



CITY OF WEST COVINA

PLANNING COMMISSION

**APRIL 12, 2022, 7:00 PM
REGULAR MEETING**

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

**Livier Becerra, Chair
Nicholas Lewis, Vice Chair
Shelby Williams, Commissioner
Brian Gutierrez, Commissioner
Sheena Heng, Commissioner**

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 need special assistance at Planning Commission meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Please 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 Planning Commission meetings, please request no less than four working days prior to the meeting.

PUBLIC COMMENTS/ADDRESSING THE COMMISSION

Any person wishing to address the Planning Commission on any matter listed on the agenda or on any other matter within their jurisdiction is asked to complete a speaker card that is provided on the speaker podium and submit the card to a Planning Division staff member.

Please identify on the speaker card whether you are speaking on an agenda item or non-agenda item. Requests to speak on non-agenda items will be heard during "Oral Communications" before the Public Hearing section of the agenda. Generally, comments are limited to five minutes per speaker unless further time is granted by the Chairperson. ***The Chairperson may also, at his or her discretion, further limit the time of each speaker in order to accommodate a large number of speakers and/or to ensure that the business of the Planning Commission is effectively conducted.***

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

MOMENT OF SILENT PRAYER/MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Regular meeting, February 8, 2022

ORAL COMMUNICATIONS

This is the time when any member of the public may speak to the Commission on any matter within the scope of duties assigned to the Commission relating to non-agendized or consent calendar items. Other matters included on this agenda may be addressed when that item is under consideration. For all oral communications, the chairperson may impose reasonable limitations on public comments to assure an orderly and timely meeting. The Ralph M. Brown Act limits the Planning Commission and staff's ability to respond to public comments at this meeting. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may ask questions for clarification, if desired, at this time.

By policy of the Commission, Oral Communications at this time on the agenda is limited to a total of 15 minutes.

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 Planning Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

2. **Extension of Time for Precise Plan No. 15-07, Tentative Tract Map (TTM) No. 73652, and Variance No. 15-18 at 1920 W. Pacific Lane**

PUBLIC HEARINGS

3. **ADMINISTRATIVE USE PERMIT NO. 22-01
CATEGORICAL EXEMPTION
APPLICANT: Mirlande Amazan
LOCATION: 414 S Pima Ave, West Covina, CA 91790
REQUEST: The applicant is requesting approval of an administrative use permit to allow an increase in wall height.**
4. **GENERAL PLAN AMENDMENT NO. 21-01
ZONE CHANGE NO. 21-02
PRECISE PLAN NO. 21-02
TENTATIVE TRACT MAP NO. 83576
TREE PERMIT NO. 20-01 (AMENDMENT)
MITIGATED NEGATIVE DECLARATION
APPLICANT: RC West Covina, LP c/o Matt Livingston
LOCATION: 1912 W. Merced Avenue

REQUEST: The applicant is requesting approval of a precise plan and vesting tentative tract map to construct 39 residences (attached two-story townhome style units with attached garages, ranging from approximately 1,325 sq. ft. to 1,475 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on a 2.26-acre site. A tree removal permit is required to remove up to 38 significant trees on the site, with the proposed addition of 81 new trees on site.

The project also involves a request for a General Plan Amendment to change the general plan land-use designation from Neighborhood Low to Neighborhood Medium, and a Zone Change to change the zoning from Single Family Residential (R-1) to Specific Plan (S-P).**

NON-HEARING ITEMS - None

TEN-DAY APPEAL PERIOD: *Actions taken by the Planning Commission that are not recommendations to the City Council will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's Office before close of business on the tenth day.*

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

This is the time when any member of the Commission may bring a matter to the attention of the full Commission that is within the scope of duties assigned to the Commission. Any item that was considered during the Agenda is not appropriate for discussion in this section of the agenda. **NO COMMISSION DISCUSSION OR ACTION CAN BE CONSIDERED AT THIS TIME.** If the Commission desires to discuss an issue raised by a speaker or take an action, the Commission may vote to agendize the matter for a future meeting.

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:

- a. Forthcoming - April 26, 2022

6. CITY COUNCIL ACTION:

This is an oral presentation of City Council matters and actions, which are in the Commission's area of interest

ADJOURNMENT

ITEM NO. 1.
DATE: April 12, 2022

TO: Planning Commission
FROM: Planning Division
SUBJECT: Regular meeting, February 8, 2022

Attachments

Minutes 2.8.22

**These minutes are preliminary and are considered unofficial
until adopted at the next Planning Commission meeting by a majority vote.**

A G E N D A

DATE: February 22, 2022

ITEM NO.: 1

MINUTES

REGULAR MEETING OF THE PLANNING COMMISSION

CITY OF WEST COVINA

Tuesday, February 8, 2022

Regular meeting of the Planning Commission was called to order at 7:00 p.m.in the West Covina Council Chambers.

The Commission observed a moment of silent prayer/meditation.

Commissioner Lewis lead the Pledge of Allegiance.

ROLL CALL

Present: Becerra, Gutierrez, Williams, Lewis

Absent: Heng (excused)

City Staff Present: Carmany, Morales, Burns, Rivera

APPROVAL OF MINUTES:

1. Regular meeting, December 14, 2021

The minutes of the December 14, 2021 meeting were adopted as submitted.

OTHER MATTERS OR ORAL COMMUNICATIONS

None

CONSENT CALENDAR

2. Extension of time for Tentative Parcel Map No. 82784, Administrative Use Permit Nos. 19-31 and 20-31, and Subcommittee for Design Review Nos. 19-49 and 20-12 at 2445 Rio Verde Drive.

Motion by Gutierrez, seconded by Lewis, to approve the request for extension.
Motion carried 4-0 (Heng absent.)

PUBLIC HEARINGS

3. CONDITIONAL USE PERMIT NO. 21-07
 CATEGORICAL EXEMPTION

APPLICANT: Toby Wisneski for Leave No Paws Behind

LOCATION: 1045 E Amar Road

REQUEST: The applicant is requesting a conditional use permit to allow the expansion of an existing veterinary hospital/clinic (1047 E. Amar Road) into the adjacent tenant space, increasing the floor area from 1,970 square feet. The site is in the “Neighborhood Commercial (N-C) zone.

Planning Manager Jo-Anne Burns presented the staff report.

Chairperson Becerra opened the public hearing.

PROPONENTS:

Frank Wisneski, spoke in favor of the request.

OPPONENTS:

None

Chairperson Becerra closed the public hearing.

Discussion by the Commission.

Motion by Gutierrez, seconded by Lewis, to waive further reading and adopt Resolution No. 22-6100, approving Conditional Use Permit No. 21-07. Motion carried 4-0 (Heng absent.)

Chairperson Becerra said this action is final unless appealed to the City Council within ten days.

NON-HEARING ITEMS

4. 2021-2029 HOUSING ELEMENT UPDATE

City Manager Dave Carmany presented the staff report.

Comment was made by Angie Gillingham.

Discussion and comment by the Commission and Mr. Carmany.

Motion by Lewis, seconded by Becerra, to receive and file. Motion carried 4-0 (Heng absent.)

**5. ADMINISTRATIVE USE PERMIT NO. 21-24
CATEGORICAL EXEMPTION**

APPLICANT: Ali Jeevanjee

LOCATION: 408 N. Azusa Avenue

REQUEST: The applicant is requesting approval of an administrative use permit to allow an indoor swim school for children. All activities related to the proposed use will be conducted indoors within the existing tenant space. The academy will be located within an existing shopping center in the “Neighborhood-Commercial” (NC)

Planning Manager Jo-Anne Burns presented the staff report.

Josh Wynn spoke in favor of the request and answered questions by the Commission.

Kim Sutliff spoke to voice her concerns about the proposed use.

Linda Jackson asked about ADA compliance.

Motion by Gutierrez, seconded by Lewis, to waive further reading and adopt Resolution No. 22-6101, approving Administrative Use Permit No. 21-24. Motion carried 4-0 (Heng absent, excused.)

Chairperson Becerra said this action is final unless appealed to the City Council within ten days.

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS - None

6. COMMUNITY DEVELOPMENT DIRECTOR’S REPORT:

a. Forthcoming – February 22, 2022

Spring Festival, March 12 and 13, 2022 at the Sportsplex.

7. CITY COUNCIL ACTION:

February 15, 2022 City Council Agenda – Public hearing for appeal of denial by the Planning Commission of Conditional Use Permit No. 21-03, 3540 E Cameron Avenue

ADJOURNMENT

Chairperson Becerra adjourned the meeting at 8:08 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant

ADOPTED AS SUBMITTED ON:

ADOPTED AS AMENDED ON:

City of West Covina
Memorandum
A G E N D A

ITEM NO. 2.

DATE: April 12, 2022

TO: Planning Commission

FROM: Planning Division

**SUBJECT: Extension of Time for Precise Plan No. 15-07, Tentative Tract Map (TTM) No. 73652, and
Variance No. 15-18 at 1920 W. Pacific Lane**

BACKGROUND:

The applicant is requesting an extension of time for the above-referenced entitlement. The entitlements expired October 2, 2020. While the applicant did not request a an extension with the City, the state passed a law extending entitlements.

In September 2022, California Governor, Gavin Newsom, signed AB1561 into law allowing housing projects involving a tentative map to be extended an additional eighteen (18) months from the entitlement expiration date, if the entitlement was still active as of March 2020 and would expire before December 2021. Based on AB1561, the new expiration date for 1920 W. Pacific Lane was April 2, 2022.

The applicant had not obtained a separate City entitlement extension. Section 26-235 of the West Covina Municipal Code, allows for up to two 1-year extensions. If the applicant had applied and was granted the two 1-year extensions, the expiration date would be October 2, 2022. With the state allowed extension and the allowed two 1-year City extensions, the applicant is requesting the first City extension.

DISCUSSION:

On October 2, 2018, the City Council approved Precise Plan No. 15-07, Tentative Tract Map No. 73652, and Variance No. 15-18 at 1920 W. Pacific Lane allowing the subdivision of one 27,129-square foot parcel for the construction of seven (7) two (2)-story townhome style condominium units with a reduced rear setback (required rear setback is 20 feet, a 15-foot setback was approved through the variance).

On March 8, 2022, prior to the applicant's expiration of their entitlements pursuant to the State extension, the property owner, Clement Zirola Jr., submitted a letter requesting an extension due to hardships caused by the pandemic. The request is for the City 1-year extension. The project has been submitted to both the Building and Engineering Divisions and approval is pending Planning division's approval, which requires approval of the extension. In addition, the applicant has recorded the Covenant & Conditions Restriction's which allows them to move forward with seeking City Council approval of the tentative tract map.

FINDINGS

An application for an extension may be granted by the Planning Commission after finding the following:

1. There have been no changes to the provisions of the general plan, any applicable specific plan, or this chapter applicable to the project since the approval of the tentative parcel map or tract map.

Subdivision standards within Chapter 20 (Subdivision Regulations) of the West Covina Municipal Code and the General Plan land use designation for the site has not changed since the project was approved in October 2018. The tentative tract map is consistent with the "Neighborhood Medium" land use designation of the West Covina General Plan. The "Neighborhood Medium" designation allows for 9 to 20 dwelling units per acre.

2. There have been no changes in the character of the site or its surroundings that affect how the policies of the general plan, any applicable specific plan, or other standards of this chapter apply to the project.

The General Plan land-use designation for the site and the properties surrounding the site has not changed since the project was approved in October 2018. The site and surrounding property has remained residential.

3. There have been no changes to the capacities of community resources, including but not limited to roads, sewage treatment or disposal facilities, schools, or water supply so that there is no longer sufficient remaining capacity to serve the project.

The resulting lots will continue to have access to school facilities, a public sanitary sewer system for the removal and disposal of wastewater, and to other utility services (power, water, gas, cable, and telephone).

RECOMMENDATION:

Staff recommends that the Planning Commission approve the extension of time for Precise Plan No. 15-07, Tentative Tract Map No. 73652, and Variance No. 15-18 to extend the expiration date to October 2, 2022. Alternatively, the Planning Commission could deny the request, requiring the applicant to resubmit the Precise Plan, Tentative Tract Map, and Variance.

Submitted by: Jo-Anne Burns, Planning Manager

Attachments

Attachment No. 1 - Extension of Time Request Letter

March 08, 2022

RE: 1920 W. Pacific Lane Project

To whom it may concern,

We respectfully request an extension of time on our project from April 2, 2022 to October 2022. Given the uncontrollable circumstances we suffered over the past two years, we were unable to complete the project as planned. Covid-19 caused a significant resource hardship for our small company and with our architectural and engineering firms. We sincerely apologize for not being able to complete it as scheduled. We believe that the requested time extension will enable us ample time to complete our project.

We'd truly appreciate your consideration in extending this project. We've remitted the required payment for an extension.

Thank you

A handwritten signature in black ink, appearing to be 'Clement Zirolì, Jr.', written over the 'Thank you' text.

Clement Zirolì, Jr.

Golden Creek Holdings

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

ADMINISTRATIVE USE PERMIT NO. 22-01

CATEGORICAL EXEMPTION

APPLICANT: Mirlande Amazan

LOCATION: 414 S Pima Ave, West Covina, CA 91790

REQUEST: The applicant is requesting approval of an administrative use permit to allow an increase in wall height.

BACKGROUND

The project site is located on the east side of Pima Ave, mid-block between its intersection with Cedarbrook Street and Walnut Creek Parkway. The subject property is in the "R-1" "Residential Single Family" Zone. The applicant is requesting approval of a 12" tall wood wall topper on top of an existing 6-foot tall block wall. This wall topper will increase the height of the property line wall from six (6) feet to seven (7) feet.

Item	Description
Zoning and General Plan	Zoning: Residential Single Family (R-1) General Plan: Neighborhood - Low Density Residential (NL)
Surrounding Land Uses and Zoning	North: Single-Family Residential (R-1) East: Single-Family Residential (R-1) South: Single-Family Residential (R-1) West: Single-Family Residential (R-1)
Current Development	Single Family Home
Legal Notice	Public Hearing Notices have been mailed to 64 owners and occupants of properties within 300 feet of the subject site.

DISCUSSION

The applicant is requesting approval of an administrative use permit (AUP) to allow for a 12" tall wood wall topper. Section 26-413(b) of the West Covina Municipal Code allows for a 1-foot (12") increase in maximum height for property line walls/fences from 6 feet to 7 feet through the AUP process. The wall topper spans approximately 42 feet in length starting from the portion of the wall facing the street and turning east towards the interior of the lot following the property line wall. The wood wall topper was installed on top of an existing 6-foot tall (maximum height) block wall without permits and is located on the south side of the residence.

If the Planning Commission approves the excess height, the applicant will be allowed to move forward to the Building Division plan check process and obtain the building permit. The applicant would like to keep the wall topper in place for privacy.

Hearing Request

Staff sent out public notices to occupants of properties within a 300-foot radius of the project site with information regarding the request to increase wall height, as specified by the AUP process. On March 12, 2022, staff received a letter from Luz Osterheim, the property owner residing in one of the single-family residential properties to the south of the project site. Ms. Osterheim is concerned with the material utilized for the wood topper and its aesthetics. Based on this request, the AUP is being forwarded to the Planning Commission. To address the neighbor's concern,

staff included a condition of approval requiring the wood wall topper to be painted to match the color of the block wall.

REQUIRED FINDINGS

Before an application for an administrative use permit can be approved, the following findings shall be made:

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

The wall topper provides the property owner additional privacy. The project meets all applicable requirements of the "Single Family Residential" (R-1) Zone, Area District I.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The wall topper in combination with the existing wall will require an engineered design and the issuance of building permits. As such, the wall topper will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The site is developed with an existing single-family residential home. The wall topper is constructed on top of an existing 6-foot tall wall located along the side yard. The site is adequate in size and shape to accommodate the wall topper.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The wall topper does not have any effect on the convenience and safety of circulation for pedestrians or vehicles in that it will not result in any visual obstructions adjacent to a right-of-way that would affect convenience and safety of circulation for pedestrians and vehicles. The wall topper will not require additional infrastructure or services beyond that provided for the existing residence.

e. That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

The granting of the administrative use permit to allow the wall topper will not adversely affect the West Covina General Plan, since the proposed use does not conflict with the site's land use designation of "Residential Low".

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15303 (Class 1, Existing Facilities) in that it consists of minor alterations of an existing structure (property line wall).

STAFF RECOMMENDATIONS

The staff recommends that the Planning Commission approve Administrative Use Permit No. 22-01, adopting Resolution No. 22-6102.

Submitted by: Jerry Rivera, Assistant Planner

Attachments

Attachment No. 1 - Resolution of Approval

Attachment No. 2 - Plans

Attachment No. 3 - Hearing Request Letter

PLANNING COMMISSION

RESOLUTION NO. 22-6102

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE PERMIT NO. 22-01

ADMINISTRATIVE USE PERMIT NO. 22-01

CATEGORICAL EXEMPTION

APPLICANT: Mirlande Amazan

LOCATION: 414 S Pima Ave

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 an administrative use permit to:

Allow for the increase in fence/wall height through the installation of a 12” wood wall topper on top of an existing 6’-0” tall block wall at 414 S Pima Ave, West Covina, CA 91790

WHEREAS, the Planning Commission, upon giving the required notice, did on the 12th day of March, 2022, conduct a public hearing as prescribed by law to consider said application; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

1. The applicant is requesting approval of a 12” wood wall topper on an existing 6’-0” tall block wall. No additional square footage proposed to the existing building. The subject property is located in “Single-Family Residential (R-1) zone.
2. Findings necessary for approval of an administrative use permit are as follows:
 - a. *That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.*
 - b. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.*

- c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.*
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.*
 - e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.*
3. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities) in that the proposed wall topper will modify an existing block wall on a site developed with a single-family residence.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

1. On the basis of evidence presented, both oral and documentary, the Planning Commission makes the following findings for approval of a administrative use permit:
 - a. The wall topper provides the property owner additional privacy. The project meets all applicable requirements of the "Single Family Residential" (R-1) Zone, Area District I.
 - b. The wall topper in combination with the existing wall will require an engineered design and the issuance of building permits. As such, the wall topper will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.
 - c. The site is developed with an existing single-family residential home. The wall topper is constructed on top of an existing 6-foot tall wall located along the side yard. The site is adequate in size and shape to accommodate the wall topper.
 - d. The wall topper does not have any effect on the convenience and safety of circulation for pedestrians or vehicles in that it will not result in any visual obstructions adjacent to a right-of-way that would affect convenience and safety of circulation for pedestrians and vehicles. The wall topper will not require additional infrastructure or services beyond that provided for the existing residence.
 - e. The granting of the administrative use permit to allow the wall topper will not adversely affect the West Covina General Plan, since the proposed use does not conflict with the site's land use designation of "Residential Low".

2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 22-01 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 administrative use permit 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 a certificate of occupancy is issued, and the violation of any of which shall be grounds for revocation of said administrative use permit by the Planning Commission or City Council.
3. The administrative use permit shall not be effective for any purpose until the owner of the property involved (or his duly authorized representative) has filed at the office of the Planning Director his affidavit stating he is aware of, and accepts, all conditions of this administrative use permit 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.
4. The costs and expenses of any enforcement activities, including, but not limited to attorney's 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.
5. That the approval of the administrative use permit is subject to the following conditions:
 - a. Comply with the plans reviewed by the Planning Commission on April 12, 2022.
 - b. Comply with all applicable sections of the West Covina Municipal Code.
 - c. Comply with all requirements of the "Single-Family Residential (R-1) zone.
 - d. The wood wall topper shall be painted to match the color of the existing block wall prior to building permit final.
 - e. Any addition or modification of the use shall require the submittal of a new administrative use permit.
 - f. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Community Development Director shall be obtained prior to implementation.
 - g. The administrative use permit may be revoked, amended and suspended by the Planning Commission under the provisions of Section 26-253 of the West Covina Municipal code.

- h. This development shall conform to all applicable Municipal regulations, Fire, Building, Mechanical, Electrical, and Plumbing codes and recognized, standards of installation.
- i. Plans and calculations to be wet stamped and signed by registered architect, civil or structural engineer.
- j. Obtain applicable permits from the Building Department for the construction of the new additions. A licensed engineer shall stamp building permits and structural calculations.
- k. This approval is effective for a period of two (2) years. All applicable building permits must be obtained within two (2) years of project approval.

1. ENGINEERING DIVISION CONDITIONS

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):

- 1. 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 Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- 2. Engineered plans along with structural calculations shall be submitted for plan review unless 60 percent or more of the increased fence open and incapable of being loaded by wind.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a special meeting held on the 12th day of April, 2022, by the following vote:

AYES:

NOES:

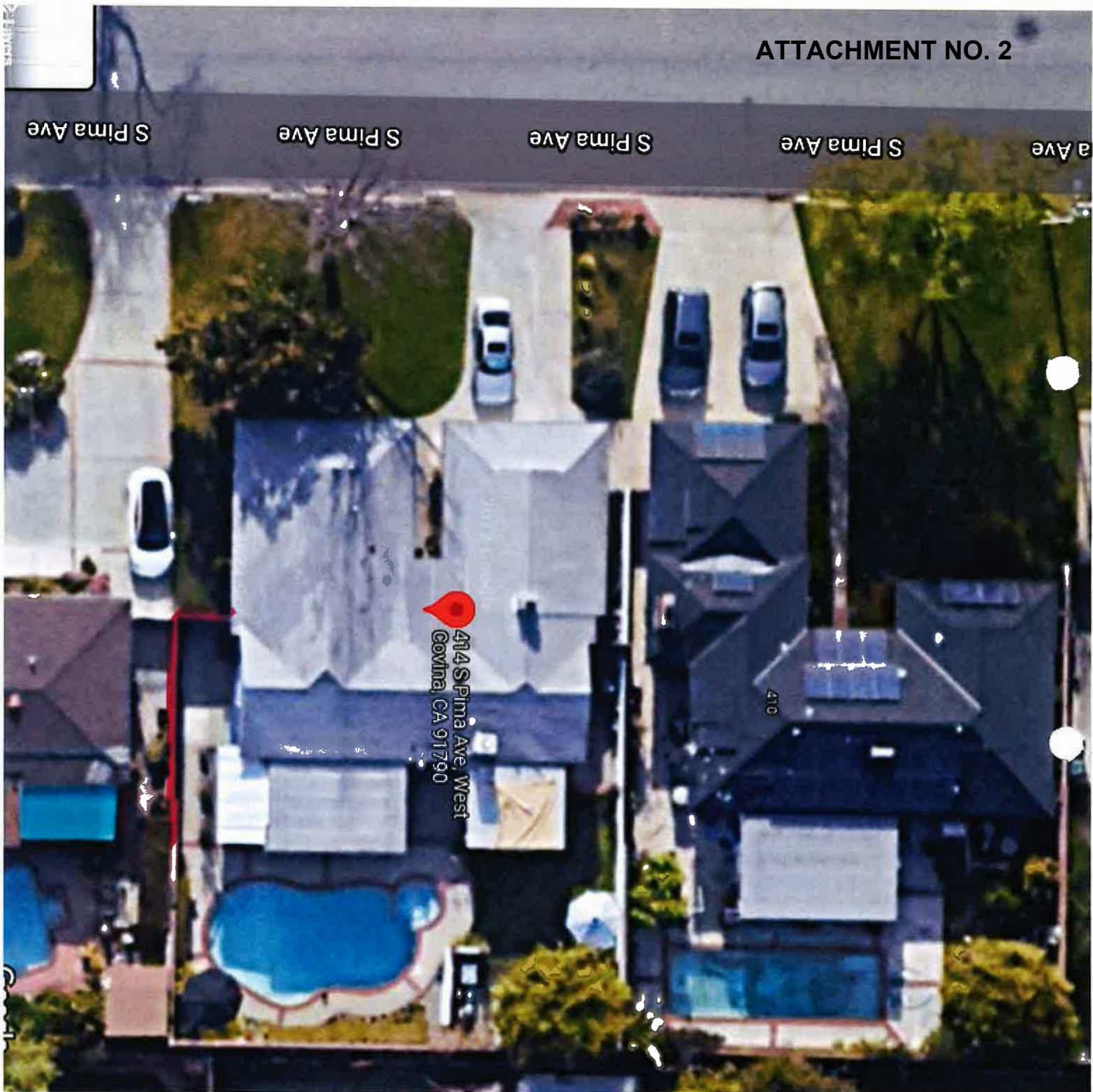
ABSTAIN:

ABSENT:

DATE:

Livier Becerra, Chair
Planning Commission

Paulina Morales, Secretary
Planning Commission



Received

FEB 15 2022

Planning Division

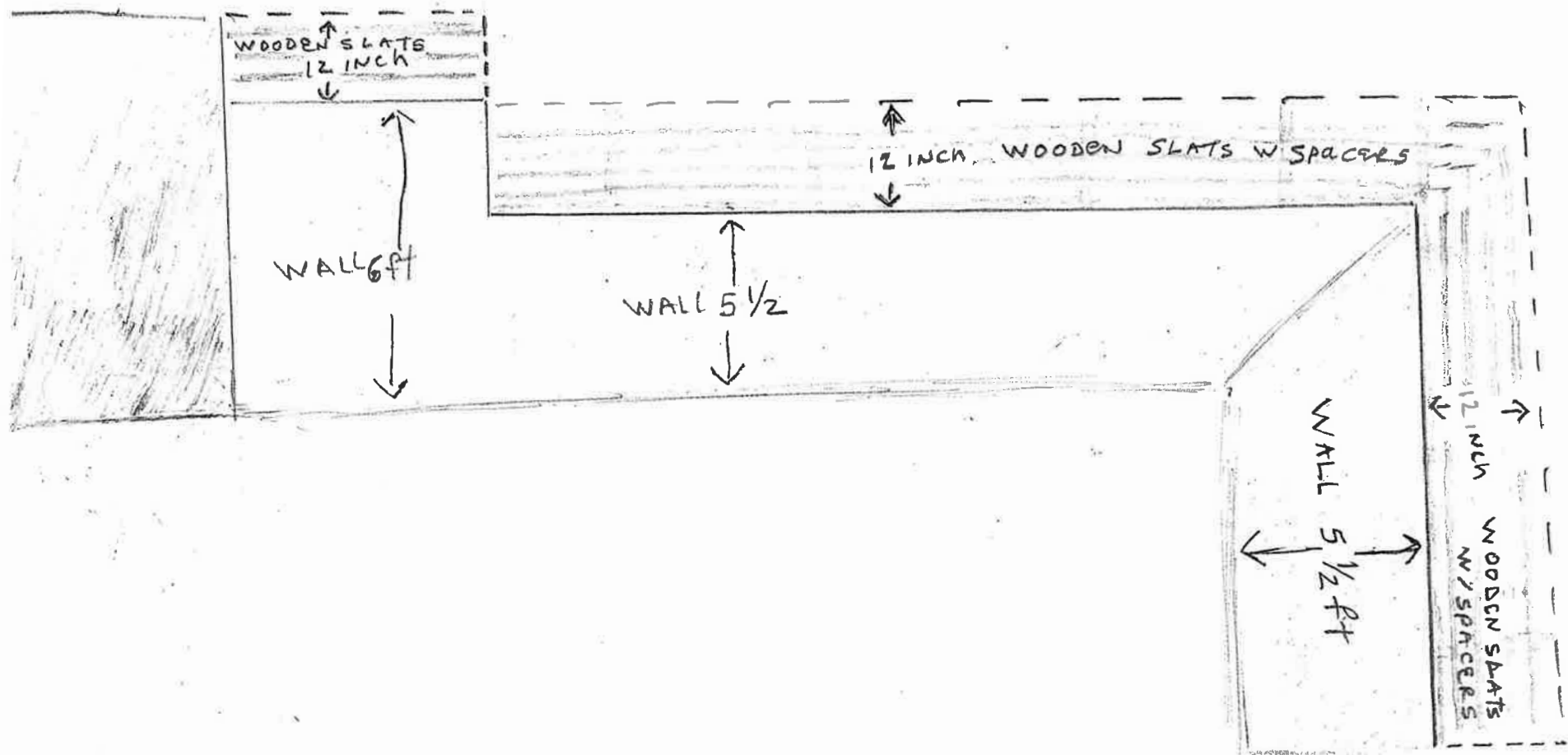
MIRLAMDE AMAZAN

HORIZONTAL WOOD FENCE TOPPER

414 S. PIMA AVE

WEST COVINA CA 91790

(PRIVACY & SECURITY WALL TOPPER)



Luz Osterheim
420 S Pima Ave
West Covina, CA 91790

March 15th, 2022

City of West Covina Planning Department
Jerry Rivera
Assistant Planner
1444 W Garvey Ave S Room 208
West Covina, CA 91790

RE: Administrative Use Permit No.22-01
Applicant: Mirlande Amazan
414 S. Pima Ave, West Covina, CA 91790

Srs:

I have a concern regarding the proposed project which was built without a permit March 2021. I am requesting a public hearing be held before the Community Development Director.

I have been in contact with the Code Enforcement Department Since March 14th 2021, Since the fence alteration is in violation of the City of West Covina Municipal Code which states that "The proposed wall or fence has been designed in an architectural integrated manner and utilizes materials that are complementary to and comparable with the surrounding area"

Mrs Amazan my neighbor utilized wood on top of the existing cinder block fence. I have no objection about the fence being raised, however, it must be done according to The Municipal Code, and use materials that will be comparable with the existing fence and not to infringe upon the view of my side of the fence.

I am hoping a Public Hearing will conclude this situation that has taken over a year due to the inability of the Code Enforcement to resolve it.

Thank you for your consideration


Luz Osterheim

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

GENERAL PLAN AMENDMENT NO. 21-01
ZONE CHANGE NO. 21-02
PRECISE PLAN NO. 21-02
TENTATIVE TRACT MAP NO. 83576
TREE PERMIT NO. 20-01 (AMENDMENT)
MITIGATED NEGATIVE DECLARATION
APPLICANT: RC West Covina, LP c/o Matt Livingston
LOCATION: 1912 W. Merced Avenue

REQUEST: The applicant is requesting approval of a precise plan and vesting tentative tract map to construct 39 residences (attached two-story townhome style units with attached garages, ranging from approximately 1,325 sq. ft. to 1,475 sq. ft.), internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on a 2.26-acre site. A tree removal permit is required to remove up to 38 significant trees on the site, with the proposed addition of 81 new trees on site.

The project also involves a request for a General Plan Amendment to change the general plan land-use designation from Neighborhood Low to Neighborhood Medium, and a Zone Change to change the zoning from Single Family Residential (R-1) to Specific Plan (S-P).

BACKGROUND

The project site is a 2.26-acre parcel located on the southwest corner of Merced Avenue and Van Horn Avenue. It was formerly developed with a one-story structure most recently used as a school. The structure was demolished in 2018. The existing driveways on Van Horn Avenue will all be removed as a part of the project. The existing driveway on Merced Avenue will be modified and used to access the site.

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN DESIGNATION	“Single-Family Residential” (R-1 Area District 1) and “Neighborhood Low Density Residential”
SURROUNDING LAND USES AND ZONING	North: Single-Family Residential; “R-1 Area District 1” South: Masonic Temple and Hurst Ranch; “R-A Residential Agriculture” East: Single-Family Residential; “R-1 Area District 1” West: Single-Family Residential; “R-1 Area District 1”
CURRENT DEVELOPMENT	Vacant site
LEGAL NOTICE	Notices of Public Hearing have been mailed to 59 owners and occupants of properties located within 300 feet of the subject site.

DISCUSSION

The applicant proposes to build a 39-unit residential project consisting of attached two-story townhome units within 6 buildings (two 9-plex, one 8-plex, one 6-plex, one 4-plex, and one 3-plex). Each dwelling unit on the site includes a two-car garage. There will also be 8 parking spaces on the site for guests, and additional street parking on available on Merced 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 38 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.

Since 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

The applicant has been actively talking to the neighbors regarding the proposed multiple family development since early 2021. The applicant sent out invitations to a community meeting to discuss the project (Attachment No. 6) to all properties within 300 feet from the project site. On February 9, 2022, the applicant held a community meeting at the Cameron Park Community Center which was attended by one neighbor.

General Plan Amendment

Approval of a General Plan Amendment (GPA) is required to enable the project to be built at the proposed density of 17.26 dwelling units per acre. The existing designation of "neighborhood low" does not allow for multifamily residential development with the desired density. 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 Merced 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 be compatible and sensitive to the single-family residential neighborhood on Van Horn Avenue.

The project site is on Merced Avenue which is designated as a "Residential Main" 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 attached for-sale housing. The attached housing will come in three floor plans. The variety of layouts and size 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, west, and east and with the Masonic Lodge and Hurst Ranch to the south of the project site.

Zone Change

Approval of a zone change from Single-Family Residential (R-1) to the Grove at Merced Specific Plan is required to enable residential development of the site at the proposed density of 17.26 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 Grove at Merced Specific Plan.

Properties to the west, north and east are zoned Single Family Residential (R-1). Properties to the south are zoned Residential-Agriculture (R-A). The proposed zone change to the Grove at Merced Specific Plan will ensure that the project is developed in a manner compatible with the existing neighboring single-family homes.

Precise Plan

The precise plan is for the review of the site plan and architecture. The proposed project is a 39-unit residential project consisting of attached two-story single-family residences with a maximum height of 28 feet (Specific Plan allows for 30

feet). The 9-plex and 8-plex buildings frontage will be along Van Horn and Merced Avenues, while the 3-plex, 4-plex, and 6-plex buildings will be sited mid-lot. Two common open space areas totaling 9,471 square feet are provided on site: one is a "pocket park" located at the west end of the site near the Van Horn Avenue cul-de-sac, and the other is located on the south side adjacent to the Walnut Creek Channel. Guest parking is disbursed throughout the site (8 guest parking spaces).

The buildings along Van Horn Avenue and Merced Avenue are set back 15 feet from the property line with the permitted architectural projections encroaching approximately 2" into the setback. The homes have front entrances facing the corresponding street. The buildings along Van Horn Avenue are separated by a 25-foot walkway/landscaped area. Each of the units'/buildings' garages open up to the internal drive aisles/private streets which are 26 feet wide. The 6-plex and 4-plex buildings are located in the middle of the lot and are separated by a 20-foot paseo/landscaped walkway. The 3-plex is located on the east side of the interior common open space area and is the closest building to the Walnut Creek Channel.

Air conditioning condensers for all dwellings are at the ground level located within the patio area. The condensers will be screened with a combination of metal screens and landscaping.

Vehicular access to the site will be provided by a driveway on Merced Avenue, the driveway (26 feet in width) will channel/route vehicles to private lanes (26 feet in width) throughout the site to the dwelling units, guest parking spaces, and private recreation area.

Architecture

The proposed architectural style is Spanish, which is characterized by a gable roof with "s" roof tiles, stucco walls, decorative wrought iron details, wood shutters, and header/sill trim window details. The buildings will utilize one of two color schemes (Page CM-1 of the project plans), both of which consist of light to dark earth tone colors with a complimentary accent (burgundy or blue).

Floor Plan Type	Total Living Area	1st floor	2nd Floor
1	1,325 sq.ft.	two-car garage, kitchen, bathroom, living room, and dining room	3 bedrooms (including master bedroom with a bathroom and two walk-in closets), laundry room, and 1 bathroom
2	1,375 sq. ft.	two-car garage, kitchen, bathroom, living room, and dining room	3 bedrooms (including master bedroom with a bathroom and one walk-in closet), a laundry room, and 1 bathroom
3	1,475 sq. ft	two-car garage, kitchen, bathroom, living room, and dining room	4 bedrooms (including master bedroom with a bathroom and one walk-in closet), a laundry room, and 1 bathroom

Each unit includes at least 108 square foot of private open space patio area.

Walls/Fences, Lighting, and Landscaping

The site is currently surrounded by a temporary chain-link fence site protection barrier which will be removed and replaced. The site and individual private patio areas along Van Horn Avenue will be enclosed with a two-foot tall stucco wall with a 3-foot tall tubular metal fence on top (5'-0" total height). A 5-foot tall stucco wall is proposed along Merced Avenue. However, a condition of approval has been included in the precise plan resolution requiring the wall/fence along Merced Avenue to be designed the same way as the fence/wall along Van Horn Avenue to provide a more active street-scape and reduce potential areas for graffiti. In addition, a 6-foot tall tubular metal fence will be constructed on the south side of the site along the Walnut Creek Wash. Wall and fence details are found on sheets L-3 and L-4.

Light poles 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 sheets L-7 and L-8.

The applicant is proposing to install landscaping on all non-paved/non-built surfaces of the site, primarily around the buildings. Street trees (Camphor and London Plane trees) approved by the City will be planted along the Van Horn Avenue parkway. Four out of the eight existing street trees along Merced Avenue will be retained, while the other four

will be removed and replaced. Additional trees of various species will be planted along the internal street network and common open space areas. A variety of shrubs and ground covers will also be planted. A total of 81 trees, including 18 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 Grove at Merced Specific Plan includes parking requirements for each dwelling unit. Each dwelling unit is required to have two parking spaces per garage. All project units have garage parking that meets this standard. At least one guest space for every 5 dwelling units will be provided. A total of 8 guest parking spaces will be located onsite. In addition, parallel street parking spaces would be provided along Merced Avenue.

Tree Removal Permit

There are a total of 52 on-site trees and 8 street trees along Merced Avenue. Development of the site will require removal of 51 of the 52 trees on-site and 4 street trees. Of these, 38 trees are significant Trees per City Ordinance (Section 26-294 Division 9 – Preservation, Protection and Removal of Trees – Protection of trees during development activity). Significant trees are defined as certain species or located within the street setback. The 38 trees proposed for removal are significant based on their placement within the street setback. These trees include four species; Chinese Privets, Indian Laurels, Washington Fan Palms, and Eucalyptus. The removal of these trees requires the approval of a tree removal permit by the Planning Commission. The applicant will be required to replace the significant trees on the site and the street trees at a 1:1 ratio, with at least half of the trees being 36-inch box trees. Tree Removal Permit 20-01 was initially approved by the Planning Commission on April 28, 2020 with the proposed construction of an Assisted Living Facility. Although the same trees are proposed to be removed, an Amendment to the tree removal permit requires Planning Commission approval because the associated project has changed.

Open Space

The proposed Grove at Merced Specific Plan includes open space requirements. Each unit has a 108 square foot (minimum) private patio area where 100 square feet is required. Two common open space areas totaling 9,471 square feet are provided on site: one is a "pocket park" located at the west end of the site near the Van Horn Avenue cul-de-sac, and the other is located on the south side of the lot adjacent to the Walnut Creek Channel. Each of these areas will have amenities for the residents such as seating and barbecues.

Community Benefit Contribution

As a part of the Precise Plan, the applicant would be required to establish a homeownership assistance program for no less than four homes. The homeownership assistance program will be made available to first-time homebuyers with priority given to existing West Covina residents, and/or low- or moderate-income individuals/families. A minimum of \$50,000 will be required to be dedicated to the program.

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 2021/2022) \$1,298 (per unit) for single-family attached/multi-family. The total development impact fees required would be \$50,600.00. In addition, the applicant is required to pay a park dedication in-lieu fee of approximately \$427,050.00.

Vesting Tentative Tract Map

The applicant has applied for a Vesting Tentative Tract Map to subdivide the land and create parcels for homeownership. The project will have 39 individual for-sale lots. 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 17.26 units per acre, which is consistent with the General Plan designation of

Neighborhood High allows a maximum density of 20 units per acre.

Below is a table summarizing the project details in comparison to the standards contained within the proposed specific plan.

	Proposed	Specific Plan Standards
Density	17.26 dwelling units per acre	9 to 20 dwelling units per acre (General Plan Designation)
Building Height	28 feet (2 stories)	30 feet maximum (2 stories)
Setbacks	15 feet to street; 10 feet interior side	Same
Ground Coverage	0.75	Same
Parking	Two garage spaces per unit; 0.2 guest parking spaces per unit (total 78 enclosed and 8 uncovered guest parking spaces)	Same
Common Open Space	242 square feet per unit (9,471 square feet total)	150 square feet per unit
Private Open Space	108 square feet per unit minimum (11,391 square feet total)	100 square feet per unit
Wall/Fence Height	5 feet along street, 6 feet along Walnut Creek Channel	Same

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 39-unit residential development. There will be 78 garage parking spaces and 8 guest parking spaces onsite as well as parallel parking spaces along the Merced Avenue frontage. The applicant is also requesting approval of a General Plan Amendment from Neighborhood- Low to Neighborhood—Medium (NM) to change the allowed residential density to accommodate the proposed density of 17.26 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 Merced Avenue. 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 3.6 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 provide attached for-sale housing. The attached housing will come in three floor plans. The variety of layouts and size 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, west, and east and with the Masonic Lodge and Hurst Ranch to the south of the project site.

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—Medium (NM), and the standards of the Grove at Merced 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 triangular shaped vacant lot that was previously 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 2.26 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 utilize Spanish style architecture with a variety of finishes, materials and colors. The two-story buildings are designed to be compatible with and complement the existing neighboring single-family residential homes. New open block walls/fencing will be constructed along the Merced and Van Horn Avenue frontages, and tubular metal fencing will be constructed along the property line separating the site from the Walnut Creek Channel. The proposed residences will 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 Neighborhood-Low 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 Grove at Merced Specific Plan.

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

The project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the proposed Grove at Merced 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 2.26 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 Grove at Merced 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 Grove at Merced Specific Plan. The proposed development will be accessible from a driveway along Merced Avenue. The site is 2.26 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 17.26 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 2.26-acre vacant parcel previously developed with a school. 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 Merced 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 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 February 22, 2022 to March 14, 2022).

Comments were received from the County Sanitation Districts of Los Angeles County. A Response to Comments was prepared and is provided as Attachment No. 7.

Traffic

KOA prepared a focused traffic analysis for the project to assess traffic impacts. The traffic analysis evaluated potential project-related traffic impacts.

The proposed use was estimated to generate 263 daily trips. According to the Focused Traffic Analysis for the proposed project, the project site is located in a low Vehicle miles traveled (VMT) area. The San Gabriel Valley Council of Governments VMT Evaluation Tool was used to determine whether the project would be below the low-VMT area screening threshold. As such, the project will not result in significant transportation impacts.

Air Quality

According to the Air Quality 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.

Required Mitigations

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

- Biological Resources (nesting birds);
- Cultural Resources (archeological resources);
- Geology and Soils (paleontological resources);
- Noise (protecting residents from elevated construction noise);
- Tribal Cultural Resources;

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. 22-6103 through 22-6107, recommending to the City Council approval of General Plan Amendment No. 21-01, Zone Change No. 21-02, Precise Plan No. 21-02, and Vesting Tentative Tract Map No. 83576.

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: Jo-Anne Burns, Planning Manager

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 Meeting Invitation

Attachment No. 7 - Responses to Comments

RESOLUTION NO. 22-6103

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR GENERAL PLAN AMENDMENT NO 22-01, ZONE CHANGE NO. 22-02, PRECISE PLAN NO. 22-01, AND VESTING TENTATIVE TRACT MAP NO. 83576, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED.

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: RC West Covina, LP c/o Matt Livingston

LOCATION: 1912 W. Merced 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 39-unit townhouse-style multiple family residential development on that certain property described as:

Assessor's Parcel No. 8467-016-020, in the records of the Los Angeles County Assessor; and

WHEREAS, an application for a General Plan Amendment to change the designation from Neighborhood—Low Residential to Neighborhood—Medium Residential has been submitted for the development of the project; and

WHEREAS, an application for Zone Change to change the zoning from Single Family Residential (R-1) to the Grove at Merced Specific Plan has been submitted for the development of the project; and

WHEREAS, an application for a Precise Plan was submitted for the physical development of the site; and

WHEREAS, an application for a Vesting Tentative Tract Map (No. 83576) has been submitted to resubdivide the property and create a condominium map to enable sale of the new homes; 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, 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 Planning Commission, upon giving the required notice, did on the 12th day of April, 2022 conduct a duly advertised public hearing to consider the subject application, at which time the Planning Commission adopted a resolution approving the Mitigated Negative Declaration; and

NOW, THEREFORE, the Planning Commission of the City of West Covina does hereby resolve as follows:

1. After receiving and considering all determinations, studies, documents, and recommendations, as well as other appropriate public comments, the Planning Commission of the City of West Covina recommends that the City Council certify 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.
2. Non-compliance with the aforementioned mitigation measures as by the monitoring department/agency and any measures taken to correct said non-compliance shall be immediately reported to the Planning Division on the City of West Covina Monitoring Checklist Form.
3. The applicant agrees to implement the aforementioned mitigation measures and monitoring or reporting requirements.
4. 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.

5. 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.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 12th day of April 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE: April 12, 2022

Livia Becerra, Chairperson
Planning Commission

Paulina Morales
Secretary Planning Commission

EXHIBIT A

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

MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP) has been prepared in compliance with the requirements of Public Resources Code (PRC) Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097. This MMP describes the procedures that will be followed to implement the mitigation measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for The Grove at Merced Specific Plan project at 1912 West Merced Avenue in the City of West Covina (proposed project) and adopted in connection with the approval of the proposed project. The intent of this MMP is to establish the following:

- (1) Verify satisfaction of the required mitigation measures identified in the IS/MND;
- (2) Provide a methodology to document implementation of the required mitigation measures;
- (3) Provide a record of the monitoring program;
- (4) Identify monitoring responsibility;
- (5) Establish administrative procedures for the clearance of mitigation measures;
- (6) Establish the frequency and duration of monitoring; and
- (7) Utilize existing review processes wherever feasible.

The City of West Covina, as the Lead Agency, is responsible for overseeing and enforcing implementation of the MMP, which shall be carried out by the City and other entities (e.g., Applicant/Construction Contractor), as shown in **Table 1**.

TABLE 1: MITIGATION MONITORING PROGRAM				
Mitigation Measure	Monitoring Phase	Responsible Party	Enforcement / Monitoring Party	Action Indicating Compliance
BIOLOGICAL RESOURCES				
BR-1 All tree removal and tree trimming activities shall be performed prior to or after the bird-breeding season of February 1 st through August 15 th (i.e., only between August 16 and January 31). If clearing/vegetation removal or tree trimming is planned to occur during the breeding season, a nest survey shall be conducted by a qualified biologist no more than one week prior to any clearing or tree trimming activities. Work may proceed only if no active bird nests are detected.	Prior to Construction	Applicant/ Construction Contractor	Planning / Building Division	Approval of nest survey by Planning Division prior to construction plan approval
CULTURAL RESOURCES				
CR-1 A qualified archaeologist shall be retained to conduct a Worker 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. 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.	Prior to Ground-Disturbing Activities	Applicant/ Construction Contractor	Planning / Building Division	Field inspection sign-off by Planning Division during WEAP training and prior to construction plan approval
CR-2 If archaeological resources are encountered during ground-disturbing activities, the City of West Covina Community Development Department shall be immediately informed of the discovery. All work shall cease in the area of the find or diverted away from the discovery to a distance of 50 feet until a qualified archaeologist has evaluated the find in accordance with federal, state, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the project shall not collect or move any archaeological materials or associated materials. Construction activity may continue unimpeded on other portions of the project site. Construction shall not resume in the locality of the discovery until the identified resources are properly assessed and consultation between the qualified supervisor, the City of West Covina Community Development Department, the applicant's representative, and all other concerned parties takes place and reaches a conclusion approved by the City of West Covina Community Development Department. The qualified archaeologist 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 resources (CEQA	During Ground-Disturbing Activities (e.g., site clearing, grading, and excavation)	Applicant/ Construction Contractor	Planning / Building Division	Planning Division approval of report prepared by the qualified archaeologist prior to obtaining Certificate of Occupancy

TABLE 1: MITIGATION MONITORING PROGRAM				
Mitigation Measure	Monitoring Phase	Responsible Party	Enforcement / Monitoring Party	Action Indicating Compliance
Guidelines 15064.5[a]) and/or unique archaeological resources (Public Resources Code 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 find. The final recommendations on the treatment and disposition of the find shall be developed in accordance with all applicable provisions of the Public Resources Code 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 find prior to issuance of a Certificate of Occupancy.				
GEOLOGY AND SOILS				
GS-1 A qualified paleontologist shall be retained to conduct a WEAP training for all construction personnel prior to the commencement of any ground-disturbing activities regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. A qualified paleontologist is a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist, which is defined as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California (preferably southern California), and who has worked as a paleontological mitigation project supervisor for a least one year.	Prior to Ground-Disturbing Activities	Applicant/ Construction Contractor	Planning / Building Division	Field inspection sign-off by Planning Division during WEAP training prior to construction plan approval
GS-2 In the event paleontological resources are encountered during construction, the City of West Covina Community Development Department shall be immediately informed of the discovery. All work shall cease in the area of the find and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. The City shall require that all paleontological resources identified on the project site be assessed and treated in a manner determined by the qualified paleontologist. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Any significant paleontological resources found during construction monitoring shall	During Ground-Disturbing Activities	Applicant/ Construction Contractor	Building Division	Certificate of Occupancy

TABLE 1: MITIGATION MONITORING PROGRAM				
Mitigation Measure	Monitoring Phase	Responsible Party	Enforcement / Monitoring Party	Action Indicating Compliance
be prepared, identified, analyzed, and permanently curated in an approved regional museum repository under the oversight of the qualified paleontologist. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist. Work in the area of the discovery shall resume once the find is properly documented and the qualified paleontologist authorizes resumption of construction work.				
NOISE				
N-1 Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with muffling devices consistent with manufacturers' standards. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.	During Construction	Applicant/ Construction Contractor	Building Division	Field inspection sign-off during construction
N-2 Temporary noise barriers with a minimum height of 10 feet shall be erected along the northern perimeter of the project site (along Van Horn Avenue) and along the westerly perimeter of the project site (along Merced Avenue from Van Horn Avenue to 100 feet south of Van Horn Avenue). 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.	Prior and During Construction	Applicant/ Construction Contractor	Building Division	Field inspection sign-off prior to and during construction
N-3 Noise generating construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators) shall be conducted as far away as possible from the nearest sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses. The construction contractor shall locate construction staging areas away from noise-sensitive uses.	Prior and During Construction	Applicant/ Construction Contractor	Building Division	Field inspection sign-off prior to and during construction
N-4 A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.	Prior and During Construction	Applicant/ Construction Contractor	Building Division	Provide contact information to City prior to construction plan approval; field inspection sign-off during construction

TABLE 1: MITIGATION MONITORING PROGRAM				
Mitigation Measure	Monitoring Phase	Responsible Party	Enforcement / Monitoring Party	Action Indicating Compliance
TRIBAL CULTURAL RESOURCES				
TR-1 The project applicant shall be required to retain and compensate for the services of a tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the Native American Heritage Commission's Tribal Contact list for the area of the project location. The tribal monitor/consultant shall only be present on the project site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The tribal monitor/consultant shall complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site ground disturbing activities are completed, or when the tribal representatives and monitor/consultant have indicated that the project site has a low potential for impacting tribal cultural resources.	Prior and During Ground-Disturbing Activities	Applicant/ Construction Contractor	Building Division	Provide contact information to City prior to construction plan approval; field inspection sign-off during construction
TR-2 Upon discovery of any archaeological resources, construction activities shall cease in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place. If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code (PRC) Section 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	During Ground-Disturbing Activities	Applicant/ Construction Contractor	Building Division	Certificate of Occupancy

TABLE 1: MITIGATION MONITORING PROGRAM				
Mitigation Measure	Monitoring Phase	Responsible Party	Enforcement / Monitoring Party	Action Indicating Compliance
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 offered to a local school or historical society in the area for educational purposes.				
<p>TR-3 Native American human remains are defined in PRC Section 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC Section 5097.98, are also to be treated according to this statute. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission and Public Resources Code (PRC) Section 5097.98 shall be followed.</p> <p>Upon discovery, the tribal and/or archaeological monitor/consultant/consultant shall immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the Native American Heritage Commission as mandated by state law who will then appoint a Most Likely Descendent.</p>	During Construction	Applicant/ Construction Contractor	Building Division	Certificate of Occupancy
SOURCE: TAHA, 2022				

PLANNING COMMISSION

RESOLUTION NO. 22-6104

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA,
CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF GENERAL
PLAN AMENDMENT NO. 22-01**

GENERAL PLAN AMENDMENT NO. 22-01

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: RC West Covina, LP c/o Matt Livingston

LOCATION: 1912 W. Merced Avenue

WHEREAS, there was filed with this City a verified application on the forms prescribed for the following reclassification:

From Neighborhood—Low Residential to Neighborhood—Medium Residential on that certain property generally described as follows:

Assessor's Parcel Numbers 8467-016-020 in the records of the Los Angeles County Assessor; and

WHEREAS, local governments are authorized by Government Code section 65350 et seq., to amend the general plan; and

WHEREAS, consistent with this request, the applicant has also requested the approval of a new Precise Plan (No. 22-01) and Vesting Tentative Tract Map (No. 83576) to allow for the development 39 residential condominium units, internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 2.26-acre; and

WHEREAS, the Planning Commission, upon giving the required notice, did on April 12, 2022, conduct a duly noticed public hearing to consider said application and did give all persons interested therein an opportunity to be heard; and

WHEREAS, studies and investigations made by the Planning Commission and in its behalf reveal the following facts:

1. The project includes a general plan amendment requesting to amend the land use designation of the property located at 1912 W. Merced Avenue from

“Neighborhood Low to “Neighborhood Medium” to allow for development to occur as indicated by the Precise 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 construct 39 multi-family residential townhome dwelling units, internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 2.26-acre site.
4. The project includes a tree removal permit to remove and replace 38 significant trees on the site.
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 Planning Commission of the City of West Covina, California, does resolve as follows:

SECTION NO. 1: Based on the evidence presented General Plan Amendment No. 22-01 is found to be consistent with the City's General Plan (as amended) and the land uses permitted within said zone classification.

SECTION NO. 2: The Planning Commission does hereby recommend to the City Council that it approve General Plan Amendment No. 22-01, redesignating the subject property from “Neighborhood Low” to “Neighborhood Medium” as set forth on Exhibit A and amending the Land Use Map of the City of West Covina.

SECTION NO. 3: The Secretary is instructed to forward a copy of this Resolution to the City Council for its attention in the manner prescribed by law.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 12th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

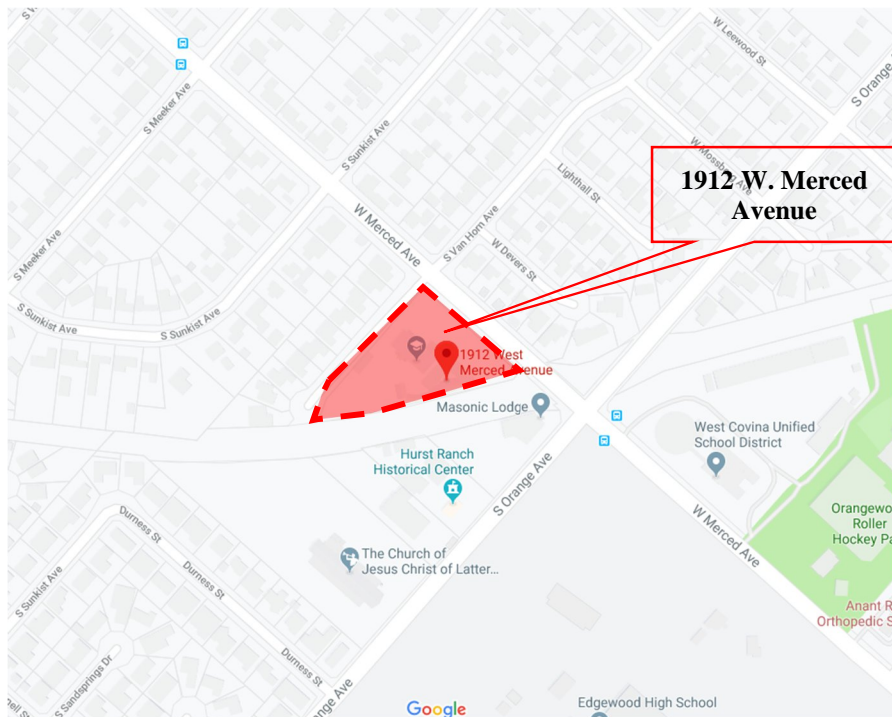
ABSTAIN:

DATE: April 12, 2022

Livia Becerra, Chairperson
Planning Commission

Paulina Morales,
Secretary Planning Commission

EXHIBIT A



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

PLANNING COMMISSION

RESOLUTION NO. 22-6105

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA,
CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE
CHANGE NO. 22-02**

ZONE CHANGE NO. 22-02

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: RC West Covina, LP c/o Matt Livingston

LOCATION: 1912 W. Merced Avenue

WHEREAS, there was filed with this City a verified application on the forms prescribed 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 Numbers 8467-016-020 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. 22-01) to amend the designation of the Land Use Element on the subject property from "Neighborhood Low" 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-32: The Grove at Merced Specific Plan"; and

WHEREAS, consistent with this request, the applicant has also requested the approval of a new Specific Plan known as "Specific Plan-32: The Grove at Merced Specific Plan", would allow for the development of a 39-unit residential development; and

WHEREAS, the Planning Commission, upon giving the required notice, did on April 12, 2022, conduct a duly noticed public hearing to consider said application and did give all persons interested therein an opportunity to be heard; and

WHEREAS, studies and investigations made by the Planning Commission and in its behalf reveal the following facts:

1. The project includes a general plan amendment requesting to amend the land use designation of the property located at 1912 W. Merced Avenue from “Neighborhood Low to “Neighborhood Medium” to allow for development to occur as indicated by the Precise 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 construct 39 multi-family residential townhome dwelling units, internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 2.26-acre site.
4. The project includes a tree removal permit to remove and replace 38 significant trees on the site.
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 Planning Commission of the City of West Covina, California, does resolve as follows:

SECTION NO. 1: Based on the evidence presented Zone Change No. 22-02 is found to be consistent with the City's General Plan (as amended) and the land uses permitted within said zone classification.

SECTION NO. 2: The Planning Commission does hereby recommend to the City Council that it approve Zone Change No. 22-02, redesignating the subject property from “Single-Family Residential (R-1)” to “Specific Plan-32: The Grove at Merced Specific Plan” as set forth on Exhibit A and amending the Zoning Map of the City of West Covina.

SECTION NO. 3: The Secretary is instructed to forward a copy of this Resolution to the City Council for its attention in the manner prescribed by law.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 12th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

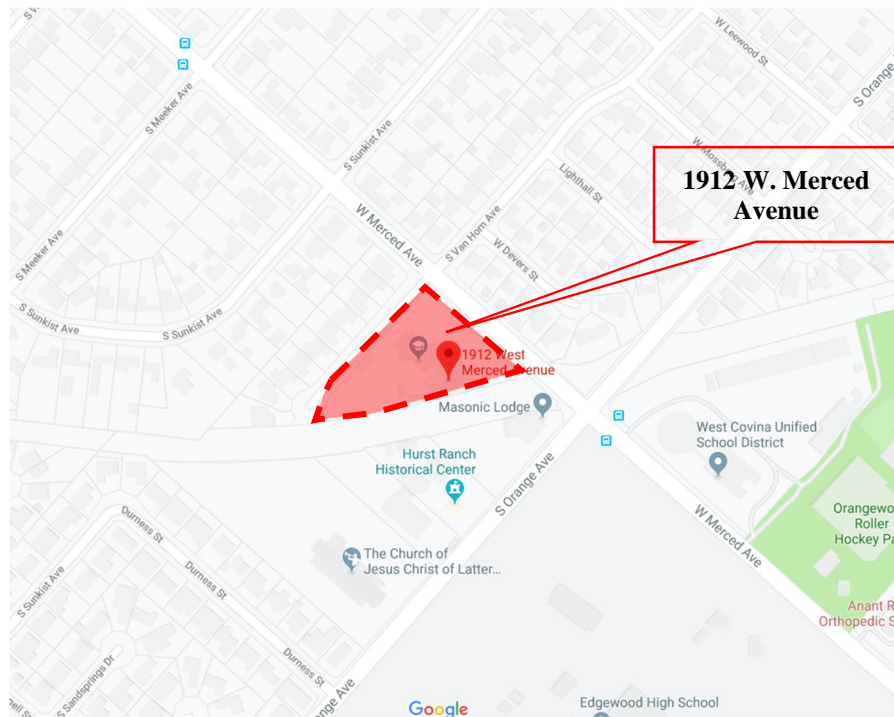
ABSTAIN:

DATE: April 12, 2022

Livia Becerra, Chairperson
Planning Commission

Paulina Morales,
Secretary Planning Commission

EXHIBIT A



Indicates the area to be changed from “Single Family Residential (R-1)” to “Specific Plan-32: The Grove at Merced Specific Plan”

PLANNING COMMISSION

RESOLUTION NO. 22-6106

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF PRECISE PLAN NO. 21-01

PRECISE PLAN NO. 21-01

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: RC West Covina, LP c/o Matt Livingston

LOCATION: 1912 W. Merced 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 39-unit multifamily residential townhome style development on that certain property described as:

Assessor's Parcel Numbers 8467-016-020 in the records of the Los Angeles County Assessor; and

WHEREAS, consistent with the request, the applicant has also requested a General Plan Amendment (No. 22-01) to amend the designation of the Land Use Element on the subject property from "Neighborhood Low" 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-32: The Grove at Merced Specific Plan"; and

WHEREAS, an application for a Vesting Tentative Tract Map (No. 83576) has been submitted to subdivide the property and create a condominium map to enable sale of the new homes; and

WHEREAS, the Planning Commission upon giving the required notice did on the 12th day of April 2022, conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

1. The applicant is requesting approval of a precise plan to approve the design and allow the construction of a 39-unit multifamily residential townhome 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 that although the project could have a significant effect on the environment, there will not be a significant effect due to mitigating measures.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, the Planning Commission 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 39-unit residential development. There will be 78 garage parking spaces and 8 guest parking spaces onsite as well as parallel parking spaces along the Merced Avenue frontage. The applicant is also requesting approval of a General Plan Amendment from Neighborhood- Low to Neighborhood—Medium (NM) to change the allowed residential density to accommodate the proposed density of 17.26 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 Merced Avenue. 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 3.6 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 provide attached for-sale housing. The attached housing will come in three floor plans. The variety of layouts and size 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, west, and east and with the Masonic Lodge and Hurst Ranch to the south of the project site.

- 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—Medium (NM), and the standards of the Grove at Merced 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 triangular shaped vacant lot that was previously 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 2.26 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 utilize Spanish style architecture with a variety of finishes, materials and colors. The two-story buildings are designed to be compatible with and complement the existing neighboring single-family residential homes. New open block walls/fencing will be constructed along the Merced and Van Horn Avenue frontages, and tubular metal fencing will be constructed along the property line separating the site from the Walnut Creek Channel. The proposed residences will 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.

2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, the Planning Commission recommends that the City Council approve Precise Plan No. 21-01 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.

3. That 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 affidavit stating he 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.
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.
5. That the approval of the precise plan is subject to the following recommended conditions:

PLANNING DIVISION

- a. Comply with plans reviewed by the Planning Commission on April 12, 2022
- b. Approval of this precise plan is contingent upon, and shall not become effective unless and until, approval of General Plan Amendment No. 21-01, Zone Change No. 21-02 and Vesting Tentative Tract Map No. 83576.
- c. These conditions of approval shall be printed on or attached to the working drawings submitted to the Building Division for approval.
- d. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
- e. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
- f. This approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.
- g. The applicant shall sign an affidavit accepting all conditions of this approval.
- h. 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.
- i. 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.

- j. 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.
- k. No parking signs shall be posted to ensure that vehicles are not parked on fire lanes and in front of garages.
- l. Graffiti-resistant coatings shall be used on all walls, fences, sign structures or similar structures to assist in deterring graffiti.
- m. Any graffiti that appears on the property during construction shall be cleaned or removed on the same business day.
- n. All outstanding fees and Development Impact Fees will be due at the time of building permit issuance.
- o. All new gutters and downspouts shall not project from the vertical surface of the building pursuant to Section 26-568 (a) (3).
- p. 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.
- q. All approved materials and colors shall be clearly indicated on the plans.
- r. 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.
- s. 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.
- t. 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.
- u. 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.

- v. All parking facilities shall comply with the “Parking Lot Design and Lighting Standards.”
- w. A 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.
- x. 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.
- y. 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.
- z. 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.
- aa. The landscape plan shall include the planting of at least 19 - 36” box-sized replacement trees pursuant to Tree Removal Permit No. 20-01. The replacement trees shall be identified as such on the landscape plan and shall be installed prior to building permit final.
- bb. 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. The new street trees shall be a minimum of 36” box-sized trees, unless the Public Services Department otherwise requires smaller sized trees.
- cc. 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.
- dd. 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.
- ee. 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.

- ff. 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.
- gg. Prior to requesting a final inspection, the Planning Division shall inspect the development.
- hh. All new utilities shall be placed underground prior to issuance of Certificate of Occupancy per WCMC 23-273.
- ii. 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.
- jj. The Zoning Code gives provisions 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.
- kk. 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 \$1,298 per unit. The proposed project will have 39 units; the estimated fees are \$50,600 ($39 \times \$1,298 = \$50,600$). The impact fees will be due at the time of building permit issuance.
- ll. 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.
- mm. 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.
- nn. The applicant shall establish a homeownership assistance program for no less than 4 homes. The homeownership assistance program shall be made available for first-time home buyers with preference provided to existing West Covina residents/and or low- or moderate-income individuals/families. A minimum of \$50,000 shall be dedicated to the program. The

homeownership assistance program shall be established prior to the approval of the model home marketing complex and shall be reviewed and approved by the Community Development Director and City Attorney's Office.

- oo. Black metal tree grates shall be installed to protect the City trees and to maintain/provide pedestrian safety. The tree grates shall be installed to the specification of the City Engineer. The property owner and/or Homeowner Association (HOA) shall be responsible for the maintenance, repair, and/or replacement of the tree grates located on the sidewalk in front of the property

BUILDING DIVISION

- a. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- b. New construction development impact fees per unit per Municipal Code Chapter 17 article IV shall be paid prior to the issuance of the building permit.
- c. Public Works Construction Tax per Section 21-89 of the Municipal Code shall be paid prior to the issuance of the building permit.
- d. School Developmental Fees shall be paid to the School District prior to the issuance of the building permit.
- e. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
- f. Applicant shall submit a site plan to Building Official for proposed addressing at the same time with the grading or building plan check submittal. An application to assign address shall be filed with Engineering Division.
- g. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
- h. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
- i. 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.

- j. 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.
- k. Prior to permit issuance the pdf copy of the soils report shall be provided by the applicant.
- l. A grading and drainage plan shall be approved by Engineering Division 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.
- m. Prior to submitting grading plans to Engineering Department, LID review shall be completed and approved.
- n. Projects shall comply with the requirements of the NPDES (NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM) prior to issuance of a Demolition, Grading & Building permit. These include requirements for sediment control, erosion control, and construction activities control to be implemented on the project site.
- o. All State of California disability access regulations for accessibility and adaptability shall be complied with.
- p. The property shall be surveyed and the boundaries shall be marked by a land surveyor licensed by the State of California.
- q. Foundation inspection will not be made until the excavation has been surveyed and the setbacks determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. **THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.**
- r. Electrical plan check is required.
- s. Mechanical plan check is required.
- t. Plumbing plan check is required.
- u. Project shall comply with the CalGreen Residential requirements.
- v. No form work or other construction materials will be permitted to encroach in to adjacent property without written approval of the affected property owner.
- w. Separate building permit is required for each detached structure.

- x. Prior to the issuance of building permit, a written consent shall be obtained from the current easement holder(s) for any proposed development encroaching into existing easement(s).
- y. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indicating this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
- z. Separate permit is required for Fire Sprinklers.
- aa. The Los Angeles County Plumbing Code requires each building to have a separate and independent connection to the public sewer. Multiple buildings can share a private main line sewer only if the Sewer Covenant is completed and recorded with the Los Angeles County Recorder.
- bb. Building permits shall not be issued until the final map has been prepared to the satisfaction of the Building Official.

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 Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- b. Applicant shall submit a site plan to Building Official for proposed addressing at the same time with the grading or building plan check submittal. An application to assign address shall be filed with Engineering Division.
- 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:
 - a) Observation of cleared areas and benches prepared to receive fill;
 - b) Observation of the removal of all unsuitable soils and other materials;
 - c) The approval of soils to be used as fill material;
 - d) Inspection of compaction and placement of fill;
 - e) The testing of compacted fills; and
 - f) 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 MS4-1 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>
- g. 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.
- 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. Adequate provision shall be made for acceptance and disposal of surface drainage entering the property from adjacent areas.
- k. 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.
- l. 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.
- m. 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.
- n. Private street improvements shall comply with Municipal Code Chapter 19, Article 8, and Planning Commission Resolution No. 2519.
- o. Prior to (issuance of Building Permit) (approval of a final map), all of the following requirements shall be satisfied:
 - a) 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.
- b) 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.
 - c) 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.
 - d) 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.
 - e) A soils erosion and sediment control plan shall be submitted to and approved by the Planning Department and Engineering Division
- p. The proposed subdivision shall conform to West Covina Municipal Code Chapter 20 - Subdivisions.
- q. 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.
- r. A park dedication in-lieu fee shall be paid to the City of West Covina prior to approval of the final map or 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).
- s. Provide will serve letter from the water purveyor that services the project area.
- t. 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.
- u. Obtain "will serve letter" from the Los Angeles County Sanitation District for the discharge of sewer into the sewer trunk line.

- v. 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.
- w. Provide the dedication of the necessary sewer easements or public utilities easement on the final map.
- x. The required street improvements shall include those portions of roadways contiguous to the subject property and include:
 - i. Remove and reconstruct existing driveway approaches shall be removed and reconstructed to meet current ADA requirements.
 - ii. Repair all damaged and off-grade curbs, gutters and sidewalks.
- y. 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.
- z. Required street dedications shall include those portions of roadways contiguous to subject property 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.
- aa. 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.
- bb. 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.
- cc. Replace existing curb ramp at the corner of Merced Avenue and Van Horn Avenue with new curb ramp in accordance with SPPWC Standard Plan 111-5 and as directed by the City Engineer or his/her designee.
- dd. Reconstruct the driveway approach located at 1912 W Merced Avenue in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.
- ee. 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.
- ff. 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.

- gg. 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.
- hh. 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.
- ii. Relocate water meter from the side walk as directed by the City Engineer or his/her designee
- jj. Install new street light to match existing street light standards in the street block, and as directed by the City Engineer or his/her designee.
- kk. Rehabilitate both Merced and Van Horn Avenues existing AC street pavement along the length of the property frontage to the centerline of the street, and as directed by the City Engineer or his/her designee.
- ll. Underground all existing and new utility services to the property.
- mm. Replace any missing street trees as directed by the City Engineer or his/her designee
- nn. LACFCD approval required for any proposed work encroaching to LACFCD property.

FIRE DEPARTMENT

- a. NFPA 13d Fire Sprinkler System
- b. Provide/Maintain 26ft Fire Apparatus Access Road and required turnaround in accordance with 2019 CFC Appendix D. Ensure turning radius is 19' inside per plan submitted fire access plan/WCFD spec
- c. New Fire Flow Test Required
- d. Required Fire Flow (Each Unit) of 1,000 GPM @ 20 psi for 2 hours
- e. Ensure 1 fire hydrant within 600 feet of all property lines or an additional hydrant will be required.
- f. Include fire lane striping and signage in architectural plan submittal. Fire lane identification, painted red curbs, striping and signage must all be completed prior to final.
- g. 2019 CFC Chapter 33 along with Sec 3308.1/3308.2/3308.3 will be required and enforced for the duration of the project
- h. Hard-wired smoke and carbon monoxide detectors with battery back-up required.
- i. Premises identification/address numbers must be added and approved by fire code official prior to final

- j. Additional Fire Department requirements may be set upon future review of a full set of architectural plans. Fire flow, hydrant & monitoring requirements will require more information and may be subject to change based on modifications involving type of construction, building configuration/square footage, stories in height, and/or fire sprinkler design criteria.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 12th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE: April 12, 2022

Livier Becerra, Chairman
Planning Commission

Paulina Morales, Secretary
Planning Commission

PLANNING COMMISSION

RESOLUTION NO. 22-6107

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 83576

TENTATIVE TRACT MAP NO. 83576

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: RC West Covina, LP c/o Matt Livingston

LOCATION: 1912 W. Merced 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 vesting tentative tract map to:

Subdivide the 2.26-acre site into 39 multi-family condominium air space lots on that certain property described as:

Assessor's Parcel Numbers 8467-016-020 in the records of the Los Angeles County Assessor; and

WHEREAS, the Planning Commission, upon giving the required notice, did on April 12, 2022, conduct a duly noticed public hearing to consider said application; and

WHEREAS, a precise plan has been submitted for the approval to construct 39-unit multifamily residential townhome style, internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 2.26-acre site; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

1. The applicant is requesting approval of a tentative tract map to allow the subdivision of a the 2.26-acre site into 39 multi-family condominium air space lots.
2. The proposed project includes a precise plan for the development of 39-unit multifamily residential townhome style, internal drive aisles, common open space, guest parking spaces, and other associated incidental improvements on the 2.26-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 Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, for Tentative Tract Map No. 83216, the Planning Commission 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 Neighborhood-Low 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 Grove at Merced Specific Plan.
 - b. *The design or improvement of the proposed subdivision is consistent with the general plan and applicable adopted specific plans.*

The project conforms to the proposed General Plan designation of Neighborhood—Medium (NM), and the standards of the proposed Grove at Merced 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 2.26 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 Grove at Merced 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 Grove at Merced Specific Plan. The proposed development will be accessible from a driveway along Merced Avenue. The site is 2.26 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 17.26 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 2.26-acre vacant parcel previously developed with a school. 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 Merced Avenue.

2. That 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.
3. That the vesting 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 vesting 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.
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.
5. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, the Planning Commission recommends that the City Council approve Vesting Tentative Tract Map No. 83576 subject to the following conditions:

PLANNING DIVISION

- a. Comply with plans reviewed by the Planning Commission on April 12, 2022.

- b. Approval of this vesting tentative tract map is contingent upon, and shall not become effective unless and until, approval of Precise Plan No. 21-01, Zone Change No. 21-02 and General Plan Amendment No. 21-01.
- c. These conditions of approval shall be printed on or attached to the working drawings submitted to the Building and Engineering Divisions for approval.
- d. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
- e. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
- f. The applicant shall sign an affidavit accepting all conditions of this approval.
- g. 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.
- h. 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.
- i. 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.
- j. The proposed subdivision shall conform to West Covina Municipal Code Chapter 20 - Subdivisions.
- k. 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 shall be enforceable by 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.
- l. 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.

- m. 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 CC&Rs shall require City Council approval.
- n. The HOA shall be responsible for maintenance of the following: all streets, curbs, and gutters, utilities (sewer and storm drain), perimeter walls, street tree grates, the Merced Avenue and Van Horn 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.
- o. 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:
 - 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.
- p. This approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.
- q. 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.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 12th day of April 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE: April 12, 2022

Livier Becerra, Chairperson
Planning Commission

Paulina Morales
Secretary Planning Commission

The Grove at Merced

New Residential Community in West Covina

RC Homes, Inc. welcomes you to stop by and learn about our proposed residential community of 39 attached single-family, two-story townhomes to be built on the vacant property located at 1912 W. Merced Avenue (cross-street is S. Vanhorn Avenue) in West Covina.

Please Join Us for a Community Information Meeting:

When: Wednesday, February 9, 2022
Between 6:00pm to 8:00pm

Where: 1350 E. Cameron Ave.
West Covina, CA 91791

Why: To learn more about this proposed new community and meet your neighbors.

RSVP: We'd be happy to know you're attending, or just hear from you if you have questions by contacting: hello@rchomesinc.com

Light snacks and refreshments will be served.

We look forward to meeting you!



COMMENTS AND RESPONSES

The Initial Study/Mitigated Negative Declaration (IS/MND) for The Grove at Merced Specific Plan project at 1912 West Merced Avenue (proposed project) was circulated for a 20-day public review period that began on February 22, 2022 and ended on March 14, 2022. The City of West Covina received one written comment on the IS/MND. The California Environmental Quality Act (CEQA) Guidelines Section 15074(b) requires the decision-making body of the lead agency to consider the proposed IS/MND and comments received during the public review process. The comment letter and response are provided in this document, which has been prepared in accordance with CEQA.

Table 1 lists the public agency that submitted written comments on the IS/MND, along with the page number on which the commenter's letter response appears.

TABLE 1: LIST OF WRITTEN COMMENT LETTERS RECEIVED			
Letter No.	Agency/Individual	Date	Response Page No.
1	Los Angeles County Sanitation Districts	March 9, 2022	4

The body of the comment letter is separated into individual comments, which are numbered. This results in a tiered numbering system.

COMMENT LETTER NO. 1



**LOS ANGELES COUNTY
SANITATION DISTRICTS**
Converting Waste Into Resources

Robert C. Ferrante
Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

March 9, 2022

Ref. DOC 6470367

Ms. Jo-Anne Burns
City of West Covina
1444 West Garvey Avenue South
West Covina, CA 91790

Dear Ms. Burns:

NOI Response to the Grove at Merced Specific Plan

The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) for the subject project on February 25, 2022. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall H Unit 8J Trunk Sewer, located in Willow Avenue, north of Yarnell Street. The Districts' 15-inch diameter trunk sewer has a capacity of 2 million gallons per day (mgd) and conveyed a peak flow of 1.1 mgd when last measured in 2015. 1-1
2. The expected average wastewater flow from the project site, described in the MND as 39 townhomes, is 7,605 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, under Services, then Wastewater Program and Permits, select Will Serve Program, and scroll down to click on the [Table 1, Loadings for Each Class of Land Use](#) link. 1-2
3. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant located adjacent to the City of Industry, which has a capacity of 100.0 mgd and currently processes an average flow of 61.2 mgd. 1-3
4. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before this project is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, the developer should contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727. 1-4

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise the developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the developer of the currently existing capacity and any proposed expansion of the Districts' facilities.

1-5

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2743, or mandyhuffman@lacsdsd.org.

Very truly yours,

Mandy Huffman

Mandy Huffman
Environmental Planner
Facilities Planning Department

MNH:mnh

cc: A. Schmidt
A. Howard

LETTER 1

Mandy Huffman, Environmental Planner
Facilities Planning Department
Los Angeles County Sanitation Districts
1955 Workman Mill Road
Whittier, CA 90601-1400

Response 1-1

This comment states that wastewater flow originating from the project site would be discharged to a local sewer line for conveyance, which is not maintained by the Los Angeles County Sanitation Districts (Districts), to the Districts' Joint Outfall H Unit 8J Trunk Sewer. The Joint Outfall H Unit 8J Trunk Sewer has a capacity of 2 million gallons per day (mgd) and conveyed a peak flow of 1.2 mgd when last measured in 2015.

Based on the information provided by Districts, the Joint Outfall H Unit 8J Trunk Sewer would have sufficient available sewer capacity to meet the demands of the proposed project.

Response 1-2

The comment states that the expected average wastewater flow from the proposed 39 townhome units would be 7,605 gallons per day (gpd).

Response to Checklist Question 3.19a in the IS/MND states that the proposed project would result in the generation of approximately 10,140 gpd of wastewater, which is higher than the estimate provided by the comment. The calculation presented in the IS/MND uses the Districts' wastewater generation factor for single-family homes while the Districts' estimated wastewater flow was calculated using the Districts' wastewater generation factor for condominiums. The estimated wastewater generation presented in the IS/MND represents a more conservative analysis. The information provided by this comment does not raise any new significant environmental issue and the impact conclusion would remain the same. The Districts' trunk sewer would have sufficient available sewer capacity and San Jose Creek Water Reclamation Plant (WRP) would have adequate remaining available treatment capacity to accommodate the proposed residences on the project site, and impacts would remain less than significant.

Response 1-3

The comment states that wastewater generated by the proposed project will be treated at the San Jose Creek WRP, which has a capacity of 100.0 mgd and currently processes an average flow of 61.2 mgd.

Response to Checklist Question 3.19a in the IS/MND states that wastewater generated from the project site would be treated at the San Jose Creek WRP. The WRP treats approximately 58.5 mgd of wastewater and has the capacity to treat up to 100 mgd of wastewater. The IS/MND presents a lower amount of wastewater that is treated at the San Jose Creek WRP than provided by the commenter. Based on the Districts' expected average wastewater flow of 7,605 gpd from the proposed townhomes, the San Jose Creek WRP would have adequate remaining available treatment capacity to accommodate the proposed project. Based on the average wastewater flow of 10,140 that was presented in the IS/MND, which is a more conservative estimate than provided by the Districts, the San Jose Creek WRP would still have adequate remaining available treatment capacity to accommodate the proposed project. The information

provided by this comment does not raise any new significant environmental issues and does not change the impact conclusions. Impacts would remain less than significant.

Response 1-4

The comment states that payment of a connection fee may be required before the proposed project is permitted to discharge to the Districts' Sewer System or to increase the strength or quantity of wastewater discharged from connected facilities. The comment also includes information on how to obtain more information regarding the connection fee application procedure and fees, as well as a copy of the Connection Fee Information Sheet.

The applicant will be made aware of the sewer connection fee and, if an expansion of the sewerage system is necessary to accommodate the proposed project, the applicant will be required to pay the Districts' capital facilities fee to fund said expansion.

Response 1-5

The comment states that the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Government (SCAG). The comment further states that all expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the regional growth forecasts. The available capacity of the Districts' treatment facilities will be limited to levels associated with this regional growth forecast. The letter does not constitute a guarantee of wastewater service but is to advise the developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the developer of the currently existing capacity and any proposed expansion of the Districts' facilities.

The applicant will be made aware of the Districts' intent to provide wastewater services up to the levels that are legally permitted. The existing capacity for the Amar Road Trunk Sewer and at the San Jose Creek WRP is acknowledged. As discussed in Response to Checklist Question 3.14a of the IS/MND, the proposed project is estimated to increase population by 135 persons, which would represent approximately two percent of the projected population increase for the City and would be within the SCAG 2040 population forecast for the City. The information provided by the Districts does not raise any new significant environmental issues and does not change the impact conclusions. Impacts to wastewater facilities would remain less than significant.

ITEM NO. 5. a.

DATE: April 12, 2022

TO: Planning Commission
FROM: Planning Division
SUBJECT: Forthcoming - April 26, 2022

Attachments

Forthcoming 4.26.22

AGENDA NO. 5. a.

DATE: April 12, 2022

FORTHCOMING PLANNING COMMISSION HEARING

April 26, 2022

A. CONSENT CALENDAR

None

B. PUBLIC HEARINGS

None

C. NON-HEARING ITEMS

None

May 10, 2022

A. CONSENT CALENDAR

None

B. PUBLIC HEARINGS

CODE AMENDMENT NO. 22-02

ADU ORDINANCE REVISION

LOCATION: CITYWIDE

C. NON-HEARING ITEMS

STUDY SESSION – INITIATION OF CODE AMENDMENT PERTAINING TO
PUBLIC HEARING NOTIFICATION