

MITIGATED NEGATIVE DECLARATION

EL MONTE VALLEY PLAZA

Response to Comments



Lead Agency:

City of El Monte
11333 Valley Boulevard
El Monte, CA 91731
(626) 580-2001
Betty Donovanik
bdonavanik@elmonteca.gov

Project Proponent:

New S.W.S Southland Real Estate, LLC
Mr. Wynn Hui
915 W. Foothill Boulevard
Arcadia, CA 91007
(626)373-3590

Environmental Consultant:

Phil Martin & Associates
4860 Irvine Boulevard, Suite 203
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(949) 454-1800

May 16, 2016

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1.0 INTRODUCTION AND LIST OF COMMENTERS

1.0.1 INTRODUCTION

This Response to Comments document contains the public agency comments received during the public review period of the Mitigated Negative Declaration, a list of the public agencies commenting on the Mitigated Negative Declaration and the responses of the City of El Monte, as the lead agency, to the environmental points that were raised in the public agency comment.

1.0.2 BACKGROUND

Project Location

The El Monte Valley Plaza totals approximately 3.69 acres and is located at 11640-11710, 11730 and 11740 Valley Boulevard and 3147 Baseball Avenue.

Description of El Monte Valley Plaza

Of the 3.69 acre site, a mixed use project is proposed for a vacant 2.57 acre automobile dealership. The proposed mixed use project site is located in the northwest portion of the site. The remaining 1.12 acres consist of three parcels with existing development. The three parcels are located southeast of the vacant automobile dealership.

In order to provide more opportunities for mixed use development within the City, the City of El Monte requested the project applicant to include the three commercially zoned properties south of the vacant automobile dealership site to Baseball Avenue be included in the project. As a result, the land use and zoning of the three added properties is proposed to be changed by the project to Mixed/Multi Use and MMU, respectively the same as the project site. While no specific development is proposed for any of the three remaining properties at this time, they will be evaluated based on the maximum development allowed by the requested general plan amendment and zone change.

The project applicant proposes to demolish the buildings and site improvements of the vacant automobile dealership to construct a mixed use project with two stand-alone four story buildings with 76 residential units and 31,240 square feet of retail space that totals 104,480 square feet. The "West" building includes 15,140 square feet of commercial use (8,150 sq. ft. of retail/office and 6,990 sq. ft. of restaurant) on the first floor and 38 residential units on the second through fourth floors. The "East" building includes 16,100 square feet of commercial use (10,760 sq. ft. of retail/office and 5,340 sq. ft. of restaurant) on the first floor and 38 residential units on the second through fourth floors. The project also includes one level of subterranean parking in each building for some of the retail space employees and all of the project residents and guests. Surface overflow parking is proposed for the commercial employees and the customers. The project proposes a total of 311 parking spaces, which are 9 spaces more than required by the municipal code. Of the 311 parking spaces, a total of 196 spaces with 2 handicap spaces are included in the subterranean parking structures. There are 117 surface parking spaces including 4 handicap spaces.

A central courtyard is proposed between the two four-story buildings and includes a landscaped central garden with seating, a pedestrian promenade that is open to the sky and a monument wall sign that faces Valley Boulevard.

Six existing street trees within the Valley Boulevard right-of-way will be removed and eight street trees planted in their place. Landscaped setbacks are proposed along the north, west and south project boundary that varies from 5' along the north and south boundary and 5' 8" to a maximum of 10' along the west project boundary.

The proposed construction of the mixed-use project is scheduled to begin in February 2016 and be completed 18 months later, or in August, 2017. The construction activities will include the use of approximately 1 dozer, 3 excavators, 1 grader, 3 loader/backhoes, 1 crane, 3 forklifts, 2 pavers, 2, rollers, 2 pieces of paving equipment, welders, jackhammers and other small pieces of construction equipment necessary to demolish the existing buildings and site improvements to construction the proposed project. The project will have a maximum of 20-30 construction workers on-site.

Currently the existing uses on the remaining 1.12 acres will remain and continue as they presently exist. Should any of the existing uses want to change their use or develop their property with another use, they would have to meet the development standards of the proposed Mixed/Multiuse land use and zoning designation, if approved.

1.0.3 PUBLIC CIRCULATION OF MITIGATED NEGATIVE DECLARATION

The Mitigated Negative Declaration was circulated for a 30-day public review period pursuant to CEQA Guideline §15105(a) from March 11, 2016 to April 11, 2016. The notice of availability of the Mitigated Negative Declaration was filed with the Los Angeles County Register/ Recorder.

The Mitigated Negative Declaration is an informational document, intended to disclose the environmental consequences of approving and constructing the proposed El Monte Valley Plaza project. All written comments received during the 30-day public review period are addressed in this Response to Comments document.

1.0.4 RESPONSES

Responses to comments received on the Mitigated Negative Declaration during the public review period are presented in Chapter 2, Comments and Responses. The City received one comment letter. The comment letter is numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is designated a number with the letter number appearing first, followed by the comment number. For example, Letter 1 would have the following format: 1-1. The bracketed letter precedes responses to the letter's comments in Chapter 2 of this Response to Comments.

The comment received to the Mitigated Negative Declaration by the City of El Monte has been carefully reviewed. The comment received was evaluated based on environmental issues raised. The information provided in the responses to comments provides clarifications and additional information necessary for the decision makers and the public to understand the environmental consequences of the proposed project and for the decision makers to act on the project. All responses to comments contain a good faith reasoned effort at full disclosure regarding the disposition of these significant environmental issues.

1.0.5 LIST OF COMMENTERS

The following is the only letter received on the Mitigated Negative Declaration with an identifying letter number, the agency that submitted the letter, and the date of letter. A copy of the letter is attached in Appendix A.

1. Letter 1 – Diana Watson, Branch Chief, Community Planning & LD/IGR Review, Caltrans, District 7, April 13, 2016.

2.0 RESPONSE TO COMMENTS

Letter 1: Diana Watson, Branch Chief, Community Planning & LD/IGR Review, Caltrans, District 7

Comment:

To mitigate the project traffic impact and improve the traffic operations on the State facilities and local streets, Caltrans suggests consideration of the following mitigation measures:

1. To mitigate potential delay at EB I-10 Peck Rd. off ramp, synchronize signals along Peck Rd., from Valley Blvd. to Stewart St.
2. Restripe the faded outside lane on NB Peck Rd. through lane/right turn lane from EB 1-10 off-ramp to EB Valley Blvd.
3. Add an auxiliary lane at EB Valley Blvd., starting east of Peck Rd. to I-10 EB on ramp, and install chevron stripes (buffer) on Valley Blvd. adjacent to existing STOP Sign. This option eliminates the need to make the dedicated right turn lane, at EB Valley Blvd., into a shared through-right turn lane.
4. Remove existing STOP sign at NB Peck Rd. right turn lane at Valley Blvd., allowing traffic to flow freely to EB Valley Blvd.
5. Caltrans concurs with the proposed mitigation at SB Peck Rd., to make the existing dedicated right turn lane into a shared through-right turn lane at Valley Blvd.
6. Install traffic stripes for pedestrian crossing at NB Peck Rd. to EB Valley Blvd., near the ADA.

Response:

1. As suggested, the City agrees to synchronize the signals along Peck Road from Valley Boulevard to Stewart Street and the applicant will pay its' fair share for the signalization, as applicable.
2. As suggested, the City agrees to restripe the faded outside lane on NB Peck Road through lane/right turn lane from EB 1-10 off-ramp to EB Valley Boulevard that totals approximately 500 feet. An improvement plan will be submitted to Caltrans for approval. An encroachment permit will be required from Caltrans prior to the start of any improvements within their right-of-way.
3. As suggested, the City agrees to add an auxiliary lane at EB Valley Boulevard starting east of Peck Road to I-10 EB on ramp and install chevron stripes (buffer) on Valley Boulevard adjacent to the existing STOP Sign that totals approximately 500 feet. An improvement plan will be submitted to Caltrans for approval. An encroachment permit will be required from Caltrans prior to the start of any improvements within their right-of-way.
4. As suggested, the City agrees to remove the existing STOP sign at NB Peck Road right turn lane at Valley Boulevard, allowing traffic to flow freely to EB Valley Boulevard. This

improvement will be completed along with the improvement identified in No. 3 above. As with the improvement in No. 3, an improvement plan will be submitted to Caltrans for approval. An encroachment permit will be required from Caltrans prior to the start of any improvements within their right-of-way.

5. No response is required.
6. As suggested, the City agrees to install traffic stripes for pedestrian crossing at NB Peck Road to EB Valley Boulevard, near the ADA. Pedestrian crossing warning signs will also be provided. This improvement will be completed along with the improvements identified in No. 3 and 4 above. As with the improvements in No's. 3 and 4, an improvement plan will be submitted to Caltrans for approval. An encroachment permit will be required from Caltrans prior to the start of any improvements within their right-of-way.

APPENDIX A
Caltrans Letter

DEPARTMENT OF TRANSPORTATION
DISTRICT 7—OFFICE OF TRANSPORTATION PLANNING
 100 S. MAIN STREET, MS 16
 LOS ANGELES, CA 90012
 PHONE (213) 897-9140
 FAX (213) 897-1337
 www.dot.ca.gov



*Serious drought.
 Help save water!*

April 13, 2016

Letter 1

Mr. Sal Lopez
 Economic Development
 City of El Monte
 11333 Valley Boulevard
 El Monte, CA 91731

RE: El Monte Valley Plaza
 Vic. LA-10/ PM 29.46
 SCH # 2016031044
 IGR/CEQA No. 160337AL-MND

Dear Ms. Donavanik:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project proposes to demolish the vacant automobile dealership to construct a mixed use project with two stand-alone four story buildings, for a total of 76 units and 46,380 square feet of retail/restaurant use.

The project will generate a net 4,133 daily trips and 215/326 AM/PM peak hour trips. There are ten related projects in the project vicinity. Any additional trips may impact the freeway system including the off-ramps in the project vicinity, particularly the EB/WB I-10 off-ramp to Peck Rd.

To mitigate the project traffic impact and improve the traffic operations on the State facilities and local streets, Caltrans suggests consideration of the following mitigation measures:

1. To mitigate potential delay at EB I-10 Peck Rd. off ramp, synchronize signals along Peck Rd., from Valley Blvd. to Stewart St.
2. Restripe the faded outside lane on NB Peck Rd. through lane/right turn lane from EB I-10 off-ramp to EB Valley Blvd.
3. Add an auxiliary lane at EB Valley Blvd., starting east of Peck Rd. to I-10 EB on ramp, and install chevron stripes (buffer) on Valley Blvd. adjacent to existing STOP Sign. This option eliminates the need to make the dedicated right turn lane, at EB Valley Blvd., into a shared through-right turn lane.

1-1

Mr. Sal Lopez
April 13, 2016
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4. Remove existing STOP sign at NB Peck Rd. right turn lane at Valley Blvd., allowing traffic to flow freely to EB Valley Blvd.
5. Caltrans concurs with the proposed mitigation at SB Peck Rd., to make the existing dedicated right turn lane into a shared through-right turn lane at Valley Blvd.
6. Install traffic stripes for pedestrian crossing at NB Peck Rd. to EB Valley Blvd., near the ADA.

1-1
cont.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without any storm water management plan.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.

Per your phone conversation with Mr. Alan Lin, Caltrans Project Coordinator, Caltrans would like to request a follow-up meeting to discuss this letter, potential traffic impact, and mitigation for this project. It is our goal to work with the City in an effort to evaluate traffic impacts, identify potential improvements, and establish a funding mechanism that helps mitigate cumulative transportation impacts in the project vicinity.

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 160337AL-DEIR.

Sincerely,



DIANNA WATSON
Branch Chief
Community Planning & LD / IGR Review

cc: Scott Morgan, State Clearinghouse

MITIGATED NEGATIVE DECLARATION

EL MONTE VALLEY PLAZA



Lead Agency:

**City of El Monte
11333 Valley Boulevard
El Monte, CA 91731
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Betty Donovanik
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Project Proponent:

**New S.W.S Southland Real Estate, LLC
Mr. Wynn Hui
915 W. Foothill Boulevard
Arcadia, CA 91007
(626) 373-3590**

Environmental Consultant:

**Phil Martin & Associates
4860 Irvine Boulevard, Suite 203
Irvine, California 92620
(949) 454-1800**

March 11, 2016

1.0 MITIGATION MONITORING AND REPORTING PROGRAM

1.1 Introduction

This is the Mitigation Monitoring Plan (MMP) for the El Monte Valley Plaza project. It has been prepared pursuant to the requirements of Public Resources Code §21081.6 which, among other things, states that when a governmental agency adopts or certifies a CEQA document that contains the environmental review of a proposed project, “The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

The City of El Monte is the lead agency for the project, and is therefore, responsible for administering and implementing the MMP. The decision-makers must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project.

1.2 Project Overview

The project includes the development of approximately 3.69 acres with two stand-alone four story buildings with 76 residential units and 31,240 square feet of retail space that totals 104,480 square feet on approximately 2.57 acres. The existing uses on the remaining 1.12 acres will remain and continue as they presently exist. The project will require the demolition of an existing vacant automobile dealership to allow the construction of the proposed residential units and retail space.

1.3 Monitoring and Reporting Procedures

This MMP includes the following information: (1) mitigation measures that will either eliminate or lessen the potential impact from the project; (2) the monitoring milestone or phase during which the measure should be complied with or carried out; (3) the enforcement agency responsible for monitoring mitigation measure compliance; and (4) the initials of the person verifying the mitigation measure was completed and the date of verification.

The MMP will be in place through all phases of a project including project design (preconstruction), project approval, project construction, and operation (both prior to and post-occupancy). The City will ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems.

Each mitigation measure is listed and categorized by impact area, with an accompanying discussion of:

- The phase of the project during which the measure should be monitored;
 - Project review and prior to project approval
 - During grading or building plan check review and prior to issuance of a grading or building permit
 - On-going during construction
 - Throughout the life of the project
- The enforcement agency; and
- The initials of the person verifying completion of the mitigation measure and date. The MMP is provided as Table 1 (Mitigation and Monitoring Reporting Program).

Table 1
El Monte Valley Plaza
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
<u>Air Quality</u>				
<p>Mitigation Measure No. 1 <i>Prior to the start and throughout project construction, the contractor shall implement and maintain the following fugitive dust control measures:</i></p> <ul style="list-style-type: none"> • <i>Apply soil stabilizers or moisten inactive areas.</i> • <i>Prepare a high wind dust control plan.</i> • <i>Address previously disturbed areas if subsequent construction is delayed.</i> • <i>Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 2-3 times/day).</i> • <i>Cover all stock piles with tarps at the end of each day or as needed.</i> • <i>Provide water spray during loading and unloading of earthen materials.</i> • <i>Minimize in-out traffic from construction zone</i> • <i>Cover all trucks hauling dirt, sand, or loose material and require all trucks to maintain at least two feet of freeboard</i> • <i>Sweep streets daily if visible soil material is carried out from the construction site.</i> 	<p>Prior to the start of construction and throughout construction.</p>	<p>Applicant's contractor.</p>	<p>City of El Monte.</p>	<p>City Building inspector</p>
<p>Mitigation Measure No. 2 <i>Throughout project construction the contractor shall:</i></p> <ul style="list-style-type: none"> • <i>Utilize well-tuned off-road construction equipment.</i> • <i>Establish a preference for contractors using Tier 3 or better heavy equipment.</i> • <i>Enforce 5-minute idling limits for both on-road trucks and</i> 	<p>Throughout construction.</p>	<p>Applicant's contractor.</p>	<p>City of El Monte.</p>	<p>City Building inspector</p>

Table 1
El Monte Valley Plaza
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
<i>off-road equipment.</i>				

Cultural Resources				
<i>Mitigation Measure No. 3 In the event that an archaeological resource is unearthed during construction, all construction related activities must cease immediately. The Applicant shall seek the advice of a qualified archaeologist approved by the Tongva-Gabrielino tribe to determine if the resource is deemed to be significant. In the event that the archaeological resource has been determined to be significant, the provisions outlined in Title 14; Chapter 3; Article 5; Section 15064.5 of CEQA will apply.</i>				
<i>Mitigation Measure No. 4 If any paleontological materials are encountered during the course of project development, all further development activities shall halt in the area of the discovery and the services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource. The Applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report to the satisfaction of the Economic Development Director.</i>	Throughout construction.	Applicant's contractor.	City of El Monte.	City Building inspector and Economic Development Director

Geology and Soils				
<i>Mitigation Measure No. 5 The seismic design related values provided in the soils report shall be incorporated into the design of all buildings as approved by the City Engineer prior to the issuance of a building permit.</i>	Prior to issuance of building permits.	Applicant.	City of El Monte.	City Engineer
Noise				
<i>Mitigation Measure No. 6 Prior to the issuance of occupancy permits for each building, all residential balconies with a direct line-of-sight to Valley Boulevard shall be shielded with transparent glass or a plastic shield that is a minimum of 5 feet tall and fills the entire roadway frontage and meet a 65 dB CNEL standard within the balcony.</i>	Prior to issuance of occupancy permits.	Applicant.	City of El Monte.	Economic Development Director
<i>Mitigation Measure No. 7 Small bulldozers only shall be permitted to operate within 56 feet of the nearest adjacent residential structures.</i>	Throughout construction.	Applicant's contractor.	City of El Monte.	City Building inspector
<i>Mitigation Measure No. 8 The applicant shall ensure that the contractors conduct demolition and construction activities between the hours of 7:00am and 6:00pm on weekdays and 9:00am to 5:00pm on Saturdays, with no construction permitted on Sundays or Federal Holidays.</i>	Throughout construction.	Applicant's contractor.	City of El Monte.	City Building inspector
<i>Mitigation Measure No. 9 The applicant shall notify the nearby residents on Baseball Avenue and Fennell Street as to the time and duration of construction activities at least 10 days before the commencement of construction activities. In addition to the notification of individual residences, signage must be placed on the construction security fence located along the project site. The signs must clearly identify a contact person (and phone number) that local residents may call should there be a complaint about noise related to construction and/or operations. Upon reception of a complaint, the contractor must respond immediately by reducing noise to acceptable levels. In addition, all complaints and subsequent communication between the affected residents and contractors must be forwarded to the City's Economic Development Department.</i>	Prior to the start and throughout construction.	Applicant's contractor.	City of El Monte.	City Building inspector

<u>Transportation/Traffic</u>				
<i>Mitigation Measure No. 10</i> Prior to the issuance of the first occupancy permit of either the residential units or the retail space, the southbound and eastbound dedicated right-turn lanes shall be restriped to share through-right turn lanes to provide a third southbound and eastbound through lane at the intersection of Peck Road and Valley Boulevard.	Prior to issuance of the first occupancy permit.	Applicant.	City of El Monte.	City Engineer
<i>Mitigation Measure No. 11</i> Prior to the issuance of the first occupancy permit of either the residential units or the retail space, the Garvey Avenue and Valley Boulevard intersection shall be widened to provide a northbound dedicated right-turn lane on Garvey Avenue.	Prior to issuance of the first occupancy permit.	Applicant.	City of El Monte.	City Engineer