents.

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

Goal 5 Identify adequate sites to achieve housing variety.

The project will be an infill development of a site in transition in the downtown area. It will help revitalize the street. It will provide for-sale, attached housing as an alternative to more traditional detached housing forms or attached apartments.

The project is also consistent with the following Goals, Policies and Actions of the Downtown Specific Plan:

Goal 3 Reinforce the Downtown West Covina brand as a Great Place to Live, Work and Play in the San Gabriel Valley.

Policy 3.1 Direct new growth in the downtown area to create vibrancy and invest in key public improvements.

The project is infill development within the Plan area. It creates new housing and promotes a healthy mix of uses within the area.

Goal 6 Make great places by insisting on the highest standards of quality in architecture, urban design, and landscape architecture.

Action 6.1a Adopt new form-based development code for Downtown area that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living spaces.

The project complies with the standards of the Downtown Specific Plan. The buildings along Cameron Avenue have pedestrian orientation. The design of the front stoops will help promote an active streetscape.

Goal 7 Provide high-quality, urban housing for a diverse range of income levels.

Policy 7.1 Provide a production of a range of housing types that meet the diverse needs of the community.

Action 7.1b Facilitate the development of higher intensity and high-quality residential projects with a mix of product and unit types, and ownership (a range of affordable housing, live-work spaces, co-housing opportunities, senior housing and assisted living facilities).

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will help to re-invigorate downtown.

- b. *The design or improvement of the proposed subdivision is consistent with the general plan and applicable adopted specific plans.*
The design and improvements of the proposed subdivision and precise plan are consistent with the General Plan in that the proposed condominium subdivision is compatible with single-family and multi-family residential and commercial uses in the vicinity. The project involves changing the land use designation of the project site from Neighborhood—Medium (NM) to Neighborhood—High (NH) to allow the construction of an 84-unit multiple-family residential development. The project conforms to the standards of the Downtown Specific Plan and all other applicable development standards in the Zoning Code.
- c. *The site is physically suitable for the type of development.*
The 3.25-acre site is flat and is a size and shape compatible with the proposed development. Residential uses are to the west and southeast; commercial uses are to the north and east. Adequate provisions have been incorporated into the design to accommodate the required development standards as specified in proposed Specific Plan. The site has access from Cameron Avenue.
- d. *The site is physically suitable for the proposed density of development.*
The proposed project type is consistent in form with style recommended by the Downtown Specific Plan. The proposed development will be accessible from a driveway along Cameron Avenue. The site is 3.25 acres and, as conditioned, is

physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required standards of the proposed Specific Plan subject to the approval of the Zone Change and General Plan amendment. The proposed General Plan designation of Neighborhood High allows a maximum density of 54 units per acre. The proposed project density will be 25.8 units per acre. Additionally, there is a condition that requires that CC&Rs be recorded as a part of this project to ensure orderly operation. The site will be developed in accordance with the grading and construction requirements of the West Covina Municipal Code and the City Engineer.

- e. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.*

The site consists of a 3.25-acre parcel developed with office buildings, parking and landscaping. No known endangered, threatened or rare species or habitats, or designated natural communities, wetlands habitat, or wildlife dispersal, or migration corridors are present on site. A mitigated negative declaration was prepared for the project, which included required mitigation measures for Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems, to ensure that the project will not cause substantial environmental damage or injure fish, wildlife, or their habitat.

- f. *Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.*

The proposed map and improvements will have access to a public sanitary sewer system for the removal and disposal of wastewater and to other necessary utility services. The site will be developed in accordance with the standards of the Engineering Division, the Municipal Code, the Uniform Building Code, and other applicable requirements.

- g. *The design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.*

There are no easements on the property that would be affected by implementation of the proposed project. Access to the site will be provided via Cameron Avenue.

SECTION 2. Pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, the tentative tract is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Community Development Director, before the use or occupancy of the

property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said tentative tract map by the Planning Commission or City Council.

SECTION 3. The tentative tract shall not be effective for any purpose until the owner of the property involved (or a duly authorized representative) has filed at the office of the Community Development Director, his affidavit stating he is aware of, and accepts, all conditions of this tentative tract map and precise plan, as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.

SECTION 4. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

SECTION 5. The City Council approves tentative tract map No. 83216 subject to the following conditions:

PLANNING DIVISION

- a. Comply with plans reviewed by City Council on July 20, 2021.
- b. That the project complies with all requirements of the "T-4 General Urban" Zone and Rowhouse-style development as described in the Downtown Specific Plan, and all other applicable standards of the West Covina Municipal Code.
- c. Approval of this vesting tentative tract map is contingent upon, and shall not become effective unless and until, approval of Precise Plan No. 20-09 and General Plan Amendment No. 20-04.
- d. These conditions of approval shall be printed on or attached to the working drawings submitted to the Building Division for approval.
- e. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
- f. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
- g. Revise the map to reduce the number of residential units from 84 to 80 in order to provide a total of 25 on-site guest parking spaces (10 additional) and increase the common open space area.
- h. The applicant shall sign an affidavit accepting all conditions of this approval.
- i. The applicant shall defend, indemnify, and hold harmless the City of West Covina, 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, approval of this Vesting Tentative Tract Map. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense.

- j. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
- k. That any proposed change to the approved vesting tentative tract map shall be reviewed by the Planning, Public Works, Fire and Police Departments, and the written authorization of the Community Development Director shall be obtained prior to implementation.
- l. The proposed subdivision shall conform to West Covina Municipal Code Chapter 20 - Subdivisions.
- m. A declaration of Covenants, Conditions, and Restrictions (CC&R's) shall be prepared by the developer/property owner and submitted to the Planning Director and the City Attorney. The CC&R's shall be signed and acknowledged by all parties having any record title interest in the property to be developed, and shall make the City a party thereto, and those sections of the CC&R's implementing conditions o and p below shall be enforceable by the City and may not be modified without the express written consent of the City. The CC&R's shall be reviewed and approved by the City and recorded prior to the recordation of the final tract map. Written proof of recordation with the Los Angeles County Recorder/Registrar's Office shall be provided to the Planning Division.
- n. The applicant shall meet any and all monitoring or reporting requirements necessary to ensure compliance with the mitigation measures contained in the Mitigated Negative Declaration of Environmental Impact as those may be determined by the City, including, but not limited to, entering into an agreement to perform and/or for monitoring and reporting during project construction and implementation. The applicant further agrees it will cease construction of the project immediately upon written notice of a violation of such requirement and that such a provision may be part of any agreement of City and applicant.
- o. The CC&R's shall include the following:
 - i. No addition of habitable space is permitted.
 - ii. No permanent ground floor patio covers are permitted.
 - iii. The parking or storage of recreation vehicles, such as RVs, boats, trailers, fifth wheels, ATVs, etc, is prohibited.
 - iv. Parking on driving aisles is prohibited.
 - v. Garages shall be used to park vehicles.

- vi. Trash storage areas in the garages shall be permanently utilized for storing the trash and recycling containers.
 - vii. All exterior maintenance of the common interest structures will be the responsibility of the HOA, including perimeter walls, garage doors, windows, exterior architectural materials and roof.
 - viii. Cleanup of graffiti is the responsibility of the Homeowner's Association (HOA).
 - ix. The homeowner's association shall ensure that the perimeter trees are maintained to not encroach on the neighboring adjacent single-family residential properties.
 - x. The homeowner's association shall allow individual unit owners to install a CCTV system without invading the privacy of neighbors.
 - xi. The homeowner's association shall establish a parking permit program for the guest parking spaces and work with a local towing company to enforce the properties parking regulations.
 - xii. Revisions to the sections of the CC&Rs implementing these conditions of approval shall require City Council approval.
- p. The HOA shall be responsible for maintenance of the following: all streets, curbs, and gutters, utilities (sewer and storm drain), perimeter walls, the Cameron Avenue street frontage (including landscaping, sidewalks, and steps), common interest building exteriors, the public common area at the rear of the lot, all public landscaping, all sidewalks and site walls, entrance.
- q. Prior to the recording of the final map, the applicant shall draft a Prospective Homebuyer's Awareness Package (PHAP), and submit it to the Planning Director for review and approval. Copies of signed copies of PHAP for all lots shall be submitted to the Planning Division. Such package shall include:
- i. A standardized cover sheet as approved by the Planning Division.
 - ii. Zoning and General Plan information.
 - iii. School information.
 - iv. Special assessment district information.
 - v. Utility providers.
 - vi. A copy of the Covenants, Conditions and Restrictions (CC&Rs) applicable to the project.
 - vii. Any additional information deemed necessary by the Planning Division, Planning Commission, or City Council for the full disclosure of pertinent information.
- r. This approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.
- s. The applicant shall sign an affidavit accepting all conditions of this approval.

ENGINEERING DIVISION

- a. A final tract map prepared by or under the direction of a registered civil engineer or licensed land surveyor shall be submitted to and approved by the City prior to being filed with the Los Angeles County Recorder.
- b. A soils report is required.
- c. A preliminary tract map guarantee shall be provided which indicates all trust deeds (to include the name of the trustee), all easement holders, all fee interest holders, and all interest holders whose interest could result in a fee. The account for this title report shall remain open until the final tract map is filed with the Los Angeles County Recorder.
- d. Easements shall not be granted or recorded within any area proposed to be dedicated, offered for dedication, or granted for use as a public street, alley, highway, right of access, building restriction, or other easements until after the final tract map is approved by the City and filed with the Los Angeles County Recorder; unless such easement is subordinated to the proposed dedication or grant. If easements are granted after the date of tentative approval, a subordination shall be executed by the easement holder prior to the filing of the final tract map.
- e. Monumentation of tract map boundaries, street centerlines, and lot boundaries is required if the map is based on a field survey.
- f. All conditions from City Departments and Divisions shall be incorporated into the tract map prior to submitting the tract map for review.
- g. In accordance with California Government Code Sections 66442 and/or 66450, documentation shall be provided indicating the mathematical accuracy and survey analysis of the tract map and the correctness of all certificates. Proof of ownership and proof of original signatures shall also be provided.
- h. Proof of Tax clearance shall be provided at the time of tract map review submittal.
- i. Upon submittal of the parcel map for review by the City, a letter signed by both the subdivider and the engineer shall be provided which indicates that these individuals agree to submit one (1) blueprints and one sepia mylar and pdf copy on a CD of the recorded map to the City Public Works Department.
- j. A reciprocal easement for ingress and egress, sanitary sewer, utility, drainage, water shall be provided for each property that does not front on or have direct access to the public way. Services to each property shall be underground and shall be located in a trench within this easement.
- k. Existing structures shall be demolished prior the approval of the final map.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-84 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk



YOU'RE INVITED

ATTACHMENT NO. 5

To a virtual meeting to learn about a potential new residential community in your neighborhood.

Hello Neighbor,

Meritage Homes is excited to share with you details about a new residential community being proposed in your neighborhood. Due to current social distancing guidelines, we are making ourselves available to you via video conference between April 3, 2021 and April 10, 2021. We invite you to reserve a time so we can meet you, inform you about this exciting proposal, and answer any of your questions. Please either scan the QR code or visit the website provided on the back of this card to schedule an appointment. While we have reserved this time for video conferences, we are available via phone or email anytime. Please feel free to contact Matt Maehara at the phone number or email address provided below. Please do not hesitate to reach out. We look forward to speaking with you!

Sincerely,

The Meritage Team

Email: matt.maehara@mlcholdings.net | Phone: 949-372-3310

Community Overview

The planned residential community located at 1616 West Cameron Avenue is consistent with the City's Downtown Plan. The community will include 84 three-story townhomes. Primary vehicular access will be provided from West Cameron Avenue and the project will not be gated. All homes will be for-sale at market rate (no affordable homes are proposed). A new HOA will be responsible for managing and maintaining the community.





Setting the standard for energy-efficient homes*

About Meritage Homes

Meritage Homes is the seventh largest public homebuilder in the United States. We believe that every family deserves to live better, smarter and healthier. Since 1985, we have designed and built over 135,000 homes and have gained a reputation for distinctive style, high-quality construction, and award-winning customer service. Meritage is a leader in energy-efficient homebuilding and has received the USA Environmental Protection Agency (EPA) ENERGY STAR Partner of the Year Award for Sustained Excellence every years since 2013 for innovation and industry leadership in energy efficiency.



To schedule your video conference, please scan this QR Code or visit:

[https://calendly.com/meritage-homes/west-
cameron?month=2021-04](https://calendly.com/meritage-homes/west-cameron?month=2021-04)

Stamp

Address

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

GENERAL PLAN AMENDMENT NO. 20-04

PRECISE PLAN NO. 20-09

TENTATIVE TRACT MAP NO. 83216

TREE REMOVAL PERMIT NO. 21-03

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: Aaron Talarico, Meritage Land Company

LOCATION: 1600 - 1616 W. Cameron Avenue

REQUEST: The project consists of a request for the approval of a precise plan and vesting tentative tract map to demolish all existing buildings/uses on the site and construct 84 residences (attached three-story townhome style units, ranging from 1,210 sq. ft. to 1,796 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on a 3.25 acre site. A tree removal permit is required to remove 5 significant trees on the site (3 Little Leaf Figs, 2 Banyan Figs).

The project also involves a request for a General Plan Amendment to change the general plan land-use designation from Neighborhood Medium to Neighborhood High.

BACKGROUND

The property site is a 3.25-acre property consisting of two assessor parcels (8468-015-010 and 8468-015-024) located on the southwest side of West Cameron Avenue, between its intersections with Orange Avenue and Sunset Avenue. The site is currently developed with office buildings and surface parking lots. Both parcels have parking lot trees, ornamental shrubs, and grassy knolls around the buildings. The site is in an urban area that is developed on all sides.

To the north the project site is bordered by the Floor & Decor shopping center; the residential development by the same applicant (Cameron 56 Townhomes) is to the east; single-family residential properties on Sawyer Street are along the south; and office uses are along the west. There are three existing driveways to the site; these will all be removed

and a new driveway constructed near the center of the site.

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN	Downtown Plan, T4 General Urban Zone; Neighborhood - Medium (NM)
SURROUNDING LAND USES AND ZONING	<u>East: Shopping Center and medical office; Downtown Plan, T-5 Urban Center Zone (north of Toluca) and T-4 General Urban Zone (south of Toluca)</u> <u>Northwest: Medical office; Downtown Plan, T-4 General Urban Zone</u> <u>West: Single-family neighborhood; Single-Family Residential (R-1) Zone</u> <u>Southeast: Cameron 56 Townhomes; Downtown Plan, T-4 General Urban Zone</u>
CURRENT DEVELOPMENT	Office buildings, parking lot, and landscaping
LEGAL NOTICE	Notices of Public Hearing have been mailed to 93 owners and occupants of properties located within 300 feet of the subject site. The Public Hearing Notice has also been posted on the City's website and published in the San Gabriel Valley Tribune.

DISCUSSION

The applicant proposes to build an 84-unit residential project consisting of attached, rowhouse-style single-family residences. The units will be distributed among 8 buildings; two buildings with 12 units each along Cameron Avenue; and six buildings, each with 10 units, will be located interior to the site. Parking will be provided with 2-car garages for each unit plus 15 guest parking spaces (including 1 Americans Disability Act (ADA) -compatible space) arranged in parallel configuration along the westerly side of the property. A precise plan, general plan amendment, and vesting tentative tract map are required to allow the development of the project. The subject property is located in the Downtown Specific Plan T-4 General Urban zone; the General Plan designation is proposed to change from Neighborhood Medium (NM) to Neighborhood High (NH). A Vesting Tentative Tract map (No. 83216) has been submitted to resubdivide the site and create individual properties for the homes. Because the project includes a request for a General Plan Amendment, the City Council is the final decision-making authority for the project.

General Plan Amendment

Approval of a General Plan Amendment (GPA) is required to enable the project to be

ATTACHMENT NO. 6

built at the proposed density of 25.8 dwellings per acre. The existing designation of Neighborhood Medium (NM) allows from 9 to 20 dwelling units per acre; the Neighborhood High (NH) designation allows from 21 to 54 dwelling units per acre. This designation supports a range of land uses, including residential.

The project is in the T4 General Urban Zone of the Downtown Specific Plan. The T4 General Urban Zone is intended to be a transitional zone between the T5 Urban Center and T4 Urban Neighborhood zones. New buildings are to be block scale, up to three stories in height with buildings moved forward to the right-of-way. The proposed project is designed to meet the intent of the Downtown Specific Plan. The Plan does not have a minimum or maximum allowed density. It is a form-based code, emphasizing the design of the buildings and their presence in the public realm. The proposed project adheres to the standards of the T-4 zone and the rowhouse style of building proposed. The buildings are a maximum of 3 stories tall. The rowhouse design is one of the allowed styles in the zone. The buildings are pushed to the street and incorporate a front stoop along the Cameron frontage. The project provides sufficient parking.

The proposed project is consistent with the following General Plan policies and actions:

- *Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.*

The project is located on a street in transition. The former Kmart site across the street is vacant. A 3-story tall residential project, Cameron 56, by the same developer was constructed adjacent to the project site. The design of that project is very similar to that of the proposed project.

- *Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.*

The project site is in the Downtown Plan. It will be urban infill on a site suitable for residential development, in the style recommended by the Downtown Plan.

- *Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.*

ATTACHMENT NO. 6

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

The proposed project is consistent with the following Housing Element Goals:

- *Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.* The project will create new for-sale housing in the downtown at densities designed to more affordable than traditional detached housing.
- *Goal 4 Promote equal housing opportunity for all residents.* The project will meet current requirements that ensure new housing is available to anyone who might be interested.
- *Goal 5 Identify adequate sites to achieve housing variety.* The project will be an infill development of a site in transition in the downtown area. It will help revitalize the street. It will provide for-sale, attached housing as an alternative to more traditional detached housing forms or attached apartments.

The proposed project supports the following Goals, Policies and Actions of the Downtown Specific Plan:

- *Goal 3 Reinforce the Downtown West Covina brand as a Great Place to Live, Work and Play in the San Gabriel Valley.*
- *Policy 3.1 Direct new growth in the downtown area to create vibrancy and invest in key public improvements.*

The project is infill development within the Plan area. It creates new housing and promotes a healthy mix of uses within the area.

- *Goal 6 Make great places by insisting on the highest standards of quality in architecture, urban design, and landscape architecture.*
- *Action 6.1a Adopt new form-based development code for Downtown area that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living spaces.*

The project complies with the standards of the Downtown Specific Plan. The buildings along Cameron Avenue have pedestrian orientation. The design of the front stoops will help promote an active streetscape.

- *Goal 7 Provide high-quality, urban housing for a diverse range of income levels.*
- *Policy 7.1 Provide a production of a range of housing types that meet the diverse needs of the community.*

ATTACHMENT NO. 6

- *Action 7.1b Facilitate the development of higher intensity and high-quality residential projects with a mix of product and unit types, and ownership (a range of affordable housing, live-work spaces, co-housing opportunities, senior housing and assisted living facilities).*

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will help to re-invigorate downtown.

Precise Plan

The proposed project is an 84-unit residential project consisting of rowhouse-style single-family residences. Three floor plans will be provided:

- Plan 1 - has two bedrooms, a two-car garage and totals 1,210 square feet.
- Plan 2 - has three bedrooms, a two-car garage with tandem parking and totals 1,500 square feet.
- Plan 3 - has three bedrooms, a two-car garage and totals 1,796 square feet.

The two buildings fronting Cameron Avenue each contain 12 units and are 3-stories tall. These building incorporate a front stoop, as required by the Downtown Specific Plan. Eight more 3-story buildings, each with 10 units, are located across the middle of the site. The site is flat. The precise plan is for the review of the site plan and architecture.

The table below summarizes how the project compares with the Downtown Plan and Code standards:

STANDARD	EXISTING	PROPOSED	REQUIRED/ALLOWED
Lot Area	3.25 acres - 141,570 sq. ft.	Vesting Tentative Tract Map combining two lots, creating condominium development	Existing Legal Lots
Building Type	1-2 story commercial buildings	Rowhouse	Rowhouse, Flex, Court, Hybrid, Linear, Live-Work
Frontage Type	Conventional with parking in front	Stoop	Stoop, Forecourt, Shopfront, Gallery, or Arcade

ATTACHMENT NO. 6

Setbacks			
Front (street)	20-30 ft	7'-0" max.	0' min. 10' max.
Side	0'	7.2' min.	0' min.
Rear	> 50'	50' min.	50'
Building Height	1-2 stories	3 stories, 34'-10" w/in 100' of SFR; 36-6" max. w/ on Cameron Ave. (beyond 100' from SFR)	35'-0" within 100' of SFR; up to 40'-0" beyond
First Floor Height	Approx. 16 feet	10'-0"	10'-0"
Rowhouse & Pedestrian Access	---	From primary street	From primary street
Rowhouse Vehicle Access & Parking	---	Enclosed garages and open	Enclosed, covered, or open
Parking		168 garage spaces, 14 parallel, 1 ADA (183 parking spaces total)	2 per unit, 168 total
Private Open Space Min. Area	---	Plan 1: 140 sf Plan 2 & 3: 101 sf	100 sf min
Min. Dimension		6' upper floor space	6' min.

Site Design

The proposed development will be visible from the surrounding area, including the homes in the single-family neighborhood along Sawyer Avenue behind the project site. Each of the homes along Cameron Avenue has an entrance facing the street, opening onto a raised stoop. The buildings along Cameron have 5 to 7-foot front setbacks, a 10-foot setback to the northerly property line, and a 20-foot setback to the southerly property line. The buildings are just over 12 feet from the entrance driveway and 4.3 feet from the interior street (Street B) providing access to the garages for these units. Building 3, located near the northerly property line, has interior setbacks of 7.2 to 10.5 feet from the northerly property line, at least 50 feet from the westerly property line, approximately 10 feet from the extension of Street east of the building, and 4 feet from Street south of the building. A 4-foot path runs along the northerly property line

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and provides access to the front doors of the units. The garages of Buildings 3 and 4 are separated by over 40 feet across Street. Buildings 4 and 5, and Buildings 6 and 7, are separated by 4-foot wide paths. They are 8 feet apart measured at the patio fences, at least 20 feet from front door to front door of Plan 2 units, and 24 feet from front door to front door of Plan 3 units. Buildings 5 and 6 are each 3.4 feet from Alley. Building 6 and 7 have identical interior separations as Buildings 4 and 5. Buildings 4, 5, 6 and 7 are 5 feet from Street and 9 feet from Street. Building 7 is 8.8 feet, and Building 8 is 3 feet, from Street. Building 8 has a 7.5-foot minimum and 10.5-foot maximum setback from the southerly property line. It is 10 feet from Street, 3 feet from Street, and at least 50 feet from the westerly property line. A 4-foot path runs along the northerly property line and provides access to the front doors of the units. Buildings 7 and 8 are 39.3 feet apart from garage to garage. All setbacks conform to the standards of the Downtown Plan. Setback details are provided on sheet S-3.

The homes in the project come in 3 different floor plans; only plans 2 and 3 are used in the buildings fronting Cameron Avenue. The buildings along Cameron are designed with an elevated front stoop as required by the Downtown Specific Plan. The homes in the other buildings are at-grade. Floor plan 1 and 2 units have the front door behind an unfenced porch, while the front door for plan 3 units is within a fenced patio.

Air conditioning condensers for all dwellings are at the ground level. The condensers for some dwelling units along Cameron are within the front setback. Others are located at each end of the buildings. They will be screened by a combination of metal screens and landscaping. The location of all condensers is shown on plan sheet L-3. Screening and stoop details are shown on plan sheet L-2.

A single driveway to Cameron Avenue provides access to the site. The driveway and the internal drive aisles that also function as fire lanes will be 26-foot wide. There will also be a 20-foot-wide alley separating buildings 5 and 6. There will be 28 feet between the garage doors facing this alley providing adequate backup distance for vehicles entering and exiting the garages along the alley.

Architecture

All buildings on the site are the same contemporary style. Buildings along the Cameron Avenue frontage each have 12 dwellings and are raised above grade to incorporate a front stoop. Total height of the buildings along Cameron Avenue, including the stoop, will be 36 feet 6 inches. The buildings behind the frontage are at-grade and will have an overall height of 34 feet 10 inches. The Downtown Plan allows rowhouses to be 3-stories or 40 feet tall. The buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. The buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. Color schemes and material details are shown on plan sheet A-21.

An existing 7-foot-tall metal fence along the westerly property line will be retained and painted black. New 6-foot-tall concrete block walls will be constructed along the northerly and southerly property lines. Wall and fence details are found on sheet L-3. Light poles, approximately 21 feet tall to the fixture, will be located along the westerly property line, illuminating the parallel parking spaces. Low bollards and sconces will provide illumination throughout the rest of the site. Lighting details are shown on sheet L-5.

Parking

The parking requirements for the T-4 General Urban Zone are 2 spaces for dwellings with two or more bedrooms. The total parking requirement is 168 spaces. In addition to a two-car garage in each unit, 15 parallel parking spaces, including 1- ADA compatible space, are located along the westerly side of the property.

Landscaping

The applicant is proposing to install landscaping on all non-paved/non-built surfaces of the site, primarily around the buildings. Tulip trees, or other street trees approved by the City, will be planted along Cameron Avenue within the parkway. Brisbane Box, California Sycamore and Magnolias will be planted along the north, south and westerly property lines. Specimen Olive trees will be planted at the northwest and southwest corners of the site. Queen and Date Palms will be planted beside the entrance driveway. Australian Willows, Italian Cypress, Crepe Myrtle and Strawberry Trees will be planted as accents in various locations. A variety of shrubs and groundcovers will also be planted. Approval of a final landscape and irrigation plan is required per the conditions of approval.

Tree Removal

An arborist performed a tree survey of the site as part of the environmental review. There are a total of 70 trees either on-site or immediately adjacent to the property that could be impacted by development. Development of the site will require removal of all 62 of the on-site trees and 7 street trees. Of these, 5 trees are Significant Trees. Per Section 26-289 of the West Covina Municipal Code, a significant tree is a tree located on private and/or public property that meets one (1) or more of the following requirements:

- a. is located in the front yard of a lot or parcel and has a caliper of one (1) foot or more;
- b. is located in the street-side yard of a corner lot and has a caliper of one (1) foot or more; and
- c. is located anywhere on a lot, has a caliper of six (6) inches, or more, and is

ATTACHMENT NO. 6

one of the following species: Valley Oak, California Oak, Canyon Oak, Scrub Oak, Mesa Oak, Live Oak, California Sycamore, or American Sycamore.

In addition, a California Sycamore located offsite near the northerly corner of the site is Significant and could be affected by site development. The removal of the on-site trees requires the approval of a tree removal permit by the Planning Commission. Mitigation measures are proposed as part of the Precise Plan Conditions of Approval and Mitigated Negative Declaration to address the loss of the 5 Significant Trees and to protect the offsite California Sycamore. The 5 significant trees are required to be replaced on a 1:1 ratio with 5 - 36" box-sized trees. The applicant proposes to plant a total of 111 trees of various species on the property, including 16 street trees and 42 trees 24-inch box size or larger.

Open Space

Each unit has private open space in the form of decks on the upper floors. Plan 1 has a 70 square foot deck on both the 2nd and 3rd floors, totaling 140 square feet. Plan 2 has a 101 square foot deck on 2nd floor. Plan 3 has a 101 square foot deck on the 3rd floor. In addition, the Plan 3 units that are in buildings 4 and 5, and 6 and 7, have a ground floor patio approximately 101 square feet in area enclosed by a low stuccoed wall. There will also be small common areas in the northwest and southwest corners of the site that will feature pet areas, seating and the community mailboxes.

Public Art

The project is subject to the provisions of the Art in Public Places ordinance (WCMC Section 17-41). The project has elected to pay an in-lieu fee. This will be enforced by a condition of approval.

Development Impact Fees

The City adopted Development Impact Fees in December, 2015. In this case, the fees are currently (for FY 2020/2021) \$1,297 per attached residential unit. The estimated cost for the development impact fee is \$108,948.

Signs

The applicant is proposing to construct two entry signs for the project on either side of the entry driveway. An example of these monument signs is shown on sheet L-3 (detail 8). Other details have not been provided. Section 26-342 of the WCMC allows one monument sign per street frontage up to a maximum of two. The sign may be up to 40 square feet in area and up to 6 feet tall. Signage will be approved ministerially under a separate review process.

Tentative Tract Map

The applicant has applied for a Vesting Tentative Tract Map (No. 83216) to resubdivide the land and create parcels for home ownership. The project will have 84 individual for-sale lots and 6 street and alley lots in common ownership. The project will utilize a Homeowner's Association (HOA) that will be responsible for maintaining the entire project, except for the interior of the units. Covenants, Conditions, and Restrictions (CC&Rs) will be created to regulate the HOA. The HOA will maintain all streets, curbs, and gutters, utilities, perimeter walls, building exteriors, common open space areas, sidewalks, site walls, entrance monument, and exterior lighting.

The proposed project density will be 25.8 units per acre. The proposed General Plan designation of Neighborhood High allows a maximum density of 54 units per acre.

Community Outreach

Due to the Covid-19 pandemic, a typical community meeting could not be held. Between April 3, 2021, and April 10, 2021, the applicant scheduled video conference calls with interested neighbors. Notices of the meeting were mailed to the 93 property owners and occupants within 300 feet of the property (Attachment No. 5). According to the applicant, the plans were revised to address the neighbor's concerns. The applicant has continued to reach-out to concerned neighbors.

REQUIRED FINDINGS

Findings are required to all the Planning Commission to approve the required precise plan and vesting tentative tract map. Findings are not required for approval of a general plan amendment. The findings for entitlements are included in each individual resolution (Attachment Nos. 2 and 3) and are also presented below.

Findings necessary for the approval of a **Precise Plan** are as follows:

a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.

The project is a request for a Precise Plan to allow for the construction of an 84-unit, rowhouse-style residential development. There will be 168 garage parking spaces and 15 parallel parking spaces along the driveway adjacent to the westerly property line. The applicant is also requesting approval of a General Plan Amendment from Neighborhood Medium (NM) to Neighborhood High (NH) to change the allowed residential density to accommodate the proposed density of 25.8 dwelling units per acre. The project is also requesting approval of a Vesting Tentative Tract Map to

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create individual lots for sale. The proposed project is consistent with the following General Plan policies and actions:

Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.

The project is located on a street in transition. The former Kmart site across the street is vacant. A 3-story tall residential project, Cameron 56, by the same developer was constructed adjacent to the project site. The design of that project is very similar to that of the proposed project.

Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.

The project site is in the Downtown Plan. It will be urban infill on a site suitable for residential development, in the style recommended by the Downtown Plan.

Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

The proposed project is consistent with the following Housing Element Goals:

Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.

The project will create new for-sale housing in the downtown at densities designed to more affordable than traditional detached housing.

Goal 4 Promote equal housing opportunity for all residents.

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

Goal 5 Identify adequate sites to achieve housing variety.

The project will be an infill development of a site in transition in the downtown area. It will help revitalize the street. It will provide for-sale, attached housing as an alternative to more traditional detached housing forms or attached apartments.

The project is consistent with the following Goals, Policies and Actions of the Downtown Specific Plan:

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Goal 3 Reinforce the Downtown West Covina brand as a Great Place to Live, Work and Play in the San Gabriel Valley.

Policy 3.1 Direct new growth in the downtown area to create vibrancy and invest in key public improvements.

The project is infill development within the Plan area. It creates new housing and promotes a healthy mix of uses within the area.

Goal 6 Make great places by insisting on the highest standards of quality in architecture, urban design, and landscape architecture.

Action 6.1a Adopt new form-based development code for Downtown area that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living spaces.

The project complies with the standards of the Downtown Specific Plan. The buildings along Cameron Avenue have pedestrian orientation. The design of the front stoops will help promote an active streetscape.

Goal 7 Provide high-quality, urban housing for a diverse range of income levels.

Policy 7.1 Provide a production of a range of housing types that meet the diverse needs of the community.

Action 7.1b Facilitate the development of higher intensity and high-quality residential projects with a mix of product and unit types, and ownership (a range of affordable housing, live-work spaces, co-housing opportunities, senior housing and assisted living facilities).

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will help to re-invigorate downtown.

b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood High (NH), and the standards of the T-4 General Urban zone of the Downtown Specific Plan, and all other applicable development standards in the Zoning Code.

c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

The proposed project is on a rectangular site currently developed with one and two-story office buildings. The site will be developed according to applicable development standards. A similar project to the south abuts the project site.

The project will include required parking. The site will be landscaped. Mitigation measures and conditions of approval will ensure that the site is developed such that it will not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.

The proposed project will be located on Cameron Avenue near the intersection with Toluca Avenue. The site is 3.25 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the Downtown Specific Plan. The site is served by all necessary utilities. A similar project was developed adjacent to the project. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.

The buildings are contemporary in style and provide for a variety of articulation in building surfaces and a variety of materials. The eight buildings on the site are three stories tall. The buildings along Cameron have a stoop that increases the overall height to 36 feet 6 inches. The other buildings on the site are at-grade and have a height of 34 feet 10 inches. The buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. The buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. New concrete block walls will be constructed along the northerly and southerly property lines. The design characteristics create an attractive project with substantial landscaping and buildings with visual interest.

Findings necessary for the approval of a **Vesting Tentative Tract Map** are as follows:

a. The proposed map is consistent with the general plan and any applicable adopted specific plans.

An amendment to the City's General Plan land-use map to change the

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designation of the project site from Neighborhood Medium to Neighborhood High (21 to 54 units/acre) would be required in order to develop the site. The proposed density will be 25.8 units per acre, which is consistent with the proposed designation. As listed in Finding A for the General Plan Amendment, the project is consistent with a number of Goals, Policies and Actions of both the General Plan and the Downtown Specific Plan.

b. The design or improvement of the proposed subdivision is consistent with the general plan and applicable adopted specific plans.

The design and improvements of the proposed subdivision and precise plan are consistent with the General Plan in that the proposed condominium subdivision is compatible with single-family and multi-family residential and commercial uses in the vicinity. The project involves changing the land use designation of the project site from Neighborhood Medium (NM) to Neighborhood High (NH) to allow the construction of an 84-unit multiple-family residential development. The project conforms to the standards of the Downtown Specific Plan and all other applicable development standards in the Zoning Code.

c. The site is physically suitable for the type of development.

The 3.25-acre site is flat and is a size and shape compatible with the proposed development. Residential uses are to the west and southeast; commercial uses are to the north and east. Adequate provisions have been incorporated into the design to accommodate the required development standards as specified in proposed Specific Plan. The site has access from Cameron Avenue.

d. The site is physically suitable for the proposed density of development.

The proposed project type is consistent in form with style recommended by the Downtown Specific Plan. The proposed development will be accessible from a driveway along Cameron Avenue. The site is 3.25 acres and, as conditioned, is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required standards of the proposed Specific Plan subject to the approval of the Zone Change and General Plan amendment. The proposed General Plan designation of Neighborhood High allows a maximum density of 54 units per acre. The proposed project density will be 25.8 units per acre. Additionally, there is a condition that requires that CC&Rs be recorded as a part of this project to ensure orderly operation. The site will be developed in accordance with the grading and construction requirements of the West Covina Municipal Code and the City Engineer.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

The site consists of a 3.25-acre parcel developed with office buildings, parking and landscaping. No known endangered, threatened or rare species or habitats, or designated natural communities, wetlands habitat, or wildlife dispersal, or migration corridors are present on site. A mitigated negative declaration was prepared for the project, which included required mitigation measures for Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems, to ensure that the project will not cause substantial environmental damage or injure fish, wildlife, or their habitat.

f. Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.

The proposed map and improvements will have access to a public sanitary sewer system for the removal and disposal of wastewater and to other necessary utility services. The site will be developed in accordance with the standards of the Engineering Division, the Municipal Code, the Uniform Building Code, and other applicable requirements.

g. The design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.

There are no easements on the property that would be affected by the implementation of the proposed project. Access to the site will be provided via Cameron Avenue.

ENVIRONMENTAL DETERMINATION

The Mitigated Negative Declaration of Environmental Impact (MND) prepared for the project disclosed that the project will not have a significant impact on the environment. Mitigation measures have been incorporated into the project's design and as conditions of approval to reduce impacts on the environment to a less than significant level. The MND has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended and was circulated for public comment for 20 days (from May 19, 2021 to June 8, 2021).

Comments were received from the County Sanitation Districts of Los Angeles County and from two concerned individuals. A Response to Comments was prepared and is provided as Attachment No. 6.

Traffic

Ganddini Group prepared a traffic analysis for the project in November, 2020, to assess traffic impacts. The traffic analysis evaluated potential project-related traffic impacts on Cameron Avenue and at the Cameron Avenue/Toluca Avenue intersection.

The existing uses on the site were estimated to generate a total of 342 daily trips. The proposed use was estimated to generate 457 daily trips. The net impact was an increase of 115 daily trips, but 11 fewer trips during the AM peak period and 3 fewer during the PM peak period. The project Vehicle Miles Traveled (VMT) impact was assessed in accordance with the City of West Covina VMT guidelines and guidance from City staff. The proposed project was found to satisfy the criteria for projects in a Transit Priority Area (TPA), and is therefore presumed to result in a less than significant VMT impact in accordance with City guidelines. The traffic impact analysis determined that the addition of project-related trips to existing traffic levels would have less than significant impact on the study intersection, and that project traffic would fall below significant impact thresholds with the implementation of various traffic design features.

Air Quality

According to the Air Quality Study (Attachment A of the Initial Study), the construction and operation emissions are below the regional thresholds of significance. The cumulative short-term construction-related emissions and long-term operational emissions from the project will not contribute considerably to any potential cumulative air quality impact because short-term project and operational emissions will not exceed any SCAQMD daily threshold. Conditions of Approval are included to minimize construction emissions, including watering of the site, covering truck beds leaving the site and limiting idling times for diesel equipment.

Required Mitigations

The environmental study concluded that mitigation measures are required for the following topics:

- Biological Resources (nesting birds and tree protection);
- Cultural Resources (archeological resources);
- Geology and Soils (paleontological resources);

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- Hazards and Hazardous Materials (materials in buildings to be demolished, potential soil contamination);
- Noise (protecting residents from elevated noise levels in new buildings);
- Transportation (implementing design features to ensure safe turning movements entering and exiting the site);
- Tribal Cultural Resources;
- Utilities and Service Systems (replacing sewer lines).

A Mitigation Monitoring Program is an exhibit of Attachment No. 1 and provides information on the mitigation measures and monitoring by responsible agencies.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt Resolutions Nos. 21-6084 through 21-6087, recommending to the City Council approval of the Mitigated Negative Declaration of Environmental Impact, General Plan Amendment No. 20-04, Precise Plan No. 20-09, and Vesting Tentative Tract Map No. 83216.

LARGE ATTACHMENTS

A copy of the plans and Mitigated Negative Declaration of Environmental Impact is posted on the City website at <https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents>

Submitted by: Jeff Hamilton, Contract Planner

Attachments

Attachment No. 1 - Mitigated Negative Declaration Resolution
Attachment No. 2 - General Plan Amendment Resolution
Attachment No. 3 - Precise Plan Resolution
Attachment No. 4 - Tentative Tract Map Resolution
Attachment No. 5 - Neighborhood Outreach Letter
Attachment No. 6 - Responses to Comments

ATTACHMENT NO. 6



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: VINCENT PLACE SPECIFIC PLAN - CONSIDERATION OF GENERAL PLAN AMENDMENT NO 20-02, ZONE CHANGE NO. 20-03, PRECISE PLAN NO. 20-06, TREE REMOVAL PERMIT NO. 21-03, TENTATIVE TRACT MAP NO. 83166, AND MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT TO CHANGE THE GENERAL PLAN LAND-USE DESIGNATION FROM CIVIC: SCHOOLS TO NEIGHBORHOOD MEDIUM, TO CHANGE THE ZONING FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO A SPECIFIC PLAN, TO DEMOLISH ALL EXISTING SCHOOL BUILDINGS/USES ON THE SITE, CONSTRUCT 119 RESIDENCES (47 TWO-STORY SINGLE-FAMILY RESIDENTIAL STYLE DETACHED UNITS, RANGING FROM 1,465 SQ. FT. TO 2,125 SQ. FT. AND 72 ATTACHED THREE-STORY TOWNHOME STYLE UNITS, RANGING FROM 1,214 SQ. FT. TO 1,822 SQ. FT.), INTERNAL DRIVE AISLES, COMMON OPEN SPACE, GUEST PARKING SPACES, AND REMOVE ON 8 SIGNIFICANT TREES ON AN 8.05 ACRE SITE AT 1024 W. WORKMAN AVENUE

RECOMMENDATION:

It is recommended that the City Council adopt the following resolutions and ordinance:

RESOLUTION NO. 2021-77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CERTIFYING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR GENERAL PLAN AMENDMENT NO 20-02, ZONE CHANGE NO. 20-03, PRECISE PLAN NO. 20-06, AND VESTING TENTATIVE TRACT MAP NO. 83166, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED.

RESOLUTION NO. 2021-78 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 20-02 CHANGING THE GENERAL PLAN LAND-USE DESIGNATION OF 1024 W. WORKMAN AVENUE FROM CIVIC: SCHOOLS TO NEIGHBORHOOD-MEDIUM

RESOLUTION NO. 2021-79 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 20-06 AND TREE REMOVAL PERMIT NO. 21-03 AT 1024 W. WORKMAN AVENUE

RESOLUTION NO. 2021-80 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 83166 AT 1024 W. WORKMAN AVENUE

ORDINANCE NO. 2485 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ZONE CHANGE NO. 20-03 AND ADOPTING THE VINCENT PLACE SPECIFIC PLAN

BACKGROUND:

The project was initially reviewed by the Planning Commission on May 25, 2021. During the public hearing, four neighbors spoke in support of the project and informed the Planning Commission that the applicant has been working with them to address their concerns, while two neighbors spoke against the project due to concerns with the potential increase in street parking and traffic. The Planning Commission voted 5-0 to recommend City Council approval of the project with the following added conditions of approval:

- The applicant shall install signage on the site prohibiting parking along the fire lanes and in front of garages.
- The roofing material for the town homes along Vincent Avenue shall be upgraded to concrete roof tiles and the wall material shall be revised to smooth stucco. The plans shall be revised to incorporate the building material change.
- The project plans shall be revised to incorporate 4'-0" tall walls along Workman and Vincent Avenues and a 7'-0" tall wall along Garvey Avenue to provide sufficient security for the site. In addition, the proposed perimeter vinyl fence shall be increased in height to 6'-0".
- The applicant shall work with the Engineering Division in providing better street lighting along Garvey and Vincent Avenues. The applicant shall be required to provide double-sided light poles that emits twice the normal lighting density, subject to Southern California Edison and/or the City Engineer’s approval.
- The following items shall be required to be addressed within the Covenants, Conditions and Restrictions (CC&R):
 - The homeowner’s association shall allow individual unit owners to install a CCTV system without invading the privacy of neighbors.
 - The homeowner’s association shall establish a parking permit program for the guest parking spaces and work with a local towing company to enforce the properties parking regulations.
 - The homeowner’s association shall ensure that the perimeter trees are maintained to not encroach on the neighboring adjacent single-family residential properties.
 - Require trash cans to be stored in the units and out of public view within 24 hours after trash pick up.
 - Require garages to be used for vehicle parking.
 - Revisions to the CC&Rs implementing these specific conditions shall require City Council approval.

The conditions of approval recommended by the Planning Commission has been incorporated into the City Council Precise Plan and Tentative Tract Map draft resolutions (Attachments No. 3 and 4).

DISCUSSION:

The project site is an 8.05-acre property located on the southwest corner of W. Workman Avenue and N. Vincent Avenue. The site is currently developed with, and was used for the Vincent Children’s Center. The site contains school buildings, a parking lot, a playground and landscaping. The site is in an urban area that is developed on all sides. Single family homes are to the west, north and east; two-story residential apartments and townhomes are located to the south; and a gas station, liquor store and restaurant are to the southeast, across Vincent Avenue.

The project site has frontage on Workman Avenue to the north, Vincent Avenue to the east and a portion of Garvey Avenue to the southeast.

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN	Single Family Residential (R-1); Civic: Schools
SURROUNDING LAND USES AND ZONING	<p>North: Single residential family homes; Single Family Residential (R-1)</p> <p>East: Single residential family homes and commercial uses; Single Family Residential (R-1) and Neighborhood Commercial (N-C)</p> <p>West: Single family residential homes; Single Family Residential (R-1)</p> <p>South: Apartments and townhomes; Multi-Family 20 units/acre (MF-20)</p>
CURRENT DEVELOPMENT	Former Vincent Children's Center (school/administration buildings, parking lot, playground, field)
LEGAL NOTICE	Notice of Public Hearing have been mailed to 123 owners and occupants of properties within 300 feet from the subject site. The public Hearing Notice was also published in the newspaper and the City's website.

The applicant proposes to build a 119-unit residential project consisting of 72 attached townhome units within 10 buildings, and 47 detached single-family residences. The detached two-story single-family residential style units are sited on the north side of the lot along Workman Avenue and on the west side of the lot along the westerly property line, while the three-story attached townhome buildings are located on the mid-portion of the lot (10-plex) and on the east side along Garvey and Vincent Avenues (6-plex). There will be two buildings each with 6 attached units along the Vincent Avenue frontage. Five buildings, each with 6 attached units (6-plex), will be located near the Garvey Avenue frontage. Two buildings each with 10 attached units (10-plex) are arranged around the large, interior common open space and a third building with 10 attached units is just to the south. Each dwelling unit on the site includes a two-car garage. There will also be 43 parking spaces on the site for guests, and another 21 off-site parallel street parking spaces along Workman Avenue.

The project requires the granting of the following entitlements:

- General Plan Amendment to change the land-use designation to Neighborhood Medium to allow up to 20 residential units per acre.
- Zone Change to change the zoning designation to a Specific Plan
- Precise Plan to allow the development of the site.
- Tentative Tract Map to allow for the condominium subdivision
- Tree Removal Permit for the removal of eight (8) significant trees.

General Plan Amendment

Approval of a General Plan Amendment (GPA) is required to enable the project to be built at the proposed density of 14.8 dwelling units per acre. The existing designation of Civic: Schools does not allow residential development. The proposed designation of Neighborhood—Medium (NM) allows up to 20 dwelling units per acre. This designation “anticipates a mixture of detached and attached dwellings and higher building types at approximately 9 to 20 dwelling units per acre...with small scale commercial at key locations, primarily at intersections and adjacent to corridors.” The project is consistent with the proposed designation.

The proposed project is consistent with the following General Plan policies and actions:

- *Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.*

The project is located on the Vincent Avenue, which carries high volumes of traffic. It is a location appropriate to serve as a transitional site between the single-family homes to the west and north and the busy street. The project has been designed to locate the detached homes near the existing detached neighborhood to the west and north with the taller attached buildings facing Vincent Avenue.

- *Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.*

The project site is on Vincent Avenue which is designated as a Residential Thoroughfare in the General Plan. Although not an identified Corridor in the General Plan, the street functions much like one in this area. It is appropriate to locate higher density development along streets such as this. The project will be urban infill on a site suitable for residential development.

- *Policy 3.6 Reduce West Covina’s production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.*

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

The proposed project is consistent with the following Housing Element goal:

- *Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.*

The project will provide both attached and detached for-sale housing. The attached housing will come in three floor plans; the detached housing will have four floor plans, three exterior styles and three color and finish schemes for each style. The variety of layouts and exterior finishes will provide options to the buyers and assist the City in meeting housing production requirements of the Housing Element.

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will be compatible with the single-family neighborhood to the north and west and with the apartments and townhouses to the south of the project site. It will be consistent with the properties designed Neighborhood Medium to the east.

Zone Change

Approval of a zone change from Single-Family Residential (R-1) to Vincent Place Specific Plan is required to enable residential development of the site at the proposed density of 14.8 dwellings per acre. The proposed development standards of the Specific Plan replace those of the Municipal Code. If approved, the project Specific Plan will be known as the Vincent Place Specific Plan.

Properties to the west, north and east are zoned R-1. Properties to the south are zoned Multi-family (MF-20). Small commercial sites zoned Neighborhood Commercial (NC) are to the east. The proposed zone change to Vincent Place Specific Plan will ensure that the project is developed in a manner compatible with both the existing single-family homes and multi-family development that abut the property.

Precise Plan

The precise plan is for the review of the site plan and architecture. Vehicular access to the site will be provided by a driveway on Workman Avenue and another driveway on Garvey Avenue, both driveways (26 feet in width) will channel/route vehicles to private lanes/alleys and motor courts (20 to 26 feet in width) throughout the site to the dwelling units, guest parking spaces, and private recreation area.

The proposed project is a 119-unit residential project consisting of attached and detached single-family residences. The two buildings fronting Vincent Avenue each contain 6 attached units and are 3-stories tall. Five more 3-story buildings, each with 6 attached units, are located near the Garvey Avenue frontage. Three buildings, each with 10 attached units, are located near the large central common area. The detached homes are clustered along Workman Avenue and along the west side of the site. A large common open space area is located near the center of the site, and a smaller area is near the Garvey-Vincent intersection. Guest parking is located near the central open space and disbursed throughout the site.

Site Design

The proposed detached homes are located along Workman Avenue and down the westerly property line. These homes are 2-stories tall with a maximum height of approximately 26 feet and have small private yards and 2-car garages. They are arranged around the private street and motor court network for the site. The homes along Workman Avenue have front doors facing the street. A combination of concrete walls and vinyl fencing defines each of the house lots. The buildings along Workman have 10-foot setbacks to the front porch pillars, 15 feet to the house walls, and 12 feet to the walls that enclose the private backyards of the homes. The homes near the westerly property line are 20 to 35 feet from the westerly property line. They have 5-foot setbacks from interior side property lines and are at least 10 feet from interior rear property lines. Homes that do not front Workman Avenue generally have 5-foot front setbacks from the private motor courts and 10 feet from the private streets. The three homes with frontage on Vincent Avenue are at least 18 feet from the street. The three homes near the southerly property line are 29.8 feet from the boundary and have rear yards of 14.9 feet.

The two 6-unit buildings containing attached units fronting Vincent Avenue are approximately 11 feet from the street right-of-way. The front patio walls are 3.2 to 4.6 feet from the right-of-way. The homes have front entrances facing the street. The buildings are separated by 12 feet and they are 3 feet from the fire lane behind the units. The buildings adjacent to the central common open space are 3 to 9 feet from the fire lane and separated by 30.8 feet. The front entrances to these units face the open space. The westernmost unit in the building south of the central common open space is approximately 31 feet from the fire lane from which it takes access. The remaining buildings with attached units have interior side separations ranging from 20 to 24.3 feet. Garages are generally 3 feet from the fire lanes or motor courts providing access. The entrances to the attached buildings near the Garvey/Vincent intersection face each other (other than some of the westerly end units) and are 28 feet apart. The two southern-most attached buildings have front entrances 8-feet from and facing the southerly fire lane (other than one of the end units). The buildings are 20-feet apart and are just over 47 feet from the southerly property line. All setbacks conform to the standards of the proposed Vincent Place Specific Plan.

Air conditioning condensers for all dwellings are at the ground level. The condensers will be screened with a combination of metal screens and landscaping. Screening details are shown on plan sheet L-5.

The common open space near the center of the site is proposed to be 16,962 square feet in area with landscaping and amenities

including children’s play structure, seating, barbecues, and a lawn. Another 8,578 square foot area with landscaping and seating areas is located near the Garvey/Vincent intersection.

Architecture

Single Family Residential Cluster Units

The detached two-story single family residential units consist of four different floor plans (Plans 3060, 3522, 3522x, and 3825) and will utilize one of three architectural styles: “Santa Barbara”, “Coastal” and “Farmhouse”. Each style will have 3 different color schemes (see sheets A-35 through A-37).

Plan Type	Total Living Area	1st floor	2nd Floor
3060	1,465 sq.ft.	420 sq. ft. garage, 35 sq. ft. porch, entry foyer, great room, powder room, and kitchen	3 bedrooms (including master bedroom with a bathroom and walk-in closet), laundry room, and one bathroom
3522	1,955 sq. ft.	423 sq. ft. garage, 43 sq. ft. porch, one bedroom, one bathroom, great room, and kitchen	3 bedrooms (including master bedroom with a bathroom and walk-in closet), a loft, laundry room, and one bathroom
3522x	1,955 sq. ft.	423 sq. ft. garage, 43 sq. ft. porch, one bedroom, one bathroom, great room, and kitchen	3 bedrooms (including master bedroom with a bathroom and walk-in closet), a loft, laundry room, and one bathroom
3825	2,125 sq. ft.	419 sq. ft. garage, 71 sq. ft. porch, one bedroom, one bathroom, great room, and kitchen	3 bedrooms (including master bedroom with bathroom and walk-in closet), a loft, laundry room, and one bathroom

Each detached unit includes private open space area ranging from 390 sq ft. to 961 sq. ft. The units abutting the neighboring single-family residential homes to the west have frosted windows that would protect the adjacent neighbors' privacy (most are 3522 units with frosted clerestory windows facing west, three units on the northwest have frosted ingress/egress bedroom/loft windows facing west).

Attached Multi-Family Residential Townhomes

The site will be developed with seven 6-plex three-story townhome buildings and three 10-plex three-story townhome buildings. The attached dwelling units consist of four different floor plans (Plan 1, 2, 3, and 3Y) and will utilize a "Contemporary Eclectic" architectural style with one of two color schemes. One primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. The buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. Color schemes and material details are shown on plan sheet A-76.

The 6-plex buildings will include two different configuration: one utilizing unit Plans 3Y, 2, and 3, and another utilizing Plans 3Y, 2, 3, and 1. The 10-plex buildings will also include two different configurations utilizing a combination of all four plans for each building. Each unit includes private open space area ranging from 81 to 329 sq. ft.

Plan Type	Total Living Area	1st Floor	2nd Floor	3rd Floor
1	1,214 sq. ft.	12 sq. ft. porch, two-car garage with storage, and entry vestibule	great room, deck, dining room, powder room, and kitchen	one bedroom, one bathroom, master bedroom with bathroom and walk-in closet, and laundry closet
2	1,505 sq. ft.	35 sq. ft. porch, entry vestibule, coat closet, and 460 sq. ft. tandem two-car garage with storage	great room, deck, dining area, kitchen, bathroom, and 1 bedroom	one bedroom, one bathroom, master bedroom with bathroom and walk-in closet, and laundry room
3	1,822 sq. ft.	107 sq. ft. porch, flex room, 441 sq. ft. two-car garage with storage	great room, deck, dining area, kitchen, bathroom, one bedroom, and office	one bedroom with bathroom, master bedroom with bathroom and walk-in closet, and laundry room

3Y	1,822 sq. ft.	107 sq. ft. porch, flex room, 411 sq. ft. two-car garage with storage	great room, deck, dining area, kitchen, bathroom, one bedroom, and office	one bedroom with bathroom, master bedroom with bathroom and walk-in closet, and laundry room
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Walls/Fences, Lighting, and Landscaping

An existing 6-foot-tall chain link fence along the westerly property line will be replaced with a 6-foot-tall concrete block wall. The block wall will continue along the southerly property line and along the Garvey Avenue frontage to connect to the attached building on Vincent Avenue. Block walls will also contain the rear yards of the units along Workman Avenue, the three detached units fronting Vincent Avenue, and the detached units on either side of the main entrance. To properly drain the site, dirt will be moved during grading and the site will be raised approximately 5 feet near the westerly property line. At the top of the slope, and approximately 17 feet from the westerly property line, a 5.5-foot-tall vinyl fencing will be installed to provide private yards for the detached homes. This will also separate the rear yards of these homes from the common area slope. Entry arbors will be located near the intersection of Garvey and Vincent and on Vincent between the northerly attached building and southerly detached unit. Wall and fence details are found on sheet L-5.

Light poles, approximately 14-feet tall to the fixture, will be located along the interior street network. Low bollards and sconces will provide illumination throughout the rest of the site. Lighting details are shown on sheet L-7.

The applicant is proposing to install landscaping on all non-paved/non-built surfaces of the site, primarily around the buildings. Street trees approved by the City will be planted along Workman, Vincent and Garvey Avenues within the parkway. California Sycamore and Strawberry trees will be planted along the Workman Avenue frontage. Brisbane Box, California Sycamore and Strawberry trees will be planted along the Vincent and Garvey Avenue frontages. Specimen Olive and Magnolias will be placed along the street frontages, along the entry driveway and around the central common open space. Additional trees of various species will be planted along the internal street and alley network. A variety of shrubs and ground covers will also be planted. A total of 277 trees, including 34 in the city parkway, will be planted. Approval of a final landscape and irrigation plan is required per the conditions of approval.

Parking

The proposed Vincent Place Specific Plan includes parking requirements for the detached and attached dwellings. Each dwelling unit is required to have two parking spaces per unit in a garage and each space is required to be at least 10 feet wide and 20 feet deep. All project units have garage parking that meets this standard. At least one guest space for every four dwelling units will be provided. A total of 47 guest parking spaces will be located onsite (arranged around the central common area, parallel parking spaces along the southern driveway, and four driveway spaces located as a part of two units within two of the 10-plex buildings). In addition, a total of 21 parallel street parking spaces are proposed along Workman Avenue fronting the site.

Tree Removal Permit

An arborist performed a tree survey of the site as part of the environmental review. There are a total of 20 trees either on-site or immediately adjacent to the property that could be impacted by development. Development of the site will require removal of all of the existing trees. Of these, 8 trees are Significant Trees per City Ordinance (Section 26-294 Division 9 – Preservation, Protection and Removal of Trees – Protection of trees during development activity). The removal of the on-site trees requires the approval of a tree removal permit by the Planning Commission. Mitigation measures are proposed as part of the Mitigated Negative Declaration to address the loss of the Significant Trees.

Open Space

The proposed Vincent Place Specific Plan includes open space requirements for the detached and attached dwellings. Each detached unit has a private yard of at least 390 square feet of open space where 150 square feet is required. Each attached unit has private open space in the form of decks on the upper floors. Each attached unit is required to have at least 60 square feet of open space. Floor Plan 1 has at least 81 square feet deck on the 2nd floor. Floor Plans 2 and 3 have 107 square foot decks on the 2nd floor. Floor Plan 3 also has a ground floor patio approximately 107 square feet in area enclosed by a low stucco wall. There will also be a large (16,692 square foot) common area near the center of the site and a smaller (8,578 square foot) common space near the junction of Vincent and Garvey Avenues. Each of these areas will have amenities for the residents such as seating, barbecues and play areas.

Public Art

As a part of the Precise Plan, public art would be required. The applicant has the option of commissioning their own public art piece, or paying the in-lieu contribution equaling to one-half percent of the total project costs.

Development Impact Fees/Park Fees

The City adopted Development Impact Fees in December 2015. In this case, the fees are currently (for FY 2020/2021) \$1,809 (per unit) for detached single-family and \$1,289 (per unit) for single-family attached/multi-family. The total development impact fees required would be \$177,831.00. In addition, the applicant is required to pay a park dedication in-lieu fee of approximately \$1,303,050.00

Vesting Tentative Tract Map

The applicant has applied for a Vesting Tentative Tract Map (No. 83166) to resubdivide the land and create parcels for homeownership. The project will have 119 individual for-sale lots: 47 detached units and 72 attached, rowhouse-style units. The project will utilize a Homeowner's Association (HOA) that will be responsible for maintaining the entire project, except for the interior of the units. Covenants, Conditions, and Restrictions (CC&Rs) will be created to regulate the HOA. The HOA will maintain all streets, curbs, and gutters, utilities, perimeter walls, building exteriors, common open space areas, sidewalks, site walls, entrance monument, and exterior lighting.

The proposed project density will be 14.8 units per acre, which is consistent with the General Plan designation of Neighborhood High allows a maximum density of 20 units per acre.

REQUIRED FINDINGS:

Findings are required to approve the precise plan and tentative tract map. Findings are not required for approval of a general plan amendment. The findings for entitlements are included in each individual resolution (Attachment Nos. 3 and 4) and are also presented below.

Findings necessary for the approval of a **Precise Plan** are as follows:

a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.

The project is a request for a Precise Plan to allow for the construction of a 119-unit residential development. There will be 238 garage parking spaces and 47 guest parking spaces onsite as well as 21 parallel parking spaces along the Workman Avenue frontage. The applicant is also requesting approval of a General Plan Amendment from Civic: Schools (S) to Neighborhood—Medium (NM) to change the allowed residential density to accommodate the proposed density of 14.8 dwelling units per acre. The project is also requesting approval of a Vesting Tentative Tract Map to create individual lots for sale. The proposed project is consistent with the following General Plan policies and actions:

- ***Policy 3.3*** *New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.*

The project will create an appropriate transition from the traditional single-family neighborhood to the west and north towards a higher density along Vincent and Garvey Avenues. Two-story residences will be nearest to the existing homes. The character of the project will be pedestrian-oriented along both street frontages. This infill site will have a distinctive and high-quality residential experience.

- ***Policy 3.4*** *Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.*

The project site is just north of the downtown and located on a busy street. Both Workman and Vincent Avenues are served by transit. This urban infill site is suitable for residential development and will be compatible with the existing residential development in the area.

- ***Policy 3.6*** *Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.*

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change. The site is served by transit, giving residents the option to reduce the use of automobiles.

The proposed project is consistent with the following Housing Element Goals:

- **Goal 2** *Provide a variety of housing types to accommodate all economic segments of the City.*

The project will create new for-sale housing near the downtown at densities designed to be more affordable than traditional detached housing.

- **Goal 4** *Promote equal housing opportunity for all residents.*

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

- **Goal 5** *Identify adequate sites to achieve housing variety.*

The project will be an infill development of a site in transition near the downtown area. It will help revitalize the street. It will provide for-sale, detached and attached housing as an alternative to more traditional detached housing forms or attached apartments.

b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the Vincent Place Specific Plan, and all other applicable development standards in the Zoning Code.

c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

The proposed project is on a rectangular site currently developed with school. The site will be developed according to applicable development standards. The project is designed to be compatible with adjacent residential development.

The project will include required parking. The site will be landscaped. Mitigation measures and conditions of approval will ensure that the site is developed such that it will not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.

The proposed project site is 8.05 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the West Covina Municipal Code. The site is served by all necessary utilities. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.

The buildings are contemporary in style with a variety of finishes, materials and colors. The detached residences are two-stories tall and located nearest to the existing single-family homes to the west and north. The attached residential buildings on the site are three stories tall and located closer to Vincent and Garvey Avenues. The detached buildings will come in 3 architectural styles; each style will have 3 color schemes. The attached buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. All buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. New concrete block walls will be constructed along the westerly and southerly property lines and along much of the Garvey and Vincent Avenue frontages. Both the detached and attached residences along the street frontages have front doors facing the street, enhancing the sense of connectedness to the existing residential community. The design characteristics create an attractive project with architectural interest and substantial landscaping.

Findings necessary for the approval of a **Tentative Tract Map** are as follows:

a. The proposed map is consistent with the general plan and any applicable adopted specific plans.

An amendment to the City's General Plan land-use map to change the designation of the site from Civic:Schools (S) to Neighborhood—Medium (NM). As noted in Finding A for the General Plan Amendment, the project is consistent with a number of Goals, Policies and Actions of both the General Plan and the proposed Vincent Place Specific Plan.

b. The design or improvement of the proposed subdivision is consistent with the general plan and applicable adopted specific plans.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the proposed Vincent Place Specific Plan, and all other applicable development standards in the Zoning Code.

c. The site is physically suitable for the type of development.

The proposed project site is 8.05 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the Vincent Place Specific Plan and the West Covina Municipal Code. The site is served by all necessary utilities. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

d. The site is physically suitable for the proposed density of development.

The proposed project type is consistent in form with style recommended by the proposed Vincent Place Specific Plan. The proposed development will be accessible from driveways along Workman Avenue and Vincent Avenue. The site is 8.05 acres and, as conditioned, is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required standards of the proposed Specific Plan subject to the approval of the Zone Change and General Plan amendment. The proposed General Plan designation of Neighborhood Medium allows a maximum density of 20 units per acre. The proposed project density will be 14.8 units per acre. Additionally, there is a condition that requires that CC&Rs be recorded as a part of this project to ensure orderly operation. The site will be developed in accordance with the grading and construction requirements of the West Covina Municipal Code and the City Engineer.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

The site consists of an 8.05-acre parcel developed with school buildings, parking and landscaping. No known endangered, threatened or rare species or habitats, or designated natural communities, wetlands habitat, or wildlife dispersal, or migration corridors are present on site. A mitigated negative declaration was prepared for the project, which included required mitigation measures for Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems, to ensure that the project will not cause substantial environmental damage or injure fish, wildlife, or their habitat.

f. Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.

The proposed map and improvements will have access to a public sanitary sewer system for the removal and disposal of wastewater and to other necessary utility services. The site will be developed in accordance with the standards of the Engineering Division, the Municipal Code, the Uniform Building Code, and other applicable requirements.

g. The design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.

There are no easements on the property that would be affected by implementation of the proposed project. Access to the site will be provided via Vincent and Workman Avenues.

LEGAL REVIEW:

The City Attorney's Office has reviewed the staff report, resolutions and ordinance and approved them as to form.

OPTIONS:

The City Council has the following options:

1. Approve the project as recommended by the Planning Commission;
2. Approve the project without the Planning Commission's recommended changes; or
3. Provide alternative direction.

ENVIRONMENTAL REVIEW:

The Mitigated Negative Declaration of Environmental Impact (MND) prepared for the project disclosed that the project will not have a significant impact on the environment. Mitigation measures have been incorporated into the project's design and as conditions of approval to reduce impacts on the environment to a less than significant level. The MND has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, and was circulated for public comment for 30 days (from March 22, 2021 to April 21, 2021).

Comments were received from the County Sanitation Districts of Los Angeles County, the West Covina Improvement Association, and from two individuals. A Response to Comments was prepared and is provided as Attachment No. 7.

Traffic

Ganddini Group prepared a traffic analysis for the project in October, 2020, to assess traffic impacts. The traffic analysis evaluated potential project-related traffic impacts on Garvey, Vincent, and Workman Avenues.

The proposed use was estimated to generate 971 daily trips, including 69 trips during the AM peak and 86 trips during the PM peak. The project Vehicle Miles Traveled (VMT) impact was assessed in accordance with the City of West Covina VMT guidelines and guidance from City staff. The project is screened out from a detailed VMT analysis because the project site is located in a low VMT area that generates a total VMT per service population 15% lower than the San Gabriel Valley Council of Governments average. Since the project is reasonably expected to generate similar VMT as the existing land uses in this low-VMT area, the VMT impacts associated with the project would be less than significant.

Air Quality

According to the Air Quality Study (Attachment A of the Initial Study), the construction and operation emissions are below the regional thresholds of significance. The cumulative short-term construction-related emissions and long-term operational emissions from the project will not contribute considerably to any potential cumulative air quality impact because short-term project and operational emissions will not exceed any SCAQMD daily threshold. Conditions of Approval are included to minimize construction emissions, including watering of the site, covering truck beds leaving the site and limiting idling times for diesel equipment.

Required Mitigations

The environmental study concluded that mitigation measures are required for the following topics:

- Biological Resources (nesting birds and tree protection);
- Cultural Resources (archeological resources);
- Geology and Soils (paleontological resources);
- Hazards and Hazardous Materials (materials in buildings to be demolished, potential soil contamination);
- Noise (protecting residents from elevated noise levels in new buildings);
- Transportation (implementing design features to ensure safe turning movements entering and exiting the site);
- Tribal Cultural Resources;
- Utilities and Service Systems (replacing sewer lines).

A Mitigation Monitoring Program is an exhibit of Attachment No. 1 and provides information on the mitigation measures and monitoring by responsible agencies.

LARGE ATTACHMENTS

A copy of the plans and Mitigated Negative Declaration of Environmental Impact is posted on the City website at <https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents>

Prepared by: Jo-Anne Burns, Planning Manager

Attachments

- Attachment No. 1 - Mitigated Negative Declaration Resolution
- Attachment No. 2 - General Plan Amendment Resolution
- Attachment No. 3 - Precise Plan Resolution
- Attachment No. 4 - Tentative Tract Map Resolution
- Attachment No. 5 - Ordinance No. 2485
- Attachment No. 6 - Community Outreach Flyer
- Attachment No. 7 - Responses to Comments
- Attachment No. 8 - Letter of Support from Neighbors
- Attachment No. 9 - Fiscal Impact Analysis - Vincent Place
- Attachment No. 10 - May 25, 2021 Planning Commission Staff Report

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Enhance the City Image and Effectiveness
Financial Recovery Plan/Corrective Action

RESOLUTION NO. 2021-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CERTIFYING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR GENERAL PLAN AMENDMENT NO 20-02, ZONE CHANGE NO. 20-03, PRECISE PLAN NO. 20-06, AND VESTING TENTATIVE TRACT MAP NO. 83166 AT 1024 W. WORKMAN AVENUE, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a precise plan to:

Construct a 119-unit residential development on that certain property described as:

Assessor's Parcel No. 8457-029-906, in the records of the Los Angeles County Assessor; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, an initial study was prepared for said project; and

WHEREAS, based upon the findings of the initial study, it was determined that the proposed project will not have a significant impact on the environment and will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Fish and Game Code; and

WHEREAS, revisions to and/or conditions placed on the Project, were made or agreed to by the applicant before the mitigated negative declaration was released for public review, were determined by the environmental coordinator to avoid or reduce the potentially significant effects to a level that is clearly less than significant and that there was, therefore, no substantial evidence that the Project, as revised and conditioned, would have a significant effect on the environment; and

WHEREAS, a Mitigated Negative Declaration of Environmental Impact was prepared for the proposed project pursuant to the requirements of the California Environmental Quality Act of 1970, as amended, and mitigation measures are included in said Negative Declaration in support of the finding that there will not be a significant effect on the environment as a result of this project.

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly advertised public hearing to consider the subject application, at which time the City Council adopted a resolution certifying the Mitigated Negative Declaration; and

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

SECTION 1. Based on the initial study, the revisions and conditions incorporated into the Project, and information received during the public review process, the City Council of the City of West Covina finds that there is no substantial evidence that the Project, as revised and conditioned, may have a significant effect on the environment.

SECTION 2. The mitigated negative declaration reflects the independent judgment of the City Council.

SECTION 3. All feasible mitigation measures identified in the City of West Covina General Plan Environmental Impact Reports which are applicable to this Project have been adopted and undertaken by the City of West Covina and all other public agencies with authority to mitigate the project impacts or will be undertaken as required by this project.

SECTION 4. After receiving and considering all determinations, studies, documents, and recommendations, as well as other appropriate public comments, the City Council certifies the Mitigated Negative Declaration of Environmental Impact, subject to compliance with the mitigation measures that are recommended in the Mitigated Negative Declaration of Environmental Impact as set forth in Exhibit A.

SECTION 5. The Mitigation Monitoring Program prepared in connection with the Project is hereby recommended for approval for the Project.

SECTION 6. The documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in the office of the West Covina Community Development Director, 1444 West Garvey Avenue South, West Covina, CA 91790. The custodian of these documents and other materials is the West Covina Community Development Director.

SECTION 7. Upon approval of the Project by the City Council, the environmental coordinator shall file a Notice of Determination with the County Clerk of Los Angeles County and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

SECTION 8. Non-compliance with the aforementioned mitigation measures as determined by the monitoring department/agency, and any measures taken to correct said non-compliance, shall be immediately reported to the Planning Department on the City of West Covina Monitoring Checklist Form.

SECTION 9. The applicant agrees to implement the aforementioned mitigation measures and monitoring or reporting requirements.

SECTION 10. Failure to comply with any aforementioned mitigation measures and/or monitoring or reporting requirements will result in a written notice of violation from the City to the applicant at which time the City may order that all or a portion of pre-construction, construction, post-construction activity or project implementation must cease until compliance is reached.

SECTION 11. The California Environmental Quality Act (CEQA) and State and local guidelines, rules, regulations, and procedures adopted pursuant thereto permits the City of West Covina to impose any fees or charges associated with implementing the above monitoring program upon the applicant.

SECTION 12. The City Clerk shall certify to the adoption of this Resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-77 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

EXHIBIT A

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Introduction to the MMRP

The California Environmental Quality Act (CEQA) requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code [PRC] 21081.6). PRC Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the Final Initial Study-Mitigated Negative Declaration (IS-MND).

This mitigation monitoring and reporting program (MMRP) is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the IS-MND, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

MMRP Matrix

Table 1, *Mitigation Monitoring and Reporting Program*, below, lists mitigation measures and project design features that reduce the potentially significant effects of the proposed project to a less than significant level. These measures correspond to those discussed in in the IS-MND. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised that identifies the timing and entity/agency responsible for monitoring each measure. The City of West Covina will have the responsibility for implementing the measures, and various public agencies will have the primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures.

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Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
Biological Resources			
BIO-1: Nesting Bird Avoidance			
<p>Prior to issuance of grading permits, the following measures shall be implemented:</p> <ul style="list-style-type: none"> ▪ To avoid disturbance of nesting birds, including raptorial species protected by the MBTA and CFGC, construction activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 31). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on foot inside the project site, including a 100-foot buffer, and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in southern California. ▪ If nests are found, an avoidance buffer shall be demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No parking, storage of materials, or construction activities shall occur within this buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist. ▪ A survey report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable State and federal regulations protecting birds shall be submitted to the City. The qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur. 	<p>Preconstruction survey results and written verification of appropriate buffers or mitigation measures if bird nests are identified in the survey.</p>	<p>Prior to issuance of grading permits. If construction activities will take place between February 1 and August 31, the City shall confirm that the applicant has contracted with a qualified biologist to conduct a preconstruction nesting survey within 7 days of commencing construction, and review the survey report to verify that buffers and recommended measures to avoid nests are in place prior to commencing construction.</p>	<p>City of West Covina Planning Division</p>
BIO-2: Significant Trees			
<p>Significant trees that are removed due to the project shall be mitigated by one or more of the following measures:</p> <ul style="list-style-type: none"> ▪ Replacement with trees of a comparable species, size, and condition as determined by the Planning Director ▪ Relocation on or off site with submission of an arborist report describing the method and 	<p>Submittal of mitigation plans and approval by Planning Director</p>	<p>The City shall review and approve tree mitigation plans submitted by the applicant prior to issuance of grading permits. The City shall confirm that the</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<p>one-year survival guarantee</p> <ul style="list-style-type: none"> Payment of the proper restitution value of the tree(s), or donation of a boxed tree(s) to the City or other public agency to be used elsewhere in the community 		measures required by the tree mitigation plans have been carried out after the removal of trees and before issuance of building permits.	

Cultural Resources

CR-1: Worker’s Environmental Awareness Program

<p>A qualified archaeologist shall be retained to conduct a Worker’s Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualification Standards for archaeology (National Park Service [NPS] 1983). Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, the regulatory environment, and the proper protocol for treatment of the materials in the event of a find.</p>	<p>Contract with qualified archaeologist; submittal of WEAP training materials and logs to the City prior to the start of construction.</p>	<p>The City shall confirm that the applicant has provided written evidence that a qualified archaeologist has been retained to provide WEAP training and that construction workers have been given the WEAP training prior to start of construction.</p>	<p>City of West Covina Planning Division</p>
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CR-2: Unanticipated Discovery of Archaeological Resources

<p>If archaeological resources are encountered during ground-disturbing activities, all work in the immediate vicinity shall be halted, and the City of West Covina Community Development Department shall be immediately informed of the discovery. The qualified archaeologist required under Mitigation Measure TCR-2 shall be retained by the project applicant to determine if the find is classified as a significant cultural resource pursuant to the CEQA definition of historical (CEQA Guidelines 15064.5[a]) and/or unique archaeological resources (PRC 21083.2[g]). If the resource is classified as a significant cultural resource, the qualified archaeologist shall make recommendations on the treatment and disposition of the finding. The final recommendations on the treatment and disposition of the finding shall be developed in accordance with all applicable provisions of the PRC Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4 and shall be reviewed by the City of West Covina Community Development Department prior to implementation. The final recommendations shall be implemented, and the City shall be provided with a final report on the treatment and disposition of the finding prior to issuance of a Certificate of Occupancy.</p>	<p>Written verification of compliance with procedures for treatment of discovered archaeological resources.</p>	<p>The City shall confirm that the applicant has provided written evidence that a qualified archaeologist has been retained and ensure that, if any archaeological resources are discovered, all applicable actions of this mitigation measure are carried out during ground-disturbing phases of construction.</p>	<p>City of West Covina Planning Division</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
Geology and Soils			
GEO-1: Unanticipated Discovery of Paleontological Resources			
<p>In the event an unanticipated fossil discovery is made during the course of project development, construction activity shall be halted in the immediate vicinity of the fossil, and a qualified professional paleontologist shall be notified and retained to evaluate the discovery, determine its significance, and determine if additional mitigation or treatment is warranted. Work in the area of the discovery shall resume once the find is properly documented and the qualified professional paleontologist authorizes resumption of construction work. Any significant paleontological resources found during construction monitoring shall be prepared, identified, analyzed, and permanently curated in an approved regional museum repository under the oversight of the qualified paleontologist.</p>	<p>Written verification from the qualified paleontologist that the procedures for treatment of discovered paleontological resources have been carried out.</p>	<p>The City shall confirm that the applicant has provided written evidence that a qualified paleontologist has been retained and ensure that, if any paleontological resources are discovered, all applicable actions of this mitigation measure are carried out during ground-disturbing phases of construction.</p>	<p>City of West Covina Planning Division</p>
Hazards and Hazardous Materials			
HAZ-1: Suspect Asbestos-Containing Materials			
<p>Prior to the issuance of a demolition permit, the applicant shall obtain a letter from a qualified asbestos abatement consultant that no ACMs are present in the building. If ACMs are found to be present, the materials shall be abated in compliance with South Coast Air Quality Management District (SCAQMD) Rule 1403, as well as other applicable State and federal rules and regulations. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement activities on-site. All ACMs removed from any on-site structure shall be hauled and disposed off-site by a transportation company certified to handle asbestos and hazardous materials.</p>	<p>Written verification that applicant has retained a qualified asbestos abatement consultant and that ACM abatement (if required) has been appropriately completed.</p>	<p>Prior to issuance of demolition permits, the City shall confirm that the applicant has provided written proof that a qualified asbestos abatement consultant has been retained and that abatement (if required) has been completed.</p>	<p>City of West Covina Planning Division, SCAQMD</p>
Noise			
NOI-1: Construction Noise Reduction			
<p>The project contractor shall be required to implement noise reduction measures during construction, which may include but are not limited to:</p> <ul style="list-style-type: none"> ▪ Schedule construction activities to avoid operating several pieces of equipment simultaneously, which can cause high noise levels ▪ Enclose stationary equipment with materials capable of reducing noise levels by at least 10 dBA (see Appendix H for barrier specifications) 	<p>Written and field verification of noise reduction measures.</p>	<p>The City shall review and approve a written description of noise reduction measures submitted by the applicant that shall be implemented prior to and during construction. The City shall then, once prior to and</p>	<p>City of West Covina Planning Division and City of West Covina Building Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<ul style="list-style-type: none"> Locate all construction areas for staging and warming up as far as possible from adjacent residential buildings and sensitive receivers Erect temporary noise barriers with a minimum height of 10 feet along the western and southern boundaries of the construction site when construction is performed within 50 feet of the residences at these boundaries. The noise barriers shall be constructed of material with a minimum weight of two pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, and hay bales. Per the specification in Appendix H, barriers would be able to reduce construction noise by 10 to 20 dBA. 		then periodically during construction, confirm through field verification that these measures have been implemented.	
NOI-2: Sound Insulation			
<p>To comply with Title 24, Part 2, Section 1206.4 (Allowable Interior Noise Levels) of the California Code of Regulations, the applicant shall install exterior building materials with sufficient Sound Transmission Class (STC) ratings to reduce interior noise levels in habitable rooms to 45 CNEL or lower. To reduce potential noise impacts to future project residents, residential units with line of sight to any area roadway shall incorporate design measures for windows, walls, and doors that achieve a composite STC rating of at least 30 and all exterior doors and windows shall be installed such that there are no air gaps or perforations. Both aforementioned STC rating standard requirements shall be incorporated into the plans to be submitted by the applicant to the City of West Covina for review and approval prior to the issuance of building permits. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City and California Code of Regulations, Title 24, Section 1206.4.</p>	Written verification of design measures and Acoustical Analysis.	The City shall confirm that the applicant has provided acoustical design measures for approval prior to issuance of building permits. The City shall review and approve written proof submitted by the applicant that an acoustical analysis was performed prior to the issuance of an occupancy permit to demonstrate that noise levels do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City.	City of West Covina Building Division
Transportation			
TRAN-1: Traffic Safety and Control			
<p>For safety purposes, the applicant shall incorporate all recommendations provided by the City traffic engineer and City Conditions of Approval into the final grading, landscaping, and street improvement plans submitted to the City for review; and these plans shall also show the following improvements:</p> <ul style="list-style-type: none"> The Project Driveway (North-South) at West Workman Avenue (East-West) shall provide one inbound lane and one outbound lane with northbound stop-control and the following lane configurations: 	Review and approval of final grading, landscaping, and street improvement plans by City.	The City shall review and approve plans submitted by the applicant that incorporate the recommendations and Conditions of Approval.	City of West Covina Traffic Engineer

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<ul style="list-style-type: none"> o Northbound – One shared left/ right turn lane o Eastbound – One shared through/ right turn lane o Westbound – One shared left/ through lane ▪ The West Garvey Avenue North (North-South) at Project Driveway (East-West) shall provide one inbound lane and one outbound lane with eastbound stop-control and the following lane configurations: <ul style="list-style-type: none"> o Northbound – One shared left/ through lane o Southbound – One shared through/ right turn lane o Eastbound – One shared left/ right turn lane <p>The City traffic engineer shall confirm that these recommendations, conditions of approval, and project design features have been incorporated into the final grading, landscaping, and street improvement plans before they are approved by the City.</p>			

Tribal Cultural Resources

TCR-1: Retain a Native American Monitor

<p>The project applicant shall obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, potholing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching, within the project area. The monitor(s) shall be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor(s) shall complete monitoring logs on a daily basis that provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the construction-related ground disturbance activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.</p>	<p>Monitoring contract with qualified Native American monitor, monitoring logs.</p>	<p>The City shall confirm that the applicant has retained a qualified Native American Monitor prior to the commencement of construction, and that monitoring is conducted during ground-disturbing activities consistent with the requirements of this mitigation measure.</p>	<p>City of West Covina Planning Division</p>
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TCR-2: Unanticipated Discovery of Tribal Cultural Resources

<p>A qualified archaeologist and Native American Monitor shall be present during construction-related ground disturbance activities in order to identify any unanticipated discovery of tribal cultural resources. The qualified archaeologist and Native American Monitor may be separate individuals or the same individual if the City determines that individual qualifies as both a qualified archaeologist and Native American Monitor. All archaeological resources unearthed by construction activities shall be evaluated by the qualified archaeologist and Native American Monitor. If the resources are determined to be human remains (see also Mitigation Measure</p>	<p>Monitoring contract with qualified archaeologist and Native American monitor. Written verification from Native American monitor and qualified archaeologist of</p>	<p>The City shall confirm that the applicant has retained a qualified archaeologist and Native American Monitor prior to the commencement of construction activities and that monitoring is conducted during</p>	<p>City of West Covina Planning Division</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<p>TCR-3) the coroner shall be notified, and if the human remains are Native American in origin, the coroner shall notify the NAHC as mandated by state law, who will then appoint a Most Likely Descendent (MLD). The MLD shall then coordinate with the landowner regarding treatment and curation of these resources. Typically, the MLD will request reburial or preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), the qualified archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.</p>	<p>compliance with procedures for treatment of discovered Tribal cultural resources.</p>	<p>ground disturbing activities consistent with the requirements of this mitigation measure.</p>	
<p>TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary Objects</p>			
<p>The term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of associated cultural resources (Funerary objects) with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. The Native American Graves Protection and Repatriation Act (NAGPRA) guidance specifically states that the federal agencies will consult with organizations on whose aboriginal lands the remains and cultural items might be discovered, who are reasonably known to have a cultural relationship to the human remains and other cultural items. Therefore, for this project site, it is appropriate to consult with local Native American groups as recommended by the NAHC.</p> <p>Any discoveries of human skeletal material shall be immediately reported to the County Coroner. The monitor shall immediately divert work at a minimum of 50 feet and place an exclusion zone around the burial. The monitor shall then notify the Qualified Archaeologist and the construction manager who shall call the coroner. Work shall continue to be diverted</p>	<p>Monitoring contract with qualified archaeologist and Native American monitor and written proof that the procedures listed in this mitigation measure have been implemented and complied with.</p>	<p>The City shall confirm that the applicant has retained a qualified archaeologist and Native American Monitor prior to the commencement of construction activities and that monitoring is conducted during ground disturbing activities consistent with the requirements of this mitigation measure.</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<p>while the coroner determines whether the remains are Native American. The discovery shall be kept confidential and secure to prevent any further disturbance. If Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent. The Most Likely Descendant shall provide recommendations as to the treatment and disposition of the human remains within 48 hours MLD designation. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with a protective casing to prevent further damage or looting.</p> <p>If the coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the coroner. Reburial will be in an appropriate setting. If the coroner determines the remains to be modern, the coroner will take custody of the remains. Each occurrence of human remains and associated funerary objects shall be stored in accordance with methods agreed upon between the MLD and the landowner.</p>			

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RESOLUTION NO. 2021-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 20-02 CHANGING THE GENERAL PLAN LAND-USE DESIGNATION OF 1024 W. WORKMAN AVENUE FROM CIVIC: SCHOOLS TO NEIGHBORHOOD-MEDIUM

WHEREAS, there was filed with the City a verified application to change the General Plan land-use designation of 1024 W. Workman Avenue from “Civic-Schools” to Neighborhood Medium (9 to 20 units/acre); and

WHEREAS, the Planning Commission, upon giving the required notice, did on the May 25, 2021, conduct a duly advertised public hearing as prescribed by law and voted to recommend the City Council’s approval of the above stated application; and

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly noticed public hearing to consider the general plan amendment application; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The project consists of a specific plan intended to allow for and guide the development of a 119-unit residential project with 47 detached and 72 attached dwelling units and provides a detailed description of proposed infrastructure and development standards.
2. The project includes a zone change requesting to amend the zoning of the property located at 1024 W. Workman Avenue (former Vincent School) from Single-Family Residential (R-1) to Specific Plan-31: Vincent Place Specific Plan to allow for development to occur as indicated by the Specific Plan.
3. The project includes a Tentative Tract Map to allow for the condominium subdivision of air rights
4. The project includes a precise plan to demolish all existing school buildings/uses on the site and construct 119 dwelling units (47 detached two-story units ranging from 1,465 to 2,125 square feet, and 72 three-story attached townhome-style units in ten buildings, ranging from 1,214 sq. ft. to 1,822 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 8.05-acre site. The project also includes a tree removal permit to remove 8 significant trees on the site (7 Oak trees, 1 Crepe Myrtle tree).
5. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL

IMPACT has been prepared indicating the project will not have a significant effect on the environment.

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

SECTION 1. The above recitals are true and correct and are incorporated herein as if set forth herein in full.

SECTION 2. The City Council of the City of West Covina hereby adopts General Plan Amendment No. 20-02, amending the land use designation for the subject property as set forth on the Land Use Map of the Land Use Element as shown on Exhibit "A."

SECTION 3. All General Plan Amendments adopted by the City Council on the same day shall be considered as a single General Plan Amendment package.

SECTION 4. Should any provision of this Resolution, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Resolution or the application of this Resolution to any other person or circumstance and, to that end, the provisions hereof are severable. The City Council of the City of West Covina declares that it would have adopted all the provisions of this Resolution that remain valid if any provisions of this Resolution are declared invalid.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-79 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

EXHIBIT A

Subject Property: Civic: Schools

1024 E. Workman Avenue



Indicates the area to be changed from “Civic: Schools” to “Neighborhood Medium (9 to 20 units/acre)”

RESOLUTION NO. 2021-79

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, APPROVING PRECISE
PLAN NO. 20-06 AND TREE REMOVAL PERMIT NO. 21-03
AT 1024 W. WORKMAN AVENUE**

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a Precise Plan to:

Construct a 119-unit residential development on that certain property described as:

Assessor's Parcel No. 8457-029-906, in the records of the Los Angeles County Assessor; and

WHEREAS, a General Plan Amendment has been submitted to amend the land use designation of the property located at 1024 W. Workman Avenue (former Vincent School) from "Civic: Schools" to "Neighborhood Medium" to allow for development to occur as indicated by the Specific Plan; and

WHEREAS, a Zone Change has been submitted to change the zoning of the site from "Single-Family Residential" (R-1) to Specific Plan-31: Vincent Place Specific Plan; and

WHEREAS, a Tentative Tract Map has been submitted to allow for the condominium subdivision of air rights; and

WHEREAS, the Planning Commission upon giving the required notice did on May 25, 2021, conduct duly advertised public hearings as prescribed by law to consider said application and voted to recommend the City Council's approval of the above stated application; and

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly noticed public hearing to consider the precise plan and tree removal permit applications; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The applicant is requesting approval of a precise plan to demolish all existing school buildings/uses on the site and construct 119 dwelling units (47 detached two-story units ranging from 1,465 to 2,125 square feet, and 72 three-story attached townhome-style units in ten buildings, ranging from 1,214 sq. ft. to 1,822 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 8.05-acre site. The project also includes a tree removal permit to remove 8 significant trees on the site (7 Oak trees, 1 Crepe Myrtle tree).

2. Appropriate findings for approval of a precise plan of design are as follows:
 - a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.
 - b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provision of the Municipal Code.
 - c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.
 - d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.
 - e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.
3. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating the project will not have a significant effect on the environment.

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

SECTION 1. On the basis of the evidence presented, both oral and documentary, the City Council makes the following findings:

a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.

The project is a request for a Precise Plan to allow for the construction of a 119-unit residential development. There will be 238 garage parking spaces and 47 guest parking spaces onsite as well as 21 parallel parking spaces along the Workman Avenue frontage. The applicant is also requesting approval of a General Plan Amendment from Civic: Schools (S) to Neighborhood—Medium (NM) to change the allowed residential density to accommodate the proposed density of 14.8 dwelling units per acre. The project is also requesting approval of a Vesting Tentative Tract Map to create individual lots for sale. The proposed project is consistent with the following General Plan policies and actions:

- *Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.*

The project will create an appropriate transition from the traditional single-family neighborhood to the west and north towards a higher density along Vincent and Garvey Avenues. Two-story residences will be nearest to the existing homes. The character of the project will be pedestrian-oriented along both street frontages. This infill site will have a distinctive and high-quality residential experience.

- *Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.*

The project site is just north of the downtown and located on a busy street. Both Workman and Vincent Avenues are served by transit. This urban infill site is suitable for residential development and will be compatible with the existing residential development in the area.

- *Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.*

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change. The site is served by transit, giving residents the option to reduce the use of automobiles.

The proposed project is consistent with the following Housing Element Goals:

- *Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.*

The project will create new for-sale housing near the downtown at densities designed to more affordable than traditional detached housing.

- *Goal 4 Promote equal housing opportunity for all residents.*

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

- *Goal 5 Identify adequate sites to achieve housing variety.*

The project will be an infill development of a site in transition near the downtown area. It will help revitalize the street. It will provide for-sale, detached and attached housing as an alternative to more traditional detached housing forms or attached apartments.

b. The proposed development is consistent with adopted development standards for the

zone and complies with all other applicable provisions of the Municipal Code.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the Vincent Place Specific Plan, and all other applicable development standards in the Zoning Code.

c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

The proposed project is on a rectangular site currently developed with school. The site will be developed according to applicable development standards. The project is designed to be compatible with adjacent residential development.

The project will include required parking. The site will be landscaped. Mitigation measures and conditions of approval will ensure that the site is developed such that it will not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.

The proposed project site is 8.05 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the West Covina Municipal Code. The site is served by all necessary utilities. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.

The buildings are contemporary in style with a variety of finishes, materials and colors. The detached residences are two-stories tall and located nearest to the existing single-family homes to the west and north. The attached residential buildings on the site are three stories tall and located closer to Vincent and Garvey Avenues. The detached buildings will come in 3 architectural styles; each style will have 3 color schemes. The attached buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. All buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. New concrete block walls will be constructed along the westerly and southerly property lines and along much of the Garvey and Vincent Avenue frontages. Both the detached and attached residences along the street frontages have front doors facing the street, enhancing the sense of connectedness to the existing residential community. The design

characteristics create an attractive project with architectural interest and substantial landscaping.

SECTION 2. Pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Precise Plan No. 20-06 and Tree Removal Permit No. 21-03 are approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued.

SECTION 3. The precise plan shall not be effective for any purpose until the applicant (or a duly authorized representative) has filed at the office of the Planning Director, his/her/its affidavit stating he/she/it is aware of, and accepts, all conditions of this precise plan as set forth below. Additionally, no permits shall be issued until the applicant (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.

SECTION 4. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

SECTION 5. The City Council approves the precise plan subject to the following conditions:

PLANNING DEPARTMENT

1. Comply with plans reviewed by the City Council on July 20, 2021.
2. Approval of this precise plan is contingent upon, and shall not become effective unless and until, approval of General Plan Amendment No. 20-02, Zone Change No. 20-03 and Tentative Tract Map No. 83166.
3. These conditions of approval shall be printed on or attached to the working drawings submitted to the Building Division for approval.
4. That the project complies with all requirements of the Vincent Place Specific Plan and all other applicable standards of the West Covina Municipal Code.
5. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
6. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
7. This approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.

8. The applicant shall sign an affidavit accepting all conditions of this approval.
9. The applicant shall defend, indemnify, and hold harmless the City of West Covina, 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, approval of this Vesting Tentative Tract Map. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense.
10. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
11. That any proposed change to the approved site plan, floor plan or elevations be reviewed by the Planning, Building, Fire and Police Departments and that the written authorization of the Planning Director shall be obtained prior to implementation.
12. Graffiti-resistant coatings shall be used on all walls, fences, sign structures or similar structures to assist in deterring graffiti.
13. Any graffiti that appears on the property during construction shall be cleaned or removed on the same business day.
14. The applicant shall install signage on the site prohibiting parking along the fire lanes and in front of garages. The required signs shall be installed prior to Building Permit Final and issuance of the final certificate of occupancy.
15. The roofing material for the townhomes along Vincent Avenue shall be upgraded to concrete roof tiles and the wall material shall be revised to smooth stucco. The plans shall be revised to incorporate the building material change prior to building permit issuance.
16. The project plans shall be revised prior to building permit issuance to incorporate 4'-0" tall walls along Workman and Vincent Avenues and a 7'-0" tall wall along Garvey Avenue to provide sufficient security for the site. In addition, the proposed perimeter vinyl fence shall be increased in height to 6'-0".
17. The applicant shall work with the Engineering Division in providing better street lighting along Garvey and Vincent Avenues. The applicant shall be required to provide double-sided light poles that emits twice the normal lighting density, subject to Southern California Edison and/or the City Engineer's approval.

18. All outstanding fees and Development Impact Fees will be due at the time of building permit issuance.
19. All second-floor windows along the west elevation of each unit located along the west property line shall be made of frosted glass designed to obscure views and preserve the privacy of the single-family residential properties to the west. The frosted glass windows shall be maintained and shall not be replaced with windows that do not protect the privacy of the neighbors to the west.
20. This approval does not include approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.
21. All approved materials and colors shall be clearly indicated on the plans.
22. Areas where a two-foot parking space overhang is utilized shall not be calculated as landscaped area for purposes of complying with minimum landscape requirements.
23. All new ground-mounted, wall-mounted and/or roof-mounted equipment not shown on the approved plans shall be screened from all views, in a manner that is architecturally compatible with the main building. Plans and elevations indicating the type of equipment and method of concealment shall be submitted to the Planning Director for review and approval prior to the issuance of building permits.
24. The location of new electrical transformers, vaults, antennas, mechanical and all other equipment not indicated on the approved plans must be approved by the Planning Director prior to the issuance of building permit. Provide construction details prior to issuance of a building permit.
25. All parking facilities shall comply with the "Parking Lot Design and Lighting Standards."
26. All new pole mounted parking lot lighting shall be accurately indicated on the grading plan and shall be located within landscaped or hardscaped area. Pole locations shall be accurately staked prior to installation by the Engineer. Poles shall be limited to a maximum height of 14 feet.
27. A parking lot lighting plan showing electrolier types and locations, average illumination levels, points of minimum illumination and photometric data in conformance with Planning Commission Resolution No. 2513 and as requested shall be submitted to and approved by the Planning Department and the City Engineer.
28. Building and parking lot lighting is required to be architecturally integrated with the building design. Standard security wall packs are not acceptable unless they are provided with hooding that is architecturally compatible with the building.
29. The paved areas at the site shall be maintained clean and free of oil stains. All paved areas shall be pressure washed as needed to maintain the site in a clean and orderly manner.

- 30.** That prior to final building permit approval, a detailed landscape and irrigation plan in compliance with AB 1881 and executive order 13-29-15 shall be submitted for all planted areas to be affected by project. Plans shall include type, size and quantity of landscape materials and irrigation equipment. All vegetation areas shall be automatically irrigated and a detailed watering program and water budget shall be provided. All damaged vegetation shall be replaced and the site shall be kept free of diseased or dead plant materials and litter at all times. All landscaping and irrigation shall be installed prior to building permit final. A licensed landscape architect shall certify that the landscaping was installed per the approved landscape plan.
- 31.** The landscape plan shall include the planting of eight 36” box-sized replacement trees pursuant to Tree Removal Permit No. 21-03. The replacement trees shall be identified as such on the landscape plan and shall be installed prior to building permit final.
- 32.** The landscape plan shall include the installation of 48” box-sized podocarpus trees along the westerly property line adjacent to 208, 214, 224, 228, and 234 N. Morada Avenue. A mixture of 24” and 36” box-sized podocarpus trees shall be installed along the remainder of the westerly property line not directly adjacent to the properties mentioned above. The podocarpus trees shall be installed prior to building permit final of the detached units that the required trees are installed to screen/buffer.
- 33.** All trees shall be indicated on the grading plan, including trees on, or near the property line on adjacent properties. The trees shall be marked as to whether they will be preserved or removed. Trees that are preserved should not be topped but should be pruned to preserve their natural form.
- 34.** Clinging vines shall be installed on all street facing perimeter retaining or freestanding walls to assist in deterring graffiti. The vines shall be installed prior to building permit final.
- 35.** Prior to the issuance of building permits, the applicant shall submit a detailed wall and fencing plan to the Planning Director for review and approval. Fences and/or walls shall be constructed around all properties, as determined by the Planning Director. Said plan shall indicate the locations for all fences and walls, and shall further indicate the height, materials, and colors for all fences and walls. Perimeter block walls (retaining walls) shall be constructed of a decorative material, such as slumpstone or split-face block. The wall and fencing plan shall include the location, design and materials. Wood fences shall include steel posts for maintenance purposes.
- 36.** Any sidewalk, hardscape or parking facility, with potholes, broken, raised or depressed sections, large cracks, mud and/or dust, accumulation of loose material, faded or illegible pavement striping, or other deterioration shall be repaired.
- 37.** Prior to requesting a final inspection, the Planning Division shall inspect the development.

38. All new utilities shall be placed underground prior to issuance of Certificate of Occupancy per WCMC 23-273.
39. The applicant shall meet any and all monitoring or reporting requirements necessary to ensure compliance with the mitigation measures contained in the Mitigated Negative Declaration of Environmental Impact as those may be determined by the City, including, but not limited to, entering into an agreement to perform and/or for monitoring and reporting during project construction and implementation. The applicant further agrees it will cease construction of the project immediately upon written notice of a violation of such requirement and that such a provision may be part of any agreement of City and applicant.
40. The Zoning Code provides for up to two one-year extensions to keep entitlements active. Therefore, prior to permit expiration, (if building permits have not been obtained) you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. Please be advised that the applicant will not be notified by the Planning Department about the pending expiration of the subject entitlement.
41. The new development shall comply with the Development Impact Fees (Ordinance No. 2286 and Resolution No. 2015-81). Development Impact Fees for the current fiscal year (2020/2021) are \$1,809 (per unit) for detached single-family and \$1,289 (per unit) for single-family attached/multi-family. The total development impact fees required would be \$177,831.00. The impact fees will be due at the time of building permit issuance.
42. During construction, outdoor operations of equipment, and construction activity shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
43. During construction, the delivery of materials and equipment shall be limited to the hours between 9:00 am and between 5:00 pm.
44. A construction staging/parking management plan shall be submitted prior to Building Permit issuance. The plan shall indicate the location where all construction workers would park to carpool or be dropped off at the job site. Construction street parking shall be limited to legal street parking spaces directly in front of the project site.
45. Comply with all requirements of the “Art in Public Places” ordinance (WCMC Chapter 17), prior to the issuance of building permits. Artwork shall be installed or required fee paid prior to issuance of Certificate of Occupancy.
46. Prior to plan check, the plans shall be revised to demonstrate that the signage for the project is limited to one monument sign per street frontage.
47. BUILDING DIVISION
 - a) All Conditions of Approval as approved by the City Council shall appear as notes on the plans submitted for building plan check and permits.

- b) Building design shall comply with the 2020 County of Los Angeles Building Codes. Plans shall be submitted for plan check and required permits shall be obtained from the Building & Safety Division prior to start of construction.
- c) Separate application(s), plan check(s), and permit(s) is/are required for:
 - i. Model/Sales Office Temporary Use
 - ii. Grading (*see Engineering Division for requirements*)
 - iii. Demolition work
 - iv. Retaining walls (*see Engineering Division for requirements*)
 - v. Required masonry wall or trash enclosure construction.
 - vi. Signs
 - vii. Fire sprinkler/Alarm systems (*see Fire Department Prevention Bureau for requirements*)
 - viii. Plumbing
 - ix. Mechanical
 - x. Electrical
 - xi. Sewer
- d) Proof of payment of School Development Fees required prior to permit issuance.
- e) Photovoltaic system is required in compliance with the 2019 California Energy Code
- f) Compliance with the State of California Accessibility regulations is required:

A minimum of ten (10) percent, but not less than one of the multistory dwelling units shall comply with the provisions of C.B.C. Section 1102A.3.1

 - (1) The primary entry to the dwelling unit shall be on an accessible route
 - (2) At least one powder room or bathroom shall be located on the primary entry level served by an accessible route and shall comply with the provisions in Division IV.
 - (3) All rooms or spaces located on the primary entry level shall be served by an accessible route.
 - (4) Common use areas shall be accessible.
- g) The minimum number of multifamily dwelling units which must comply with the State of California Accessibility regulations shall be calculated using the total number of all multistory dwelling units in buildings on a site which are subject to the provisions of C.B.C. Section 1102A.3.1. Any fraction thereof shall be rounded to the next highest whole number.
- h) Fire sprinklers are required and shall be installed pursuant to the West Covina Municipal Code. WCMC § 7-18.13.
- i) Prior to issuance of building permits, the applicant shall submit and obtain approval for a Waste Management Plan (WMP) for Construction and Demolition providing:
 - i. Estimated volume or weight of materials that can be reused or recycled.

- ii. Estimated maximum volume or weight of materials that can be reused or recycled
 - iii. Identify the vendor or facility that the applicant proposes to use to collect and receive the materials.
 - iv. Estimated volume of waste materials that will be landfilled.
 - v. Identify any special or specific activities that will be used to comply with the Recycling and Disposal requirements.
 - vi. Submit Security Deposit.
- j) Prior to final inspection and approvals, the applicant shall submit documentation and obtain approval from the WMP Compliance Official showing that the Waste Diversion Requirement has been met, and shall include the following information:
- i. Receipts from the vendor and/or facility that collected and received each material, showing the actual volume or weight of that material.
 - ii. A copy of the previously approved WMP for the project adding the actual volume or weight of each material diverted or disposed of at a landfill.
 - iii. Security Deposit will not be returned until this has been accomplished
 - iv. Any additional information the applicant believes is relevant to assist in making the determination that the necessary efforts to comply have been achieved.
- k) All work shall be completed with a valid permit and in accordance with applicable Building Regulations. Final building inspection and approvals shall be completed prior to the occupancy of the building.

48. ENGINEERING DIVISION

- a. The second sheet of building plans, grading plans and/or offsite improvement plans is to list all conditions of approval and to include a copy of the City Council Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- b. Applicant shall provide a site plan with proposed Private Street names and proposed addressing prior grading plan check submittal to be approved by City Engineer and/or designee during the plan review process. An application to assign addresses shall be filed with Engineering Division prior to plan check submittal.
- c. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - i. Observation of cleared areas and benches prepared to receive fill;
 - ii. Observation of the removal of all unsuitable soils and other materials;
 - iii. The approval of soils to be used as fill material;
 - iv. Inspection of compaction and placement of fill;
 - v. The testing of compacted fills; and
 - vi. The inspection of review of drainage devices.
- d. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site

preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.

- e. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
- f. Stormwater Planning Program LID Plan Checklist (Form PC) completed by Engineer of Record shall be copied on the first sheet of Grading Plans. The form can be found at the following link <https://www.westcovina.org/home/showdocument?id=18427> An LID report and plan is required. A SWPPP is required.
- g. Comply with all regulations of the Los Angeles Regional Water Quality Control Board and Article II of Chapter 9 of the West Covina Municipal Code concerning Stormwater/Urban Run-off Pollution control.
- h. Conduct a sewer capacity study of existing sewer facilities that serve the proposed development. The developer shall either pay in-lieu fees equal to the estimated cost (based on Los Angeles County Land Development Division Bond Calculation Sheets) of the proposed development's percentage of design capacity of the existing sewer system prior to the issuance of building permits or provide sewer improvements to deficient sewer segments serving the subject property to the satisfaction of the City Engineer.
- i. Prepare a hydrology/hydraulic study of existing and proposed development per the Los Angeles County Hydrology Manual.
- j. Prior to (issuance of Building Permit) (approval of a final map), all of the following requirements shall be satisfied:
 - i. A final grading and drainage plan showing existing and proposed elevations and drainage structures (and showing existing and proposed on-site and off-site improvements) shall be submitted to and approved by the Planning Department and Engineering Division.
 - ii. An itemized cost estimate based on Los Angeles County Land Development Division Bond Calculation Sheets for all on-site and off-site improvements to be constructed (except buildings) shall be submitted to the Engineering Division for approval. Based upon the approved cost estimates, required fees shall be paid and improvement securities for all on-site and off-site improvements (except buildings) and 100% labor/material securities for all off-site improvements, shall be posted prior to final approval of the plans.
 - iii. A soils erosion and sediment control plan shall be submitted to and approved by the Planning Department and Engineering Division
 - iv. Approval from easement holders where any of work/encroachment proposed within the easement.

- k. A park dedication in-lieu fee shall be paid to the City of West Covina prior to issuance of a Building Permit pursuant to Section 20-40 of the Municipal Code. The estimated park fee is 438×119 (No. of units) \times \$25/sqft (unit price of a developed park) = \$1,303,050.
- l. Provide will serve letter from the water purveyor that services the project area.
- m. The project shall be reviewed and approved by the City Traffic Engineer, prior to the issuance of permits. Any improvement measures needed as a result of findings from the traffic study shall be made at the sole cost to the property owner/developer.
- n. The required street improvements shall include those portions of roadways contiguous to the subject property to centerline and include:
 - a) Remove and reconstruct existing driveway approaches shall be removed and reconstructed to meet current ADA requirements.
 - b) Remove and reconstruct all damaged and off-grade curbs, gutters, sidewalks, and ADA ramps.
 - c) Evaluate and update street lighting to current County requirements.
 - d) Install catch basin trash grates per NPDES requirements and City standard.
- o. The required street improvements shall include those portions of roadways contiguous to the subject property to centerline. The developer shall either pay an in-lieu fee equal to the estimated cost of street rehabilitation based on Los Angeles County Land Development Division Bond Calculation Sheets prior to the issuance of building permits or provide street rehabilitation work up to centerline of all streets contiguous to subject property.
- p. The access rights to interior lots and private streets from public roadways shall be dedicated to the City to the satisfaction of the City Engineer.
- q. Sidewalks (with trees in tree wells or in parkways) shall be constructed along roadways contiguous to subject property adjacent to curb or R/W line to the satisfaction of the City Engineer.
- r. Easements contiguous to the street right-of-way shall be granted for utility, street lighting, and traffic signing purposes to the satisfaction of the City Engineer.
- s. Private street improvements shall comply with Municipal Code Chapter 19, Article 8, and Planning Commission Resolution No. 2519.
- t. Obtain "will serve letter" from the Los Angeles County Sanitation District for the discharge of sewer into the sewer trunk line.
- u. Prior to approval of the final map, the applicant shall prepare and submit for approval with the City and County of Los Angeles Sanitation District a sewer plan for the sewer main and laterals within the private street and connection to the sewer main.

- v. Provide the dedication of the necessary sewer easements or public utilities easement on the final map.
- w. The following are Public Works conditions and shall be incorporated into submittal plans, show the conditions on site plans and on grading plans (no handwritten notes, stickers etc. shall be accepted):

W WORKMAN AVE & N VINCENT AVE

- PW1. Replace existing curb ramp at the corner of Workman Ave and Vincent Ave with new curb ramp in accordance with SPPWC Standard Plan 111-5 and as directed by the City Engineer or his/her designee.
- PW2. Install new driveway approach in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.
- PW3. Close existing driveway apron, and install necessary improvements (parkway, landscape, sidewalk, curb and gutter, any others as applicable) to match required adjacent sections, and as directed by the City Engineer or his/her designee.
- PW4. Remove and replace broken and off grade sidewalk in accordance with SPPWC standard plan 113-2, and as directed by the City Engineer or his/her designee.
- PW5. Remove and replace broken and off grade curb and gutter in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.
- PW6. The approved building addresse(s) shall be painted on the curb to the City's standards as required by the Public Works Inspector prior to final inspection.
- PW7. Underground all utility services to the property.
- PW8. Protect, reestablish, and install all survey monumentation including centerline ties and subdivision monumentation.

TRAFFIC ENGINEERING

- x. For safety purposes, in addition to other requirements for red curb at the projects access points, a minimum of 20 feet of red curb be painted on either side of the Garvey Avenue driveway (Driveway K) since vehicles traveling NB on Vincent Avenue will be entering Garvey Avenue in an uncontrolled movement.
- y. Referring to Figure 19 in the Focused Traffic Analysis:
 - a) Install 70.6 feet of red curb to the west of Driveway A.
 - b) Install 39 feet of red curb to the east of Driveway A
 - c) Install Stop Bar and Stop Sign for Exiting traffic at Driveway A

- z. All Red Curb and signage on Internal Streets in the development shown in Figures 20 thru Figure 28 of the Focused Traffic Analysis should meet applicable Engineering Standards. All internal streets should provide for clear sight triangles at each internal intersection by removing either parking or shrubs that may obscure vehicles sight from other vehicles or pedestrians.
- aa. Stop bar and Stop Sign will need to be installed for exiting traffic at Driveway K.
- bb. Construction Work Site Traffic Control Plan shall be submitted to City for review and approval.

49. FIRE DEPARTMENT

- a. Provide NFPA 13D/13R/13 Fire Sprinkler System.
- b. Ensure turning radius of 45' Outside and 19' Inside
- c. New Fire Flow Test required.
- d. Required Fire Flow of 1,000 GPM @ 20 PSI for two (2) hours (each unit).
- e. Ensure one (1) fire hydrant within 600 feet of all property lines.
- f. Hard-wired smoke and carbon monoxide detectors with battery back-up are required.
- g. Provide/Maintain 26ft Fire Apparatus Access Road.
- h. Gate card readers will be required for any mechanical gates

NOTE: Additional Fire Department Requirements may be set upon future review of a full set of architectural plans.

SECTION 6. The City Clerk shall certify to the adoption of this resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-79 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

RESOLUTION NO. 2021-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 83166 AT 1024 W. WORKMAN AVENUE

WHEREAS, there was filed with this Commission a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a tentative tract map to:

Subdivide the 8.05-acre site into 119 residential lots on that certain property described as:

Assessor's Parcel Numbers 8457-029-906, in the records of the Los Angeles County Assessor; and

WHEREAS, a precise plan has been submitted for the approval to construct a 119-unit residential development (47 detached two-story units ranging from 1,465 to 2,125 square feet, and 72 three-story attached townhome-style units in ten buildings, ranging from 1,214 sq. ft. to 1,822 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 8.05-acre site; and

WHEREAS, a General Plan Amendment has been submitted to amend the land use designation of the property located at 1024 W. Workman Avenue (former Vincent School) from "Civic: Schools" to "Neighborhood Medium" to allow for development to occur as indicated by the Specific Plan; and

WHEREAS, a Zone Change has been submitted to change the zoning of the site from "Single-Family Residential" (R-1) to Specific Plan-31: Vincent Place Specific Plan; and

WHEREAS, the Planning Commission, upon giving the required notice, did on May 25, 2021, conduct duly noticed public hearings to consider said application and voted to recommend the City Council's approval of the above stated application; and

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly noticed public hearing to consider the tentative tract map application; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The applicant is requesting approval of a tentative tract map to allow the subdivision of a the 8.05-acre site into a total of 119 residential lots.
2. The proposed project includes a precise plan for the development of 119 residential units (47 detached two-story units and 72 attached three-story townhome style units), internal

drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 8.05-acre site.

3. Appropriate findings for approval of a tentative tract map are as follows:
 - a. That the proposed map is consistent with applicable general and specific plans.
 - b. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
 - c. That the site is physically suitable for the type of development.
 - d. That the site is physically suitable for the proposed density of development.
 - e. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.
 - f. Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.
 - g. That the design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.
4. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating the project will not have a significant effect on the environment.

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

SECTION 1. On the basis of the evidence presented, both oral and documentary, the City Council makes the following findings:

- a. *The proposed map is consistent with the general plan and any applicable adopted specific plans.*

An amendment to the City's General Plan land-use map to change the designation of the site from Civic:Schools (S) to Neighborhood—Medium (NM). As noted in Finding A for the General Plan Amendment, the project is consistent with a number of Goals, Policies and Actions of both the General Plan and the proposed Vincent Place Specific Plan.

b. The design or improvement of the proposed subdivision is consistent with the general plan and applicable adopted specific plans.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the proposed Vincent Place Specific Plan, and all other applicable development standards in the Zoning Code.

c. The site is physically suitable for the type of development.

The proposed project site is 8.05 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the Vincent Place Specific Plan and the West Covina Municipal Code. The site is served by all necessary utilities. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

d. The site is physically suitable for the proposed density of development.

The proposed project type is consistent in form with style recommended by the proposed Vincent Place Specific Plan. The proposed development will be accessible from driveways along Workman Avenue and Vincent Avenue. The site is 8.05 acres and, as conditioned, is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required standards of the proposed Specific Plan subject to the approval of the Zone Change and General Plan amendment. The proposed General Plan designation of Neighborhood Medium allows a maximum density of 20 units per acre. The proposed project density will be 14.8 units per acre. Additionally, there is a condition that requires that CC&Rs be recorded as a part of this project to ensure orderly operation. The site will be developed in accordance with the grading and construction requirements of the West Covina Municipal Code and the City Engineer.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

The site consists of an 8.05-acre parcel developed with school buildings, parking and landscaping. No known endangered, threatened or rare species or habitats, or designated natural communities, wetlands habitat, or wildlife dispersal, or migration corridors are present on site. A mitigated negative declaration was prepared for the project, which included required mitigation measures for Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems, to ensure that the project will not cause substantial environmental damage or injure fish, wildlife, or their habitat.

f. Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.

The proposed map and improvements will have access to a public sanitary sewer system for the removal and disposal of wastewater and to other necessary utility services. The site will be developed in accordance with the standards of the Engineering Division, the Municipal Code, the Uniform Building Code, and other applicable requirements.

g. The design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.

There are no easements on the property that would be affected by implementation of the proposed project. Access to the site will be provided via Vincent and Workman Avenues.

SECTION 2. Pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, the tentative tract is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Community Development Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said tentative tract map by the Planning Commission or City Council.

SECTION 3. The tentative tract shall not be effective for any purpose until the owner of the property involved (or a duly authorized representative) has filed at the office of the Community Development Director, his affidavit stating he is aware of, and accepts, all conditions of this tentative tract map and precise plan, as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.

SECTION 4. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

SECTION 5. The City Council approves tentative tract map No. 83166 subject to the following conditions:

PLANNING DIVISION

1. Comply with plans reviewed by the City Council on July 20, 2021.

2. That the project complies with all requirements of the Vincent Place Specific Plan and all other applicable standards of the West Covina Municipal Code.
3. Approval of this vesting tentative tract map is contingent upon, and shall not become effective unless and until, approval of Precise Plan No. 20-06, General Plan Amendment No. 20-02 and Zone Change No. 20-03.
4. These conditions of approval shall be printed on or attached to the working drawings submitted to the Building Division for approval.
5. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
6. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
7. The applicant shall sign an affidavit accepting all conditions of this approval.
8. The applicant shall defend, indemnify, and hold harmless the City of West Covina, 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, approval of this Vesting Tentative Tract Map. The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense.
9. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
10. That any proposed change to the approved vesting tentative tract map shall be reviewed by the Planning, Public Works, Fire and Police Departments, and the written authorization of the Community Development Director shall be obtained prior to implementation.
11. The proposed subdivision shall conform to West Covina Municipal Code Chapter 20 - Subdivisions.
12. The applicant shall meet any and all monitoring or reporting requirements necessary to ensure compliance with the mitigation measures contained in the Mitigated Negative Declaration of Environmental Impact as those may be determined by the City, including, but not limited to, entering into an agreement to perform and/or for monitoring and reporting during project construction and implementation. The applicant further agrees it will cease construction of the project immediately upon written notice of a violation of such requirement and that such a provision may be part of any agreement of City and applicant.

13. A declaration of Covenants, Conditions, and Restrictions (CC&R's) shall be prepared by the developer/property owner and submitted to the Planning Director and the City Attorney. The CC&R's shall be signed and acknowledged by all parties having any record title interest in the property to be developed, and shall make the City a party thereto, and those sections of the CC&R's implementing conditions 14 and 15 below shall be enforceable by the City and may not be modified without the express written consent of the City. The CC&R's shall be reviewed and approved by the City and recorded prior to the recordation of the final tract map. Written proof of recordation with the Los Angeles County Recorder/Registrar's Office shall be provided to the Planning Division.
14. The CC&R's shall include the following:
 - a) No addition of habitable space is permitted.
 - b) No permanent ground floor patio covers are permitted.
 - c) The parking or storage of recreation vehicles, such as RVs, boats, trailers, fifth wheels, ATVs, etc, is prohibited.
 - d) Parking on driving aisles is prohibited.
 - e) Garages shall be used to park vehicles.
 - f) Trash storage areas in the garages shall be permanently utilized for storing the trash and recycling containers.
 - g) All exterior maintenance of the common interest structures will be the responsibility of the Homeowner's Association (HOA), including perimeter walls, garage doors, windows, exterior architectural materials and roof.
 - h) Cleanup of graffiti is the responsibility of the HOA.
 - i) The homeowner's association shall allow individual unit owners to install a CCTV system without invading the privacy of neighbors.
 - j) The homeowner's association shall establish a parking permit program for the guest parking spaces and work with a local towing company to enforce the properties parking regulations.
 - k) The homeowner's association shall ensure that the perimeter trees are maintained to not encroach on the neighboring adjacent single-family residential properties.
 - l) Require trash cans to be stored in the units and out of public view within 24 hours after trash pick up.
 - m) Require garages to be used for vehicle parking.
 - n) Revisions to the CC&Rs shall require City Council approval.
15. The HOA shall be responsible for maintenance of the following: all streets, curbs, and gutters, utilities (sewer and storm drain), perimeter walls, the Workman, Vincent and Garvey Avenue street frontages (including landscaping, sidewalks, and steps), common interest building exteriors, the public common area at the rear of the lot, all public landscaping, all sidewalks and site walls, and entrance.
16. Prior to the issuance of building permits, the applicant shall draft a Prospective Homebuyer's Awareness Package (PHAP), and submit it to the Planning Director for review and approval. Copies of signed copies of PHAP for all lots shall be submitted to the Planning Division. Such package shall include:
 - a) A standardized cover sheet as approved by the Planning Division.

- b) Zoning and General Plan information.
- c) School information.
- d) Special assessment district information.
- e) Utility providers.
- f) A copy of the Covenants, Conditions and Restrictions (CC&Rs) applicable to the project.
- g) Any additional information deemed necessary by the Planning Division, Planning Commission, or City Council for the full disclosure of pertinent information.

17. The applicant shall sign an affidavit accepting all conditions of this approval.

18. ENGINEERING REQUIREMENTS

- a. A final tract map prepared by or under the direction of a registered civil engineer or licensed land surveyor shall be submitted to and approved by the City prior to being filed with the Los Angeles County Recorder.
- b. A soils report is required.
- c. A preliminary tract map guarantee shall be provided which indicates all trust deeds (to include the name of the trustee), all easement holders, all fee interest holders, and all interest holders whose interest could result in a fee. The account for this title report shall remain open until the final tract map is filed with the Los Angeles County Recorder.
- d. Easements shall not be granted or recorded within any area proposed to be dedicated, offered for dedication, or granted for use as a public street, alley, highway, right of access, building restriction, or other easements until after the final tract map is approved by the City and filed with the Los Angeles County Recorder; unless such easement is subordinated to the proposed dedication or grant. If easements are granted after the date of tentative approval, a subordination shall be executed by the easement holder prior to the filing of the final tract map.
- e. Monumentation of tract map boundaries, street centerlines, and lot boundaries is required if the map is based on a field survey.
- f. All conditions from City Departments and Divisions shall be incorporated into the tract map prior to submitting the tract map for review.
- g. In accordance with California Government Code Sections 66442 and/or 66450, documentation shall be provided indicating the mathematical accuracy and survey analysis of the tract map and the correctness of all certificates. Proof of ownership and proof of original signatures shall also be provided.
- h. Proof of Tax clearance shall be provided at the time of tract map review submittal.

- i. Upon submittal of the final map for review by the City, a letter signed by both the subdivider and the engineer shall be provided which indicates that these individuals agree to submit one (1) blueprints and one sepia mylar and pdf copy on a CD of the recorded map to the City Public Works Department.
- j. A reciprocal easement for ingress and egress, sanitary sewer, utility, drainage, water shall be provided for each property that does not front on or have direct access to the public way. Services to each property shall be underground and shall be located in a trench within this easement.
- k. Existing structures shall be demolished prior the approval of the map.

SECTION 6. The City Clerk shall certify to the adoption of this resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-80 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

ORDINANCE NO. 2485

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ZONE CHANGE NO. 20-03 AND ADOPTING THE VINCENT PLACE SPECIFIC PLAN AT 1024 W. WORKMAN AVENUE

WHEREAS, there was filed with this City a verified application on the forms prescribed in Section 26-153 and 26-199 of the West Covina Municipal Code, for the following reclassification:

From Single-Family Residential (R-1) to a Specific Plan on that certain property generally described as follows:

Assessor's Parcel Number 8457-029-906 in the records of the Los Angeles County Assessor; and

WHEREAS, local governments are authorized by Government Code section 65450 et seq., to prepare specific plans for the systematic implementation of the general plan; and

WHEREAS, the Specific Plan implements the policies of the General Plan by providing an orderly, functional and compatible land use pattern; and

WHEREAS, consistent with the request, the applicant has also requested a General Plan Amendment (No. 20-02) to amend the designation of the Land Use Element on the subject property from "Civic: School" to "Neighborhood Medium;" and

WHEREAS, consistent with this request, said zone change application is requested to allow for the adoption of a new Specific Plan known as "Specific Plan-31: Vincent Place Specific Plan"; and

WHEREAS, the Planning Commission, upon giving the required notice, did on May 25, 2021, conduct duly noticed public hearings to consider said application and did give all persons interested therein an opportunity to be heard, and voted to recommend the City Council's approval of the above stated application; and

WHEREAS, the City Council upon giving the required notice, did on July 20, 2021, conduct a duly noticed public hearing to consider the zone change application; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The project consists of a specific plan intended to allow for and guide the development of a 119-unit residential project with 47 detached and 72 attached dwelling units and provides a detailed description of proposed infrastructure and development standards.

2. The project includes a general plan amendment requesting to amend the land use designation of the property located at 1024 W. Workman Avenue (former Vincent Children's Center) from "Civic: Schools" to "Neighborhood Medium" to allow for development to occur as indicated by the Specific Plan.
3. The project includes a Vesting Tentative Tract Map to allow for the subdivision of the property and sale of the dwelling units.
4. The project includes a precise plan to demolish all existing school buildings/uses on the site and construct 119 dwelling units (47 detached two-story units ranging from 1,465 to 2,125 square feet, and 72 three-story attached townhome-style units in ten buildings, ranging from 1,214 sq. ft. to 1,822 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 8.05-acre site.
5. The project includes a tree removal permit to remove 8 significant trees on the site (7 Oak trees, 1 Crepe Myrtle tree).
6. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating the project will not have a significant effect on the environment.

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

SECTION 1. Based on the evidence presented, Zone Change No. 20-03 is found to be consistent with the City's General Plan (as amended) and the land uses permitted within said zone classification.

SECTION 2. The City Council does hereby approve Zone Change No. 20-03, adopting "Specific Plan-31: Vincent Place Specific Plan" and changing the zoning designation for subject property as set forth on Exhibit A and amending the Zoning Map of the City of West Covina.

SECTION 3. The City Clerk shall certify passage of this ordinance and shall cause the same to be published as required by law.

SECTION 4. This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED on this ____ day of ____, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2485 was introduced at a regular meeting of the City Council held on the 20th day of July, 2021, and adopted at a regular meeting of the City Council held on the ____ day of _____, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

EXHIBIT A



Indicates the area to be changed from “Single-Family Residential” (R-1) to “Specific Plan – 31: Vincent Place Specific Plan”



1024 WEST WORKMAN AVENUE WEST COVINA, CA

72 Townhomes & 47 detached single-family homes



NEIGHBORHOOD OVERVIEW:

- ✓ 2-story single-family detached homes w/attached 2-car garage
- ✓ 3-story townhomes w/ attached 2-car garage
- ✓ 2, 3 and 4 bed floor plans
- ✓ Walkability to Downtown and Transit
- ✓ On-site private tot-lot with large open lawn area
- ✓ Central community open space area with shade structure, BBQ wall-counter, fire pit, community lounge and table seating



Section through entrance street off Workman Ave

Matt Maehara | Forward Planning Manager
949-372-3310 | matt.maehara@mlcholdings.net

Frequently Asked Questions

How many homes are proposed and will they be for sale or for rent?

- There will be 72 townhomes and 47 single-family homes. All homes will be sold for-sale at market rate.

Will this community have a Home Owners Association (HOA)?

- Yes, an HOA will be fully responsible for managing and maintaining the community, including all landscaping, common amenity areas and parking enforcement.

What are the homes expected to sell for?

- The prices are estimated to start in high 400s for the townhomes and high 500s for the single-family homes.

Where does the community take access from?

- The entry/exit of the project is from Workman Avenue and Garvey Avenue.

Where will the residents (and their guests) of the proposed project park?

- Each residence has its own attached 2-car garage. The project has 34 on-site guest parking spots in addition to 21 parallel parking spots along Workman Avenue. In total, the project provides for 294 parking spaces which exceeds the code requirement and will be managed by the project's HOA.

Will the community be gated?

- No, this development will not be gated.

When is construction expected to begin?

- Construction is anticipated to start the 2nd quarter of 2022, with a grand opening in the 2nd quarter of 2023.

Is there an interest list, and if so, how do I get on it?

- Yes, there is an interest list. Please contact Matt Maehara at the information provided below for further details.

Matt Maehara | Forward Planning Manager
949-372-3310 | matt.maehara@mlcholdings.net

About Meritage Homes

Meritage Homes is the seventh-largest public homebuilder in the United States, based out of Scottsdale, Arizona. The Company has designed and built over 125,000 homes in its 35-year history, and has a reputation for its distinctive style, quality construction, and award-winning customer experience. Meritage is the industry leader in energy-efficient homebuilding and has received the U.S. Environmental Protection Agency's ENERGY STAR Partner of the Year for Sustained Excellence Award every year since 2013 for innovation and industry leadership in energy efficient homebuilding.

About Matt

Matt Maehara is a graduate of the University of Notre Dame School of Architecture '15. After working as a Designer in the Bay Area, he moved down to Southern California to work for Meritage Homes. Matt enjoys meeting new people and finding solutions to problems!



Contact Info:

TEL: (949) 372-3310

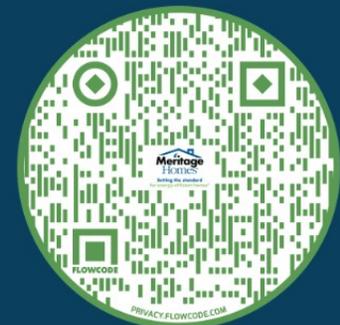
Email: matt.maehara@meritagehomes.com



**Setting the standard
for energy-efficient homes®**

You're Invited!

**This is an invitation
to learn more about
a new residential
community in your
neighborhood.**



<https://calendly.com/meritage-homes/vincent-avenue>

It's a pleasure to meet you! My name is Matt Maehara. I am a Project Manager with Meritage Homes and I am excited to share some details about a planned residential project located at the corner of Vincent Avenue and Workman Ave in West Covina.

Due to current social distancing guidelines, I am making myself available via video conference to share details on the project and to answer any questions you may have. I'm reserving a 7-day window starting on 8/22 and ending 8/29 to make myself available to you. Please either scan the QR code or type in the link below to schedule a time slot with me.

While I am making this time available to answer any questions you may have during this 7 day period, I am available any time to discuss this project with you, so please don't hesitate to reach out.

Looking forward to speaking with you!

Matt Maehara



<https://calendly.com/meritage-homes/vincent-avenue>

Overview of the Project:

The community is located at the corner of Vincent Avenue and Workman Avenue in the City of West Covina. Located where the former Vincent Children's Center stands today, Meritage Homes is planning to develop a residential community consisting of 72 three-story townhomes and 47 two-story detached homes. The site is roughly 7.67 acres and is currently bordered by existing multi-family and single-family developments.



Setting the standard
for energy-efficient homes®



Responses to Comments on the Draft IS-MND

This section includes comments received during public circulation of the Draft Initial Study-Mitigated Negative Declaration (IS-MND) prepared for the Vincent Place Residential Project (project).

The Draft IS-MND was circulated for a 30-day public review period that began on March 22, 2021 and ended on April 21, 2021. The City received four comment letters on the Draft IS-MND. The comment letters are included herein, along with responses to the environmental concerns raised by the commenters. The commenters and the page number on which each commenter's letter appear are listed below.

Letter Number and Commenter	Page Number
1 Adriana Raza, Los Angeles County Sanitation Districts	2
2 Arlene Patton	4
3 Lydia Kristine Frey	7
4 West Covina Improvement Association	20

The comment letters and responses follow. The comment letters are numbered sequentially, and each separate issue raised by the commenter has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in Comment Letter 1).

Where a comment resulted in a change to the Draft IS-MND text, a notation is made in the response indicating that the text is revised. Changes in text are signified by ~~strikeout font~~ where text was removed and by underlined font where text was added. These changes in text are noted in the Final IS-MND.



April 19, 2021

Ref. DOC 6122936

Letter 1

Ms. Jo-Anne Burns
Planning Manager
Planning Department
City of West Covina
1920 West Pacific Lane
West Covina, CA 91790

Dear Ms. Burns:

NOI Response to Vincent Place Residential Project

The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on March 25, 2021. The proposed project is located within the jurisdictional boundary of District No. 22. We offer the following comments:

- All information concerning Districts’ facilities and sewerage service contained in the document is current.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717 or at araza@lacsd.org.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

cc: A. Schmidt
A. Howard

1.1

Letter 1

COMMENTER: Adriana Raza, Los Angeles County Sanitation Districts (LACSD)

DATE: April 19, 2021

Response 1.1

The commenter states that all information contained in the Draft IS-MND regarding the LACSD facilities and sewerage service is accurate.

The commenter's consensus with the facilities and sewerage information provided in the Draft IS-MND is noted.

Letter 2

March 25, 2021

TO: Planning Commission
FROM: Arlene Patton
1133 West Teresa
West Covina, CA 91790

MAR 30 2021

Planning Division

RE: Vincent Place Project

I have been part of a group of people who have Zoomed with the developer. All of the concerns that I'm writing about have been raised. Please look into these items carefully.

1. First, I wonder how West Covina can financially afford to add these new homes and provide services for them
2. The townhomes along Vincent Ave. look like apartments, rather than townhomes. The lack of a roofline for each townhome is terrible. The architect could have created a much Better design for these townhomes.
3. Concern was raised about where trash cans and air conditioners are located.
4. The city has an ordinance that air conditioners are supposed to be fenced. However, the other property that was recently completed by this company has no air conditioner fencing. They would definitely look better with fencing.
5. The plans indicate only one entrance. That is a LARGE AMOUNT of traffic on Workman which is already a busy street. This is an area of single-family homes that does not need that much traffic on it. Where are visitors to park?

2.1

2.2

2.3

2.4

Letter 2

COMMENTER: Arlene Patton

DATE: March 25, 2021

Response 2.1

The commenter asks how the City of West Covina can afford to add new homes and provide services to them.

This comment does not remark on the adequacy of the environmental analysis and is beyond the purview of the proposed project. However, a Fiscal Impact Analysis for the project was completed by the Natelson Dale Group, Inc. and submitted to the City in December 2020. It concluded that the project would produce a net fiscal benefit to the City of about \$77,000 per year to the City's General Fund.

Response 2.2

The commenter states that the proposed townhomes along Vincent Avenue look like apartments and that the townhomes could have been designed better.

As stated on pages 25 and 26 of the Draft IS-MND:

The proposed project would also be subject to City design review, including review of building elevations, colors and materials, and compliance with the Precise Plan standards per Article VI, Division 2 of the West Covina Municipal Code (WCMC). In addition, the project design would be reviewed for approval by the Planning Commission as part of the Precise Plan application process. The City uses this regulatory procedure to verify that the design, colors, and finish materials of development projects comply with adopted design guidelines and achieve compatibility with the surrounding area.

City design review would ensure that the final building elevations, colors, and materials would comply with adopted design guidelines.

Response 2.3

The commenter expresses concern regarding the placement of trash cans and air conditioning units and states that air conditioning units should be fenced pursuant to the requirements of a City ordinance.

According to the Specific Plan and other project plans and information, each single-family home and townhome unit would be provided with a trash/recycle cart and green waste cart that would be stored in the unit's garage. On trash collection day, carts would be placed on the curbs of the internal circulation paths and would not be placed on public roadways such as West Workman Avenue and Vincent Avenue. The project site is in a residential area that is already served by Athens Services and, as described on pages 132 and 133 of the Draft IS-MND, Athens Services and the local landfill have adequate capacity to serve the project.

In regard to air conditioning equipment, per the Specific Plan and other project plans and information and as described on page 104 of the Draft IS-MND, "no mechanical equipment (air-conditioning, heating units, etc.) would be mounted on, or attached to, any pitched roof. Ground-mounted equipment would be located in a fenced rear yard, behind patio walls, or otherwise

screened to minimize the visual impact of equipment on streetscapes and common open space areas.” City design review of the proposed plans would ensure that this requirement is adhered to.

Response 2.4

The commenter states that the project site would only have one entrance and that West Workman Avenue already experiences large volumes of vehicle traffic. The commenter also asks where visitors will park.

As stated on Page 9 and illustrated in Figure 5 of the Draft IS-MND, the project site would be served by two entrances, one on West Workman Avenue and one on West Garvey Avenue North. Each residential unit would have two dedicated garage spaces and there would also be 56 uncovered parking spaces for guest parking within the project site. As described in Section 17, *Transportation*, the Focused Traffic Analysis determined that the project would result in approximately 971 daily vehicle trips and would represent an increase in vehicle traffic of three percent along West Workman Avenue and six percent along West Garvey Avenue North. As described on pages 119 and 120 of the Draft IS-MND, the proposed project would not result in significant vehicle miles traveled (VMT) impacts. Therefore, the project would not result in significant traffic-related impacts in the area.

Letter 3

Ms. Jo-Anne Burns
Planning Manager
City of West Covina
1444 W. Garvey Avenue 2 nd Floor, Room 208
West Covina, CA 91790
JBurns@westcovina.org

RE: Draft Initial Study and Mitigated Negative Declaration for Vincent Place Residential Project located at 1024 W. Workman Avenue, West Covina, 91790

Dear Ms. Burns,

Thank you for the opportunity to review the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the project referenced above. The proposed project consists of 119 dwelling units, 72 attached and 47 detached on an approximately 8.05-acre site.

Additionally, this letter provides some preliminary comments related to the design of the proposed project and concerns related to the number of concessions/incentives that the project is requesting without delivering any community benefit.

Section 6. Existing Setting

Provide information regarding the number of buildings to be demolished and the square footage of each building.

3.1

Section 9. Project Description

The description should also inform the public and reviewing public agencies that this is a surplus school by the Covina Valley Unified School District (CVUSD). The site is currently, which is public land, is under the ownership of the (CVUSD). The District has not yet identified sites being received as part of the “land exchanged” between the CVUSD and Project Sponsor. The current zoning is Single-Family residential zone that allows a maximum density of 8 units per acre and the developer is seeking approval to allow up to 20 units per acre; thus providing a point of reference This information is wrongfully omitted and it does not inform the public what is currently allowed by right under the City’s General Plan and Development Code.

3.2

3.3

Table 1 – Project Summary

Landscaping, Open Space, and Parking Patio walls should not be allowed to encroach into front setback a minimum of 3-feet from public right-of-way. This allowance must be deleted since there are no guidelines on the type of wall material that would be allowed nor the height.

3.4

Section 11. Required Approvals

Adoption of the Vincent Avenue Specific Plan and zone-change from Single-family Residential R-1/8 units per acre) to Vincent Avenue Specific Plan (up to 20 units per acre). This is a five acre

3.5

public land being turned into cramped urban development, in very close proximity to a major roadway-interstate highway. With this many units, this does not allow for enough greenspace for the dwellers of this development.

- Pertaining to my next point on **Air Quality and Health**: This is unhealthy and unsafe. See the following studies, which also pertains to the PIONEER SCHOOL at 1651 E Rowland Ave, rushed in by Gutierrez who unreasonably assumed to have a seconded vote by Becerra, not even in attendance at the meeting with spotty reception who wasn't on the line at the time of his motion for a second vote, for the planning commission meeting on Mar 22, but I digress:
 - The Heterogeneity of Air Temperature in Urban Residential Neighborhoods and Its Relationship with the Surrounding Greenspace Yuguo Qian 1,2, Weiqi Zhou 1,2,* , Xiaofang Hu 1,2 and Fan Fu 3
 - A Spatial Autocorrelation Approach for Examining the Effects of Urban Greenspace on Residential Property Values Delores Conway & Christina Q. Li & Jennifer Wolch & Christopher Kahle & Michael Jerrett
 - The role of neighbourhood greenspace in children's spatial working memory Eirini Flouri* , Efstathios Papachristou and Emily Midouhas Department of Psychology and Human Development, UCL Institute of Education, University College London, UK
 - Impacts of Individual Daily Greenspace Exposure on Health Based on Individual Activity Space and Structural Equation Modeling Lin Zhang 1,2 , Suhong Zhou 1,2,* , Mei-Po Kwan 3,4 , Fei Chen 1,2 and Rongping Lin 1,2

3.5
cont.

Air Quality

The IS/MND does not include a discussion regarding the siting of the project within 500 feet from the I-10 San Bernardino Freeway. The Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, published by the California Environmental Protection Agency California Air Resources Board (ARB), recommends siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural road with 50,000 vehicles/day. As stated in the ARBs Handbook, "protecting California's communities and our children from the health effects of air pollution is of the most fundamental goals of state and local air pollution control programs. Our focus on children reflects their special vulnerability to the health impacts of air pollution. Other vulnerable populations include the elderly, pregnant women, and those with serious health problems affected by air pollution." Air pollution studies indicate that living close to high traffic and associated emissions may lead to adverse health effect beyond those associated with regional air pollution in urban areas. The findings of these studies concluded that siting housing projects/sensitive land uses within close proximity of freeways increases both exposure and the potential to adverse health effects. Other affects associated with traffic emissions include premature death in elderly individuals with heart disease.

3.6

COVID-19

We shall, neither, neglect the effects of this on populations who have endured COVID-19 infection. The neglect of West Covina of this pandemic is beyond shameful; it is disgusting.

3.7

Key Health Findings (Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, p.8)

- Reduced lung function in children was associated with traffic density, especially trucks, within 1,000 feet and the association was strongest within 300 feet. (Brunekreef, 1997)
- Increased asthma hospitalization was associated with living within 650 feet of heavy traffic and heavy truck volume. (Lin, 2000)
- Asthma symptoms increased with proximity to roadways and the risk was greatest within 300 feet. (Venn, 2001)
- Asthma and bronchitis symptoms in children were associated with proximity to high traffic in a San Francisco Bay Area community with good overall regional air quality. (Kim, 2004)
- A San Diego study found increased medical visits in children living within 550 feet of heavy traffic. (English, 1999)

3.8

Criteria Pollutants of the IS/MND page 36, are stated. However, it is just an informational table without any analysis related to the siting of the project and adverse health impacts. Additionally, the project site is located within a locally Disadvantaged Communities. Although the City of West Covina General Plan does not contain an Environmental Justice Element, the Southern California Association of Governments (SCAG) has created a map tool that identifies locally disadvantaged communities. To this end, Senate Bill 1000 (SB 1000), the Planning for Healthy Communities Act, signed into law by Governor Jerry Brown on September 24, 2016, mandates that cities and counties adopt an environmental justice (EJ) element or integrate EJ goals, objectives, and policies into other elements of their general Plans. SB 1000 goal includes, but limited to the following:

- To protect public health and regenerate environment;
- Build trust and good working relationship with stakeholders; which strengthening community ownership over the process;
- Demonstrate a commitment to reducing and preventing disproportionate negative impacts on vulnerable residents and neighborhoods.

3.9

Assembly Bill 617 also includes several of the same key terms found in SB 1000 that define the term “disadvantaged community” as (1) areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation; and (2) areas with concentrations of people that are of low income, high unemployment, low levels of homeownership, high rent burden, sensitive populations, or low levels of education attainment.

One of the primary goals of CEQA is to “Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the State.” For example, another goal of CEQA is to “Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic,



natural, scenic, and historical environmental qualities, and freedom from excessive noise.” Similarly, CEQA was also intended to “Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian,” a goal that “shall be the guiding criterion in public decision.” Despite a legislative intent to provide every Californian with a “decent home and suitable living environment,” a significant number of Californians in disadvantaged communities are impacted by high levels of air pollution.

3.9
cont.

CEQA is underdelivering and failing to protect our most vulnerable populations, particularly in a city that puts profits before people by stomping their feet demanding their own health department while being nearly bankrupt, and not doing any financial research or feasibility studies to support it, or support their own citizens they are putting at risk by rushing forward with unsafe housing developments.

3.10

Together, SB 1000 and AB 617 were signed into law to protect the at-risk communities that were contemplated in the legislative findings of CEQA, but not subsequently afforded the level of protection necessary to prevent “environmental injustice.” As such, the Air Quality Analysis must include a Health Risk Assessment and address the relationship of its finding upon a locally disadvantaged community. Since the IS/MND is silent on health risks associated with the siting of the project, it is premature to speculate mitigations through design and layout of improvement on the project site. Additional comments may follow once the Air Quality Analysis and Health Risk Analysis is completed and made available for public review.

3.11

Section 8 Greenhouse Gas Emissions

See above studies.

The heat island effect alone of this project, combined with others the City is rushing to complete, will be detrimental to the health of residents.

3.12

The fact that this project site is already close to many developed areas further exacerbates the limited vegetation and removal of CO2 emissions from trees and plants.

The removal of protected trees, as well, is horrible.

Section 15 Public Services

“The nearest park to the project site is Palm View Park located approximately 1 mile northeast of the site and Del Norte Park located approximately 1.1 miles northwest of the site.” Based on the Los Angeles County Park Need Assessment, the project is located in an area with a high need of parkland. It should be noted that Covina Valley Unified School District has fenced off all school sites that no longer provide access to the open space within school sites for recreational purposes. As stated above, the project site is located within a locally Disadvantaged Community, which includes a lack of access to parks, recreational amenities, and adequate public services. Additionally, this goes directly against the West Covina General Plan for providing safe and easily accessible parks for residents without crossing major roadways. See general plan.

3.13

We cannot continue to flick our noses at State, County, and West Covina plans and recommendations simply to meet housing needs that can be met simply by utilizing other already-identified priority sites for housing developments.

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3.13
cont.

Section 17 Transportation

The Los Angeles-South Coast Air Basin is classified as an extreme non-attainment area for ozone as identified by the Federal Clean Air Act (Act). The Act contains requirements applicable to nonattainment areas, depending on the severity of the ozone problem in the area. One of the requirements for nonattainment areas is to develop enforceable transportation strategies and control measures “to offset any growth in emissions from growth in vehicle miles traveled... and to attain a reduction in motor vehicle emissions as necessary.” The analysis in the Draft IS/MND does not make reference to the thresholds adopted and applied to this project (i.e., 15 percent reduction from the City’s baseline).

3.14

Project Trip Generation and Distribution - The vehicle trip generation applied is based on ITE Trip Generation rather than student enrollment as reported to the California Department of Education. The programs provided at the former Vincent Children’s Center included OPTIONS learning programs. The site provided limited services with very low enrollment of children and very few employees. Therefore, the services provided from the site did not generate the number of vehicle trips per the ITE Land Use Code 565 and 520. An analysis of the previous enrollment of students and the number of employees would be the appropriate analysis to establish a baseline of daily trip generation. The site has operated with a low level of enrollment for at least the past 25 years (reason for the school site being surplus by CVUSD). Taking credits for vehicle trips that have not existed provides an inaccurate analysis that leads to inaccurate disclosure of the transportation/traffic impacts that the proposed project will generate.

3.15

Many Concessions, No Affordable Housing

The proposed project doesn’t include any affordable units to justify all the concessions being requested. As such, the project should include a percentage of affordable units that align with the incentives or concessions being sought out.

3.16

Outreach

I also would like to request that the developer conduct additional community outreach that expands beyond the original 300-foot radius from the site. This is a significant project for the area and the public should be invited to participate. Additionally, outreach should not be limited solely to English. We are a diverse community. English, Spanish, Mandarin, Tagalog are all frequently spoken languages of West Covina residents, including Korean.

Please make an effort to include all of our community members. *Especially* when we are then mocked by Planning Commissioner Guttierrez for only showing up in-person, during a pandemic, on a weeknight, in quantities that he finds laughable and worth mocking, as he did with the Rowland/Pioneer school project, for outreach was limiting and exclusive to sixty residents within 300 ft, all in English, to residents who don’t speak English.

3.17
↓

Additionally, the site should be posted announcing any community outreach even when such meetings are taking place virtually.

Also, a full set of plans should be made available on the City's website for the public to review and provide comments.

Thank you for the opportunity to review and provide comments on the Draft IS/MND and the project in general. Like many residents, community means a lot to me.

Sincerely,

Lydia Kristine Frey



3.17
cont.

Letter 3

COMMENTER: Lydia Kristine Frey

DATE: no date

Response 3.1

The commenter requests information about the number of buildings to be demolished and the square footage of each building.

As described on Page 18 of the Draft IS-MND, the project would include the demolition of approximately 49,000 square feet of assorted school buildings. The school consists of one large semi-circular structure and three associated outbuildings, which have a combined total building area of approximately 49,000 square feet.

Response 3.2

The commenter states that the project description should indicate that the project site is a surplus school owned by the Covina Valley Unified School District (CVUSD). The commenter also states that CVUSD has not identified sites being received as part of the land exchange between CVUSD and the project applicant.

The Draft IS-MND states on page 4 that the project site was originally developed as an elementary school but was closed in 1979 due to low enrollment. Page 4 of the Draft IS-MND also indicates that the project site is currently developed with the Vincent Children's Center, which is operated by CVUSD. Page 4 of the IS-MND is further amended to clarify that the site is a surplus school, as follows:

The project site is currently developed with, and has until recently been used for¹, the Vincent Children's Center, a facility operated by the Covina Valley Unified School District (CVUSD) offering multiple services including after school child care, extended day child care, transitional kindergarten, and a preschool (CVUSD 2021). The campus was originally developed as an elementary school site but was shut down in 1979 due to a declining student population. Special Education preschool classes, a General Child Care Program, and County Special Education classes were then moved to the campus. The project site is a surplus property owned by CVUSD.

Response 3.3

The commenter states that information regarding the existing zoning and permitted residential density are omitted from the Draft IS-MND, and that existing zoning currently permits 8 units per acre.

As stated on page 4 of the Draft IS-MND, the project site is currently zoned Residential (Single-Family) (R-1). The R-1 zone does not permit up to eight units per acre. The project site's current zoning falls within Area District I of zone R-1, which permits one residential dwelling per lot with a minimum lot size of 7,500 square feet and minimum dwelling size of 950 square feet pursuant to Section 26-401 of the West Covina Municipal Code. The project site is 350,810 square feet (8.05 acres). Assuming one dwelling per each 7,500 square feet, (the minimum lot size in the R-1 zone)

¹ Currently, use of the site as a school may be limited or it may be non-operational because of COVID-19 pandemic conditions or for other reasons.

approximately 46 dwelling units could be built on the site, which would result in a density of 5.7 dwelling units per acre (du/acre). However, the actual number of residential units that could be constructed on the site under the R-1 zone would depend on the manner in which the lot was subdivided, and the sizes of homes proposed, and would actually be less than 5.7 du/acre to allow for internal roadways and other required areas not occupied by residential lots. Regardless of the actual residential density that could be achieved on the site under existing zoning, page 91 of the Draft IS-MND acknowledges that the proposed project would have a higher density of residential units than permitted by the current zoning.

Response 3.4

The commenter provides an opinion that a minimum three-foot setback from the public right-of-way, including for project landscaping and walls, should be maintained.

As stated in Table 1 of the Draft IS-MND, "Patio walls shall be setback a minimum of 3-feet from public rights-of-way". City design review of the proposed plans would ensure that this requirement is adhered to.

Response 3.5

The commenter states that the project site is five acres and will not provide sufficient greenspace for the proposed number of residential units. The commenter also provides studies related to the effects of greenspace on health, property values, and other factors.

As stated on page 1 of the Draft IS-MND, the project site is 8.05 acres in size. The Specific Plan would establish minimum public and private open space and landscaping requirements to ensure that sufficient greenspace is provided on the project site. As shown in Table 1 of the Draft IS-MND, the project would include approximately 48,876 square feet of open space, as well as 109,237 square feet of landscaping (or 32 percent of the total project site).

Response 3.6

The commenter notes that the project site is within 500 feet of Interstate 10 (I-10) and that living near freeways can result in health impacts.

It is acknowledged that the southernmost portion of the project site is approximately 400 feet north of I-10 and that studies have shown living in proximity to freeways can result in health impacts to residents, particularly those vulnerable to pollution such as the elderly, children, and people with preexisting health conditions. However, CEQA Guidelines Section 15002(a) states that the purposes of CEQA are as follows:

1. Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities
2. Identify the ways that environmental damage can be avoided or significantly reduced
3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved

CEQA is therefore focused on identifying and mitigating the impacts of a project on the environment. As further clarified in the ruling for *California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD)*, CEQA addresses the impacts of a project on environmental hazards or conditions that already exist only insofar as whether the project would exacerbate such hazards or conditions. CEQA does not address the environmental impacts on residents of a proposed project. In other words, CEQA focuses on the analysis of the impacts of a project on the environment and not analysis of the environment's impacts on a project. It should also be noted that Subchapter 7, Section 150(m) of the 2019 California Energy Code requires the use of MERV 13 filters in all new residential buildings, which remove approximately 90 percent of diesel particulate matter, the main pollutant of concern for health risk associated with vehicular traffic on freeways, from the intake air.²

Response 3.7

The commenter expresses an opinion regarding the City's response to the COVID-19 pandemic.

This comment does not remark on the adequacy of the CEQA analysis and is beyond the purview of the IS-MND.

Response 3.8

The commenter provides a summary of findings related to vehicle traffic and health impacts.

The commenter is referred to Response 3.6 above.

Response 3.9

The commenter states that the project site is within an area mapped as a Disadvantaged Community in the Southern California Association of Governments (SCAG) mapping tool, provides background information regarding State regulations related to Disadvantaged Communities, and notes that Disadvantaged Communities are impacted by air pollution.

Figure 1 provides a screenshot of the SCAG disadvantaged areas mapping tool³, illustrating that the project site is not within an area mapped as a Disadvantaged community. Furthermore, the project's localized air quality impacts are evaluated in Section 3, *Air Quality*, of the Draft IS-MND using the South Coast Air Quality Management District's (SCAQMD) Localized Significance Thresholds (LSTs), which were developed in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4). The LSTs used in the analysis are described on pages 37 and 38 of the Draft IS-MND and are specific to the South San Gabriel Valley. As indicated in Table 5 and its associated discussion on pages 40 and 41 of the Draft IS-MND, the project's maximum on-site emissions during construction would not exceed the applicable LSTs. As stated on pages 37 and 38 of the Draft IS-MND, LSTs only apply to emissions in a fixed stationary location and are not applicable to mobile sources, such as cars on a roadway. As such, LSTs are typically applied only to construction emissions because most operational emissions are associated with project-generated vehicle trips.

² Singer, B. C., W. W. Delp, D. R. Black, and I. S. Walker. 2016. Measured performance of filtration and ventilation systems for fine and ultrafine particles and ozone in an unoccupied modern California house. *Indoor Air*. LBNL-1006961. <https://escholarship.org/content/qt7x86h6ff/qt7x86h6ff.pdf> (accessed May 2021).

³ Southern California Association of Governments (SCAG). 2021. SB 535 Disadvantaged Areas Mapping Tool. https://gisdata-scag.opendata.arcgis.com/datasets/08b8b33a82b941ea878834be81c77b48_0?geometry=-117.949%2C34.072%2C-117.908%2C34.078 (accessed April 2021).

Response 3.12

The commenter states that the heat island effect of the proposed project would be detrimental to the health of residents and that the project's removal of trees would limit CO₂ sequestration (removal from the atmosphere) from trees and plants.

The project site is surrounded by existing development and is currently developed, with approximately 37 percent of the site consisting of buildings, paved parking, and other impermeable surfaces. Under the proposed project, the developed portion of the project site would be increased to 68 percent, as shown in Table 1 of the Draft IS-MND. As shown in Figures 6 through 10 of the Draft IS-MND, the project buildings are designed to use light colored materials and paint that reduce light and heat absorption. The project includes trees along the internal roadways and along the public right-of-way and would result in a net addition of 38 trees on the project site, which provide shading, increase the amount of carbon dioxide sequestration on the site (conservatively not included in the analysis of project GHG emissions), and reduce the potential for the heat island effect. According to the California Department of Public Health (CDPH), incorporating green space and tree canopy in neighborhoods with increased building density reduces the potential for urban heat island effects.⁵ Because the project site is already developed and is within a developed area, the proposed building materials and paint would reduce the absorption of light and heat, and the number of trees on the project site would be increased, the proposed project's contribution to the heat island effect, and any associated effects on residents, would be minimal.

Response 3.13

The commenter states that the Draft IS-MND incorrectly identifies the distance of the project site to Del Norte Park. The commenter also states that the project site is near Palm View Park in an area with inadequate parkland supply and within a Disadvantaged Community.

The Draft IS-MND incorrectly indicates that the project site is approximately 0.4 miles southeast of Del Norte Park. The IS-MND is revised as follows:

The nearest park to the project site is Del Norte Park located approximately ~~0.4 miles~~ 0.6-mile walking distance northwest of the site. The project site is also a 0.8-mile walk from Palmview Park, which includes walking paths, play structures, a baseball field, and a recreation center.

As discussed in Section 15, *Public Services*, and Section 16, *Recreation*, the proposed project would include recreational amenities onsite for residents and would not substantially decrease the City's ratio of parks to residents. Furthermore, the project would include payment of the City's impact fees that go towards park maintenance and development. Impacts related to parks and recreational facilities were therefore determined to be less than significant in the IS-MND.

Response 3.14

The commenter provides a discussion of the Clean Air Act, the South Coast Air Basin's nonattainment status for ozone standards, and the requirement for SCAQMD to establish strategies to achieve attainment of the ozone standards, including strategies to reduce VMT. The commenter states that the Draft IS-MND does not reference the adopted ozone thresholds.

⁵ CDPH. 2012. Climate Action for Health: Integrating Public Health into Climate Action Planning. February 2012. https://www.ca-ilg.org/sites/main/files/file-attachments/caps_and_health_published3-22-12.pdf?1370017309 (accessed May 2021).

Section 3, *Air Quality*, includes a discussion of the Basin’s nonattainment status for federal and State ozone standards and provides the applicable SCAQMD criteria pollutant thresholds for project construction and operation. Section 3, *Air Quality*, also describes how the SCAQMD has prepared a plan for air quality improvement for pollutants for which the Basin is in non-compliance (the 2016 Air Quality Management Plan) in order to satisfy state and federal air quality planning requirements. The Plan demonstrates strategies for attainment of the new federal eight-hour ozone standard and VMT emissions offsets, pursuant to recent USEPA requirements.⁶ Moreover, as discussed in the SCAQMD *CEQA Air Quality Handbook*, the thresholds are established, in part, based on Section 182(e) of the federal Clean Air Act’s thresholds for stationary emission sources in areas designated extreme nonattainment for ozone as well as other scientific and factual data contained in the federal and State Clean Air Acts.⁷ As described in Section 3, *Air Quality*, the project would not result in operational emissions (including mobile source emissions produced by project-related vehicle trips) of ozone precursors or any other criteria pollutant that exceed the applicable SCAQMD thresholds. Furthermore, as described in Section 17, *Transportation*, the project would not result in significant VMT impacts.

Response 3.15

The commenter states that the Vincent Children’s Center does not operate like a typical school and that the Institute of Transportation Engineers (ITE) trip rates do not accurately reflect the existing uses on the project site. Therefore, the transportation analysis should not account for the existing use on the project site when determining project impacts.

Page 118 of the Draft IS-MND addresses the unique nature of existing uses on the project site and the potential range of vehicle traffic associated with it as follows:

Because of the unusual nature of the existing use, which offers multiple services including after school child care, extended day child care, transitional kindergarten, and a preschool (CVUSD 2021), it is difficult to classify this use as either simply a Day Care Center or an Elementary School, and the use’s actual trip generation rate under normal circumstances is probably somewhere between the 956 daily trips expected for an elementary school of this size and the 2,333 daily trips for a Day Care Center of this size. Furthermore, the site may not be currently operating under “normal circumstances” due to COVID-19 restrictions or for other reasons, and it is difficult to know if and when the site will return to normal operations.

As discussed in Section 17, *Transportation*, and described in detail in the Focused Traffic Analysis prepared by Ganddini Group (Appendix I of the Draft IS-MND), the project would generate approximately 971 daily trips and would not result in significant VMT impacts pursuant to the City’s established VMT criteria. As shown in Table 1 of the Focused Traffic Analysis, the analysis did not include a trip rate reduction for existing uses on the site.

Response 3.16

The commenter states that the project should include affordable housing units to justify project concessions.

⁶ SCAQMD. 2017. Final 2016 Air Quality Management Plan (AQMP). <https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=15> (accessed March 2020).

⁷ SCAQMD. 1993. CEQA Air Quality Handbook. April 1993.

The proposed project does not involve a request for density bonus or variance for the project site. Rather, the project proposes a new Specific Plan that would change the underlying land use and zoning designations of the project site and establish specific development standards that would apply to the site. This comment does not remark on the adequacy of the environmental review and no changes to the IS-MND are required in response, but it will be considered by the City.

Response 3.17

The commenter requests additional community outreach regarding the project in multiple languages. The commenter also requests that the City provide a full plan set on the website for public review.

While this comment does not remark on the adequacy of the environmental review and no changes to the IS-MND are required in response, the following information relating to public outreach for this project is provided in response to this comment.

Due to the COVID-19 pandemic a traditional community meeting for this project could not be held. However, the applicant sent out Community Outreach flyers in August 2020 and scheduled individual meetings with neighbors who responded to the flyers. In addition, the applicant is continuously working and meeting with adjacent neighbors. The project plans were posted on the City's website on April 22, 2021, and can be found at the following web address:
<https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents>.

Letter 4

21 April 2021

Ms. Jo-Anne Burns
Planning Manager
City of West Covina
1444 W. Garvey Avenue 2nd Floor, Room 208
West Covina, CA 91790
JBurns@westcovina.org

RE: **Draft Initial Study and Mitigated Negative Declaration for Vincent Place Residential Project located at 1024 W. Workman Avenue, West Covina, 91790**

Dear Ms. Burns,

Thank you for the opportunity to review the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the project referenced above. The proposed project consists of 119 dwelling units comprised of 72 attached dwelling units and 47 detached dwelling units on an approximately 8.05-acre site.

Additionally, this letter provides some preliminary comments related to the design of the proposed project and concerns related to the number of concessions/incentives that the project is requesting without delivering any community benefit.

Comments related to the Draft IS/MND

Section 4. Project Sponsor’s Name and Address

Property ownership should be included, which is:

Covina Valley Unified School District
Attn: Elizabeth Eminhizer, Superintendent
519 E. Badillo Street
Covina, CA 91723

4.1

Section 5. Project Location-

This section states that the project is served by *“Regional mass transit service is provided by Foothill Transit, with the closest bus stops being on Vincent Avenue, one at the northwest corner of the intersection of Workman and Vincent and serving Foothill Transit bus route 488 southbound, and the other at the southeast corner of Workman and Vincent and serving Foothill Transit bus route 488 northbound.”*

4.2

The Foothill Transit bus route 488 runs westbound and eastbound and the closet bus stop to the Project site is located at Vincent Avenue and Glendora Avenue, approximately 0.8 mile south from the project site. Please see attached map of bus stops and direction of Foothill bus route 488.

↑
4.2

Under Section 8 – Greenhouse Gas Emission General Plan Consistency, states that Foothill Transit bus 498 serves the area of the proposed project. It should be noted that the closest stop bus for Foothill Transit route 498 is located at the West Covina City Hall Park & Ride, which is approximately 1.5 miles from the proposed project site. Additional discussion is provided under the Transportation Section 17.

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4.3

Section 6. Existing Setting

Provide information regarding the number of buildings to be demolished and the square footage of each building.

↑
4.4

Section 9. Project Description

The description should also inform the public and reviewing public agencies that this is a surplus school by the Covina Valley Unified School District (CVUSD). The site is currently, which is public land, is under the ownership of the (CVUSD). The District has not yet identified sites being received as part of the “land exchange” between the CVUSD and Project Sponsor.

↑
4.5

The current zoning is Single-Family residential zone that allows a maximum density of 8 units per acre and the developer is seeking approval for up to 20 units per acre. This information is omitted and it does not inform the public what is currently allowed by right under the City’s General Plan and Development Code.

↑
4.6

Table 1 – Project Summary

Landscaping, Open Space, and Parking

Patio walls should not be allowed to encroach into front setback a minimum of 3-feet from public right-of-way. This allowance may result in the patios being enclosed. The Specific Plan does not include design guidelines. Additionally, the lot coverage and impervious surfaces would be increased, thus reducing the area where infiltration to groundwater can occur.

↑
4.7
↑
4.8

Section 11. Required Approvals

- *Adoption of the Vincent Avenue Specific Plan and zone change from Single-family Residential R-1/8 units per acre) to Vincent Avenue Specific Plan (up to 20 units per acre).*

↑
4.9

Section 4. Air Quality

The site is over 5 acres. The discussion does not include any phasing of the work and how the sensitive receptors (existing single-family homes) adjacent to the site can be better protected during the demolition and construction phases. Therefore, additional disclosure and information should be

↓
4.10

included in order to inform the public related to construction phasing, and construction staging.

The IS/MND does not include a discussion regarding the **siting of the project within less than 500 feet from the I-10 San Bernardino Freeway**. Air pollution studies indicate that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. Many of these epidemiological studies have focused on children. A number of studies identify an association between adverse non-cancer health effects and living or attending school near heavily traveled roadways. These studies have reported associations between residential proximity to high traffic roadways and a variety of respiratory symptoms, asthma exacerbations, and decreased lung function in children¹. The California Environmental Protection Agency California Air Resources Board (ARB), recommends avoiding siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural road with 50,000 vehicles/day. As stated in the ARBs Handbook, *“protecting California’s communities and our children from the health effects of air pollution is of the most fundamental goals of state and local air pollution control programs. Our focus on children reflects their special vulnerability to the health impacts of air pollution. Other vulnerable populations include the elderly, pregnant women, and those with serious health problems affected by air pollution.”*

Air pollution studies also indicate that living close to high traffic roads and associated emissions may lead to adverse health effect beyond those associated with regional air pollution in urban areas. The findings of these studies concluded that siting housing projects/sensitive land uses within close proximity of freeways increases both exposure and the potential to adverse health effects. Other affects associated with traffic emissions include premature death in elderly individuals with heart disease.

4.11

Key Health Findings²

- *Reduced lung function in children was associated with traffic density, especially trucks, within 1,000 feet and the association was strongest within 300 feet. (Brunekreef, 1997)*
- *Increased asthma hospitalization were associated with living within 650 feet of heavily traffic and heavy truck volume. (Lin, 2000)*
- *Asthma symptoms increased with proximity to roadways and the risk was greatest within 300 feet. (Venn, 2001)*
- *Asthma and bronchitis symptoms in children were associated with proximity to high traffic in a San Francisco Bay Area community with good overall regional air quality. (Kim, 2004)*
- *A San Diego study found increased medical visits in children living within 550 feet of heavy traffic. (English, 1999)*

These studies show the association of traffic-related emissions with adverse health effects, which was seen within 1,000 feet and was strongest within 300 feet. The proposed project is located less than 500 feet from the I-10 San Bernardino Freeway. Table 2 Health Effects Associated with Non-Attainment Criteria Pollutants of the IS/MND page 36, are stated as an informational table without any analysis related to the siting of the project and potential adverse health impacts to the proposed housing project.

¹ Air Quality and Land Use Handbook: A Community Health Perspective, April 2005.

² Id., Air Quality and Land Use Handbook: A Community Health Perspective, April 2005.

Additionally, the project site is located within a locally Disadvantaged Community (see attached map). Although the City of West Covina General Plan does not include an Environmental Justice Element, the Southern California Association of Governments (SCAG) has created a map tool that identifies locally disadvantaged communities. To this end, Senate Bill 1000 (SB 1000), the Planning for Healthy Communities Act, signed into law by Governor Jerry Brown on September 24, 2016, mandates that cities and counties adopt an environmental justice (EJ) element or integrate EJ goals, objectives, and policies into other elements of their general Plans. SB 1000 goal includes, but not limited to the following:

- To protect public health and regenerate environment;
- Build trust and good working relationship with stakeholders; which strengthening community ownership over the process;
- Demonstrate a commitment to reducing and preventing disproportionate negative impacts on vulnerable residents and neighborhoods.

Assembly Bill 617 also includes several of the same key terms found in SB 1000 that define the term “disadvantaged community” as: (1) areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation; and (2) areas with concentrations of people that are of low income, high unemployment, low levels of homeownership, high rent burden, sensitive populations, or low levels of educations attainment³.

One of the primary goals of CEQA is to “Develop and maintain a high-quality environment now and in the future, and take all caution necessary to protect, rehabilitate, and enhance the environmental quality of the State.”⁴

For example, another goal of CEQA is to “Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historical environmental qualities, and freedom from excessive noise.”⁵ Similarly, CEQA was also intended to “Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian,” a goal that “shall be the guiding criterion in public decision.”⁶

Despite the legislative intent to provide every Californian with a “decent home and suitable living environment,” a significant number of Californians in disadvantaged communities are impacted by high levels of air pollution. In some way, CEQA has failed to protect too many of the state’s most at-risk residents.

Together, SB 1000 and AB 617 were signed into law to protect the at-risk communities that were contemplated in the legislative findings of CEQA, but not subsequently afforded the level of protection necessary to prevent “environmental injustice.”

³ Cal. Health and safety Code § 39711; Assembly Bill 617 July 26. 2017)

⁴ Ca. Public Res. Code § 21001(a)

⁵ Id., § 21001(b)

⁶ Cal. Gov. Code § 65040.12

As such, the Air Quality Analysis must include a Health Risk Assessment and address the relationship of its finding upon a locally disadvantaged community. Since the IS/MND is silent on health risks associated with the siting of the project, it is premature to speculate mitigations through design and layout to improve potential adverse impacts. Additional comments may follow once the Air Quality Analysis and Health Risk Analysis is completed and made available for public review.

4.11
cont.

Section 8 Greenhouse Gas Emissions

Table 12 Project Consistency with Applicable SCAG 2020-2045 RTP/SCS Strategies

Reduction Strategy	Project Inconsistency
<ul style="list-style-type: none"> ▪ Emphasize land use patterns that facilitate multimodal access to work, education and other destinations ▪ Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets. ▪ Plan for growth near transit investments and support implementation of first/last mile strategies ▪ Prioritize infill and redevelopment of underutilize land to accommodate new growth, increase amenities and connectivity to existing neighborhoods ▪ Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or location and orienting close to existing destinations) ▪ Identify way to “right size” parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking) 	<p>No existing public transit facilities are located near the project site. The closest stop bus for Foothill Transit route 498 is located at the West Covina City Hall Park & Ride, which is approximately 1.5 miles from the proposed project site.</p> <p>There are no existing bike lanes along the project site or near the project site as shown Figure 7 -City of West Covina Proposed Bicycle Network of the Focused Traffic Analysis. Therefore, the proposed project is not focusing growth near existing destinations and mobility options.</p> <p>The project provides more parking than required by the City’s zoning code. At total of 268 spaces are required by ordinance and a total of 294 parking spaces are proposed. The project does not identify any strategies that include shared parking, parking management, smart parking, etc.</p>

4.12

Table 13 West Covina General Plan Inconsistency Analysis

General Plan Inconsistency Analysis
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General Plan Goals/Policy/Action		Inconsistency Analysis
Our Natural Community		
Air-P1.1	Promote alternative transportation modes like walking, biking, and transit that reduce emissions related to vehicular travel.	<p>No existing public transit facilities are located near the project site. The closest stop bus for Foothill Transit route 498 is located at the West Covina City Hall Park & Ride, which is approximately 1.5 miles from the proposed project site.</p> <p>There are no existing bike lanes along the project site or near the project site as shown Figure 7- City of West Covina Proposed bicycle Network of the Focused Traffic Analysis. Therefore, the proposed project is not focusing growth near existing destinations and mobility options.</p> <p>Providing more parking than required, as this project does, encourages driving, which will generate more vehicle emissions.</p>
Our Well Planned Community		
Goal:	Our goal is to direct new growth to the downtown area where development pressures are the greatest and change is desired, while protection the stable residential areas; target housing and job growth in strategic area along the corridor; and encourage pedestrian-oriented-use development, while providing vibrant public	The project site is located within an established neighborhood and it is not located within the City’s Downtown as defined in the Downtown Specific Plan and the City’s General Plan.

4.13

4.14

General Plan Inconsistency Analysis

P 3.1	gathering places. Preserve existing housing stock	
A 3.1	Incorporate standards in the development code to preserve the existing form and character of stable residential areas and prevent encroachment of incompatible land uses and intensity	The current zoning for the project site is Single-Family residential (R-1 Neighborhood Low) zone that allows a maximum of 8 dwelling units per acre. The project would allow up 20 units per acre with a maximum height of 38 feet for the proposed townhomes, where a maximum of 25 feet is allowed and maximum two-story. The proposed height and density are not consistent with the GP polices and action P.31. and A.3.1. The proposed project is incompatible with the existing established neighborhood.
P 3.3	New growth will complete, enhance, and reinforce the form and character of the unique West Covina neighborhoods, districts, and corridors.	The proposed project doesn't respect the existing neighborhood fabric. The project is introducing development standard that otherwise don't exist within the established neighborhood through a specific plan that it does not reinforces the form and character of the neighborhood.
P 3.4	Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.	The project site is not located within the downtown. The project site is located within 500 feet from the I-10 San Bernardino Freeway within a locally disadvantaged community. Due to the proximity to the freeway, the proposed project will not provide a healthy living nor access to housing for those seeking very low, low- and moderate-income housing.

4.15

4.16

Our Accessible Community

General Plan Inconsistency Analysis

P 4.5	<p>Work to eliminate barriers to pedestrian and bicycle travel</p> <p>Allocate street space equitably among all modes</p>	<p>The Project is not proposing any off-site improvement to facilitate bicycle lanes nor has the City established a mitigation fee structure to have project contribute to the construction/installation of bike lanes. Providing more parking spaces is a barrier to promote pedestrian and bicycle travel. Therefore, street space or public right-of-way space is not equitably distributed among all modes of transportation/mobility.</p>
<p>Our Resilient Community</p>		
P 5.2	<p>Allocate land uses based primarily on the control of physical form, intensity, and arrangement of buildings, landscapes, and public spaces that enable land and building functions to adapt to economic, environmental, energy, and social changes over time.</p>	<p>The project is not respecting the physical form, intensity, and arrangement of building, landscapes, setback, and height to be compatible with the neighborhood.</p>
P 5.4	<p>Buildings, lots, and blocks primarily scaled around the pedestrian and transit, creating a human-scaled spatial enclosure. Buildings should be informed by surrounding physical context, the adjacent landscapes, structures, local conditions, building traditions, and the microclimate.</p>	<p>The proposed buildings within the proposed project do not contribute to the existing pedestrian and human-scaled spatial enclosures. The proposed project is not considering the physical context, the adjacent landscape setbacks, local conditions and building traditions. The project disregard all of these aspects and introduces a project that makes no effort to complement the existing fabric of the neighborhood that can be achieved through a thoughtful design.</p>
P 5.9	<p>Provide adequate facilities and Services for the collection, transfer, recycling, and disposal</p>	<p><i>Consistent.</i> The proposed project would include trash enclosures that provide separate waste disposal and recycling</p>

4.17

4.18

4.19

4.20

General Plan Inconsistency Analysis

	of refuse	<p><i>containers and would be served by Athens Services, the existing waste hauler for the City.”</i></p> <p>Contrary to the statement above, the project will not provide trash enclosures. However, the project should be designed to provide trash enclosures rather than assuming that future residents will be keeping trash receptacles within their garages. Additionally, as shown on the Focused Traffic Analysis Figures 11 through 18, the project doesn’t provide a hammer head for the trash truck to safely turn-around in the narrow network of 20 feet wide driving aisles. Additionally, the truck specifications of a “Modern Garbage Truck” does not include a measurement unit. Presumably the metric unit is meter. Aesthetically and operationally, the proposed method of trash collection would result in adverse impact for those living in the community and the residents of the established neighborhood.</p>
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4.20
cont.

Our Healthy Community

P 6.1	Promote and support transportation decision that reduce driving and increase rates of transit use, walking, and biking.	The Project site is not located within ½ mile access from transit. There are not existing or proposed bike lanes and not adequate amount of tree shade to provide a comfortable walking environment.
P 6.5	Seek to increase its amounts of parks and trails to support physical activity and reduce the incidence of chronic illness	The project proposed an outdoor space. However, the project is located within less than 500 feet from the I-10 San Bernardino Freeway.

4.21

4.22

Housing Element

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General Plan Inconsistency Analysis			
Goal 1	Maintain and enhance the quality of existing housing and residential neighborhoods in West Covina.	The proposed project doesn't enhance the quality of the existing residential neighborhoods. The houses. The proposed dwelling units are not well designed and are boxes being dictated by garages. The units lack form and articulation when compared to the existing homes within the neighborhood	4.23
Goal 4	Promote equal housing opportunity for all residents.	The Specific Plan deviates from the City's regulations in terms of setbacks, height, floor area ratio (FAR), lot coverage, and density through a Specific Plan. The project offers no affordable units as a community benefit. The Project excludes residents in the very-low, low- and moderate-income levels of the population.	4.24

13 Noise

This section does not include a discussion of the I-10 San Bernardino noise levels. No design features are discussed that would attenuate the noise impacts from inside each unit so that the interior noise does not exceeds 45 CNEL as required by the 2019 CBC, Title 24, Part 2, Section 1206.4.

The environmental analysis should include construction phasing to better understand the order in which the units will be constructed. Also, construction staging areas should be identified and be placed as further away possible from sensitive receptors.

Section 15 Public Services

a.2 The project will increase the population at least by 399 persons. The Police Department is already operating below the national average. How are the impacts associated with the increase in population being mitigated for a Police Department that is already working at low staffing levels?

a.3 The analysis does not disclose which school district, schools, and school's capacity to serve the proposed project.

a.4 *"The nearest park to the project site is Palm View Park located approximately 1-mile northeast of the site and Del Norte Park located approximately 0.4 1.1. miles northwest of the site."*

Based on the Los Angeles County Park Need Assessment, the project is located in an area with high need of parkland. It should be noted that Covina Valley Unified School District has fenced off all school sites that no longer provides access to the open space within school sites for recreational purposes. As stated above, the project site is located within a locally Disadvantaged Community, which includes lack of access to parks, recreational amenities and adequate public services.

4.29
cont.

Section 16 Recreation

See comments under Section 15 Public Service above.

Section 17 Transportation

The Los Angeles-South Coast Air Basin is classified as an extreme non-attainment are for ozone as identified by the Federal Clean Air Act (Act). The Act contains requirements applicable to nonattainment areas, depending on the severity of the ozone problem in the area. One of the requirements for nonattainment areas is to develop enforceable transportation strategies and control measure “to offset any growth in emissions from growth in vehicle miles traveled... and to attain reduction in motor vehicle emissions as necessary.” The analysis in the Draft IS/MND does not refer to the thresholds adopted and applied to this project (i.e., 15 percent reduction from the City’s baseline).

4.30

Project Trip Generation and Distribution - The vehicle trips generation applied is based ITE Trip Generation rather than student enrollment as reported to the California Department of Education. The programs provided at the former Vincent Children’s Center included OPTIONS learning programs. The site provided limited services with low enrollment of children and few employees. Therefore, the services provided at the site did not generate the number of vehicles trips per the ITE Land Use Code 565 and 520. An analysis based on the number of students and number of employees would be the appropriate analysis to establish a baseline for daily trip generation. The site has operated with a low level of enrollment for at least the past 25 years (reason for the school site being surplus by CVUSD). Enrollment data can be obtained from the California Department of Education. Taking credit for vehicle trips that have not existed provides an inaccurate analysis that leads to an inaccurate disclosure of the transportation/traffic impacts that the proposed project will have in the area. As stated in Table 12, Section 8 – Greenhouse Gas Emissions, *“the project is an infill redevelopment that would replace **the existing underutilized school buildings on the project site with new**”* However, the Focus Traffic Analysis assumes that this was a use that was operating at full capacity as other elementary schools nearby the site (e.g., Rowland Elementary School).

4.31

17 a. This section states that the site is currently served by Foothill Transit bus Routes 488 and 498 along West Workman Avenue, however, it fails to inform the public that the nearest bus stops for both these routes are located 0.8 mile south from the project site at Vincent Avenue and Glendora Avenue and 1.5 miles west at West Covina City Hall Park & Ride, respectively.

4.32

17 b. This section asserts that *“the project is screened out from a detailed VMT analysis because the project site is located in a low VMT area that generates a total VMT per service population 15 percent*

4.33

lower than the San Gabriel Valley Council of Governments (SGVCOG) average.” No substantial evidence is provided to reach such conclusion. Simply stating that the project screens out is inaccurate as the project is not within a Transit Priority Area and it is not consistent with the City of West Covina VMT Thresholds adopted in Resolution No. 2020-57, which is attached to this letter.

The Los Angeles-South Coast Air Basin is classified as an extreme non-attainment area for ozone as identified by the Federal Clean Air Act (Act). The Act contains requirements applicable to nonattainment areas, depending on the severity of the ozone problem in the area. One of the requirements for nonattainment areas is to develop enforceable transportation strategies and control measure “to offset any growth in emissions from growth in vehicle miles traveled... and to attain reduction in motor vehicle emissions as necessary.”

The Governor’s Office of Planning and Research (OPR) has identified guidelines for projects which may be screened and would therefore be exempt from a VMT analysis. The theory is that the development of these projects will by their nature reduce vehicle trips and therefore be in conformance with SB 743. A project might be screened out if the project is an affordable, supportive, or transitional housing, assisted living facilities, senior housing (as defined by HUD) or if the project generates less than 110 daily vehicle trips, which would generally equate to 11 single-family homes, 16 multi-family, condominium or townhouse housing units.

A project located within a TPA may be presumed to have a less than significant impact absent of substantial evidence to the contrary. This presumption may not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Include more parking for use by residents
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization (SCAG); or
- Replaces affordable residential units with a small number of moderate- or high-income residential units.

The project also proposes more parking spaces than required per the West Covina Zoning Code 26-506, such a strategy is contrary to the OPR Guidance for screening out projects as it relates to SB 743 as explained above. The project is also inconsistent with the applicable Sustainable Communities Strategy as indicated in Section 8 Table 12 under Greenhouse Gas Emissions.

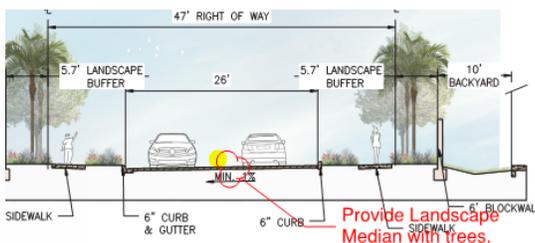
The Focused Traffic Analysis does not provide any output sheets generated by the SGVCOG web-based tool that allows staff and developers to determine if a proposed project would require a full VMT analysis based on each City’s adopted CEQA criteria. Therefore, the Transportation Section of IS/MND fails to provide substantial evidence that supports the conclusion that the project screens out because it is located in a low VMT area that generates a total VMT per service population 15 percent lower than the San Gabriel Valley Council of Governments (SGVCOG) average the transportation impacts associated with the proposed project.

Design and Layout Concerns of Proposed Project

4.33
cont.

1. It appears that a double wall condition will be created by the proposed development along the west property line. A double wall condition should be avoided and it would be best to work with the residents to have one uniform wall at the property line. The Specific Plan indicates a proposed 6'-0" high split-face CMU wall, with 4" high split-face CMC Cap (tan color). The plans don't show the location of the existing wall, including the existing chain link fence and whether the chain link fence will be removed or preserved. Section 26-414 of the West Covina Municipal Code requires that any combination of parallel retaining walls constructed in combination with other retaining walls, screen walls and/or fences on the same property that are separated and approximately parallel to each other shall be separated by a horizontal distance of three (3) feet or greater. Where two (2) or more wealls and/ or fences are approximately parallel to each other and separated by a horizontal distance of less than five (5) feet, the parallel walls and/ or fences shall be treated as a single wall and the height shall be measured at continuous points from the lowest adjacent finished grade of the lowest wall or fence segment to the top of the highest wall or fence segment. The area between parallel retaining walls and other walls and fences shall be landscaped such that a minimum of two-thirds (2/3) of the wall surface will be screened from view once the landscaping reaches maturity
2. The wall return for the proposed single-family units along the east elevation proposes a 6'-0" high split face wall, with 4" split-face CMU cap. It would be advisable to construct a 7- or 8-foot high split-face CMU wall to avoid future residents from increasing the height of the wall with a different material for privacy.
3. Provide a minimum of 25 feet font yard landscape to match the existing front yard setback required of the adjacent single-family homes in the area.
4. Provide trash enclosures to serve the development rather than relying on each future resident to comply with the rules regarding trash containers being put away. Having trash receptacles throughout the narrow network of driving aisles will be aesthetically unpleasing for the residents and adjacent neighbors and operationally is not an ideal condition.
5. Provide landscape pockets where the garage doors are proposed to break up the pavement.
6. Provide a landscape median at the entrances off Workman and Garvey Avenue.

4.34



7. Please indicate the location water heaters. If the proposed tankless water heater, please include a note on the plans. Also, the air conditioner units for the attached units along Vincent are shown in the landscape plans and are located where they will be might be visible from the public right-of

-way. However, the elevations don't show the A/C units. Please demonstrate how these units will be properly screened from public view.

8. Please clarify the type of Tract Map being proposed. Are the townhomes being processed as condominiums with air rights and the single-family fee simple? Please explain what is being proposed as part of the Tract Map.
9. All utilities including cable must be underground. Please confirm.



10. All the units are design (detached homes) boxy and their configuration are being dictated by the garage.
11. The front elevation of the units along Workman Avenue lack architectural interest. The front doors are not centered in the front porch/projection proposed. This makes the front entrance appearance very odd. For the Spanish design (1), please incorporate recessed windows (3-inch minimum) and combination of arched windows to provide a more interesting window fenestration. The larger window on the ground floor can be an arched window, which can be a focal/architectural feature that won't need wood shutters. The front projection should incorporate the same type of clay pipe vents as proposed in the second story. Also, wrought iron embellishments can help in breaking the massing of the front elevation. Windows on the second story should also be recessed.
12. Design #2, incorporate recessed windows, center the door, the straight wall should be the portion of the structure setback further away from the street and the portion of the structure that has articulation should be projecting forward.
13. The same applies to Design #4. By projecting the portion of the structure with the larger windows closer to the street, it provides a better relationship with the street and a superior human scale. Provide some type of brick or stacked stone wainscoting along the front elevation wrapping at least 24 inches on the sides. Replace the round columns with square columns using 6" x 6" posts. The thickness of the round columns is out of scale with the proportions of the proposed units using this design.
14. Design #3, center front door with the front projection element, provide a river rock wainscoting across the front elevation wrapping at least 24 inches on the sides, and incorporate river rock at the base of the proposed tapered columns.
15. Same as Design #2.
16. Incorporate nicer garage doors.

4.34
cont.

17. Off-set wall planes for the Santa Barbara elevation. Enhance the entrance so the front door is not just an opening in the front wall plane. Recessed windows and incorporate nice/good quality arched windows in the front elevation as well as on the second story elevations. The same comments apply to the Coastal – Lane Elevations and Farm House Lane Elevation and all Motor Court Elevations. Although the units might not be seen from the street, well design units will convey quality and care in the way the development was designed.
18. The Spanish and Santa Barbara design should be smooth stucco. The colors are typically more earth color tones or simple terra cotta tile roof as proposed with smooth finish off-white colored stucco. Incorporating too many colors might not be the best idea for this type of architectural design.
19. The attached units, as designed, lack articulation, visual interest, and gives the appearance of being apartment units for rent rather than ownership units. This type of housing should be well-designed to enhance the area rather than to distract from it.

4.34
cont.

Project's Concessions

The applicant is seeking a number of concessions through the proposed specific plan but offers no community benefits. Some of the concessions being requested include:

- Building intensity – up zoning the site from 8 units per acre to allow up to 20 dwelling units per acre.
- Building setbacks
- Building height
- Lot Coverage - The underlying zoning of Single-Family Residential zone allows for a maximum lot coverage of 35 percent. Section 26-510 of the West Covina zoning code allows a maximum of 55% lot coverage for MF-15 and MF-20 zones. The project proposes almost 70% lot coverage.
- Landscape requirements

Government Code Section 65915 (California Density Bonus Law) states the following:

4.35

(2) The applicant shall receive the following number of incentives or concessions:

(A) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low-income households, or at least 10 percent for persons and families of moderate income in a common interest development.

(B) Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low-income households, or at least 20 percent for persons and families of moderate income in a common interest development.

(C) Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low-income households, or at least 30 percent for persons and families of moderate income in a common interest development.

(D) Four incentives or concessions for projects meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b). If the project is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, the applicant shall also receive a height

4.35
cont.

The proposed project doesn't include any affordable units to justify the concessions being requested. The project should include a percentage of affordable units that aligns with the incentives or concessions being sought out.

I also would like to request that the developer conduct additional community outreach that expands beyond the original 300-foot radius from the site. This is a significant project for the area and the public should be invited to participate. I would kindly request that you provide my contact information to the developer so I can be notified of any future community outreach. Additionally, the site should be posted announcing any community outreach even when such meetings are taking place virtually.

4.36

Also, a full set of plans should be made available on the City' website for the public to review and provide comments.

Thank you again for the opportunity to review and provide comments related to the Draft IS/MND and the overall project.

Sincerely,

West Covina Improvement Association

cc: West Covina Improvement Association (WCIA)
California Department of Housing and Community Development (HCD) – publiclands@hcd.ca.gov

Letter 4

COMMENTER: West Covina Improvement Association

DATE: April 21, 2021

Response 4.1

The commenter requests that information regarding the property owner is included in the IS-MND.

The following information regarding the current project site property owner has been added to page 1 of the IS-MND:

Covina Valley Unified School District
Attn: Elizabeth Eminhizer, Superintendent
519 East Badillo Street
Covina, CA 91723

Response 4.2

The commenter states that the nearest Foothill Transit bus route 488 bus stop is 0.8 mile south of the project site and that the IS-MND incorrectly identifies the direction of travel of the bus route.

Figure 2 provides a screenshot of Google Street View imagery dated December 2020 showing the Foothill Transit bus route 488 bus stop located at the northwest corner of Vincent Avenue and West Workman Avenue. In addition, Figure 3 provides screenshots from the Metro Trip Planner⁸ and Google Maps Trip Planner⁹ tools indicating that there are active bus stops for Foothill Transit Route 488 at the intersection of Vincent Avenue and West Workman Avenue. Page 1 of the IS-MND is revised to state, “Regional mass transit service is provided by Foothill Transit, with the closest bus stops being on Vincent Avenue, one at the northwest corner of the intersection of Workman and Vincent and serving Foothill Transit bus route 488 ~~southbound~~westbound, and the other at the southeast corner of Workman and Vincent and serving Foothill Transit bus route 488 ~~northbound~~eastbound.”

⁸ Metro. Trip Planner.

http://socialtransport.org/tm_pub_start.php?svc=metro&place0=1024+W+Workman+Ave%2C+West+Covina%2C+CA+91790&place1=1000+W+Foothill+Blvd%2C+Glendora%2C+CA+91741&dirflg=rB&timecrit=LV&hour0=03&min0=44&m0=p&fht_date=&fht_time=&day0=Today (accessed April 2021).

⁹ Google Maps. Route Planner.

<https://www.google.com/maps/dir/1024+W+Workman+Ave,+West+Covina,+CA+91790/APU+%2F+Citrus+College+Station,+Azusa,+CA+91702/@34.1351854,-117.8935324,17z/am=t/data=!4m19!4m18!1m5!1m1!1s0x80c2d7d9cd46f1f7:0x457995b03a562e512m2!1d-117.9275089!2d34.0749019!1m5!1m1!1s0x80c327b84ea423a9:0xfa2bbec686e84324!2m2!1d-117.8917186!2d34.1368109!2m4!5e0!6e4!7e2!8j1619711040!3e3> (accessed April 2021).

Figure 2 Foothill Transit Route 488 Bus Stop Location

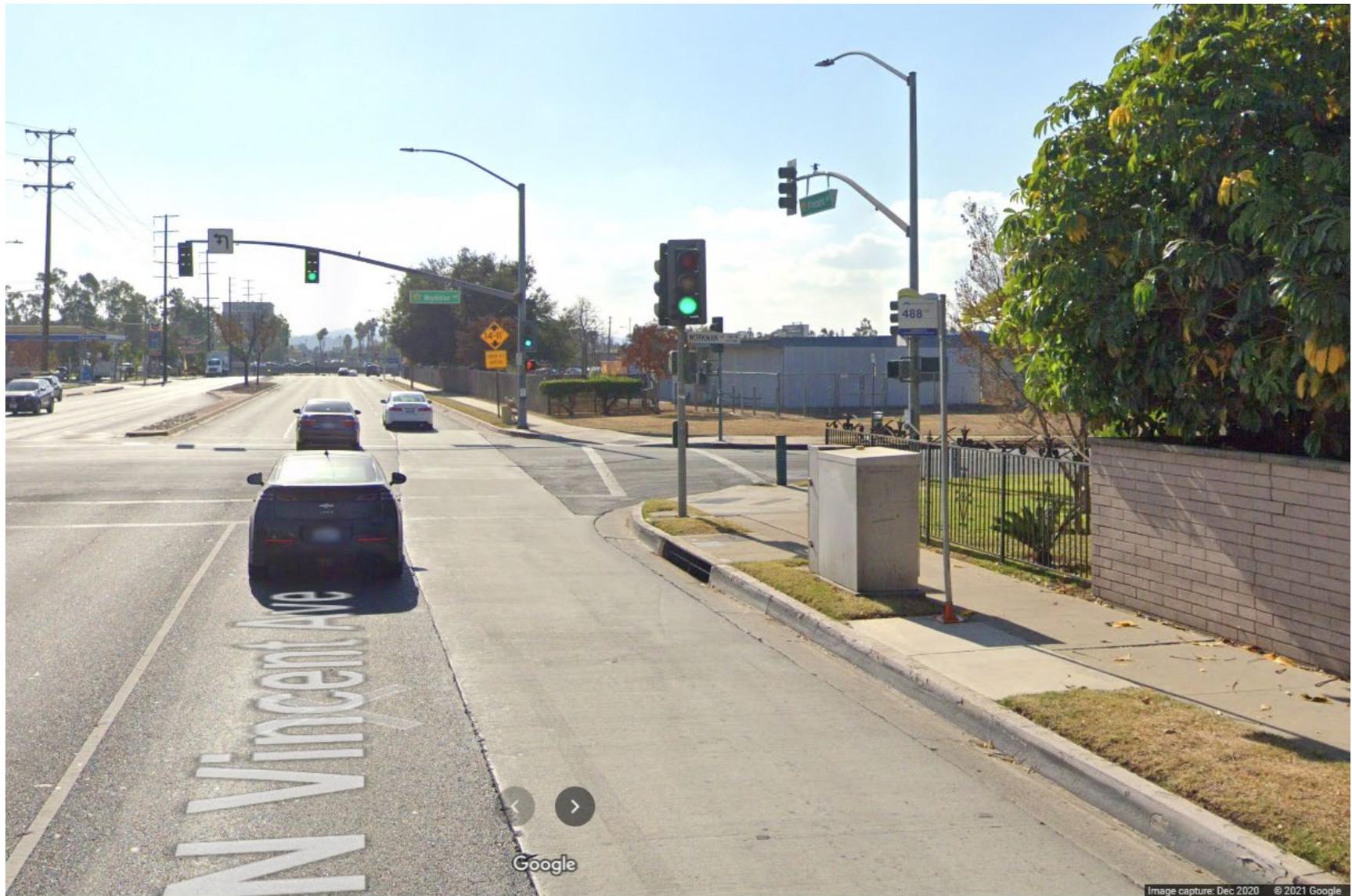


Figure 3 Foothill Transit Route 488 Metro and Google Maps Trip Planner Tools

Metro Trip Planner

Not secure | socialtransport.org/tm_pub_start.php?svc=metro&place0=1024+W+Workman+Ave%2C+West+Covina%2C+

Metro Trip Planner

New Trip | Nexttrip | Metro Fares & TAP | How to Ride Metro | Regional Partners

Trip Details

You are traveling on **?day?** and **Leaving at 6:12AM**. Fare class: **Regular**. Max walk: **1/3 Mile**. Mode: **ANY**.

Tip: Click on a location to view on the map.

Starting at 1024 W WORKMAN AV
 Find Nearby... [Pass/TAP Outlets](#) | [Park & Ride Lots](#)

Ride Foothill Transit 488 [EL MONTE] heading south

From: **Vincent Av/Workman Av NW corner Lv: 06:40AM**

To: **Francisquito Av/Sunset Av NE corner Ar: 06:53AM**

Pay \$1.75, Monthly Pass: \$60.00, EZ Pass accepted

Ride Foothill Transit 281 [GLENORA] heading north

From: **South Sunset Avenue / West Francisquito Avenue SE corner Lv: 06:58AM**

To: **West Foothill Boulevard / North Galanto Avenue Ar: 07:45AM**

Pay \$1.75, Monthly Pass: \$60.00, EZ Pass accepted

Ending at 1000 W FOOTHILL BLVD
 Find Nearby... [Pass/TAP Outlets](#) | [Park & Ride Lots](#)

1024 West Workman Avenue, West Covina, CA 91790

4:19 PM - 5:13 PM (54 min)

488

4:21 PM from Vincent Ave and Workman Ave N
 f 6 min every 30 min

ADD TO CALENDAR

SCHEDULE EXPLORER

- 4:19 PM ○ 1024 W Workman Ave
 West Covina, CA 91790
- Walk
 About 2 min, 453 ft
- 4:21 PM ○ Vincent Ave and Workman Ave N
- 488 East Glendora Citrus College
 48 min (26 stops) - Stop ID: 2651
- 5:09 PM ○ Foothill Blvd and Citrus Ave N
- Walk
 About 4 min, 0.2 mi
- 5:13 PM ○ APU / Citrus College Station
 Azusa, CA 91702

Tickets and information
 Foothill Transit - Ticket information

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Response 4.3

The commenter requests that the IS-MND note the nearest bus stop for Foothill Transit bus route 498 in Section 8, *Greenhouse Gases*, and Section 17, *Transportation*.

The nearest bus stop for Foothill Transit bus route 498 is located approximately 0.4-mile walking distance at the intersection of Vincent Avenue and Plaza Drive. Table 13 of the IS-MND is amended as follows:

The project site is within 0.25 mile of bus stops along Vincent Avenue and West Workman Avenue that serve Foothill Transit Routes ~~488 and 498~~. In addition, the project site is within 0.25 mile of bus stops for the Go West Red Route operated by the City and is approximately 0.4-mile from bus stops that serve the Foothill Transit bus route 498.

The second paragraph of impact analysis 17a. in Section 17, *Transportation*, is also amended to include the following:

The nearest bus stops for Foothill Transit bus routes ~~488~~ is approximately 87 feet from the project site at the intersection of West Workman Avenue and North Vincent Avenue, and the nearest stop for Foothill Transit bus route 498 is approximately 0.4-mile south of the project site at the intersection of Vincent Avenue and Plaza Drive.

Response 4.4

The commenter requests information about the number of buildings to be demolished and the square footage of each building.

As described on Page 18 of the Draft IS-MND, the project would include the demolition of approximately 49,000 square feet of assorted school buildings. The school consists of one large semi-circular structure and three associated outbuildings, which have a combined total building area of approximately 49,000 square feet.

Response 4.5

The commenter states that the project description should indicate that the project site is a surplus school owned by the Covina Valley Unified School District (CVUSD). The commenter also states that CVUSD has not identified sites being received as part of the land exchange between CVUSD and the project applicant.

The Draft IS-MND states on page 4 that the project site was originally developed as an elementary school but was closed in 1979 due to low enrollment. Page 4 of the Draft IS-MND also indicates that the project site is currently developed with the Vincent Children's Center, which is operated by CVUSD. Page 4 of the IS-MND is further amended to clarify that the site is a surplus school, as follows:

The project site is currently developed with, and has until recently been used for¹⁰, the Vincent Children's Center, a facility operated by the Covina Valley Unified School District (CVUSD) offering multiple services including after school child care, extended day child care, transitional kindergarten, and a preschool (CVUSD 2021). The campus was originally developed as an elementary school site but was shut down in 1979 due to a declining student population. Special

¹⁰ Currently, use of the site as a school may be limited or it may be non-operational because of COVID-19 pandemic conditions or for other reasons.

Education preschool classes, a General Child Care Program, and County Special Education classes were then moved to the campus. The project site is a surplus property owned by CVUSD.

Response 4.6

The commenter states that information regarding the existing zoning and permitted residential density are omitted from the Draft IS-MND, and that existing zoning currently permits 8 units per acre.

As stated on page 4 of the Draft IS-MND, the project site is currently zoned Residential (Single-Family) (R-1). The R-1 zone does not permit up to eight units per acre. The project site's current zoning falls within Area District I of zone R-1, which permits one residential dwelling per lot with a minimum lot size of 7,500 square feet and minimum dwelling size of 950 square feet pursuant to Section 26-401 of the West Covina Municipal Code. The project site is 350,810 square feet (8.05 acres). Assuming one dwelling per each 7,500 square feet, (the minimum lot size in the R-1 zone) approximately 46 dwelling units could be built on the site, which would result in a density of 5.7 dwelling units per acre (du/acre). However, the actual number of residential units that could be constructed on the site under the R-1 zone would depend on the manner in which the lot was subdivided, and the sizes of homes proposed, and would actually be less than 5.7 du/acre to allow for internal roadways and other required areas not occupied by residential lots. Regardless of the actual residential density that could be achieved on the site under existing zoning, page 91 of the Draft IS-MND acknowledges that the proposed project would have a higher density of residential units than permitted by the current zoning.

Response 4.7

The commenter provides an opinion that a minimum three-foot setback from the public right-of-way, including for project landscaping and walls, should be maintained.

As stated in Table 1 of the Draft IS-MND, "Patio walls shall be setback a minimum of 3-feet from public rights-of-way". This comment does not remark on the adequacy of the environmental analysis. City design review of the proposed plans would ensure that this requirement is adhered to.

Response 4.8

The commenter states that impervious surfaces would be increased on the site, which reduces groundwater infiltration.

Section 10, *Hydrology and Water Quality*, of the Draft IS-MND notes that the proposed project would result in increased impervious surface on the project site compared to existing conditions. However, as discussed in Section 10, *Hydrology and Water Quality*, the project would include catch basins, biofiltration, and other best management practices to address stormwater runoff and infiltration, consistent with the requirements of the West Covina Municipal Code and National Pollution Discharge Elimination System permitting program, and no significant impacts related to groundwater infiltration were identified.

Response 4.9

The commenter states that the Single-Family Residential (R-1) zone allows up to 8 units per acre and that the proposed Specific Plan would allow up to 20 units per acre.

The commenter is referred to Response 4.6 above.

Response 4.10

The commenter requests that information regarding construction phasing and staging be added to the IS-MND.

As described on page 19 of the Draft IS-MND, construction of the proposed project is anticipated to occur over an approximately three-year period beginning in June 2022 and ending in January 2025. Construction phasing information has not been determined at this time. The following information has been added to page 19 of the Draft IS-MND to clarify construction staging: “Construction staging would occur within the project site boundaries.” Mitigation Measure N-1, detailed on pages 106 and 107 of the Draft IS-MND, requires construction staging to be located as far as possible from adjacent residential buildings.

Response 4.11

The commenter notes that the project site is within 500 feet of Interstate 10 (I-10) and that living near freeways can result in health impacts. The commenter also states that the project site is within an area mapped as a Disadvantaged Community in the Southern California Association of Governments (SCAG) mapping tool, provides background information regarding State regulations related to Disadvantaged Communities, and notes that Disadvantaged Communities are impacted by air pollution. The commenter states that a health risk assessment (HRA) is required for the project because the project site is located near the freeway and is within a locally Disadvantaged Community.

The commenter is referred to Responses 3.6 and 3.9 above.

Response 4.12

The commenter provides an opinion that the project is inconsistent with the SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) because the project site is not located near bus stops, there are no bike lanes near the project site, and the project provides more parking spaces than required by the existing site zoning.

The commenter is referred to Response 4.3, which illustrates that the project site is within 0.25-mile of bus stops that serve Foothill Transit bus route 488. Section 8, *Greenhouse Gas Emissions*, and Section 17, *Transportation*, acknowledge that there are no existing bike lanes within the vicinity of the project site, but that Workman Avenue is classified as a proposed bike route, indicating that bike lanes may be added along the project frontage of West Workman Avenue in the future. The project would establish a new Specific Plan and zoning designation for the project site, which would include the establishment of parking regulations appropriate for the proposed uses. The project is an infill project within an existing residential area that would replace underutilized uses currently existing on the project site, which is consistent with the 2020-2045 RTP/SCS. Furthermore, the project site is located in a Priority Growth Area¹¹ identified by SCAG because it is within a High Quality Transit Area¹². According to the 2020-2045 RTP/SCS (also called Connect SoCal), “Priority Growth Areas (PGAs) follow the principles of center focused placemaking and are locations where many Connect SoCal strategies can be fully realized. Connect SoCal’s PGAs... account for only 4 percent of region’s

¹¹ SCAG. 2021. Priority Growth Areas Map. https://hub.arcgis.com/datasets/0da9bc5fba2d4b409c8f166166bf8888_6?geometry=-117.968%2C34.069%2C-117.887%2C34.081 (accessed May 2021).

¹² SCAG. 2021. High Quality Transit Areas 2015 Map. https://gisdata-scag.opendata.arcgis.com/datasets/43e6fef395d041c09deaeb369a513ca1_1?geometry=-117.948%2C34.072%2C-117.907%2C34.078 (accessed May 2021).

total land area, but implementation of SCAG’s recommended growth strategies will help these areas accommodate 64 percent of forecasted household growth and 74 percent of forecasted employment growth between 2016 and 2045.” As described in Section 8, *Greenhouse Gases*, the proposed project is consistent with the 2020-2045 RTP/SCS. .

Response 4.13

The commenter provides an opinion that the project is inconsistent with the City’s General Plan Policy P1.1 because the project site is not located near bus stops, there are no bike lanes near the project site, and the project provides more parking spaces than required by the existing site zoning.

The commenter is referred to Response 4.12 above.

Response 4.14

The commenter states that the project is inconsistent with the City’s General Plan “Our Well Planned Community” goal to direct new growth to the downtown area, protect stable residential areas, target housing and job growth in strategic areas, encourage pedestrian-oriented mixed development, and provide vibrant public gathering places because the project site is not within the downtown area.

It is acknowledged that the project site is not within Downtown West Covina. However, the project site is zoned for residential use and is located within a residential area of the City. The project would replace existing underutilized school buildings with residential uses that would be similar to and aesthetically compatible with the residential neighborhood surrounding the site, which is consistency with several policies and Actions within the “Our Well Planned Community” Chapter of the General Plan, as described in Responses 4.15 and 4.16, below. Additionally, the project would expand housing opportunities and options for homeownership within the City, which is consistent with the Housing Element (included under the “Our Well Planned Community” Chapter of the General Plan) goals to provide a variety of housing types and increase housing production within the City. As described in Table 13 in Section 8, *Greenhouse Gases*, and in Section 11, *Land Use and Planning*, the proposed project is generally consistent with the goals and policies of the General Plan.

Response 4.15

The commenter offers an opinion that the project is inconsistent with the City’s General Plan Policy P3.1, Action A3.1, and Policy P 3.3 because it would allow for greater development intensity on the site than the current zoning allows and would introduce denser development compared to nearby residential uses.

The commenter is referred to Response 4.6, above, regarding the existing site zoning and permitted density on the site. As discussed therein, the project would establish a new zoning designation and Specific Plan to regulate development on the project site. It is acknowledged throughout the Draft IS-MND that the proposed project would increase development intensity on the site. Nonetheless, the project would not introduce any incompatible uses to the area and would be consistent with existing residential development surrounding the site by adding residential uses to the site, with single-family units concentrated along the northern and western boundaries of the site adjacent to existing single-family residential development, and the attached townhome units concentrated along North Vincent Avenue and West Garvey Avenue North, where denser multi-family residential and commercial development is already present. Furthermore, as described in Section 1, *Aesthetics*,

and Section 11, *Land Use and Planning*, the project would help improve the neighborhood character and pedestrian environment through provisions of the Specific Plan that would enhance the area's landscaping, recreational amenities, and street edges and sidewalks.

Response 4.16

The commenter states that the project is inconsistent with the City's General Plan Policy P3.4 because it is not located within downtown and is located near the freeway.

It is acknowledged that the project site is not within Downtown West Covina. However, the project site is zoned for residential use and is located within a residential area of the City. The project would replace existing underutilized school buildings with residential uses that would be similar to and aesthetically compatible with the residential neighborhood surrounding the site. This is consistent with General Plan Policy P3.4 which includes the following text, "Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful." In general, the proposed project aligns with the goals and policies of the West Covina General Plan, as illustrated in Table 13 and Section 11, *Land Use*, of the Draft IS-MND.

Response 4.17

The commenter provides an opinion that the project is inconsistent with the City's General Plan Policy P4.5 because the project would not include off-site improvements to facilitate bicycle travel and because the City has not established a mitigation fee structure to contribute to the construction of bicycle facilities. The commenter also states that providing more parking spaces is a barrier to bicycle and pedestrian travel.

As described in Section 17, *Transportation*, West Workman Avenue is identified by the City as a roadway to receive bike lanes in the future, and the project would not alter the alignment of West Workman Avenue or introduce any features that would preclude the addition of bicycle lanes along West Workman Avenue. The project would also include four bicycle racks on the site to provide bicycle parking for residents and visitors. Furthermore, as described in Table 13 of the IS-MND, the proposed project would add street trees and landscaping to North Vincent Avenue and West Workman Avenue to provide additional shading for sidewalks adjacent to the project site, improving the pedestrian environment in the project area. These aspects of the project are consistent with General Plan Policy P4.5, which seeks to eliminate barriers to pedestrian and bicycle travel.

Response 4.18

The commenter states that the project is inconsistent with General Plan Policy P5.2 because the project is not compatible with the neighborhood due to the development intensity proposed.

It is acknowledged throughout the Draft IS-MND that the proposed project would increase development intensity on the site. Nonetheless, the project would not introduce any incompatible uses to the area and would be consistent with existing residential development surrounding the site by adding residential uses to the site, with single-family units concentrated along the northern and western boundaries of the site adjacent to existing single-family residential development, and the attached townhome units concentrated along North Vincent Avenue and West Garvey Avenue North, where denser multi-family residential and commercial development is already present. Furthermore, the project is an infill development that would replace underutilized school buildings on the project site with productive housing, which is consistent with General Plan Policy P5.2 intent

to “enable land and building functions to adapt to economic, environmental, energy, and social changes over time”.

Response 4.19

The commenter provides an opinion that the project is inconsistent with General Plan Policy P5.4 because the project does not contribute to the existing pedestrian environment and would not complement the existing fabric of the neighborhood.

As described on page 10 of the Draft IS-MND, the proposed Specific Plan would include objectives with associated development and design requirements directly related to improving the pedestrian environment and integrating with the surrounding neighborhood. These include the following:

- Locate lower density housing adjacent to existing single-family homes and higher density housing adjacent to existing multifamily and retail uses
- Design new homes that improve the Vincent Avenue corridor as a transitional gateway to West Covina’s downtown, while respecting the residential character of the adjacent neighborhood
- Engage surrounding neighborhoods by facing front doors toward public streets and providing porches, patio walls, and similar features that define the street edge and add pedestrian scale
- Enhance community design through landscaping and recreational amenities that promote a high-quality living environment

The project would not introduce any incompatible uses to the area and would be consistent with existing residential development surrounding the site by adding residential uses to the site, with single-family units concentrated along the northern and western boundaries of the site adjacent to existing single-family residential development, and the attached townhome units concentrated along North Vincent Avenue and West Garvey Avenue North, where denser multi-family residential and commercial development is present. The proposed project would also add street trees and landscaping to North Vincent Avenue and West Workman Avenue to provide additional shading for sidewalks adjacent to the project site, improving the pedestrian environment in the project area.

Response 4.20

The commenter states that the project is not consistent with General Plan Policy P5.9 because the proposed project will not provide trash enclosures and suggests that the project should include designated trash enclosures. The commenter also states that the project’s internal roadways would not provide enough space for trash trucks to turn around and that the method of trash collection would negatively impact the neighborhood.

Table 13 of the Draft IS-MND is revised to clarify the method of trash disposal for the project as follows:

The proposed project would ~~include trash enclosures that provide for separate waste disposal and recycling containers for each residential unit~~ and would be served by Athens Services, the existing waste hauler for the City.

Each single-family home and townhome unit would be provided with a trash/recycle cart and green waste cart that would be stored in the unit’s garage, as enforced by the Homeowner’s Association for the development. On trash collection day, carts would be placed on the curbs of the internal circulation paths and would not be placed on public roadways such as West Workman Avenue and Vincent Avenue. The project site is in a residential area that is already served by Athens Services and

single-family residences in the neighborhood also utilize trash and recycle carts for waste disposal and collection. According to the Focused Traffic Analysis, which has been reviewed and approved by the City, the project site's internal circulation is accessible by garbage collection trucks, which are not expected to turn around in the drive aisle, as the commenter suggests, but rather to reverse out of each drive aisle in the same path that they entered. General Plan Policy P5.9 seeks to "Provide adequate facilities and services for the collection, transfer, recycling, and disposal of refuse." As discussed above, the proposed project would provide adequate facilities and services for the disposal of trash and recyclables. Therefore, the proposed project's trash generation and collection would not result in any impacts to Athens Services, nor would it impact the surrounding neighborhood.

Response 4.21

The commenter states that the project is not consistent with General Plan Policy P6.1 because the project site is not within a half-mile of transit, there are no existing or proposed bike lanes serving the project site, and there is inadequate tree shade in the area to provide a comfortable walking environment.

As described in Responses 4.2 and 4.3, above, the project site is within a half-mile of bus stops serving Foothill Transit Routes 488 and 498. In addition, as stated on page 119 of the Draft IS-MND, "Workman Avenue is classified as a proposed bike route, indicating that bike lanes may be added along the project frontage of West Workman Avenue in the future." Furthermore, as described in Table 13:

Vincent Avenue currently has no street trees, and West Workman Avenue has limited, widely spaced street trees. The proposed project would add new trees throughout the project site and street trees along the project frontages with West Workman Avenue and Vincent Avenue. Upon project implementation, the number of street trees along roadways adjacent to the project site would be increased.

New street trees and landscaping added by the project would provide additional shading and improve the pedestrian environment in the project area. These aspects of the project are consistent with General Plan Policy P6.1, which seeks to support public transit use and biking and walking.

Response 4.22

The commenter offers an opinion that the project is not consistent with General Plan Policy P6.5 because the project site proposed an outdoor space within 500 feet of the freeway.

General Plan Policy P6.5 seeks to increase the amounts of parks and trails within the City. The proposed project would provide 48,876 square feet of open space, including two outdoor amenity spaces for recreational uses for residents. Therefore, the project provides outdoor recreational amenities consistent with General Plan Policy P6.5. Furthermore, as shown in Figure 5 of the Draft IS-MND, the project's outdoor spaces would be located in the northern portion of the project site. Based on Geographic Information Systems (GIS) estimations, the project outdoor spaces would be approximately 780 feet north of I-10 (see Figure 4 below).

Figure 4 Project Open Space Location



Response 4.23

The commenter states that the proposed project is inconsistent with Goal 1 of the General Plan Housing Element because it would not enhance the quality of the existing residential neighborhood due to the architectural design of the project.

The proposed project would replace aging, underutilized school buildings on the site with residential development. The project would not introduce any incompatible uses to the area and would be consistent with existing residential development surrounding the site by concentrating single-family units along the northern and western boundaries of the site adjacent to existing single-family residential development and the attached townhome units along North Vincent Avenue and West Garvey Avenue North, where denser multi-family residential and commercial development is present. As described in Section 1, *Aesthetics*, of the Draft IS-MND, the project would improve the neighborhood with enhanced landscaping and new trees along the project frontage, and the design and architecture of the project site would be subject to City design review, including review of building elevations, colors and materials, and compliance with the Precise Plan standards per Article VI, Division 2 of the WCMC. In addition, the project design would be reviewed for approval by the Planning Commission as part of the Precise Plan application process. The City uses this regulatory procedure to verify that the design, colors, and finish materials of development projects comply with adopted design guidelines and achieve compatibility with the surrounding area. No significant aesthetic impacts were identified in the Draft IS-MND, and the project would provide new housing opportunities and improvements to the neighborhood, consistent with the General Plan Housing Element goals.

Response 4.24

The commenter states that proposed project conflicts with the General Plan Housing Element Goal 4 to promote equal housing opportunity because the project does not offer affordable housing units as a community benefit to justify the proposed project's development intensity, which exceeds that permitted under the existing zoning and land use designation.

The proposed project does not involve a request for density bonus or variance for the project site. Rather, the project proposes a new Specific Plan that would change the underlying land use and zoning designations of the project site and establish specific development standards that would apply to the site. There is no CEQA or City requirement to provide affordable housing in order to implement a new Specific Plan. Additionally, the project would include detached homes and attached townhomes in a variety of sizes in order to provide a range of homeownership options. The proposed detached residential units would provide a new and diverse housing choice that bridges the gap between traditional single-family homes and attached townhomes.

Response 4.25

The commenter states that the Draft IS-MND does not include a discussion of noise levels associated with I-10, and that no design features are discussed that would attenuate the noise impacts so that interior noise levels are consistent with the California Building Code (CBC).

As stated on page 106 of the Draft IS-MND:

The predominant noise source on and around the project site is vehicular traffic, particularly on I-10, West Workman Avenue, and North Vincent Avenue... According to the noise contour maps for existing conditions in PlanWC [the City's General Plan], the project site is exposed to noise

levels between 60 and 70 CNEL. Therefore, the site is exposed to ambient noise levels within the “normally acceptable” to “conditionally acceptable” range.

As described in Section 13, *Noise*, the project would be subject to Mitigation Measure N-2, which requires the following to ensure that interior noise levels would comply with the CBC:

To comply with Title 24, Part 2, Section 1206.4 (Allowable Interior Noise Levels) of the California Code of Regulations, the applicant shall install exterior building materials with sufficient Sound Transmission Class (STC) ratings to reduce interior noise levels in habitable rooms to 45 CNEL or lower. To reduce potential noise impacts to future project residents, residential units with line of sight to any area roadway shall incorporate design measures for windows, walls, and doors that achieve a composite STC rating of at least 30 and all exterior doors and windows shall be installed such that there are no air gaps or perforations. Both aforementioned STC rating standard requirements shall be incorporated into the plans to be submitted by the applicant to the City of West Covina for review and approval prior to the issuance of building permits. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City and California Code of Regulations, Title 24, Section 1206.4.

Furthermore, as discussed in Response 3.6, above, CEQA is focused on identifying and mitigating the impacts of a project on the environment. As further clarified in the ruling for *CBIA v. BAAQMD*, CEQA addresses the impacts of a project on environmental hazards or conditions that already exist only insofar as whether the project would exacerbate such hazards or conditions. CEQA does not address the environmental impacts on residents of a proposed project. In other words, CEQA focuses on the analysis of the impacts of a project on the environment and not analysis of the environment’s impacts on a project.

Response 4.26

The commenter requests that information regarding construction phasing and staging be added to the IS-MND and that staging should be placed as far from sensitive receptors as possible.

As described on page 19 of the Draft IS-MND, construction of the proposed project is anticipated to occur over an approximately three-year period beginning in June 2022 and ending in January 2025. Construction phasing information has not been determined at this time. The following information has been added to page 19 of the Draft IS-MND to clarify construction staging: “Construction staging would occur within the project site boundaries.” Mitigation Measure N-1, detailed on pages 106 and 107 of the Draft IS-MND, requires construction staging to be located as far as possible from adjacent residential buildings.

Response 4.27

The commenter asks how the West Covina Police Department (WCPD) will be able to provide service for the increased population on the project site given existing staffing levels.

As noted in Section 15, *Public Services*, the WCPD employs approximately 90 full-time officers, for a ratio of 0.85 officers per 1,000 residents. The proposed project would add up to approximately 399 residents to the City, assuming that all residents of the project relocate from other Cities and are not already West Covina residents. Even with the addition of 399 residents, the ratio of police officers to residents would remain at 0.85 officers per 1,000 residents. Additionally, the proposed

project would be required to pay development impact fees that go towards funding police services, pursuant to WCMC Section 17-204. Therefore, the Draft IS-MND determined that the project would not have significant impacts to police services.

Response 4.28

The commenter states that the Draft IS-MND does not discuss the school district and schools that would serve the proposed project.

As stated on page 114 of the Draft IS-MND, “West Covina is primarily served by the West Covina Unified School District (WCUSD), Covina-Valley Unified School District (CVUSD), and Rowland Unified School District (RUSD), as well as other districts at least partially within West Covina.” The analysis in Section 15, *Public Services*, conservatively assumes that all 399 residents generated by the proposed project would be students, which would increase the current student enrollment within West Covina by only one percent. In reality, the project would generate far fewer students than this, and the potential impacts to WCUSD, CVUSD, and RUSD of new students generated by the proposed project would be offset by the payment of school development impact fees. Furthermore, Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees “...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization.” Therefore, the Draft IS-MND determined that the project would not have significant impacts to school services.

Response 4.29

The commenter states that the Draft IS-MND incorrectly identifies the distance of the project site to Del Norte Park and that the project site is also near Palm View Park. The commenter also states that the project is in an area with inadequate parkland supply and is within a Disadvantaged Community.

The commenter is referred to Response 3.9, above, regarding disadvantaged communities. The Draft IS-MND incorrectly indicates that the project site is approximately 0.4 miles southeast of Del Norte Park. The IS-MND is revised as follows:

The nearest park to the project site is Del Norte Park located approximately ~~0.4 miles~~ 0.6-mile walking distance northwest of the site. The project site is also a 0.8-mile walk from Palmview Park, which includes walking paths, play structures, a baseball field, and a recreation center.

As discussed in Section 15, *Public Services*, and Section 16, *Recreation*, the proposed project would include recreational amenities onsite for residents and would not substantially decrease the City’s ratio of parks to residents. Furthermore, the project would include payment of the City’s impact fees that go towards park maintenance and development. Impacts related to parks and recreational facilities were determined to be less than significant and no further changes to the IS-MND are required.

Response 4.30

The commenter provides a discussion of the Clean Air Act, the South Coast Air Basin’s nonattainment status for ozone standards, and the requirement for SCAQMD to establish strategies to reach attainment for ozone, including strategies to reduce VMT. The commenter states that the Draft IS-MND does not reference the adopted ozone thresholds.

Section 3, *Air Quality*, includes a discussion of the Basin’s nonattainment status for federal and State ozone standards and provides the applicable SCAQMD criteria pollutant thresholds for project construction and operation. Section 3, *Air Quality*, also describes how the SCAQMD has prepared a plan for air quality improvement for pollutants for which the Basin is in non-compliance (the 2016 Air Quality Management Plan) in order to satisfy state and federal air quality planning requirements. The Plan demonstrates strategies for attainment of the new federal eight-hour ozone standard and VMT emissions offsets, pursuant to recent USEPA requirements.¹³ Moreover, as discussed in the SCAQMD *CEQA Air Quality Handbook*, the thresholds are established, in part, based on Section 182(e) of the federal Clean Air Act’s thresholds for stationary emission sources in areas designated extreme nonattainment for ozone as well as other scientific and factual data contained in the federal and State Clean Air Acts.¹⁴ As described in Section 3, *Air Quality*, the project would not result in operational emissions (including mobile source emissions produced by project-related vehicle trips) of ozone precursors or any other criteria pollutant that exceed the applicable SCAQMD thresholds. Furthermore, as described in Section 17, *Transportation*, the project would not result in significant VMT impacts.

Response 4.31

The commenter states that the Vincent Children’s Center does not operate like a typical school and that the Institute of Transportation Engineers (ITE) trip rates do not accurately reflect the existing uses on the project site. Therefore, the transportation analysis should not account for the existing use on the project site when determining project impacts.

Page 118 of the Draft IS-MND addresses the unique nature of existing uses on the project site and the potential range of vehicle traffic associated with it as follows:

Because of the unusual nature of the existing use, which offers multiple services including after school child care, extended day child care, transitional kindergarten, and a preschool (CVUSD 2021), it is difficult to classify this use as either simply a Day Care Center or an Elementary School, and the use’s actual trip generation rate under normal circumstances is probably somewhere between the 956 daily trips expected for an elementary school of this size and the 2,333 daily trips for a Day Care Center of this size. Furthermore, the site may not be currently operating under “normal circumstances” due to COVID-19 restrictions or for other reasons, and it is difficult to know if and when the site will return to normal operations.

As discussed in Section 17, *Transportation*, and described in detail in the Focused Traffic Analysis prepared by Ganddini Group (Appendix I of the Draft IS-MND), the project would generate approximately 971 daily trips and would not result in significant VMT impacts pursuant to the City’s established VMT criteria. As shown in Table 1 of the Focused Traffic Analysis, the analysis did not include a trip rate reduction for existing uses on the site.

Response 4.32

The commenter states that the Draft IS-MND does not include information about the location of the nearest bus stops for Foothill Transit Routes 488 and 498.

¹³ SCAQMD. 2017. Final 2016 Air Quality Management Plan (AQMP). <https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=15> (accessed March 2020).

¹⁴ SCAQMD. 1993. CEQA Air Quality Handbook. April 1993.

The commenter is referred to Responses 4.2 and 4.3, above regarding the location of the nearest bus stops.

Response 4.33

The commenter provides background information on VMT analysis guidance from the Governor's Office of Planning and Research and the Clean Air Act ozone standards and nonattainment. The commenter states that the Draft IS-MND does not adequately provide evidence to illustrate that the project would have less than significant VMT impacts and states that the analysis is not consistent with the City's adopted VMT thresholds.

The commenter is referred to Response 4.30 regarding ozone standards. As described in the Draft IS-MND and in the Focused Traffic Analysis, the proposed development is screened out from a detailed VMT analysis because the project site is located in a low VMT area that generates a total VMT per service population that is 15 percent below the San Gabriel Valley Council of Governments (SGVCOG) average. Appendix B of the Focused Traffic Analysis includes the scoping agreement for the project, supplied by City of West Covina staff. Included in Section 4 of Appendix B is the VMT screening analysis provided by City of West Covina staff. As stated within Section 4: "It has been determined that this project screens out from completing a full VMT CEQA analysis based on Total Daily VMT Service Per Population."

The commenter acknowledges this assertion but states the following: "Simply stating that the project screens out is inaccurate as the project is not within a Transit Priority Area (TPA) and it is not consistent with the City of West Covina VMT Thresholds adopted in Resolution No. 2020-57, which is attached to this letter." This comment fails to note that the City of West Covina provides three separate types of screening for projects to be exempt from a detailed VMT assessment, as it focuses solely on TPA's. These three screening categories are: 1) Transit Priority Area (TPA) screening; 2) Low VMT Area screening; and 3) Project Type screening. A project only needs to meet one of these three screening criteria to be exempt from a detailed VMT analysis. This comment correctly states that the project does not meet the TPA screening criteria, but then falsely concludes that because of this the VMT screening criteria is not met. The comment does not account for the other two VMT screening criteria, and the project does meet the Low VMT Area Screening criterion. Since it meets this criterion, the project is exempt from a detailed VMT analysis. Furthermore, this VMT screening analysis was not prepared by private consultants but was prepared by City staff. City of West Covina staff conducted the VMT screening analysis and concluded that the project met the screening criteria for Low VMT Area screening based on their own approved City of West Covina VMT guidelines (as shown in Appendix B of the Focused Traffic Analysis).

Response 4.34

The commenter makes a number of statements regarding the project's architectural design and requests changes to the design and architecture of the project.

The project includes approval of a new Specific Plan that would change the underlying zoning of the project site and regulate all aspects of development including design, architecture, color palette, materials and finishes, fencing, landscaping, etc. The design and architecture of the project site as proposed by the Specific Plan would be subject to City design review, including review of building elevations, colors and materials, and compliance with the Precise Plan standards per Article VI, Division 2 of the WCMC. In addition, the project design would be reviewed for approval by the Planning Commission as part of the Precise Plan application process. The City uses this regulatory

procedure to verify that the design, colors, and finish materials of development projects comply with adopted design guidelines and achieve compatibility with the surrounding area.

Response 4.35

The commenter states that the project should include affordable housing units to justify project concessions and provides an overview of the California Density Bonus Law.

The proposed project does not involve a request for density bonus or variance for the project site. Rather, the project proposes a new Specific Plan that would change the underlying land use and zoning designations of the project site and establish specific development standards that would apply to the site.

Response 4.36

The commenter requests additional community outreach regarding the project. The commenter also requests that the City provide a full plan set on the website for public review and that the commenter be added to the contact list to be notified of any future community outreach.

The commenter will be added to the list of contacts for the project and will be provided with the information for any future community outreach events regarding the project, and the City will consider taking the other actions requested by the commenter. While this comment does not remark on the adequacy of the environmental review and no changes to the IS-MND are required in response, the following information relating to public outreach for this project is provided in response to this comment.

Due to the COVID-19 pandemic a traditional community meeting for this project could not be held. However, the applicant sent out Community Outreach flyers in August 2020 and scheduled individual meetings with neighbors who responded to the flyers. In addition, the applicant is continuously working and meeting with adjacent neighbors. The project plans were posted on the City's website on April 22, 2021, and can be found at the following web address:
<https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents>.

May 25, 2021

City of West Covina
Planning Department
Attn: Jo-Anne Burns
1444 W Garvey Ave
West Covina, CA 91790

RE: MERITAGE HOMES DEVELOPMENT PROJECT AT VINCENT & WORKMAN AVE TTM 83166

To the Planning Commission:

Please use this letter as confirmation that I am the property owner at 224 N Morada Ave in West Covina. I have personally reviewed the proposed site plan, as well as had discussions with Matt Maehara (representative of MLC Holdings, Inc) for the development of the property at Vincent Ave and Workman Ave. I support this project with the proposed site plan which is attached to this letter.

Please see below for a list of improvements that Meritage Homes has promised to construct on or near my property should the project receive its entitlements.

- Meritage Homes will remove my existing rear fence/wall.
- Meritage Homes will construct a new split face block wall on the property line. Meritage will also construct perpendicular wall connections to my existing side yard walls.
- Meritage Homes will work to avoid damaging landscaping and my existing side yard walls. If any damage does occur, Meritage Homes will remedy any damage to my property.
- All windows on the 2nd story of the homes next to my house will have frosted/opaque glass to help maintain my privacy in my backyard.
- Meritage Homes will plant 48" box, min. 15' tall podocarpus trees adjacent to the newly constructed wall. These trees, the newly constructed wall and all landscaping on the property being constructed will all be maintained by the Project's HOA. Meritage Homes will draft a requirement in the CC&Rs to ensure that the podocarpus trees will be maintained at a minimum 15' tall height. Meritage Homes will stage the podocarpus trees prior to planting so we can review the placement of the trees.
- Behind the line of podocarpus trees will be another row of planted trees installed near the top of the HOA maintained slope. Adjacent to my property, these trees will be installed at a min. 15' tall height. The trees will be planted in locations intended to hide the windows of the newly constructed homes to maintain my privacy in my backyard.
- Examples of these tree types can be seen in the images attached to this letter.

Thank you,

Fidel Mora
224 N Morada Ave
West Covina, CA



5/18/21



Plan View

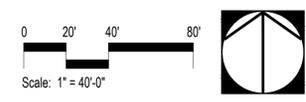
Schematic Landscape Plan

LEGEND

1. Central community open space area with Central shade structure, accented BBQ wall-counter, rectangular fire-pit, community lounge and table seating for small social events and group gatherings.
2. Tot-lot with rubberized play surface (in colored band pattern).
3. Large open lawn area for both passive and active play.
4. Corner Plaza space / pedestrian walkway node.
5. Decomposed granite walkway and native herb garden.
6. Seven community cluster mailboxes, per USPS review and approval.
7. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
8. Enhanced paving at main project entry.
9. Proposed tree, per Planting Plan.
10. 5' wide pedestrian esplanade, integral colored concrete, with light top-cast finish and saw-cut joints.
11. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
12. 6' Long park seating, style to complement architecture.
13. Accessible parking stall and striping, per Civil plans.
14. Guest parking stall.
15. Natural colored concrete driveway, with light broom finish and tooled joints.
16. Private patio / yard area, homeowner maintained.
17. Common area landscape, builder installed and HOA maintained.
18. Community dog bag station (black in color), for pet owners.
19. Property line, per civil plans.
20. Entry wood arbor gateway.
21. Proposed public street sidewalk ROW, per Civil plans.
22. Transformer to be screened with landscape, quantity and final locations TBD.
23. Short term bike parking (4 bike racks to accommodate 8 bike stalls).
24. Proposed AC condenser locations, per Architecture plans.
25. Large decorative planters.
26. HOA maintained area, sloped, with tree buffer.
27. 6' SCE Easement, per Civil plans.



*Images herein are conceptual in nature and subject to change.

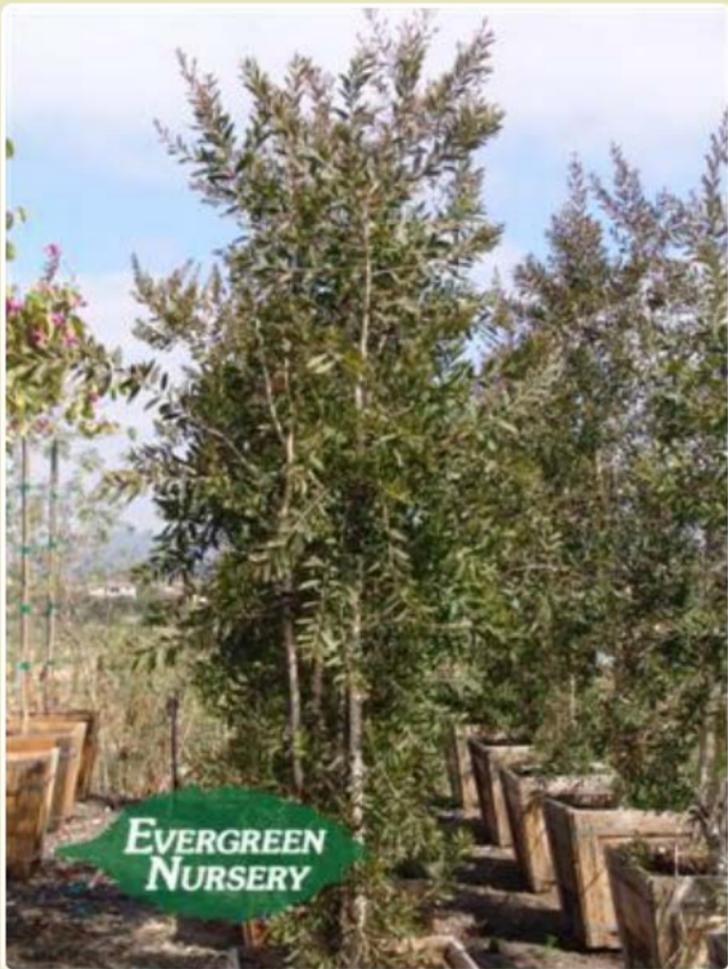


MLC Holdings, INC.

5th City Submittal | Project No.: MLC01 | Date: Mar. 18, 2021_R1 | L-1







Melaleuca quinquenervia - Paperbark Tree or Cajeput Tree

LOPHOSTEMON/TRISTANIA *conferta*





Geijera parviflora - Australian Willow, Wilga



Rhus lancea - African Sumac

May 25, 2021

City of West Covina
Planning Department
Attn: Jo-Anne Burns
1444 W Garvey Ave
West Covina, CA 91790

RE: MERITAGE HOMES DEVELOPMENT PROJECT AT VINCENT & WORKMAN AVE TTM 83166

To the Planning Commission:

Please use this letter as confirmation that I am the property owner at 228 N Morada Ave in West Covina. I have personally reviewed the proposed site plan, as well as had discussions with Matt Maehara (representative of MLC Holdings, Inc) for the development of the property at Vincent Ave and Workman Ave. I support this project with the proposed site plan which is attached to this letter.

Please see below for a list of improvements that Meritage Homes has promised to construct on or near my property should the project receive its entitlements.

- Meritage Homes will remove my existing rear fence/wall.
- Meritage Homes will construct a new split face block wall on the property line. Meritage will also construct perpendicular wall connections to my existing side yard walls.
- Meritage Homes is proposing to plant 48" box podocarpus trees adjacent to the newly constructed wall. These trees, the wall and all landscaping on the proposed property will all be maintained by the Project's HOA. Meritage Homes will draft a requirement in the CC&Rs to ensure that the podocarpus trees are not removed, and that they will be maintained at a minimum 15' tall height. Meritage Homes will stage the podocarpus trees prior to planting so we can review the placement of the trees.
- All windows on the 2nd story of the proposed adjacent homes will have frosted/opaque glass to help maintain my privacy in my backyard.

Thank you,



Norma Arriola
228 N Morada Ave
West Covina, CA



Plan View

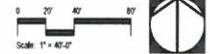
Schematic Landscape Plan

LEGEND

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MLC Holdings, INC.

Site City Submittal | Project No. MLC01 | Date Mar. 18, 2021_R1

May 1, 2021

City of West Covina
Planning Department
Attn: Jo-Anne Burns
1444 W Garvey Ave
West Covina, CA 91790

RE: MERITAGE HOMES DEVELOPMENT PROJECT AT VINCENT & WORKMAN AVE TTM 83166

To the Planning Commission:

Please use this letter as confirmation that I am the property owner at 214 N Morada Ave in West Covina. I have personally reviewed the proposed site plan, as well as had discussions with Matt Maehara (representative of MLC Holdings, Inc) for the development of the property at Vincent Ave and Workman Ave. I support this project with the proposed site plan which is attached to this letter.

Please see below for a list of improvements that Meritage Homes has promised to construct on or near my property should the project receive its entitlements.

- Meritage Homes will remove my existing rear fence/wall.
- Meritage Homes will remove a large tree located in the rear corner of the property.
- Meritage Homes will construct a new split face block wall on the property line. Meritage will also construct perpendicular wall connections to my existing side yard walls.
- Meritage Homes is proposing to plant 48" box podocarpus trees adjacent to the newly constructed wall. These trees, the wall and all landscaping on the proposed property will all be maintained by the Project's HOA. Meritage Homes will draft a requirement in the CC&Rs to ensure that the podocarpus trees are not removed, and that they will be maintained at a minimum 15' tall height. Meritage Homes will stage the podocarpus trees prior to planting so you/we can review the placement of the trees.
- All windows on the 2nd story of the proposed adjacent homes will have frosted/opaque glass to help maintain my privacy in my backyard.

Thank you,



Peggy & Darryl Davis
214 N Morada Ave
West Covina, CA
626-347-0244





Plan View

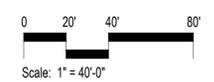
Schematic Landscape Plan

LEGEND

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10. 5' wide pedestrian esplanade, integral colored concrete, with light top-cast finish and saw-cut joints.
11. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
12. 6' Long park seating, style to complement architecture.
13. Accessible parking stall and striping, per Civil plans.
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*Images herein are conceptual in nature and subject to change.



MLC Holdings, INC.

5th City Submittal | Project No.: MLC01 | Date: Mar. 18, 2021_R1 | L-1

May 25, 2021

City of West Covina
Planning Department
Attn: Jo-Anne Burns
1444 W Garvey Ave
West Covina, CA 91790

RE: MERITAGE HOMES DEVELOPMENT PROJECT AT VINCENT & WORKMAN AVE TTM 83166

To the Planning Commission:

Please use this letter as confirmation that I am the property owner at 208 N Morada Ave in West Covina. I have personally reviewed the proposed site plan, as well as had discussions with Matt Maehara (representative of MLC Holdings, Inc) for the development of the property at Vincent Ave and Workman Ave. I support this project with the proposed site plan which is attached to this letter.

Please see below for a list of improvements that Meritage Homes has promised to construct on or near my property should the project receive its entitlements.

- Meritage Homes will construct a new block wall adjacent to my existing rear fence/wall.
- While constructing the new block wall, Meritage Homes will not damage my existing rear block wall. Any damage to the wall caused by the construction will be repaired by Meritage Homes.
- Meritage Homes is proposing to plant 48" box podocarpus trees adjacent to the newly constructed wall. These trees, the newly constructed wall and all landscaping on the proposed property will all be maintained by the Project's HOA. Meritage Homes will draft a requirement in the CC&Rs to ensure that the podocarpus trees are not removed, and that they will be maintained at a minimum 15' tall height. Meritage Homes will stage the podocarpus trees prior to planting so we can review the placement of the trees.
- All windows on the 2nd story of the proposed adjacent homes will have frosted/opaque glass to help maintain my privacy in my backyard.

Thank you,

DocuSigned by:

7D92D1317326429...
Betty Arocho
208 N Morada Ave
West Covina, CA



Plan View

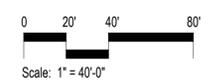
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MLC Holdings, INC.

5th City Submittal | Project No.: MLC01 | Date: Mar. 18, 2021_R1 | L-1

**FISCAL IMPACT ANALYSIS
PROPOSED VINCENT PLACE RESIDENTIAL
PROJECT
WEST COVINA, CA**

Prepared for:
RINCON CONSULTANTS, INC.

Prepared by:
THE NATELSON DALE GROUP, INC.
P.O. Box 489
Yorba Linda, CA 92885
Telephone: (714) 692-9596
Fax: (714) 692-9597
Web: www.natelsondale.com

December 7, 2020

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1.2. Scope of the Study	1
1.3. Project Description	1
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Appendix A: Fiscal Impact Model Calculations/Fiscal Model Inputs

1.0 INTRODUCTION

This report evaluates the fiscal impacts that would result from development of the proposed Vincent Place residential project (“project”) in the City of West Covina (“City”). The project site is 8.05 acres in size and is located at the southwest corner of Vincent Avenue and Workman Avenue in West Covina. The existing use of the site is a preschool (Vincent Children’s Center). The proposed project would involve demolition of the existing use and development of 119 residential units, including the following product types:

- 47 single-family units (in a “motor court” cluster)
- 72 townhomes

1.1. Organization of the Report

This introduction summarizes the project description and describes the scope of the study. Chapter 2 provides an Executive Summary of the study findings. Chapter 3 describes the methodology used for the analysis. Appendix A provides the detailed fiscal impact calculations.

1.2. Scope of the Study

The fiscal impact analysis focuses on annually-recurring impacts to the City’s General Fund. The analysis excludes one-time costs such as processing costs related to new development. It is assumed that these costs would be offset by related revenue sources such as development impact fees, plan check fees, developer reimbursements, etc.

1.3. Project Description

Table 1-1, on the next page, provides a summary of the project features. The table also estimates the project’s resident population. As discussed in greater detail in Section 3.0, the estimated population is used as an input to the fiscal impact model.

**Table 1-1
Development and Population Assumptions
Vincent Place Residential Project
City of West Covina**

	Proposed Project
Residential Development	
Single Family Detached (SFD) units	47
Attached Townhomes	<u>72</u>
Total	119
Average Household Size (persons per unit)	
SFD units	3.39
Townhomes	2.38
Resident Population	
SFD units	159
Townhomes	<u>172</u>
Total	331
Source: Applicant; U.S. Census Bureau (American Community Survey); The Natelson Dale Group, Inc. (TNDG).	

2.0 EXECUTIVE SUMMARY

As shown in Table 2-1, below, project is projected to generate approximately \$222,000 in annual General Fund revenue to the City. City costs related to the project are projected at \$145,000 per year. Thus, the project would generate a net fiscal benefit of about \$77,000 per year to the City's General Fund.

Table 2-1
Summary of Annual Impacts to City's General Fund
Proposed Vincent Place Residential Project
City of West Covina

General Fund Category	Annual Amount
<u>Revenues</u>	
Property Tax	\$96,496
Property Tax in lieu of VLF	67,770
Real Property Documentary Transfer Tax	4,081
State Sales Tax	30,034
Utility Franchise Fees	11,259
Animal Control & Licensing	187
Motor Vehicle In Lieu	267
Proposition A Exchange	5,150
Miscellaneous Revenues	6,707
<i>Total Revenues</i>	<u>\$221,951</u>
<u>Expenditures</u>	
Police Department	\$83,093
Fire Department	44,920
Maintenance Services, City Buildings, Graffiti	3,843
Other Public Services	8,687
Community Development	0
Transfers Out to Other Funds	4,105
General Government ¹	11,283
<i>Total Expenditures</i>	<u>\$144,648</u>
<i>Net Fiscal Impact</i>	<u>\$77,303</u>
Source: The Natelson Dale Group, Inc. (TNDG)	
1. Includes City Council, City Manager, City Attorney, City Clerk, Finance, Information Technology, and Human Resources.	

3.0 FISCAL IMPACTS – STUDY METHODOLOGY

This section of the report describes the methodology used to forecast fiscal revenues and costs related to the proposed project.

3.1. Scope of the Analysis

The analysis focuses on annually-recurring impacts to the City of West Covina’s General Fund. New General Fund revenues would be generated from the following sources:

- Property Tax
- Property Tax in Lieu of Vehicle License Fees (VLF)
- Real Property Documentary Transfer Tax
- Sales Tax (from residents’ purchases in West Covina businesses)
- Utility Franchise Fees
- Animal Control & Licensing
- Motor Vehicle in Lieu (from State)
- Proposition A Exchange
- Miscellaneous General Fund revenues¹

The analysis forecasts the following General Fund costs related to the proposed project:

- Police Protection
- Fire Protection
- Maintenance Services, City Buildings, Graffiti
- Other Public Services
- Community Development
- Transfers Out to Other Funds
- General Government

¹ Miscellaneous revenues include passport services/photos, State-mandated revenue, miscellaneous licenses and permits, fines and forfeitures, towing franchise fees, returned check fees, address change fees, miscellaneous reimbursements, parking fees (Civic Center), and credit/debit card service fees.

3.2. Overview of Forecasting Methodology

The analysis forecasts all General Fund expenditures, except for General Government, based on per capita (i.e., per resident) factors derived the City’s Fiscal Year 2020-2021 budget. On the revenue side, the most significant revenues are based on case study methodologies (documented in Appendix A) that reflect customized factors for the proposed project. However, some revenue items (as documented in the Appendix) are based on per capita factors. The basic methodology for developing the per capita factors involves the following steps:

- Identify the budget line items that would be impacted on an annually-recurring basis due to the development of the proposed project.
- Calculate the City’s existing per capita cost (or income) for each line item by dividing the total (citywide) annual amount by the relevant population. For expenditure (or revenue) categories that primarily relate to residential land uses, the relevant population is the City’s total resident population. For expenditure (or revenue) categories that relate to both residential and non-residential land uses the combined resident and “daytime” employee populations in the City are the relevant population for purposes of calculating per capita cost (and revenue) factors. For budget categories affected by residential development and non-residential development, the analysis assumes that one job is equivalent to 0.5 residents. See Table A-9 (Appendix A) for the derivation of the per capita cost factors and Table A-11 for the derivation of the per capita cost factors.
- Apply the derived per capita factors to the project’s projected resident population to forecast the project’s cost/revenue impacts in the relevant City budget categories.

3.3. Fiscal Revenues

The specific assumptions for each revenue item are described below. The actual calculations are shown in Appendix A.

Assessed Valuation Assumptions. Property taxes (as well as property taxes in lieu of VLF fees) are projected based on the project’s anticipated development value. The projected assessed value is based the applicant’s projected sales prices for residential units in the project². Specifically, the applicant projects average sales prices of \$650,000 for single family detached (SFD) units and \$563,000 for attached townhome units. See Appendix A, Tables A-3 and A-4, for the assessed value calculations.

Property Taxes. Appendix A, Table A-5, provides a forecast of the annual property tax revenue to be generated by the proposed project. The basic property tax is 1.0% of the total assessed value. Of this total, 13.5745% would accrue to the City’s General Fund.³ The project would generate approximately \$96,000 in incremental property tax revenue per year.

Property Tax in Lieu of VLF Fees. In addition to the standard property tax revenues, the City also receives separate property tax payments from the State in lieu of VLF revenues. This separate property tax line item accrues to the City’s General Fund. The amount the City receives from the State increases annually based on the percentage increase in the City’s total assessed valuation. Appendix A, Table A-6 provides a forecast of the Property Tax in Lieu of VLF revenue that the proposed project would generate to the City’s General Fund. As shown in the table, the project would generate approximately \$68,000 in new Property Tax In Lieu of VLF revenue per year.

Property Transfer Tax. When a property is sold, the City collects 0.055% of the value of the property in Real Property Documentary Transfer Tax. To forecast the annually recurring Property Transfer Tax income, the analysis assumes that the property turnover rate will be 10.4% (i.e., on average 10.4% of residential units in the project would change ownership every year). This factor is derived from Census/American Community Survey data (see Appendix A, Table A-14). As shown in Appendix A, Table A-7, the project is expected to generate approximately \$4,000 per year in Property Transfer Tax.

Off-Site Sales Tax. Projections of off-site sales tax revenue (i.e., from purchases that project residents make in retail facilities in the City of West Covina) are based residents’ expected income levels (derived from anticipated housing values) and related spending potentials (see Appendix A, Table A-8). The projections of sales tax revenue conservatively assume that project residents will make 65% of the taxable retail/restaurant purchases in the City, allowing for

² The projected housing prices have been validated by The Natelson Dale Group, Inc. (TNDG) based on a review of recent sales data for comparable housing product types in West Covina.

³ Tax allocation factors for Tax Rate Area (TRA) 10592 were provided by the Los Angeles County Auditor-Controller’s office.

some “leakage” of resident demand to shopping facilities in neighboring communities. As shown on Table A-8, the retail spending of project residents would generate approximately \$30,000 per year in City sales tax revenue.

Per Capita Revenue Projections. The following General Fund revenue categories are projected on a per capita basis: Utility Franchise Fees, Animal Control & Licensing, Motor Vehicle in Lieu, Proposition A Exchange, and miscellaneous revenues. These calculations are detailed in Appendix A, Tables A-9 and A-10.

3.4. Fiscal Costs

The specific assumptions for each affected General Fund cost category are described below.

Police Protection. The citywide Police Services budget for FY 2020-21 is \$31,163,716. The City's budget for FY 2020-21 anticipates \$519,300 in General Fund revenues to offset Police Services costs. Thus, the net Police Services budget for FY 2020-21 is \$30,644,416. Based on a relevant citywide population of 122,016 persons (105,999 residents plus 50% of the 16,017 employees), the net citywide budget amounts to approximately \$251.15 per capita (see Appendix A, Table A-11). By applying this net per capita cost factor to the projected population of the project, TNDG forecasts that the proposed project would generate approximately \$83,000 per year in new police protection costs.

Fire Protection. The citywide Fire Department budget for FY 2020-21 is \$20,021,267. The City's budget for FY 2020-21 anticipates \$3,455,000 in General Fund revenues to offset Fire Department costs. Thus, the net Fire Department budget for FY 2020-21 is \$16,566,267. Based on a relevant citywide population of 122,016 persons (105,999 residents plus 50% of the 16,017 employees), the net citywide budget amounts to approximately \$135.77 per capita (see Appendix A, Table A-11). By applying this net per capita cost factor to the projected population of the project, TNDG forecasts that the proposed project would generate approximately \$45,000 per year in new Fire Department costs.

Maintenance Services, City Buildings, Graffiti. The net citywide budget for these services for FY 2020-21 is \$1,417,286. Based on a relevant citywide population of 122,016 persons (105,999 residents plus 50% of the 16,017 employees), the net citywide budget amounts to approximately \$11.62 per capita (see Appendix A, Table A-11). By applying this net per capita cost factor to the projected population of the project, TNDG forecasts that the proposed project would generate approximately \$3,800 per year in new costs for maintenance services, City buildings and graffiti abatement.

Other Public Services. Other public services provided by the City include the following functions:

- Park Maintenance
- Community Services Commission
- Community Services Administration
- Afterschool Programs
- Preschool Program
- Special Events
- Cameron Community Center
- Facility Rentals
- Recreation Classes

- Senior Citizen Center
- Animal Control

The net citywide budget for these services (after deducting corresponding program revenues) is \$2,783,169 for FY 2020-21. Since these services primarily relate to residents (and not businesses), the relevant population for the per capita calculation is the City’s resident population (105,999 persons). Thus, the net citywide budget amounts to approximately \$26.26 per capita (see Appendix A, Table A-11). By applying this net per capita cost factor to the projected population of the project, TNDG forecasts that the proposed project would generate approximately \$8,700 per year in new costs for “other” public services.

Community Development. Community Development services provided by the City include the following functions:

- Planning Commission
- Planning
- Community Development
- Building Services
- Community Enhancement
- General Engineering
- Landfill Enforcement

As shown in Appendix A, Table A-11, the City’s program revenues from these functions (primarily building permits and plan check fees) fully offset the City’s costs. Thus, the proposed project is not expected to have a net cost impact related to Community Development services.

Transfers Out to Other Funds. For FY 2020-21, General Fund transfers-out to other City funds are budgeted at \$1,630,322. After accounting for budgeted transfers-in to the General Fund, the net cost of General Fund transfers-out is projected at \$1,514,020. Based on a relevant citywide population of 122,016 persons (105,999 residents plus 50% of the 16,017 employees), the net citywide budget amounts to approximately \$12.41 per capita (see Appendix A, Table A-11). By applying this net per capita cost factor to the projected population of the project, TNDG forecasts that the proposed project would generate approximately \$4,100 per year in new costs classified as General Fund transfers-out.

General Government (Administration and Overhead Costs). The Citywide General Fund budget, excluding administration and overhead costs categories for FY 2020-21 is \$66,672,236, and the Citywide General Fund Budget for administration and overhead costs categories⁴ is

⁴ The analysis treats the following General Fund cost categories as administrative and overhead costs: City Council, City Manager, City Attorney, City Clerk, Finance Administration, Information Technology, HR Commission, and Human Resources.

\$4,825,889. The administration and overhead costs represent 7.8% of total expenditures in non-administrative categories (see Appendix A, Table A-15). By applying this overhead factor to the other General Fund cost impacts of the Project (totaling \$144,648), TNDG forecasts that the proposed project would generate approximately \$11,300 annually in overhead/administrative costs for the City's General Fund.

APPENDIX A:

**Fiscal Impact Calculations
Fiscal Model Inputs/Factors**

City of West Covina

Table A-1
Summary of Annual Impacts to General Fund
Proposed Vincent Place Residential Project
City of West Covina

<u>General Fund Category</u>	<u>Annual Amount</u>
<u>Revenues</u>	
Property Tax	\$96,496
Property Tax in lieu of VLF	67,770
Real Property Documentary Transfer Tax	4,081
State Sales Tax (off-site)	30,034
Utility Franchise Fees	11,259
Animal Control & Licensing	187
Motor Vehicle In Lieu	267
Proposition A Exchange	5,150
Miscellaneous Revenues	6,707
<i>Total Revenues</i>	<u>\$221,951</u>
<u>Expenditures</u>	
Police Department	\$83,093
Fire Department	44,920
Maintenance Services, City Buildings, Graffiti	3,843
Other Public Services	8,687
Community Development	0
Transfers Out to Other Funds	4,105
General Government ¹	11,283
<i>Total Expenditures</i>	<u>\$144,648</u>
 <i>Net General Fund Fiscal Impact</i>	 <u>\$77,303</u>

(1) Includes City Council, City Manager, City Attorney, City Clerk, Finance Administration, Information Technology and Human Resources.

Source: TNDG.

Table A-2
Land Use Assumptions for Fiscal Impact Analysis
Proposed Vincent Place Residential Project
City of West Covina

	Proposed Project
Residential Development	
Single Family Detached (SFD) Units	47
Attached Townhomes	72
Total Residential Units	119
Population Summary	
Residents	331

Source: The Natelson Dale Group, Inc.

**Table A-3
 Project Description and Fiscal Model Input Factors
 Proposed Vincent Place Residential Project
 City of West Covina**

Development Category	Total Units or SF	Assessed Value/Unit or SF	Residents per Unit¹	Estimated Residents or Employees	Assessed Value
Residential					
SFD Units	47	\$650,000	3.39	159	\$30,550,000
Townhome Units	72	\$563,000	2.38	172	\$40,536,000
Residential Total	119			331	\$71,086,000

Source: TNDG.

Note: 1. Household sizes by unit type estimated by TNDG based on data from U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates (calibrated to citywide household size reported by California Department of Finance).

Table A-4
Assessed Value Estimates by Project Component
Proposed Vincent Place Residential Project
City of West Covina

Project Component	Units / SF	Assessed Value
Residential		
SFD Units	47	\$30,550,000
Townhome Units	72	40,536,000
Total	119	\$71,086,000
Total Assessed Value		\$71,086,000
Less Existing Assessed Value		-
Net Impact on Assessed Value		\$71,086,000

**Table A-5
 Total Property Tax Increment by Agency
 Proposed Vincent Place Residential Project
 City of West Covina**

	Proposed Project
Total Increase in Assessed Value	\$71,086,000
Total Property Tax Increment @ 1.0% of Assessed Value	\$710,860
City of West Covina General Fund Share	13.5745%
Annual General Fund Revenue	\$96,496

Source: TNDG.

Table A-6
Projected Property Tax In Lieu of Vehicle License Fees (VLF)
Proposed Vincent Place Residential Project
City of West Covina

Citywide Property Tax In Lieu of VLF, FY 2019-2020	\$12,341,200
Citywide Assessed Valuation (AV), FY 2019-2020	\$12,945,037,418

<u>Variable</u>	<u>Proposed Project</u>
Incremental Assessed Value from Project ¹	\$71,086,000
Percentage Increase over FY 2019-20 Base	0.55%
<i>New Property Tax In Lieu of VLF</i>	<i>\$67,770</i>

Source: City of West Covina, FY 2020-21 Proposed Budget; Los Angeles County Assessor's Office 2020 Annual Report; TNDG.

Notes: 1. See Table A-4.

Table A-7
Estimate of Real Property Documentary Transfer Tax
Proposed Vincent Place Residential Project
City of West Covina

	Proposed Project
Total Residential Assessed Value	\$71,086,000
Annual Ownership Turnover Rate	10.4%
Annual Value of Properties Sold	\$7,419,629
City Documentary Transfer Tax Rate	0.055%
<i>Annual City Revenue</i>	<i>\$4,081</i>

Source: TNDG

Table A-8
Estimate of New City Off-Site Sales Tax
Proposed Vincent Place Residential Project
City of West Covina

	Project Scenario
Proposed Project	
Total Dwelling Units	119
Average Home Price	\$597,361
Household Income as Ratio of Home Price	25%
Average Household Income	\$149,340
Aggregate Household Income	\$17,771,500
% Spent on Taxable Retail Sales	26%
Total Taxable Retail Sales	\$4,620,590
% Captured in City	65%
New Taxable Sales in City	\$3,003,384
City Sales Tax Revenue @1%	\$30,034

Source: TNDG.

Table A-9
Derivation of Revenue Projection Factors
Proposed Vincent Place Residential Project
City of West Covina

City of West Covina Population, 2020	105,999
City of West Covina, Employee Population, 2020	32,034

Employee Weighting Factor	0.50
Effective Employee Population	16,017

Budget Category	Citywide GF Budget FY 2020/21	Allocation Basis¹	Relevant Population	Per Capita Cost or Revenue
Utility Franchise Fees	\$4,152,300	R+E	122,016	\$34.03
Animal Control & Licensing	60,000	R	105,999	0.57
Motor Vehicle In Lieu	85,500	R	105,999	0.81
Proposition A Exchange	1,650,000	R	105,999	15.57
Miscellaneous Revenues	2,473,589	R+E	122,016	20.27

Sources: State of California, Department of Finance, E-5 Table; Southern California Association of Governments, 2020 Regional Transportation Plan; City of West Covina Proposed Budget FY 2020-21 Adopted Budget; TNDG.

Notes: 1. Allocation basis: R - residents; R+E - residents plus effective employee population; DU - dwelling units.

Table A-10
Projected General Fund Revenues
Proposed Vincent Place Residential Project
City of West Covina

Variable	Utility Franchise Fees	Animal Control & Licensing	Motor Vehicle In Lieu	Proposition A Exchange	Miscellaneous Revenues
Allocation Basis	R+E	R	R	R	R+E
Residents	331	331	331	331	331
Onsite Employees	-	-	-	-	-
Weighting Factor	N/A	N/A	N/A	N/A	N/A
Population Equivalent	331	331	331	331	331
Per Capita Revenue	\$34.03	\$0.57	\$0.81	\$15.57	\$20.27
<i>Total Annual Revenue</i>	<i>\$11,259</i>	<i>\$187</i>	<i>\$267</i>	<i>\$5,150</i>	<i>\$6,707</i>

Source: TNDG.

Table A-11
Derivation of Cost Projection Factors
Proposed Vincent Place Residential Project
City of West Covina

City of West Covina Population, 2020	105,999
City of West Covina, Employee Population, 2020	32,034
Employee Weighting Factor	0.50
Effective Employee Population	16,017

Budget Category	Citywide GF Budget FY 2020/21	Less: Offsetting GF Revenues	Net General Fund Cost	Allocation Basis¹	Relevant Population	Per Capita Costs
Police Department	\$31,163,716	519,300	\$30,644,416	R+E	122,016	\$251.15
Fire Department	20,021,267	3,455,000	16,566,267	R+E	122,016	\$135.77
Maintenance Services, City Buildings, Graffiti	1,418,286	1,000	1,417,286	R+E	122,016	\$11.62
Other Public Services	4,038,069	1,254,900	2,783,169	R	105,999	\$26.26
Community Development	2,160,896	2,268,000	-	R+E	122,016	\$0.00
Transfers Out to Other Funds	1,620,322	106,302	1,514,020	R+E	122,016	\$12.41

Sources: State of California, Department of Finance, E-5 Table; Southern California Association of Governments, 2020 Regional Transportation Plan; City of West Covina Proposed Budget FY 2020-21 Adopted Budget; TNDG.

Notes: 1. Allocation basis: R+E - residents plus effective employee population.
GF = General Fund.

Table A-12
Projected General Fund Costs
Proposed Vincent Place Residential Project
City of West Covina

Variable	Police Department	Fire Department	Maintenance Services / City Buildings	Other Public Services	Community Development	Transfers to Other Funds
Allocation Basis	R+E	R+E	R+E	R	R+E	R+E
Residents	331	331	331	331		331
Onsite Employees	-	-	-	-	-	-
Weighting Factor	N/A	N/A	N/A	N/A	N/A	N/A
Population Equivalent	331	331	331	331	-	331
Per Capita Cost	\$251.15	\$135.77	\$11.62	\$26.26	\$0.00	\$12.41
<i>Total Annual Cost</i>	<i>\$83,093</i>	<i>\$44,920</i>	<i>\$3,843</i>	<i>\$8,687</i>	<i>\$0</i>	<i>\$4,105</i>

Source: TNDG.

**Table A-13
 Projected General Government Costs
 Proposed Vincent Place Residential Project
 City of West Covina**

General Government Categories	FY 2020-21 GF Budget
City Council	\$70,251
City Manager	\$808,549
City Attorney	\$535,000
City Clerk	\$678,360
Finance Administration	\$2,050,073
Information Technology	\$1,329,678
HR Commission	\$1,257
Human Resources	\$776,512
Less: overhead cost recovery	(1,423,791)
Total General Gov't Cost	\$4,825,889
General Fund Total	\$66,672,236
General Fund (non-Gen Gov't)	\$61,846,347
General Government Functions @	7.8% of other General Fund costs

Source: City of West Covina, FY 2020-21 Proposed Budget; TNDG.

Table A-14
Estimate of Residential Turnover Rate
City of West Covina

<u>City of West Covina</u>	<u>Owner-Occupied units</u>	<u>% of Total</u>	<u>Estimated Years¹</u>	<u>Household Years²</u>
<u>Year Moved In</u>				
Moved in 2017 or later	39	0.5%	0.5	20
Moved in 2015 to 2016	2,041	25.1%	2.0	4,082
Moved in 2010 to 2014	5,890	72.4%	5.5	32,395
Moved in 2000 to 2009	2,256	27.7%	13.0	29,328
Moved in 1990 to 1999	383	4.7%	23.0	8,809
Moved in 1989 or earlier	86	1.1%	38.0	3,268
Total	8,131	100.0%	N/A	77,902
Household Years/Occupied Unit ³				9.58
Implied Turnover Rate ⁴				10.4%

1. Estimated years in occupied unit. Assume move in date at midpoint of range.

2. Product of owner-occupied units and "estimated years".

3. Ratio of total "household years" to total owner-occupied units.

4. Reciprocal of the total household years/total owner-occupied units estimate.

Sources: U.S. Census Bureau, American Community Survey (2012-16); The Natelson Dale Group, Inc (TNDG).

Table A-15
General 1% Property Tax Breakdown by Agency for Tax Rate Area (TRA) 10592
Proposed Vincent Place Residential Project
City of West Covina

<u>Account</u>	<u>Agency Name</u>	<u>Ratio</u>
001.05	LOS ANGELES COUNTY GENERAL	0.331121002
001.20	L.A. COUNTY ACCUM CAP OUTLAY	0.000117287
003.01	L A COUNTY LIBRARY	0.024194480
007.31	L A C FIRE-FFW	0.007603955
030.10	L.A.CO.FL.CON.DR.IMP.DIST.MAINT.	0.001811582
030.70	LA CO FLOOD CONTROL MAINT	0.010252184
066.85	CO SANIT DIST NO 22 OPERATING	0.014208116
280.01	CITY WEST COVINA ESTLND RP 91ANX	0.135745497
280.80	CITY-WEST COVINA SEWER MAIN DIST	0.003145572
368.10	UPP.SAN.GAB.VY.MUN.W.-W.COVINA A	0.000580511
400.00	EDUCATIONAL REV AUGMENTATION FD	0.074459682
400.01	EDUCATIONAL AUG FD IMPOUND	0.169291092
400.15	COUNTY SCHOOL SERVICES	0.001454657
400.21	CHILDREN'S INSTIL TUITION FUND	0.002886989
809.04	MT.SAN ANTONIO COMMUNITY COLLEGE	0.031157938
809.20	MT SAN ANTONIO CHILDRENS CTR FD	0.000300743
847.03	COVINA-VALLEY UNIFIED SCHOOL DIS	0.181920632
847.06	CO.SCH.SERV.FD.- COVINA-VALLEY	0.007971288
847.07	DEV.CTR.HDCPD.MINOR-COVINA-VY.	0.000897829
847.20	COVINA-VALLEY CHILDREN,S CTR.FD.	0.000878964
Total		1.000000000

Source: Los Angeles County Auditor-Controller

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

GENERAL PLAN AMENDMENT NO. 20-02

ZONE CHANGE NO. 20-03

PRECISE PLAN NO. 20-06

TENTATIVE TRACT MAP NO. 83166 (20-02)

TREE REMOVAL PERMIT NO. 21-03

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: Matt Maehara of MLC Holdings

LOCATION: 1024 W. Workman Avenue (AIN: 8457-029-906)

REQUEST: The project consists of a request for the approval of a precise plan and vesting tentative tract map to demolish all existing school buildings/uses on the site and construct 119 residences (47 two-story single-family residential style detached units, ranging from 1,465 sq. ft. to 2,125 sq. ft. and 72 attached three-story townhome style units, ranging from 1,214 sq. ft. to 1,822 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on an 8.05 acre site. A tree removal permit is required to remove 8 significant trees on the site (7 Oak trees, 1 Crepe Myrtle tree).

The project also involves a request for a General Plan Amendment to change the general plan land-use designation from Civic: Schools to Neighborhood Medium, and a Zone Change to change the zoning from Single-Family Residential (R-1) to a Specific Plan.

BACKGROUND

The project site is an 8.05-acre property located on the southwest corner of W. Workman Avenue and N. Vincent Avenue. The site is currently developed with, and was used for the Vincent Children's Center. The site contains school buildings, a parking lot, a playground and landscaping. The site is in an urban area that is developed on all sides. Single family homes are to the west, north and east; two-story residential apartments and townhomes are located to the south; and a gas station, liquor store and restaurant are to the southeast, across Vincent Avenue.

The project site has frontage on Workman Avenue to the north, Vincent Avenue to the east

and a portion of Garvey Avenue to the southeast.

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN	Single Family Residential (R-1); Civic: Schools
SURROUNDING LAND USES AND ZONING	<p>North: Single residential family homes; Single Family Residential (R-1)</p> <p>East: Single residential family homes and commercial uses; Single Family Residential (R-1) and Neighborhood Commercial (N-C)</p> <p>West: Single family residential homes; Single Family Residential (R-1)</p> <p>South: Apartments and townhomes; Multi-Family 20 units/acre (MF-20)</p>
CURRENT DEVELOPMENT	Former Vincent Children's Center (school/administration buildings, parking lot, playground, field)
LEGAL NOTICE	Notice of Public Hearing have been mailed to 123 owners and occupants of properties within 300 feet from the subject site. The public Hearing Notice was also published in the newspaper and the City's website.

DISCUSSION

The applicant proposes to build a 119-unit residential project consisting of 72 attached townhome units within 10 buildings, and 47 detached single-family residences. The detached two-story single-family residential style units are sited on the north side of the lot along Workman Avenue and on the west side of the lot along the westerly property line, while the three-story attached townhome buildings are located on the mid-portion of the lot (10-plex) and on the east side along Garvey and Vincent Avenues (6-plex). There will be two buildings each with 6 attached units along the Vincent Avenue frontage. Five buildings, each with 6 attached units (6-plex), will be located near the Garvey Avenue frontage. Two buildings each with 10 attached units (10-plex) are arranged around the large, interior common open space and a third building with 10 attached units is just to the south. Each dwelling unit on the site includes a two-car garage. There will also be 43 parking spaces on the site for guests, and another 21 off-site parallel street parking spaces along Workman Avenue.

The project requires the granting of the following entitlements:

- Precise Plan to allow the development of the site.
- Tentative Tract Map to allow for the condominium subdivision
- Tree Removal Permit for the removal of eight (8) significant trees.
- Zone Change to change the zoning designation to a Specific Plan
- General Plan Amendment to change the land-use designation to Neighborhood Medium to allow up to 20 residential units per acre.

Because the project includes a request for a General Plan Amendment and Zone Change, the City Council is the final decision-making authority for the project.

Community Outreach

Due to the Covid-19 pandemic, a typical community meeting could not be held. The applicant has been talking to the neighbors since early 2020. In August 2020, the applicant sent out flyers (Attachment No. 6) with information on the project and the applicant's contact information to all properties within 300 feet from the project site. Contact has been in-person, by phone and by email. According to the applicant, the plans have been revised to address many of the neighbor's concerns. The applicant has continued to reach-out to concerned neighbors who are willing to speak to him. The City has received four letters in support of the project from directly adjacent neighbors on Morada Avenue (Attachment No. 8).

General Plan Amendment

Approval of a General Plan Amendment (GPA) is required to enable the project to be built at the proposed density of 14.8 dwelling units per acre. The existing designation of Civic: Schools does not allow residential development. The proposed designation of Neighborhood—Medium (NM) allows up to 20 dwelling units per acre. This designation “anticipates a mixture of detached and attached dwellings and higher building types at approximately 9 to 20 dwelling units per acre...with small scale commercial at key locations, primarily at intersections and adjacent to corridors.” The project is consistent with the proposed designation.

The proposed project is consistent with the following General Plan policies and actions:

- Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.

The project is located on the Vincent Avenue, which carries high volumes of traffic. It is a location appropriate to serve as a transitional site between the single-family homes to the west and north and the busy street. The project has been designed to locate the

detached homes near the existing detached neighborhood to the west and north with the taller attached buildings facing Vincent Avenue.

- Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.

The project site is on Vincent Avenue which is designated as a Residential Thoroughfare in the General Plan. Although not an identified Corridor in the General Plan, the street functions much like one in this area. It is appropriate to locate higher density development along streets such as this. The project will be urban infill on a site suitable for residential development.

- Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and contribution to climate change, and adapt to the effects of climate change.

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change.

- Goal 2, Housing Element Provide a variety of housing types to accommodate all economic segments of the City.

The project will provide both attached and detached for-sale housing. The attached housing will come in three floor plans; the detached housing will have four floor plans, three exterior styles and three color and finish schemes for each style. The variety of layouts and exterior finishes will provide options to the buyers and assist the City in meeting housing production requirements of the Housing Element.

The project creates infill residential development with high quality architecture. It will provide for-sale housing at a density that should support a more affordable product. It will be compatible with the single-family neighborhood to the north and west and with the apartments and townhouses to the south of the project site. It will be consistent with the properties designed Neighborhood Medium to the east.

Zone Change

Approval of a zone change from Single-Family Residential (R-1) to Vincent Place Specific Plan is required to enable residential development of the site at the proposed density of 14.8 dwellings per acre. The proposed development standards of the Specific Plan replace those of the Municipal Code. If approved, the project Specific

Plan will be known as the Vincent Place Specific Plan.

Properties to the west, north and east are zoned R-1. Properties to the south are zoned Multi-family (MF-20). Small commercial sites zoned Neighborhood Commercial (NC) are to the east. The proposed zone change to Vincent Place Specific Plan will ensure that the project is developed in a manner compatible with both the existing single-family homes and multi-family development that about the property.

Precise Plan

The precise plan is for the review of the site plan and architecture. Vehicular access to the site will be provided by a driveway on Workman Avenue and another driveway on Garvey Avenue, both driveways (26 feet in width) will channel/route vehicles to private lanes/alleys and motor courts (20 to 26 feet in width) throughout the site to the dwelling units, guest parking spaces, and private recreation area.

The proposed project is a 119-unit residential project consisting of attached and detached single-family residences. The two buildings fronting Vincent Avenue each contain 6 attached units and are 3-stories tall. Five more 3-story buildings, each with 6 attached units, are located near the Garvey Avenue frontage. Three buildings, each with 10 attached units, are located near the large central common area. The detached homes are clustered along Workman Avenue and along the west side of the site. A large common open space area is located near the center of the site, and a smaller area is near the Garvey-Vincent intersection. Guest parking is located near the central open space and disbursed throughout the site.

Site Design

The proposed detached homes are located along Workman Avenue and down the westerly property line. These homes are 2-stories tall with a maximum height of approximately 26 feet and have small private yards and 2-car garages. They are arranged around the private street and motor court network for the site. The homes along Workman Avenue have front doors facing the street. A combination of concrete walls and vinyl fencing defines each of the house lots. The buildings along Workman have 10-foot setbacks to the front porch pillars, 15 feet to the house walls, and 12 feet to the walls that enclose the private backyards of the homes. The homes near the westerly property line are 20 to 35 feet from the westerly property line. They have 5-foot setbacks from interior side property lines and are at least 10 feet from interior rear property lines. Homes that do not front Workman Avenue generally have 5-foot front setbacks from the private motor courts and 10 feet from the private streets. The three homes with frontage on Vincent Avenue are at least 18 feet from the street. The three homes near the southerly property line are 29.8 feet from the boundary and have rear yards of 14.9 feet.

The two 6-unit buildings containing attached units fronting Vincent Avenue are approximately 11 feet from the street right-of-way. The front patio walls are 3.2 to 4.6 feet from the right-of-way. The homes have front entrances facing the street. The buildings are separated by 12 feet and they are 3 feet from the fire lane behind the units. The buildings adjacent to the central common open space are 3 to 9 feet from the fire lane and separated by 30.8 feet. The front entrances to these units face the open space. The westernmost unit in the building south of the central common open space is approximately 31 feet from the fire lane from which it takes access. The remaining buildings with attached units have interior side separations ranging from 20 to 24.3 feet. Garages are generally 3 feet from the fire lanes or motor courts providing access. The entrances to the attached buildings near the Garvey/Vincent intersection face each other (other than some of the westerly end units) and are 28 feet apart. The two southern-most attached buildings have front entrances 8-feet from and facing the southerly fire lane (other than one of the end units). The buildings are 20-feet apart and are just over 47 feet from the southerly property line. All setbacks conform to the standards of the proposed Vincent Place Specific Plan.

Air conditioning condensers for all dwellings are at the ground level. The condensers will be screened with a combination of metal screens and landscaping. Screening details are shown on plan sheet L-5.

The common open space near the center of the site is proposed to be 16,962 square feet in area with landscaping and amenities including children’s play structure, seating, barbecues, and a lawn. Another 8,578 square foot area with landscaping and seating areas is located near the Garvey/Vincent intersection.

Architecture

Single Family Residential Cluster Units

The detached two-story single family residential units consist of four different floor plans (Plans 3060, 3522, 3522x, and 3825) and will utilize one of three architectural styles: “Santa Barbara”, “Coastal” and “Farmhouse”. Each style will have 3 different color schemes (see sheets A-35 through A-37).

Plan Type	Total Living Area	1st floor	2nd Floor
3060	1,465 sq.ft.	420 sq. ft. garage, 35 sq. ft. porch, entry foyer, great room, powder room, and kitchen	3 bedrooms (including master bedroom with a bathroom and walk-in closet), laundry room, and one bathroom

3522	1,955 sq. ft.	423 sq. ft. garage, 43 sq. ft. porch, one bedroom, one bathroom, great room, and kitchen	3 bedrooms (including master bedroom with a bathroom and walk-in closet), a loft, laundry room, and one bathroom
3522x	1,955 sq. ft.	423 sq. ft. garage, 43 sq. ft. porch, one bedroom, one bathroom, great room, and kitchen	3 bedrooms (including master bedroom with a bathroom and walk-in closet), a loft, laundry room, and one bathroom
3825	2,125 sq. ft.	419 sq. ft. garage, 71 sq. ft. porch, one bedroom, one bathroom, great room, and kitchen	3 bedrooms (including master bedroom with bathroom and walk-in closet), a loft, laundry room, and one bathroom

Each detached unit includes private open space area ranging from 390 sq. ft. to 961 sq. ft. The units abutting the neighboring single-family residential homes to the west have frosted windows that would protect the adjacent neighbors' privacy (most are 3522 units with frosted clerestory windows facing west, three units on the northwest have frosted ingress/egress bedroom/loft windows facing west).

Attached Multi-Family Residential Townhomes

The site will be developed with seven 6-plex three-story townhome buildings and three 10-plex three-story townhome buildings. The attached dwelling units consist of four different floor plans (Plan 1, 2, 3, and 3Y) and will utilize a "Contemporary Eclectic" architectural style with one of two color schemes. One primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. The buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. Color schemes and material details are shown on plan sheet A-76.

The 6-plex buildings will include two different configuration: one utilizing unit Plans 3Y, 2, and 3, and another utilizing Plans 3Y, 2, 3, and 1. The 10-plex buildings will also include two different configurations utilizing a combination of all four plans for each building. Each unit includes private open space area ranging from 81 to 329 sq. ft.

Plan Type	Total Living Area	1st Floor	2nd Floor	3rd Floor
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1	1,214 sq. ft.	12 sq. ft. porch, two-car garage with storage, and entry vestibule	great room, deck, dining room, powder room, and kitchen	one bedroom, one bathroom, master bedroom with bathroom and walk-in closet, and laundry closet
2	1,505 sq. ft.	35 sq. ft. porch, entry vestibule, coat closet, and 460 sq. ft. tandem two-car garage with storage	great room, deck, dining area, kitchen, bathroom, and 1 bedroom	one bedroom, one bathroom, master bedroom with bathroom and walk-in closet, and laundry room
3	1,822 sq. ft.	107 sq. ft. porch, flex room, 441 sq. ft. two-car garage with storage	great room, deck, dining area, kitchen, bathroom, one bedroom, and office	one bedroom with bathroom, master bedroom with bathroom and walk-in closet, and laundry room
3Y	1,822 sq. ft.	107 sq. ft. porch, flex room, 411 sq. ft. two-car garage with storage	great room, deck, dining area, kitchen, bathroom, one bedroom, and office	one bedroom with bathroom, master bedroom with bathroom and walk-in closet, and laundry room

Walls/Fences, Lighting, and Landscaping

An existing 6-foot-tall chain link fence along the westerly property line will be replaced with a 6-foot-tall concrete block wall. The block wall will continue along the southerly property line and along the Garvey Avenue frontage to connect to the attached building on Vincent Avenue. Block walls will also contain the rear yards of the units along Workman Avenue, the three detached units fronting Vincent Avenue, and the detached units on either side of the main entrance. To properly drain the site, dirt will be moved during grading and the site will be raised approximately 5 feet near the westerly property line. At the top of the slope, and approximately 17 feet from the westerly property line, a 5.5-foot-tall vinyl fencing will be installed to provide private yards for the detached homes. This will also separate the rear yards of these homes from the common area slope. Entry arbors will be located near the intersection of Garvey and Vincent and on Vincent between the northerly attached building and southerly detached unit. Wall and fence details are found on sheet L-5.

Light poles, approximately 14-feet tall to the fixture, will be located along the interior

street network. Low bollards and sconces will provide illumination throughout the rest of the site. Lighting details are shown on sheet L-7.

The applicant is proposing to install landscaping on all non-paved/non-built surfaces of the site, primarily around the buildings. Street trees approved by the City will be planted along Workman, Vincent and Garvey Avenues within the parkway. California Sycamore and Strawberry trees will be planted along the Workman Avenue frontage. Brisbane Box, California Sycamore and Strawberry trees will be planted along the Vincent and Garvey Avenue frontages. Specimen Olive and Magnolias will be placed along the street frontages, along the entry driveway and around the central common open space. Additional trees of various species will be planted along the internal street and alley network. A variety of shrubs and ground covers will also be planted. A total of 277 trees, including 34 in the city parkway, will be planted. Approval of a final landscape and irrigation plan is required per the conditions of approval.

Parking

The proposed Vincent Place Specific Plan includes parking requirements for the detached and attached dwellings. Each dwelling unit is required to have two parking spaces per unit in a garage and each space is required to be at least 10 feet wide and 20 feet deep. All project units have garage parking that meets this standard. At least one guest space for every four dwelling units will be provided. A total of 47 guest parking spaces will be located onsite (arranged around the central common area, parallel parking spaces along the southern driveway, and four driveway spaces located as a part of two units within two of the 10-plex buildings). In addition, a total of 21 parallel street parking spaces are proposed along Workman Avenue fronting the site.

Tree Removal Permit

An arborist performed a tree survey of the site as part of the environmental review. There are a total of 20 trees either on-site or immediately adjacent to the property that could be impacted by development. Development of the site will require removal of all of the existing trees. Of these, 8 trees are Significant Trees per City Ordinance (Section 26-294 Division 9 – Preservation, Protection and Removal of Trees – Protection of trees during development activity). The removal of the on-site trees requires the approval of a tree removal permit by the Planning Commission. Mitigation measures are proposed as part of the Mitigated Negative Declaration to address the loss of the Significant Trees.

Open Space

The proposed Vincent Place Specific Plan includes open space requirements for the detached and attached dwellings. Each detached unit has a private yard of at least 390

square feet of open space where 150 square feet is required. Each attached unit has private open space in the form of decks on the upper floors. Each attached unit is required to have at least 60 square feet of open space. Floor Plan 1 has at least 81 square feet deck on the 2nd floor. Floor Plans 2 and 3 have 107 square foot decks on the 2nd floor. Floor Plan 3 also has a ground floor patio approximately 107 square feet in area enclosed by a low stuccoed wall. There will also be a large (16,692 square foot) common area near the center of the site and a smaller (8,578 square foot) common space near the junction of Vincent and Garvey Avenues. Each of these areas will have amenities for the residents such as seating, barbecues and play areas.

Public Art

As a part of the Precise Plan, public art would be required. The applicant has the option of commissioning their own public art piece, or paying the in-lieu contribution equaling to one-half percent of the total project costs.

Development Impact Fees/Park Fees

The City adopted Development Impact Fees in December 2015. In this case, the fees are currently (for FY 2020/2021) \$1,809 (per unit) for detached single-family and \$1,289 (per unit) for single-family attached/multi-family. The total development impact fees required would be \$177,831.00. In addition, the applicant is required to pay a park dedication in-lieu fee of approximately \$1,303,050.00

Vesting Tentative Tract Map

The applicant has applied for a Vesting Tentative Tract Map (No. 83166) to resubdivide the land and create parcels for homeownership. The project will have 119 individual for-sale lots: 47 detached units and 72 attached, rowhouse-style units. The project will utilize a Homeowner's Association (HOA) that will be responsible for maintaining the entire project, except for the interior of the units. Covenants, Conditions, and Restrictions (CC&Rs) will be created to regulate the HOA. The HOA will maintain all streets, curbs, and gutters, utilities, perimeter walls, building exteriors, common open space areas, sidewalks, site walls, entrance monument, and exterior lighting.

The proposed project density will be 14.8 units per acre, which is consistent with the General Plan designation of Neighborhood High allows a maximum density of 20 units per acre.

REQUIRED FINDINGS

Findings are required to allow the Planning Commission to approve the precise plan and tentative tract map. Findings are required to be made for each of these individual entitlements. The findings for entitlements are included in each individual resolution (Attachment Nos. 4 and 5, respectively) and are also presented below.

Findings necessary for the approval of a **Precise Plan** are as follows:

a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.

The project is a request for a Precise Plan to allow for the construction of a 119-unit residential development. There will be 238 garage parking spaces and 47 guest parking spaces onsite as well as 21 parallel parking spaces along the Workman Avenue frontage. The applicant is also requesting approval of a General Plan Amendment from Civic: Schools (S) to Neighborhood—Medium (NM) to change the allowed residential density to accommodate the proposed density of 14.8 dwelling units per acre. The project is also requesting approval of a Vesting Tentative Tract Map to create individual lots for sale. The proposed project is consistent with the following General Plan policies and actions:

Policy 3.3 New growth will complete, enhance, and reinforce the form and character of unique West Covina neighborhoods, districts and corridors.

The project will create an appropriate transition from the traditional single-family neighborhood to the west and north towards a higher density along Vincent and Garvey Avenues. Two-story residences will be nearest to the existing homes. The character of the project will be pedestrian-oriented along both street frontages. This infill site will have a distinctive and high-quality residential experience.

Policy 3.4 Direct new growth to downtown area and the corridors. Adapt economically underused and blighted buildings, consistent with the character of surrounding districts and neighborhoods, to support new uses that can be more successful. Provide opportunities for healthy living, commerce, employment, recreation, education, culture, entertainment, civic engagement, and socializing.

The project site is just north of the downtown and located on a busy street. Both Workman and Vincent Avenues are served by transit. This urban infill site is suitable for residential development and will be compatible with the existing residential development in the area.

Policy 3.6 Reduce West Covina's production of greenhouse gas emissions and

contribution to climate change, and adapt to the effects of climate change.

By promoting infill development, the project creates needed housing without sprawl. This helps reduce impacts to climate change. The site is served by transit, giving residents the option to reduce the use of automobiles.

The proposed project is consistent with the following Housing Element Goals:

Goal 2 Provide a variety of housing types to accommodate all economic segments of the City.

The project will create new for-sale housing near the downtown at densities designed to be more affordable than traditional detached housing.

Goal 4 Promote equal housing opportunity for all residents.

The project will meet current requirements that ensure new housing is available to anyone who might be interested.

Goal 5 Identify adequate sites to achieve housing variety.

The project will be an infill development of a site in transition near the downtown area. It will help revitalize the street. It will provide for-sale, detached and attached housing as an alternative to more traditional detached housing forms or attached apartments.

b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the Vincent Place Specific Plan, and all other applicable development standards in the Zoning Code.

c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

The proposed project is on a rectangular site currently developed with school. The site will be developed according to applicable development standards. The project is designed to be compatible with adjacent residential development.

The project will include required parking. The site will be landscaped. Mitigation measures and conditions of approval will ensure that the site is developed such that it will not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the

subject property.

d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.

The proposed project site is 8.05 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the West Covina Municipal Code. The site is served by all necessary utilities. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.

The buildings are contemporary in style with a variety of finishes, materials and colors. The detached residences are two-stories tall and located nearest to the existing single-family homes to the west and north. The attached residential buildings on the site are three stories tall and located closer to Vincent and Garvey Avenues. The detached buildings will come in 3 architectural styles; each style will have 3 color schemes. The attached buildings will have two color schemes, one primarily in grey tones with white trim and brownish-orange front doors. The other scheme uses dark green and olive tones with white trim and light tan front doors. All buildings are finished with stucco, lap siding and brick and composition shingle pitched roofs. New concrete block walls will be constructed along the westerly and southerly property lines and along much of the Garvey and Vincent Avenue frontages. Both the detached and attached residences along the street frontages have front doors facing the street, enhancing the sense of connectedness to the existing residential community. The design characteristics create an attractive project with architectural interest and substantial landscaping.

Findings necessary for the approval of a **Tentative Tract Map** are as follows:

a. The proposed map is consistent with the general plan and any applicable adopted specific plans.

An amendment to the City's General Plan land-use map to change the designation of the site from Civic:Schools (S) to Neighborhood—Medium (NM). As noted in Finding A for the General Plan Amendment, the project is consistent with a number of Goals, Policies and Actions of both the General Plan and the proposed Vincent Place Specific Plan.

b. The design or improvement of the proposed subdivision is consistent with the general plan and applicable adopted specific plans.

As documented in Section III of the report, the project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the proposed Vincent Place Specific Plan, and all other applicable development standards in the Zoning Code.

c. The site is physically suitable for the type of development.

The proposed project site is 8.05 acres, flat and is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required development standards set forth in the Vincent Place Specific Plan and the West Covina Municipal Code. The site is served by all necessary utilities. Appropriate mitigation measures and conditions of approval will ensure that the site is improved in a manner consistent with City standards.

d. The site is physically suitable for the proposed density of development.

The proposed project type is consistent in form with style recommended by the proposed Vincent Place Specific Plan. The proposed development will be accessible from driveways along Workman Avenue and Vincent Avenue. The site is 8.05 acres and, as conditioned, is physically suitable for the proposed project and adequate to accommodate the size and shape of the buildings, parking and all required standards of the proposed Specific Plan subject to the approval of the Zone Change and General Plan amendment. The proposed General Plan designation of Neighborhood Medium allows a maximum density of 20 units per acre. The proposed project density will be 14.8 units per acre. Additionally, there is a condition that requires that CC&Rs be recorded as a part of this project to ensure orderly operation. The site will be developed in accordance with the grading and construction requirements of the West Covina Municipal Code and the City Engineer.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

The site consists of an 8.05-acre parcel developed with school buildings, parking and landscaping. No known endangered, threatened or rare species or habitats, or designated natural communities, wetlands habitat, or wildlife dispersal, or migration corridors are present on site. A mitigated negative declaration was prepared for the project, which included required mitigation measures for Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise,

Transportation, Tribal Cultural Resources, and Utilities and Service Systems, to ensure that the project will not cause substantial environmental damage or injure fish, wildlife, or their habitat.

f. Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems.

The proposed map and improvements will have access to a public sanitary sewer system for the removal and disposal of wastewater and to other necessary utility services. The site will be developed in accordance with the standards of the Engineering Division, the Municipal Code, the Uniform Building Code, and other applicable requirements.

g. The design of the subdivision or the type of improvements will either (i) not conflict with recorded or adjudged easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or (ii) alternate easements, for access or for use, will be provided, and these will be substantially equivalent to ones previously acquired by the public.

There are no easements on the property that would be affected by implementation of the proposed project. Access to the site will be provided via Cameron Avenue.

ENVIRONMENTAL DETERMINATION

The Mitigated Negative Declaration of Environmental Impact (MND) prepared for the project disclosed that the project will not have a significant impact on the environment. Mitigation measures have been incorporated into the project's design and as conditions of approval to reduce impacts on the environment to a less than significant level. The MND has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, and was circulated for public comment for 30 days (from March 22, 2021 to April 21, 2021).

Comments were received from the County Sanitation Districts of Los Angeles County, the West Covina Improvement Association, and from two individuals. A Response to Comments was prepared and is provided as Attachment No. 7.

Traffic

Ganddini Group prepared a traffic analysis for the project in November, 2020, to assess traffic impacts. The traffic analysis evaluated potential project-related traffic impacts on Cameron Avenue and at the Cameron Avenue/Toluca Avenue intersection.

The existing uses on the site were estimated to generate a total of 342 daily trips. The proposed use was estimated to generate 457 daily trips. The net impact was an increase of 115 daily trips, but 11 fewer trips during the AM peak period and 3 fewer during the PM peak period. The project Vehicle Miles Traveled (VMT) impact was assessed in accordance with the City of West Covina VMT guidelines and guidance from City staff. The proposed project was found to satisfy the criteria for projects in a Transit Priority Area (TPA), and is therefore presumed to result in a less than significant VMT impact in accordance with City guidelines. The traffic impact analysis determined that the addition of project-related trips to existing traffic levels would have less than significant impact on the study intersection, and that project traffic would fall below significant impact thresholds with the implementation of various traffic design features.

Air Quality

According to the Air Quality Study (Attachment A of the Initial Study), the construction and operation emissions are below the regional thresholds of significance. The cumulative short-term construction-related emissions and long-term operational emissions from the project will not contribute considerably to any potential cumulative air quality impact because short-term project and operational emissions will not exceed any SCAQMD daily threshold. Conditions of Approval are included to minimize construction emissions, including watering of the site, covering truck beds leaving the site and limiting idling times for diesel equipment.

Required Mitigations

The environmental study concluded that mitigation measures are required for the following topics:

- Biological Resources (nesting birds and tree protection);
- Cultural Resources (archeological resources);
- Geology and Soils (paleontological resources);
- Hazards and Hazardous Materials (materials in buildings to be demolished, potential soil contamination);
- Noise (protecting residents from elevated noise levels in new buildings);
- Transportation (implementing design features to ensure safe turning movements entering and exiting the site);
- Tribal Cultural Resources;
- Utilities and Service Systems (replacing sewer lines).

A Mitigation Monitoring Program is an exhibit of Attachment No. 1 and provides information on the mitigation measures and monitoring by responsible agencies.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt Resolutions Nos. 21-6077 through 21-6081, recommending to the City Council approval of General Plan Amendment No. 20-02, Zone Change No. 20-03, Precise Plan No. 20-06, and Vesting Tentative Tract Map No. 83166.

LARGE ATTACHMENTS

A copy of the plans, proposed Specific Plan, and Mitigated Negative Declaration of Environmental Impact is posted on the City website at <https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents>

Submitted by: Jeff Hamilton, Contract Planner

Attachments

- Attachment No. 1 - Mitigated Negative Declaration Resolution
- Attachment No. 2 - General Plan Amendment Resolution
- Attachment No. 3 - Zone Change Resolution
- Attachment No. 4 - Precise Plan Resolution
- Attachment No. 5 - Tentative Tract Map Resolution
- Attachment No. 6 - Community Outreach Flyer
- Attachment No. 7 - Responses to Comments
- Attachment No. 8 - Letter of Support from Neighbors
- Attachment No. 9 - Fiscal Impact Analysis - Vincent Place



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: July 20, 2021

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF RESOLUTION NO. 2021-62- VOTE OF NO CONFIDENCE IN LOS ANGELES COUNTY DISTRICT ATTORNEY GEORGE GASCÓN.

RECOMMENDATION:

It is recommended that the City Council provide direction on adoption of the following resolution:

RESOLUTION NO. 2021-62 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DECLARING AND AFFIRMING A VOTE OF NO CONFIDENCE IN LOS ANGELES DISTRICT ATTORNEY GEORGE GASCÓN BASED ON ISSUED SPECIAL DIRECTIVES AND THEIR IMPACT ON CRIMINAL FILING PRACTICES AND PUBLIC SAFETY IN THE CITY OF WEST COVINA

BACKGROUND:

The District Attorney (DA) is a constitutionally elected county official. The District Attorney is responsible for the prosecution of criminal violations of state law and ordinances under California Government Code Section 26500. This includes investigation and apprehension, as well as prosecution in court. The District Attorney serves as legal advisor to the Grand Jury and, through its family support division, enforces parental financial obligations. The County Board of Supervisors exercises budgetary control but not operational control over elected District Attorneys.

At the May 4, 2021 regular City Council meeting, Mayor Lopez-Viado requested a presentation by the Los Angeles County District Attorney's Office (DA's Office) to discuss Special Directives issued by Los Angeles County District Attorney George Gascón. Interim Chief Deputy Joseph Iniguez of the District Attorney's Office made a presentation to the City Council at its regular meeting on June 1, 2021.

Below is a summary of cases that have been affected by Special Directives that the Los Angeles County District Attorney has put in place:

- **Filing of West Covina Police Department cases as a result of District Attorney Gascón's special directives (specifically 20-07):**

The West Covina Police Department (WCPD) submitted 96 cases to the DA's Office for criminal filing, which included 156 separate crime charges (some cases had more than one crime charged). These cases were accumulated from January – May of 2021. While the WCPD filed more cases with the DA's office, the 96 cases were the ones affected by the new DA directives. As such none of the 156 crime charges were filed

by DA's office, which means the DA's office is following the new filing guidelines.

- **Three cases not filed and not a direct result of new District Attorney directives:**

Of the 156 crimes, there were only 3 cases that were not filed, that were not a direct result of the new DA's Office filing directives:

1. One was not filed because there was a statute of limitations issue
2. One case the victim refused to prosecute
3. One case involved a juvenile, who was sent to a diversion program in lieu of filing criminal charges.

Additionally, in a response from the DA's Office, there were 3 additional cases that WCPD had submitted, which were rejected, that the DA was looking into for possibilities of filing, but there has been no indication that a filing will occur.

- **Drug related offenses:**

Eighty-two (82) of the cases that WCPD presented to the DA's Office for filing that were rejected pertained to drug related offenses. According to the DA's Office, currently, there is no prosecution for these offenses based on DA Gascón's Directives (20-07). Basically WCPD makes a drug related arrest (possession, under the influence, possession of drug paraphernalia), they book the suspect at our WCPD jail, issue a citation, and the suspect walks out of our jail with a promise to appear in court. The case is sent to DA's Office for criminal filing, at which time, due to the new filing directives, gets rejected and the case is closed with no follow up and the suspect no longer is mandated to appear in court. There is no court ordered diversion in this scenario. This current process creates community safety issues, effects quality of life for our residents and business owners, and provides no means of addressing the root causes of these issues as intended.

As a means of addressing issues like addiction, mental illness, and homelessness, Los Angeles County has adopted and has begun to implement recommendations from a report submitted by the Los Angeles County Alternatives to Incarceration Work Group, established in February of 2019. This report, entitled "Care First, Jails Last" program as a means of finding alternatives to incarceration, aimed at addressing to root causes of these issues. It is important to note that this program was adopted by the LA County Board of Supervisors, and has been in the works since 2019, and coincides with DA Gascon's filing directives.

DISCUSSION:

The Los Angeles County District Attorney (DA) is an elected county official. The DA is responsible for the prosecution of criminal violations of state law and county ordinances occurring within the county in which they are elected. This includes investigation and apprehension, as well as prosecution in court. The DA serves as legal advisor to the Grand Jury and, through its family support division, enforces parental financial obligations. The Board of Supervisors exercises budgetary control over elected DAs but not operational control.

Every four years, the voters of Los Angeles County elect a nonpartisan DA to serve as the chief prosecutor for the County. In November 2020, the voters of the County elected George Gascon as the DA. DA Gascon was subsequently sworn in on December 7, 2020. Since being sworn in, Mr. Gascon has issued numerous Special Directives and two subsequent amendments, which outline new policies and procedures for the Los Angeles County DA's Office. Several directives are of concern for the public safety of the residents of Los Angeles County and the residents of West Covina.

The Special Directives (SD) included the following:

- 1. Special Directive 20-06: Pretrial Release Policy (Elimination of Cash Bail)**

SD 20-06 sets forth new policies and protocols on pretrial release and the use of cash bail. The SD prohibits Deputy District Attorneys (DDAs) from requesting cash bail for any misdemeanor, non-serious felony, or non-violent felony offense. If cash bail is requested for other offenses, DDAs must recommend cash bail amounts that are aligned with the accused's ability to pay. Furthermore, bail and/or pretrial detention may only be considered if there are no other options to protect public safety and reasonably ensure the defendant's return to court. Additionally, DDAs shall not object to the release

of anyone currently incarcerated in Los Angeles County on cash bail who would be eligible for release under this SD.

2. Special Directive 20-07: Misdemeanor Case Management

SD 20-07 states that the following misdemeanor charges shall be declined or dismissed before arraignment and without conditions unless exceptions or factors for consideration exist: trespassing, disturbing the peace, driving without a valid license, driving on a suspended license, criminal threats, drug and paraphernalia possession, minor in possession of alcohol, drinking in public, under the influence of a controlled substance, public intoxication, loitering, loitering to commit prosecution, and resisting arrest. Exceptions and factors for consideration include repeat offenders in the preceding 24 months. However, some misdemeanors listed do not have exceptions or factors of consideration identified.

3. Special Directive 20-08: Sentencing Enhancements/Allegations, Special Directive 20-08.1: Amendment to Special Directive 20-08, and Special Directive 20-08.2: Clarification of Special Directive 20-08:

SD 20-08 states that the following sentence enhancements or sentencing allegations shall not be filed in any cases and shall be withdrawn in pending matters: any prior strike enhancements, including the Three Strikes Law; STEP Act enhancements (also known as gang enhancements); violations of bail; and firearm allegations. Amendments 20-08.1 and 20-08.2 were issued on December 15, 2020 and December 18, 2020, to make further clarification of SD 20-08. The amendments state that DDAs may pursue the following allegations, enhancements, and alternative sentencing schemes: hate crime, elder and dependent adult abuse, child physical abuse, child and adult sexual abuse, human sex trafficking, and financial crimes.

6. Special Directive 20-09: Youth Justice

SD 20-09 implements policies for crimes involving youth. Pursuant to this SD, youth accused of misdemeanors will not be prosecuted. If necessary and appropriate, youth accused of misdemeanor offenses and low-level felonies will be referred to pre-filing, community-based diversion programs. Youth will not be charged for crimes involving property damage or minor altercations with group home staff, foster parents, and/or other youth if the youth's behaviors can reasonably be related to the child's mental health or trauma history. The SD also provides that filings will generally consist of the lowest potential code section that corresponds to the alleged conduct and mandate one count per incident. Furthermore, youth will not be sent to the adult court system and enhancements shall not be filed on youth petitions.

7. Special Directive 20-10: Habeas Corpus Litigation Unit

SD 20-10 establishes policies regarding the Habeas Corpus Litigation (HABLIT) Unit's review of non-capital cases.

8. Special Directive 20-11: Death Penalty Policy

SD 20-11 provides that the DA's Office will not seek the death penalty in any case charged on or after December 8, 2020. The DA's Office will also not defend any existing death sentences and will engage in a thorough review of every existing death penalty judgment from Los Angeles County.

9. Special Directive 20-12: Victim Services

SD 20-12 establishes policies related to services currently provided by the Bureau of Victim Services (BVS). These new policies include the following: (1) BVS will contact all victims of a violent crime within 24 hours of receiving notification; (2) BVS will contact the families of individuals killed by law enforcement and provide support services; (3) BVS will support survivors and all others harmed by violence and crime regardless of immigration status, reporting, cooperation, or documentation; (4) BVS will establish a Victim Emergency Fund; and (5) BVS will not require cooperation as a condition of offering services.

10. Special Directive 20-13: Conviction Integrity Unit

SD 20-13 establishes policies regarding the Conviction Integrity Unit (CIU). These policies relate to case review criteria, access to discovery, investigations in claims of wrongful conviction, and case resolution. This SD also provides that the CIU shall develop and maintain a database to track errors and other causes of wrongful convictions uncovered in the course of its case reviews. Pursuant to this SD, the database will track official misconduct, including the names of law enforcement officers found to have committed misconduct or whose testimony has otherwise been proven to be unreliable.

11. Special Directive 20-14: Resentencing

SD 20-14 provides that the DA's Office will seek to review and remediate every sentence that does not comport with the new Sentencing Enhancement and Juvenile Policies. The DA's Office specifically commits to an expedited review of the following categories of cases: (1) Those who have already served 15 years or more; (2) Those who are currently 60 years of age or older; (3) Those who are at increased risk of COVID-19; (4) Those who have been recommended for resentencing by the California Department of Corrections and Rehabilitation; (5) Those who are criminalized survivors; and (6) Those who were 17 years of age or younger at the time of the offense and were prosecuted as an adult.

Additional Los Angeles County cities have expressed concerns with the Special Directives. Their discussion focused on the impacts to public safety and crime victim rights. The following cities have held discussion and/or adopted Resolutions of "No Confidence" in the District Attorney and/or the Special Directives:

- Beverly Hills
- Santa Clarita
- Whittier
- La Mirada
- Lancaster
- Pico Rivera
- Azusa
- Covina
- Rosemead
- Santa Fe Springs
- San Gabriel
- Diamond Bar
- Redondo Beach
- Arcadia
- Manhattan Beach
- Temple City
- Palos Verdes Estates
- Lancaster

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - Resolution No. 2021-62

CITY COUNCIL GOALS & OBJECTIVES: Enhance the City Image and Effectiveness
Protect Public Safety

RESOLUTION NO. 2021-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DECLARING AND AFFIRMING A VOTE OF NO CONFIDENCE IN LOS ANGELES DISTRICT ATTORNEY GEORGE GASCÓN BASED ON ISSUED SPECIAL DIRECTIVES AND THEIR IMPACT ON CRIMINAL FILING PRACTICES AND PUBLIC SAFETY IN THE CITY OF WEST COVINA

WHEREAS, the City Council of the City of West Covina values and places the highest priority on public safety and protecting its community; and

WHEREAS, the City Council believes that all of the criminal laws and penalties contained in the California Penal Code serve to deter crime and criminal elements in the state and the City of West Covina; and

WHEREAS, on November 3, 2020, George Gascón was elected as the Los Angeles County District Attorney with 54% of the vote; and

WHEREAS, on December 7, 2020, Los Angeles County District Attorney George Gascón issued a series of Special Directives to reform criminal prosecutions in Los Angeles County; and

WHEREAS, the Special Directives include, but are not limited to, the following:

1. Special Directive 20-07, which declines or dismisses several misdemeanor charges, including trespassing, disturbing the peace, criminal threats, drug and paraphernalia possession, being under the influence of a controlled substance, public intoxication, and resisting arrest.
2. Special Directive 20-08, which eliminates several sentencing enhancements, including the Three Strikes Law, gang enhancements, and violations of bail.
3. Special Directive 20-13, which relates to relates to case review criteria, access to discovery, investigations in claims of wrongful conviction, and case resolution; and

WHEREAS, some of the Special Directives contradict state laws that were enacted by the Legislature as well and undermine the deterrent effects of various criminal laws and penalties that were meant to protect the public, including the residents of the City of West Covina; and

WHEREAS, it is of the utmost importance for the City of West Covina that policies aim to restructure or amend prosecutorial directives are consistent with state law and issued with

reasonable intent and priority to enhance public safety and protect the general public and victims' rights.

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

SECTION 1. The City Council of the City of West Covina demands that Los Angeles District Attorney George Gascón uphold state law and refrain from issuing further Special Directives that contradict or violate the spirit, letter, or intent of state laws as enacted by the legislature or cote of the people.

SECTION 2. The City Council of the City of West Covina demands that Los Angeles County District Attorney George Gascón rescind Special Directives 20-07, 20-08, and 20-13, and review all other directives to ensure that public safety, victims' rights, and the rule of law are maintained or enhanced.

SECTION 3. By adopting this Resolution, the City Council declares and affirms that the City Council of the City of West Covina has no confidence in Los Angeles County District Attorney George Gascón.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 20th day of July, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2021-62 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 20th day of July, 2021, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk