

**MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF COVINA, HELD IN THE CITY HALL COUNCIL CHAMBER, 125 EAST COLLEGE STREET, ON TUESDAY, JANUARY 25, 2005, AT 7:30 P.M.**

Chairman Hodapp called the meeting to order and led in the pledge of allegiance.

**MEMBERS PRESENT:** Commissioners Anderson, Chadwick, Fox, Hodapp and Sloan

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Michael Marquez, Community Development Director  
Dean Sherer, Acting City Planner  
Scott Pierson, Lieutenant, Police Department  
Michael Scott, Supervising Civil Engineer  
Alan Carter, Associate Planner  
Shelby Williams, Associate Planner  
Gustavo J. Romo, Project Planner  
Jim Priest, Assistant City Attorney  
Joanne Rumpler, Planning Secretary

**MINUTES OF THE REGULAR MEETING OF JANUARY 11, 2005** Chairman Hodapp asked if there were any additions or corrections to the minutes of the regular meeting of December 14, 2004.  
There were none.

Mr. Fox moved, seconded by Mr. Sloan, to approve the minutes of January 11, 2005 as submitted.

Motion carried.

**AMENDMENTS TO THE AGENDA:** None.

**DEDICATION:** Mr. Fox said that he would like to dedicate this meeting to former Planning Commissioner George Stoops, Building Official Kyle Randall's father, Joel Randall, and Associate Planner Shelby William's father, Albert McDade Jr., all of whom passed away recently.

**ORAL COMMUNICATIONS:** None.

**DECLARATION OF POSTING AGENDA:** Michael Marquez, Community Development Director, hereby declares that the agenda for the January 25, 2005, Planning Commission Meeting was posted at the entrance of City Hall, 125

East College Street, Covina, in accordance with Section 54954.2(a) of the government code.

**ITEM NO. 2A  
ZCH 04-003**

Continued Public Hearing of Application ZCH 04-003, a zone change to change the zoning of the site from “C-2 – Neighborhood Shopping Center” to “C-3A (PCD) – Regional or Community Shopping Center – Planned Community Development” upon property located at 412 West Arrow Highway, Covina  
M. C. Strauss Company, applicant

Mr. Sherer presented the staff report (copy on file in the Planning Division). Mr. Sherer said that the applicant has requested that his items be divided into two separate applications.

Chairman Hodapp asked for comments from the Commission.

There were none.

Chairman Hodapp reopened the public hearing and asked if anyone wished to speak on this matter. The following spoke:

1. Michael Rubin, representing M. C. Strauss Company, 990 Highland Drive Suite 200, Solano Beach CA 92075

Mr. Rubin came forward and said that he has nothing to add to the presentation, and asked if the Planning Commission had any questions.

Chairman Hodapp asked if anyone else wished to speak on this matter. There was no response.

Chairman Hodapp closed the public hearing and asked for comments from the Commission.

Mr. Anderson said that he does not like to have a less restrictive zone in this area. He feels that we need to keep higher standards in this area rather than reducing standards, but it meets all of the necessary requirements of the law.

Mr. Chadwick said that this gives the owner more latitude in businesses and more opportunities to develop the site. This shopping center has not been vibrant for a long time.

Chairman Hodapp said that the change would help revitalize this corner.

Mr. Fox moved, seconded by Mr. Chadwick, that the Planning Commission recommend to the City Council approval of Application ZCH 04-003.

Ayes: Sloan, Fox, Anderson, Chadwick, and Hodapp

Noes: None

Absent: None

Motion carried.

**ITEM NO. 2B  
CUP 04-005**

Continued Public Hearing of Application CUP 04-005, a conditional conditional use permit to allow the operation of an approximate 12,000 square foot restaurant, including the serving of alcoholic beverages, and a family-friendly entertainment facility of billiards tables, video games, etc. upon property located at 412 West Arrow Highway, Covina  
M. C. Strauss Company, applicant

Mr. Sherer presented the staff report (copy on file in the Planning Division). Mr. Sherer said that a representative from the Police Department is here to address the Planning Commission on their issues.

Scott Pierson, Lieutenant in charge of detectives for the Covina Police Department, came forward and said that he is here this evening to speak in strong opposition of granting this permit. This shopping center has an extensive criminal history. A bar was just shut down across the street from this location. Local residents are within walking distance and are looking for another place to drink. If this use is allowed, Covina will get all these people. Lieutenant Pierson gave criminal history on Shooters, a pool hall on Citrus Avenue in West Covina. He stated that these places do tend to become a hangout for certain people we don't want in Covina. A letter was received from Mr. Silva, which was read into the record. Lieutenant Pierson said that the Municipal Code states that no one under the age of 18 is allowed into one of these establishments unless accompanied by an adult. This proposed project will impact parking, especially with the Bingo. Lieutenant Pierson said that he projects that this establishment will be a significant drain on Police resources and there will be an increase in violent crime in the area. The Police Department is strongly opposed to this.

Chairman Hodapp asked for questions from the Commission.

There were none.

Chairman Hodapp reopened the public hearing and asked if anyone wished to speak on this matter. The following spoke:

1. Michael Rubin, representing M. C. Strauss Company, 990 Highland Drive Suite 200, Solano Beach CA 92075

Mr. Rubin came forward and said that his company has had difficulty communicating with the owner of the billiard/restaurant facility in the last two weeks, and that they expected to see someone from that prospective tenant's business here. Mr. Rubin

requested a continuance from the Planning Commission to see if the tenant wants to go forward with this application.

Chairman Hodapp asked if anyone else wished to speak on this matter. There was no response.

Chairman Hodapp closed the public hearing and asked for comments from the Commission.

Mr. Fox said that in order to meet the definition of a bona fide eating establishment, the amount of space the food service, preparation and storage area would equal seventy percent of the total floor area, with thirty percent left over for everything else; he would not want alcohol served at this location.

Mr. Anderson said that he agrees with Mr. Fox. Combining billiards with alcoholic beverages is not something we want in our community.

Mr. Chadwick said that he shares the other Commissioner’s concerns. There are too many uncertainties. He is concerned with the parking issues, and additional nights of Bingo would further complicate this. Mr. Chadwick said that he cannot support a billiards development at this location.

Chairman Hodapp said that he concurs with his colleagues. The numbers are not there for a bona fide eating establishment.

Mr. Fox moved, seconded by Mr. Chadwick, that the Planning Commission deny Application CUP 04-005.

Ayes: Sloan, Fox, Anderson, Chadwick, and Hodapp

Noes: None

Absent: None

Motion carried.

Chairman Hodapp indicated that the decision of the Commission would be considered as final unless an appeal is filed within ten days in writing to the City Council.

Chairman Hodapp declared a recess at 8:13 p.m. The meeting reconvened at 8:21 p.m.

**ITEM NO. 3** Public Hearing of the following applications as they relate to the  
**SPR 04-039** property located at 555 – 615 North Third Avenue, Covina:  
**TTM 62309** The Olson Company, applicant  
**CUP 05-001**

- a. Application SPR 04-039, a Site Plan Review for the construction of residential condominiums and site improvements;

- b. Application TTM-62309, a Tentative Tract Map for the subdivision of one parcel into 90 condominium spaces and one common open space parcel; and
- c. Application CUP-05-001, a Conditional Use Permit to allow three-story buildings.

Mr. Romo presented the staff report (copy on file in the Planning Division).

Chairman Hodapp asked for comments from the Commission.

Mr. Sloan asked if there is a wall between the railroad line and this property. Mr. Romo replied that there is a six foot wall in place. Mr. Sloan asked if the applicant intends to raise this wall. Mr. Romo replied that the applicant has not proposed any modifications to that wall.

Mr. Fox asked if any of the units will be ADA compliant. Mr. Romo replied that this will be taken care of during the plan check process. The proposed buildings have no elevators. This is a private development and there are no requirements for ADA compliance.

Mr. Fox asked about the number of trash containers and their locations. He asked if the applicant will be adding any. Mr. Romo said that this is a concern to staff also. The revised plan showed the trash enclosures; a condition is in place to obtain approval from the local refuse provider for the location and number of refuse containers proposed.

Mr. Fox said that Item 16b of the Initial Study checklist indicates that this development will have no impact on water or wastewater. A condition should be added requiring the applicant to provide their fair share to upgrade the sewer line; then the Initial Study should indicate less than significant impact. Mr. Sherer said that staff is in agreement. This should be marked as "less than significant" because mitigation is being incorporated in the form of upgrades to the sewers in the area. Mr. Romo said that Item 16e also addresses sewers and is marked as "less than significant." because mitigation is being provided. Staff will change Item 16b to "less than significant."

Mr. Anderson asked if twenty percent of the cost of the signalization is a fair share; it seems low compared to the amount of houses that are going in. Mr. Romo replied that the Traffic Study shows that residential use produces far less trips than if the industrial use is fully occupied. This project represents thirty-two percent of trip generation.

Mr. Chadwick said that Third Street is to be reconstructed, but no fair share is listed. Condition Number 3.16.10 states that the developer shall pay the full cost. Mr. Sherer replied that the Engineering Division is requiring this condition. Since that time, discussions with the applicant were held; he may request a relief or amendment to this condition because he does not wish to be responsible for the reconstruction of Third Avenue and will want to discuss this with the Planning Commission. A representative from the Engineering Division is present this evening to address infrastructure upgrades.

The Commission and staff discussed the height of the buildings, guest parking, minimum parking standards, private park areas, and signage in public areas.

Chairman Hodapp opened the public hearing and asked if anyone wished to speak on this matter. The following spoke:

1. Eric Everhart, representing the Olson Company, 3020 Old Ranch Parkway Suite 400, Seal Beach, CA 90740

Mr. Everhart came forward and gave a Power Point presentation on the proposed project, including site plans, elevations, and renderings. Mr. Everhart said that they hoped to begin demolition in early April 2005, model construction in June 2005, and model opening in December 2005. Mr. Everhart said that the Olson Company is the first to submit under the new Town Center Specific Plan. He hopes for a reciprocal agreement for the sewer improvements, and requests that Condition Number 3.19.1 be revised to allow the standard County Fire Department approved hammerhead configuration.

2. Pat Duff, 149 North Barranca Avenue, Covina, CA 91723

Ms. Duff came forward and said that this is a pretty project. The choice and placement of the trees was well thought out and will benefit to the energy conservation on the site. Ms. Duff said that she had a concern with the sewer issue, but staff has addressed this. Ms. Duff requested that ISA standards for maintenance be added to the CC&R's. Ms. Duff said that Condition Number 3.16.38 is a little vague and that a protection plan is needed if it is the intent to save those trees. The sewer and road are a shared potential responsibility; the hospital has a fair share of responsibility of the sewer line. The hospital and the Metrolink parking structure share responsibility for the maintenance of the road. If this road is going to be torn up, the sewer area is a hot spot. We should consider putting a new sewer line down Third Avenue while that street is torn up.

3. Paul O'Neill, 21121 Mesarica Road, Covina, CA 91724

Mr. O'Neill said that he has a State Farm office on San Bernardino Road by Third Avenue. He said that there has been talk about a right turn lane, and asked if they are going to take out part of the car lot for that.

Michael Scott, Supervising Civil Engineer, came forward and said that the Engineering Division has reviewed the Tentative Tract Map. There are three critical situations and challenges: sewer, roadway ingress and egress, and traffic signals. Mr. Scott said that the sewer line in Badillo Street which goes through Adams Park to San Bernardino Road is undersized. This is separate than the line for the hospital. The City has implicated a Sewer Impact Ordinance; money is to be contributed for sewer line deficiencies and will pay to upgrade or construct a new line to the site. The City is not asking for dedication from the West side; there is sufficient width in Third Avenue to reconstruct the whole street. We need this roadway for people to get to and from this development. The City is asking the developer for the full cost to reconstruct Third Avenue.

Chairman Hodapp asked if the right turn lane will take part of the west side of Third Avenue. Mr. Scott replied that the developer's engineer will need to give a plan to the Engineering Division for review. He thinks there is sufficient width to satisfy everyone. Mr. Everhart distributed a plan to the Commission. He said that he has worked with Mr. Scott for over a year;

they will be able to widen the street and meet standards within the current right-of-way. They want to work out an agreement for future reimbursement.

4. John Ellena, 1120 South Montezuma, West Covina

Mr. Ellena came forward and said that he owns a house on North Fourth Street and is concerned with the project and its effect on the value of his house. Mr. Ellena said that this seems like a positive thing compared to what is there now, but he is concerned with the parking and the traffic going out of Fourth Street. He is in favor of the traffic signal.

Chairman Hodapp asked if anyone else wished to speak on this matter. There was no response.

Chairman Hodapp closed the public hearing and asked for comments from the Commission.

Mr. Sloan said that this looks like a nice project.

Mr. Fox moved, seconded by Mr. Chadwick (with comments), that the Planning Commission approve application SPR 04-039, with changes to the conditions on parking standards in Phase 1 and signage in private areas, subject to the following conditions:

Mr. Chadwick asked if staff is still recommending Condition Number 3.17.10 regarding the reconstruction of Third Avenue as it is currently worded. Mr. Sherer replied yes, unless the Commission amends it. Mr. Chadwick said that there is no basis for this.

Mr. Chadwick asked if there are any other conditions that staff has proposed that have since been changed. Mr. Sherer replied that two changes were introduced tonight. One is that Phase 1 will meet minimum parking standards, and the other is that appropriate signage be provided in private areas.

Mr. Sherer said that there is one additional amendment to the conditions as requested by the applicant for Condition Number 3.19.1. Mr. Chadwick asked what staff's response is. Mr. Anderson said that the Commission has no control over what County Fire wants. Mr. Sherer said that he agrees with the Planning Commission. The applicant may want to provide information on this amendment. These plans have to be submitted to the Los Angeles County Fire Department for approval. We may not want to change it at this stage.

Mr. Everhart said that he would like to clarify that this shows City support for a hammerhead. The County Fire Department can request this a couple of different ways. First they said this should be a cul-de-sac, but it will cut into this site and Metrolink. Mr. Anderson said that we do not have much control over what the County Fire Department will accept. Mr. Everhart said that if it is in the conditions that the City will accept a hammerhead, it will help.

Mr. Fox said that he had no objections.

Mr. Chadwick asked Mr. Scott if he had any comments. Mr. Scott said that the County Fire Department has strict standards; they will dictate the width of private streets. There is not much flexibility. Mr. Chadwick said that we should leave this condition as is.

Mr. Everhart said that he would like his civil engineer to make a statement.

Mr. Rany Awad, representing B & E Engineers, 24 West St. Joseph Street, Arcadia CA 91007, came forward and said that he has met with the County Fire Department, who told him that this would be a standard cul-de-sac or a hammerhead. The Olson Company is proposing a hammerhead, which was not an objection from the County Fire Department and will meet their standards. They are requesting this condition be stated in a way that will allow a design switch.

Mr. Fox said that the Fire Department said that they would like a cul-de-sac but will accept a hammerhead. In that case, the Planning Commission would not have to do anything. Mr. Awad said that he would like the City to recommend this.

Mr. Priest said that this is a County jurisdictional matter; the city does not have the authority to impose this, but can suggest it if they want.

Mr. Fox said that the Tentative Tract Map shows a hammerhead. If the Commission recommends approval of this Map, they are recommending approval of the hammerhead. Mr. Priest said that this is stated on the map and may be approved by Council. If the County Fire Department does not accept this, it will have to be amended.

Mr. Chadwick suggested that the Planning Commission leave Condition 3.19.1 as is but add a sentence that the Planning Commission is making a recommendation that the City would accept a hammerhead if it is approved by the County.

Mr. Fox amended his motion to include the three changes. Mr. Chadwick amended his second to that motion.

## **1.0 TIME LIMITS**

- 1.1 *Site Plan Review (SPR) 04-039 and Conditional Use Permit (CUP) 05-001:***  
Approval of this application will expire one-year from the date of project approval if building permits are not issued. The applicant may apply to extend the expiration date for a period not to exceed one year upon written request to the City Planner. The request must be approved by the City Council prior to expiration of the applications.
- 1.2** Site Plan Review (SPR) 04-039 and Conditional Use Permit (CUP) 05-001 shall not take effect until Tentative Tract Map 62309 is approved by the City Council and takes effect.

## **2.0 GENERAL REQUIREMENTS**

- 2.1** Failure to comply with any conditions of approval noted herein or any Mitigation Measures (referring to Mitigation Monitoring Program of accompanying Mitigated Negative Declaration) or any future violation of conditions may result in revocation of project approval by the City.
- 2.2** The project or uses may proceed only in accordance with approved plans on file with the Community Development Department, all representations of record made by the applicant(s), the conditions contained herein, environmental-related Mitigation Measures, and the Covina Municipal Code and the Covina Design Guidelines. In addition, any future proposed changes or modifications in the design of any site component approved herein shall not proceed without City approval.
- 2.3** Final plans incorporating all conditions of approval and any plan changes required in the approval process shall be submitted for review and approval by the City Planner prior to building permit issuance in conjunction with the Plan Check process of the Building Division. Conditions listed herein shall be printed upon the face of and included as part of the plans as required by the City Planner.
- 2.4** The Project design is conceptual and shall be subject to separate design review for building elevations and landscaping. The design review shall be completed to the satisfaction of the Community Development Director or designee prior to building plan check submittal. A complete building materials illustration board, describing material, brands, types, and applicable reference numbers shall be submitted to the Planning Division. Minor modifications in elevation details and/or colors may be submitted with detailed drawings and/or information to the City Planner for review and approval prior to or during the subsequent Plan Check process.
- 2.5** Approval of these applications will not waive compliance with the Covina Municipal Code or the Covina Design Guidelines and any other applicable ordinances, laws, statutes, or regulations applicable to development and occupancy of the subject future residential project that are in effect at the time of building permit issuance.
- 2.6** The location and orientation of all principal components of the future development shall conform to the approved site plan. These components shall include, but not be limited to, buildings, yard areas, block walls and fences, walkways, parking stalls and drive aisles, and landscaping or planters.
- 2.7** All drive aisles shall be at least 28 feet wide and meet all emergency vehicle accessibility provisions of the Los Angeles County Fire Department.
- 2.8** There shall be at least 3 feet of clear space in the narrowest areas between building walls and block walls or fences for emergency accessibility (i.e. – chimneys, a/c units, etcetera shall not be located closer than 3 feet to walls/fences).

- 2.9** All air conditioning compressors, as well as any outdoor equipment, shall be prohibited from being located along the street frontage. All air conditioning compressors shall be placed within the fenced usable yard areas and shall not interfere with emergency accessibility.
- 2.10** New decorative combination block wrought-iron walls shall be installed along the western perimeter of the property facing Pollard Lane.
- 2.11** Block wall and fencing improvements shall be installed in perimeter and interior areas of the site, conforming to all block wall and fencing details and specifications on the submitted conceptual landscape plan. In addition, the sides of the perimeter block walls that are publicly visible shall be specially treated with an anti-graffiti coating.
- 2.12** The ground material of project site entry areas shall consist of decorative colored brick/concrete pavers or stamped concrete. The areas where these materials are to be installed shall be shown on the approved landscape plan.
- 2.13** Any future building improvements shall conform to all provisions noted herein and shall address all applicable City planning- and building-related codes and standards and permit issuance requirements and processes.
- 2.14** All construction must conform to the Construction Mitigation Plan or the City Noise Ordinance, prohibiting construction between 8:00 p.m. and 7:00 a.m. on any day and on Sundays and Holidays (except by special permit), whichever is stricter. Loud noise generating activities such as crushing concrete pavement will be restricted to 7 am – 6 p.m.
- 2.15** All landscape or planter areas shown on the approved landscape plan shall remain landscaped in perpetuity. These areas shall not be paved or used for storage or any similar purpose inconsistent with the intent of this approval.
- 2.16** The property and all improvements, including landscaping, must be maintained in a sound, healthy, and attractive condition free of weeds, visible deterioration, graffiti, debris and/or other conditions that violate the Covina Municipal Code.
- 2.17** All improvements must be constructed in a good workmanlike manner, consistent with the standard best practice of the subject trades and in a manner acceptable to the City.
- 2.18** The City has the right of entry to inspect the premises to verify compliance with the conditions of approval and the Covina Municipal Code at any time.
- 2.19** This approval will not be effective for any purposes until the applicant and the property owner have filed with the Planning Division an affidavit stating that they are aware of and agrees to accept all of the conditions of this grant.

- 2.20** The applicant must defend, indemnify and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The City must promptly notify the applicant of any claim, action, or proceeding and must cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant will not thereafter be responsible to defend, indemnify, or hold harmless the City.
- 2.21** The applicant must reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this approval. Although the applicant is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation will not relieve the applicant of any obligation under this condition.
- 2.22** If any provision of this approval is held or declared to be invalid, the permit will be void and the privileges granted hereunder will lapse.
- 2.23** The costs and expenses of any code enforcement activities, including, but not limited to, attorneys' fees, caused by applicant's violation of any condition or mitigation measure imposed by this application or any provision of the Covina Municipal Code must be paid by the applicant.
- 2.24** The placement of post box receptacles must be coordinated with the Covina Post Office. The Planning Division will review the proposal.
- 2.25** All Third Street/Geneva Place access as well as underground street work shall be coordinated with the Transportation Division in charge of managing the Covina Metrolink Transit Complex Project in order to avoid potential conflicts.
- 2.26** Based on the traffic and circulation study, appropriate directional signage shall be installed to address circulation on Third Avenue during peak Covina Metrolink Commuter hours.
- 2.27** Parking required for the construction crews of the housing project shall not conflict with parking for the construction crews involved with the Covina Metrolink Transit Complex; have parking designated for their use on: 1) the whole of Geneva Place, 2) the 600 Block of North Third Avenue, and 3) the 200 Block of West San Bernardino Road. Applicant will have to coordinate this with City staff.
- 2.28** Applicant shall investigate installation of pedestrian linkage improvements on Third Avenue with the Covina Metrolink Transit Complex Project. City staff may consider further pedestrian improvements, which could further connect the Project with the parking structure and the Covina Metrolink Station.

- 2.29** The project will require a Mitigated Negative Declaration of Environmental Impact under the California Environmental Quality Act (CEQA). This will necessitate the filing of a Notice of Determination and payment of a filing fee. All Mitigation Measures under the Mitigation Monitoring Program of this process shall be fulfilled.

**3.1 PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:**

- 3.2** The construction plan/documents must include specific details and delineation incorporating these conditions of approval and environmental-related Mitigation Measures, including any required Planning Division-related modifications. The Planning Division will hold approval of these conditions in abeyance until they review and approve the construction plan/documents.
- 3.3** All of the conditions of approval listed herein, plus associated Mitigation Measures which apply to improvement and construction plans, must be printed upon the face of and included as part of the final plans and specifications that are submitted during the plan checking functions for which building permits are issued.
- 3.4** Revised plans incorporating any and all modifications pertaining to the planning approval process must be submitted for review and approval by the City Planner prior to or in conjunction with the start of the plan check process.
- 3.5** All subsequent required plans must be coordinated for consistency and any easements of record or required easements shall be reflected on the site plan along with off-site improvements and off-site conditions of approval and buildings within 10 feet of the eastern property line.
- 3.6** *(As modified by the Planning Commission on January 25, 2005)* Phase I of the development shall meet the City's minimum parking requirements, including the requirement for guest parking.
- 3.7** A written agreement shall be executed with the City obligating the Developer to complete all phases of development.
- 3.8** A written agreement shall be executed with the City obligating the Developer to set aside a certain percentage of the units for low-to-moderate income households.
- 3.9** Floor Plan 1120 shall be revised to safeguard against potential burglar hideouts within the front entries.
- 3.10** The Developer shall obtain approval from the local refuse provider for the location and number of refuse containers proposed.
- 3.11** Detailed on-site and off-site landscape and irrigation plans must be submitted for review and approval by the City Planner and the City Engineer. The landscaped

and planter areas shall conform to the same areas depicted on the conceptual landscape plan.

- 3.12** All Eucalyptus trees located along the western perimeter of the site shall be preserved to the extent feasible. A survey locating all trees to be removed and preserved shall be submitted to the City Planner for review and approval. If a tree is determined to be an obstacle to required improvements, the survey shall note the particular tree(s), and the City Planner shall have the discretion to exempt the tree(s) from preservation.
- 3.13** All on- and off-site landscape and irrigation details must conform to the applicable sections of the Covina Municipal Code, Covina Design Guidelines, Covina Master Street Tree Plan, and/or the Oak Tree Presentation Report for the 10 oak trees in the right-of-way. In addition, all plant material must conform to the current edition of "Horticultural Standards" for number one grade nursery stock as adopted by the America Association of Nurserymen.
- 3.14** A complete exterior lighting plan shall be submitted for review and approval during building plan check. The plan shall illustrate light fixture features, locations, and compliance with applicable City Code provisions on illumination, design, and lighting orientation/glare prevention.
- 3.15** In accordance with the Covina Design Guidelines, all new roof, wall, and ground-mounted mechanical equipment, utility equipment, and utility meters must be screened from public view with appropriate building materials and/or landscaping. Please locate, identify and provide cross-sectional details of screening material in the construction documents.
- 3.16** *(As added by the Planning Commission on January 25, 2005)* Signage shall be installed in conspicuous areas throughout the private parks warning trespassers that loitering is prohibited and the parks are for the private use of residents and guests only. The signage shall be reviewed and approved by the Community Development Director prior to installation.
- 3.17** The following requirements of the Building Division are applicable to this proposal:
- 3.17.1** Submit five fully dimensioned sets of architectural, structural, electrical, mechanical, plumbing and sewer drawings for plan check submittal. Use an approved scale. The minimum sheet size for blueprints shall be 18 inches by 24 inches.
- 3.17.2** Two sets each of Energy (Title-24) and structural calculations shall be submitted with the above-mentioned drawings.
- 3.17.3** Plans, specifications and calculations shall be signed and sealed by the California state licensed engineer or architect responsible for their

preparation, for plans deviating from conventional wood frame construction. Specify expiration date of license. (California Business and Professions Code).

- 3.17.4** All sheets of plans must be signed by the person responsible for their preparation. (California Business and Professions Code).
- 3.17.5** Indicate on the Title Sheet of the plans the name of the legal owner and name of the person responsible for the preparation of the plans. Section 106.3.3.
- 3.17.6** Specify on the Title Sheet of the plans the gross floor area of each element of this project, including dwelling, garage, carport, patio, deck and balcony. Section 106.3.3.
- 3.17.7** Provide a statement on the Title Sheet of the plans stating that this project shall comply with the 2001 edition of the California Building Code (Title 24), which adopts the 1997 UBC, 2000 UMC and UPC and the 1999 NEC.
- 3.17.8** Clearly dimension building setbacks from property lines, street centerlines, and from all adjacent buildings and structures on the site plan. Section 106.3.3.
- 3.17.9** Provide a fully dimensioned site plan drawn to scale. Section 106.3.3. Include the following:
- (a)** North arrow.
  - (b)** Property lines/easements.
  - (c)** Streets/alleys.
  - (d)** Existing and proposed buildings and structures.
- 3.17.10** On the cover sheet of the plans, specify any items requiring special inspection, in a format easily understood. Section 106.3.2.
- 3.17.11** When special inspection is required, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval prior to issuance of the building permit. Please review Section 106.3.5.
- 3.17.12** On the cover sheet of the plans, specify any items that will have a deferred submittal (trusses, etc.). Additionally, provide the following note on the plans, per Sec. 106.3.4.2: “Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall NOT be installed until their

design and submittal documents have been approved by the building official.”

**3.17.13**In Seismic Zone 4, structural observation is required if the value of  $N_a$  from Table 16-S is greater than one. Exceptions: One and two story R3 and U occupancies. Section 1702. If applicable, note on the plans that "Structural observation by the engineer/architect shall be performed. A statement in writing shall be given to the building official, stating that the site visits have been made and whether or not any observed deficiencies have been corrected to conform to the approved plans and specifications.

**3.17.14**Show on the title sheet all structures, pools, walls, etc. included under this application. Any portion of the project shown on the site plan that is not included with the building permit application filed should be clearly identified as "not included." Section 106.3.3.

**3.17.15**Clearly show the maximum building height based on the definition in Section 209. Plot the finish grade (as defined) on the elevations and dimension the distance to the floor above, for story determination.

**3.17.16**Show locations of permanently wired smoke detectors with battery backup:

- (a) Inside each bedroom.
- (b) Centrally located in corridor or area giving access to sleeping rooms.
- (c) On each story.
- (d) In the basement, if part of the dwelling unit.
- (e) When sleeping rooms are upstairs, at the upper level in close proximity to the stair.
- (f) In rooms adjacent to hallways serving bedrooms, when such rooms have a ceiling height 24 inches or more above the ceiling height in the hallway.

NOTE: Detectors shall sound an alarm audible in all sleeping areas of the unit. Section 310.9.1.

**3.17.17**Indicate on the Title Sheet of the plans that a separate building permit is required for all masonry walls over three foot in height. Building permit required for all retaining walls. Provide engineered construction details when a permit is required.

**3.17.18**The Building Division plan check process will address additional concerns.

- 3.18** The following requirements of the Public Works Department, Engineering Division are applicable to this proposal:
- 3.18.1** File a Final Tract Map acceptable to the City and the Los Angeles County Recorder for Recordation with dedications of all necessary easements and rights of way for acceptance by the City Council.
  - 3.18.2** For a Tract Map filed under the provisions of a "Vesting Map," under the City Subdivision Ordinance show individual Units to be developed.
  - 3.18.3** Current owner(s) shall sign a form (prepared by the Engineering Division) requesting that the subject property be annexed to the Covina Lighting and Landscaping Districts. Once the property is annexed to these Districts, the property owner(s) will be periodically assessed for street light energy, landscaping and appurtenant maintenance costs.
  - 3.18.4** Obtain any and all requirements for work adjacent to the M.T.A Right of Way.
  - 3.18.5** Pay all necessary fees for Plan Checking, Permit Issuance and Inspection.
  - 3.18.6** Provide suitable securities and/or Performance Bonds ensuring completion of improvements.
  - 3.18.7** Comply with pertinent conditions of the adopted Downtown Specific Plan, including but not limited to:
    - (a)** All sidewalk hardscape shall be brick pavers matching in type, color and pattern to existing locations in the Downtown Center.
    - (b)** Street electroliers lighting shall have Victorian style poles, with dual luminaries, matching in style and illumination those presently within the Downtown Center.
  - 3.18.8** Comply with conditions of Public Works, Water Division and Street Maintenance Division.
  - 3.18.9** Provide improvement plans prepared by a Registered Civil Engineer to be approved by the City. No construction permits shall be issued without proper Contractor's license, Insurance Certificates and proper securities guaranteeing completion of the work.
  - 3.18.10** The Developer shall comply with the above provisions and reconstruct the entire width of Third Avenue, prior to issuance of any Certificate of Occupancy. Acceptance of the work shall be contingent upon a roadway with a smooth riding surface, and repairs to all curb, gutter and sidewalk completed. The work limits shall be from a match join at San Bernardino

Road to the entrance of the City Parking Structure, approximately 300 lineal feet.

- 3.18.11** Remove interfering street lights at proposed entries and provide new street lights along the west side of Third Avenue with minimum illumination of 250 watts. Submit a Luminare design for approval of the Community Development Division commensurate with condition above.
- 3.18.12** Provide Street Trees. The species, size and spacing shall be determined by the Engineering Division as shown in the Street Tree Master Plan.
- 3.18.13** Remove and replace damaged curb, gutter and sidewalk along the west side of Third Avenue
- 3.18.14** Provide for a turning lane along the west side of Third Avenue, including minimum turning radius of 27 feet, with necessary right of way to allow for curb, sidewalk and wheelchair ramp construction. Work shall include relocation and reconstruction of existing catch basin and utility pole. See report of the City Traffic Engineer dated December 23, 2004.
- 3.18.15** Interior Streets: Indicate on Final Map and other appropriate documents that interior streets shall be private and not to be maintained by the City. Provide proposed street section and pavement materials and thickness.
- 3.18.16** Street Names of Private Streets and House Numbering shall be established by the City Engineering Division.
- 3.18.17** Submit Plans, prepared by a Registered Civil Engineer, for both on-site and off-site sewers.
- 3.18.18** Submit more detailed calculations showing accumulated peak flows. Convert fixture units to units of cubic feet per second and show depth of flow in relation to soffitt of pipe for both on site and off site sewers.
- 3.18.19** The City Sewer Deficiency Study indicates that existing lines are insufficient to accommodate flows from a development having 90 units. Therefore, off site improvements will be required to safeguard against possibilities of sewage backup.
- 3.18.20** Pay Sewer Impact Fees as adopted by the City Council or, in lieu of payment thereof, design and construct equivalent main line sewer upgrade commencing with a new connection at Los Angeles County trunk main sewer (S-3902) located in Badillo Street.
- 3.18.21** For sewerage from the City-maintained sewer line in San Bernardino Road, the Developer may have the option of two alternatives:

- (a) Connect to and utilize the existing sewer in Hampton Court; then connect to a new upgraded sewer in San Bernardino Road. Developer shall retain a properly licensed Contractor to perform this work.
- (b) Another possible alternate is to construct a sewer along the west line of the adjacent vacant lot at 237 San Bernardino Road. The Developer shall obtain a suitable right of entry and recorded easement from the current owner and those having an interest in the property. The construction shall be a sewer from the site connecting to the existing main in San Bernardino Road.

- 3.18.22** Pay all sewer connection fees, including inspection and testing required by the Los Angeles County Sanitation Districts and City of Covina.
- 3.18.23** Make provisions for service of all existing house connections without interruption of service.
- 3.18.24** Comply with all requirements of the City Environmental Division.
- 3.18.25** Submit a formal Hydrology plan with calculations for review by this Division and the Los Angeles County Department of Public Works.
- 3.18.26** Provide more specific information regarding connection at Hampton Court and manhole placements (or clean outs) within the site.
- 3.18.27** Provide a formal letter from the Drainage section of the Los Angeles County Department of Public Works agreeing to issue a connection permit to Storm Drain Bond Issue Project 2701 C and Drain D 6412. Provide plans for a new lateral extension in Fourth Avenue with additional catch basin pickups. Reconstruct interfering portions of street improvements in Fourth Avenue.
- 3.18.28** If on-site retention is necessary, provide plans for retention basins and storage. This may be integrated with landscape designs.
- 3.18.29** Comply with requirement of Environmental Division for appurtenances to catch basins, including filtering devices.
- 3.18.30** Provide final Soils and Geologic study prepared by a Licensed Soils Engineer or Geologist for review by this Division with recommendations for implementation with the Grading work.
- 3.18.31** Provide final Grading Plan signed by a Registered Civil Engineer and agreeing to the provisions of the City Building Code for Supervised Grading.

- 3.18.32** Provide acceptable provisions for dust and erosion control satisfactory to this Division and the Environmental Division, including compliance with all appropriate provisions of the Clean Water Act and supplemented by SWPPP provisions of the City and County.
- 3.18.33** Permittee shall submit a proposed Haul Route with Permit.
- 3.18.34** Submit a sufficient Grading Bond to ensure City with funds to correct site conditions should default occur.
- 3.18.35** Engineer and Soils Engineer shall submit regular reports and certifications ensuring proper building pad construction.
- 3.18.36** Comply with Demolition requirements of the Building Division.
- 3.18.37** Submit structural calculations for all wall construction in excess of 5 feet in height or any wall retaining earth embankment.
- 3.18.38** Save existing wind row trees along west property line to serve as a dust-control measure and noise abatement.
- 3.18.39** Comply with requirements of Water Division of the City and Los Angeles County Fire Department including Land Division Section.
- 3.18.40** Since this is a proposed 3-story high density dwelling development, provide a report satisfactory to the Building, Engineering, Water Divisions and County of Los Angeles County Fire Department that interior network system will receive both sufficient domestic and fire flow at peak demand times. Indicate need for any pressure pumps and sufficient backflow/check valve assemblies.
- 3.18.41** Obtain approval of Water Division for all proposed materials and appurtenances, by manufacture and ASTM certifications.
- 3.18.42** Pay all design costs and contribute 20% of construction and installation costs for a Traffic Signal, including controller, at San Bernardino Road and Third Avenue. Signal shall be timed and interconnected to adjacent intersections. Installation shall be in accordance with report prepared by City Traffic Engineer dated December 23, 2004.
- 3.19** The following requirement of the Public Works Department, Water Division is applicable to this proposal:
- 3.19.1** The applicant shall meet with officials from the Public Works Department, Water Division, and fulfill all Division requirements concerning general water service, fire hydrant adequacy, and any other identified water issues concerning the project.

- 3.20** The following requirement of the Public Works Department, Environmental Services Division is applicable to this proposal:
- 3.20.1** The proposal for the subject project meets one of the criteria for a planning priority project as defined in the NPDES Development Planning model program for storm water management, i.e., it is a development with ten or more unit homes, it is a development with one acre or more of impervious surface area, and it has a parking lot with 25 or more parking spaces. It must comply with the general sections of the Standard Urban Storm Water Mitigation Plan (SUSMP), including mitigation (infiltration or treatment) of storm water runoff, and with the specific sections pertaining to the above criteria. A copy of the SUSMP is available in Environmental Services.
  - 3.20.2** The developer must provide verification of the maintenance provisions for any structural and treatment control Best Management Practices selected to comply with SUSMP requirements.
  - 3.20.3** In accordance with the Development Model Program, the developer will have to show, prior to receiving a grading or building permit, proof of a Waste Discharger Identification (WDID) Number for filing a Notice of Intent (NOI) for coverage under the State General Construction Activities Storm Water Permit and a certification that a Storm Water Pollution Prevention Plan has been prepared. If soil is disturbed during the rainy season (Nov. 1 through April 15), the developer will have to prepare and implement a Wet Weather Erosion Control Plan. The project must meet the minimum development construction requirements while under construction:
    - (a)** Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMP's;
    - (b)** Construction-related materials, waste, spills, or residues shall be retained on the project site to avoid discharge to streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
    - (c)** Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site.
- 3.21** The following requirement of the Los Angeles County Fire Department, Land Development Unit, Fire Prevention Division are applicable to this proposal:
- 3.21.1** Plans shall be submitted to the Fire Protection Engineering Section of the Los Angeles County Fire Department for approval. Contact Claudia Soiza at (323) 890-4243.
  - 3.21.2** *(As added by the Planning Commission on January 25, 2005)* If approved by the Fire Department, the City is willing to accept a hammerhead design at the north end of Third Avenue instead of a cul-de-sac.

**3.22** The following requirement of the Covina Police Department are applicable to this proposal:

**3.22.1** If an alarm system is installed that would alert and necessitate police response, the alarm system must be registered. Contact Jody Collins, S.A.F.E. Program, at (626) 858-4479.

**4.0 PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY:**

**4.1** Covenants, Conditions and Restrictions (CC&R's) shall be recorded to regulate on-site utilization, maintenance, and related issues. The CC&R's shall grant the City the right but not the obligation to enforce their terms. These CC&Rs shall be to Staff and City Attorney approval and shall be recorded prior to the issuance of occupancy permits. The CC&R's shall include provisions prohibiting the storage of recreational vehicles and watercrafts in all parking areas.

**4.2** All building and site improvements along with landscaping and irrigation must be installed in accordance with plans and information on file with the Planning, Building, and Engineering Divisions, and the irrigation systems must be fully operational. Furthermore, all on-site landscaped areas must be maintained free of weeds and debris.

**4.3** All exterior lighting fixtures must be installed in accordance with plans and analyses on file with the Planning and Building Divisions, and the lighting fixtures must be fully operational.

**4.4** The project site must be clean and free of trash and construction debris, and all construction equipment must be removed from the site.

**4.5** Any broken, damaged, or blighted features of the property or any building(s) thereon shall be repaired or removed.

**4.6** The applicant must comply with all of the requirements listed above as well as requirements determined during the Building Plan Check process.

Ayes: Sloan, Fox, Anderson, Chadwick, and Hodapp

Noes: None

Absent: None

Motion carried.

Chairman Hodapp indicated that the decision of the Commission would be considered as final unless an appeal is filed within ten days in writing to the City Council.

Mr. Fox moved, seconded by Mr. Chadwick, that the Planning Commission recommend to the City Council approval of Tentative Tract Map 62309, subject to the above-listed conditions.

Ayes: Sloan, Fox, Chadwick, Anderson and Hodapp

Noes: None

Absent: None

Motion carried.

Mr. Fox moved, seconded by Mr. Sloan, that the Planning Commission approve Application CUP 05-001, subject to the above-listed conditions.

Ayes: Anderson, Chadwick, Fox, Sloan and Hodapp

Noes: None

Absent: None

Motion carried.

Chairman Hodapp indicated that the decision of the Commission would be considered as final unless an appeal is filed within ten days in writing to the City Council.

Mr. Fox moved, seconded by Mr. Sloan, that the Planning Commission recommend to the City Council approval of the Mitigated Negative Declaration as amended.

Ayes: Sloan, Fox, Chadwick, Anderson and Hodapp

Noes: None

Absent: None

Motion carried.

**ITEM NO. 4** Information

- A. Status Report of discussions on Traffic Island for the project located at 1242 Center Court Drive

Mr. Sherer presented the staff report (copy on file in the Planning Division). Mr. Sherer informed the Commission that today Mr. Bentson said that he no longer wants any changes to the traffic island now or in the future.

The Commission and staff briefly discussed the report.

