

Orange Avenue Luxury Apartments Project- Overflow Sheets:

- MM AES-1** The project lighting design shall limit glare and up-light and comply with all local codes and CALGreen standards.
- MM AQ-1** Architectural coatings applied to project buildings are to be limited to 30 grams per liter volatile organic compounds (VOC) content.
- MM AQ-2** The project applicant shall ensure that the construction contractor use construction equipment that have Tier 3 engines or better for any on-site construction activities.
- MM BIO-1** Any grubbing, brush clearing, or tree removal should be conducted outside of the State identified nesting season for migratory birds, which is typically March 15 through September 1. If work cannot be conducted outside of nesting season, a migratory nesting bird survey within and adjacent to the project site shall be conducted by a qualified biologist within 3 days prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a NBP will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.
- MM CUL-1** A 50-foot buffer shall be established along the southern boundary of the additional project areas, to be landscaped in the future but strictly avoided during construction.
- The linear depression and stone alignment shall be left undisturbed. If any disturbances to these features become necessary, a systematic archaeological testing program shall be required to ascertain the nature, extent, and condition of what remains of the Zanja at this location, both above and below the ground surface.
- MM CUL-2** if buried cultural materials are discovered during any earth-moving operations associated with the project, all work in the immediate area shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.
- MM CUL-3** **Archaeological Monitoring:** The Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor. The monitor shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resource. The qualified archaeologist shall develop an Archaeological Monitoring and Treatment Plan to address the details, timing and responsibility of all archaeological and cultural resource activities that occur on the project site. The plan shall be developed in coordination with the City of Redlands and shall include, but shall not be limited to:
- a. Project grading and development scheduling.
 - b. A rotating or simultaneous monitoring schedule based on the scope of work during all ground related activities, including but not limited to, all site

preparation/construction/demolition based activities, testing and data recovery on the project site. The monitoring plan shall include scheduling, safety requirements, duties, scope of work, and a discussion of the monitor's authority to stop and redirect grading activities.

- c. The protocols and stipulations that the Applicant, City of Redlands and Project Archaeologist shall follow in the event of previously unknown archaeological/cultural resources discoveries that could be subject to a archaeological/cultural resources evaluation.

MM CUL-4 If significant cultural resources are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to Interested Tribe(s) for review and comment, as detailed within Tribal Cultural Resources (TCR)-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

MM CUL-5 In the event of an accidental discovery or recognition of any human remains or funerary objects, Public Resource Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area (within a 100-foot buffer of the find), as reasonably suspected to overlie adjacent human remains, until the City of Redlands Police Department and San Bernardino County Coroner are contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the County Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance:
 - The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission;
 - The descendent identified fails to make a recommendation; or
 - The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

MM GEO-1 A paleontological records search will be requested through the Natural History Museum of Los Angeles to determine the relative potential for paleontological resources to exist within the project site. If it is determined that fossil-bearing sediments are present, a qualified monitor should be present during any ground-disturbing activities during the project. In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The Applicant shall retain a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the Applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the City of Redlands for review and approval prior to implementation, and the Applicant shall adhere to the recommendations in the plan.

MM LUP-1 Prior to the issuance of building permits, the applicant shall submit to the City design specifications that demonstrate to the City's satisfaction that the following design measures are included in the project:

1. Windows facing or with a line of sight of Alabama Street, north of Orange Avenue, will need a Sound Transmission Class (STC) rating of at least 29 to meet the interior noise standard of 45 CNEL.
2. Windows facing or with a line of sight of Alabama Street, north of Orange Avenue, will need an STC rating of at least 28 to meet the interior noise standard of 45 dBA CNEL.
3. For the proposed multi-family (low rise) attached residential dwelling units located adjacent to Orange Avenue, windows facing or with a line of sight of Orange Street should have an STC rating of at least 28 to meet the interior noise standard of 45 dBA CNEL.

MM NOI-1 In addition to adhering to the required City of Redlands's policies found in the City of Redlands General Plan Noise Element and City of Redlands Municipal Code limiting the construction hours of operation, the following measures shall be implemented to reduce construction noise and vibration emanating from the proposed project:

1. During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.
2. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
3. Equipment shall be shut off and not left to idle when not in use.

4. The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.
5. Jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded and noise shall be directed away from sensitive receptors.

MM NOI-2 The use of vibratory rollers is to be restricted within 25 feet of existing structures and the use of large bulldozers is to be restricted within 15 feet of existing structures.

MM TRANS-1 **Off-site Improvements.** The project applicant shall contribute its fair share, through the adopted development impact fee program, to the following mitigation measure improvements for General Plan Buildout (Year 2040) Without and With Project:

Alabama Street (NS) at Orange Avenue (EW) - No. 5

- Restripe the eastbound approach to provide a dedicated left turn lane.
- Restripe the westbound approach to provide a dedicated left turn lane.

Improvements at the project driveways are project design features which shall be constructed by the project. Site-adjacent roadway improvements shall also be constructed in conjunction with the project.

The project fair share is based on the proportion of project peak hour traffic volume contributed to the improvement location relative to the total new peak hour traffic volume for General Plan Buildout (Year 2040) With Project conditions. The project proportional trip contributions have been calculated (as shown in Table 9 of Appendix G) and the project fair share cost estimate is \$3,867.

The project fair share shown above represents a rough order of magnitude; it is intended only for the discussion purposes of this traffic impact analysis and does not imply any legal responsibility or formula for contributions or mitigation.

MM TRANS-2 A construction work site traffic control plan shall be submitted to the City for review and approval prior to the issuance of a grading permit or start of any construction work. The plans shall show the location of any roadway, sidewalk, bike route, bus stop or driveway closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. Temporary traffic controls used around the construction area must adhere to the standards set forth in the California Manual of Uniform Traffic Control Devices (2014) and construction activities should adhere to applicable local ordinances.

Site development would require the use of haul trucks during site clearing and excavation and the use of a variety of other construction vehicles throughout the construction work at the site. Transportation of heavy construction equipment and or materials, which requires the use of oversized vehicles, will require the appropriate

transportation permit. The City shall review all proposed development and construction work site traffic control plans to ensure that public, pedestrian, and school safety are addressed.

MM TRANS-3 The project shall implement the following recommended improvements as provided in the TIA:

Project West Driveway (NS) at Orange Avenue (EW)

- Construct the southbound approach to consist of one shared left/right turn with stop-control.
- Install appropriate “Exit Only” signage.

Project East Driveway (NS) at Orange Avenue (EW)

- Construct the northbound approach to consist of one shared left/through/right turn lane with stop-control.
- Construct the southbound approach to consist of one shared left/through/right turn lane with stop-control.

Alabama Street (NS) at Emergency Vehicle Access (EW)

- Construct emergency vehicle access driveway to the satisfaction of the City of Redlands Fire Department.
- Install appropriate emergency vehicle access only signage.

MM TRANS-4 On-site Improvements

- On-site improvements and improvements adjacent to the site shall be required in conjunction with the proposed development to ensure adequate circulation within the project itself (see Figure 39 of the TIA).
- Construct Alabama Street from the north project boundary to the south project boundary at its ultimate half-section width including roadway improvements, bicycle lanes, transit stops and landscaping in conjunction with development, as necessary.
- Construct Orange Avenue from southwest project boundary to Alabama Street at its ultimate full cross-section width including roadway improvements, bicycle lanes, transit stops and landscaping in conjunction with development, as necessary.
- Construct Orange Avenue from Iowa Street to Alabama Street at its ultimate north half-section width including roadway improvements, bicycle lanes, transit stops and landscaping in conjunction with development, as necessary.
- Sight distance at each project access shall be reviewed with respect to California Department of Transportation/City of Redlands standards in conjunction with the preparation of final grading, landscaping, and street improvement plans.
- On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project. On-site traffic control plans shall comply with the California Manual of Uniform Traffic Control Devices (2014).

- The project site shall provide sufficient parking spaces to meet City of Redlands parking code requirements in order to service on-site parking demand.

Off-site Improvements

- All roadway design, traffic signing and striping, and traffic control improvements relating to the proposed project shall be constructed in accordance with applicable engineering standards and to the satisfaction of the City of Redlands Municipal Utilities and Engineering Department.
- Site adjacent roadways shall be constructed or repaired at their ultimate half section width including roadway improvements, sidewalks, street lighting, bicycle lanes, transit stops and landscaping in conjunction with development, or as otherwise required by the City of Redlands Municipal Utilities and Engineering Department.
- On-site traffic signing and striping plans shall be submitted for City of Redlands approval in conjunction with detailed construction plans for the project. The applicant shall submit Iowa Street and Orange Avenue signing and striping plans to the City of Redlands for approval in conjunction with project frontage roadway construction plans.
- Off-street parking shall be provided to meet City of Redlands Municipal Code requirements.
- The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met in accordance with applicable City of Redlands/California Department of Transportation sight distance standards.
- As is the case for any roadway design, the City of Redlands shall periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.

MM TCR-1 Tribal Monitoring Plan. A Native American Monitor from the consulting tribe(s), who wish to partake in monitoring, alongside an archaeological monitor meeting the Secretary of the Interior’s standards shall be present during all ground disturbing proceedings, on a simultaneous or rotating basis, based on the scope of work; including but not limited to, all site preparation/construction/demolition based activities, testing and data recovery. Monitoring agreements with the consulting tribe(s) shall be provided to the City prior to issuance of a grading permit.

The Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor. The monitor shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resource. The qualified archaeologist shall develop an Archaeological Monitoring and Treatment Plan to address the details, timing and responsibility of all archaeological and cultural resource activities that occur on the project site. The plan shall be developed in coordination with the City of Redlands and consulting tribe(s) and shall include, but shall not be limited to:

- a. Project grading and development scheduling.

- b. A rotating or simultaneous monitoring schedule based on the scope of work, during all ground related activities, including but not limited to, all site preparation/construction/demolition based activities, testing and data recovery on the project site. The monitoring plan shall include scheduling, safety requirements, duties, scope of work, and a discussion of the Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with the Project Archaeologists.
- c. The protocols and stipulations that the Applicant, City of Redlands, Native American Tribal Monitor(s) and Project Archaeologist shall follow in the event of previously unknown cultural resources discoveries that could be subject to a cultural resources evaluation.

MM TCR-2

Treatment and Disposition of Tribal Cultural Resources. In the event that tribal cultural resources, including historic and pre-contact materials, are discovered during the course of ground disturbance, the following procedures shall be implemented:

- 1. All work in the immediate vicinity of the find (within a 100-foot buffer) shall cease and the find shall be assessed by an archaeologist meeting the Secretary of the Interior's standards. Work on the other portions of the project, outside of the buffered area, may continue during this assessment period.
- 2. Notification and information regarding the nature of the find shall be made to the representatives of all consulting tribe(s).
- 3. Temporary Curation and Storage: During construction, any cultural resources discovered shall be temporarily curated in a secure onsite location, as determined appropriate with consideration of input from consulting tribe(s). The removal of any cultural resources from the project site shall be thoroughly inventoried and overseen by the Native American Tribal Monitor(s).
- 4. Treatment and Final Disposition: The Applicant shall relinquish ownership of all cultural resources, including sacred items, burial goods, archaeological artifacts, and non-human remains discovered during construction of the proposed project. The Applicant shall relinquish the cultural resources through one or more of the following methods and provide the City of Redlands with evidence of same:
 - a. Accommodate the onsite reburial of the discovered cultural resources in consultation with the consulting Native American tribe(s) or band(s). The reburial area shall be protected from any future impacts. All reburials are subject to a reburial agreement that shall be developed between the landowner and the consulting tribes outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.). Reburial shall not occur until all cataloguing and recordation have been completed.
 - b. In the event that reburial is infeasible, and/or if more than one Native American tribe or band is involved with the proposed project and cannot come to a consensus as to the disposition of cultural resources within one hundred and

twenty (120) days from the initial recovery of the items, the cultural resources shall be curated. The landowner shall relinquish all ownership and rights to this material and confer with the consulting tribes to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

- c. Within 60 days following the completion of ground disturbing activities, a Phase IV Monitoring Report shall be submitted to the City of Redlands. The Monitoring Report shall document monitoring activities conducted by the Project Archaeologist and Native Tribal Monitor(s) including: any impact to cultural resources discovered on the project site; how each mitigation measure was fulfilled; the type of cultural resources recovered and the disposition of such resources; evidence of completion of pre-grading cultural sensitivity training required for the construction staff; and daily/weekly monitoring notes from the archaeologist in a confidential appendix. The Phase IV Monitoring Report shall be submitted to the City of Redlands, the South Central Coastal Information Center, and the consulting tribe(s).

MM TCR-3 **Archaeological/Cultural Documents.** Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to consulting tribe(s).

MM TCR-4 **Discovery of Human Remains.** In the event that human remains are encountered on the project site, the construction contractors, Project Archaeologist, and designated Native American Tribal Monitor shall immediately stop all work within 100 feet of the discovery. The Applicant shall immediately notify the San Bernardino County Coroner, the City of Redlands Police Department, and the City of Redlands Development Services Department. The County Coroner shall be permitted to examine the remains consistent with the requirements of California Code of Regulations (CCR) §15064.5(e). State Health and Safety Code §7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) §5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The MLD recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human

remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.

The specific location of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the Project Archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC).

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

CITY OF REDLANDS DEVELOPMENT SERVICES DEPARTMENT

**NOTICE OF INTENT TO
ADOPT A RECIRCULATED MITIGATED NEGATIVE DECLARATION**

To: Responsible Agencies, Organizations, and Interested Parties

From: City of Redlands, Development Services Department
P.O. Box 3005
35 Cajon Street, Suite 20
Redlands, CA 92373

Subject: Filing of Notice of Intent to Adopt a Recirculated Mitigated Negative Declaration in compliance with Public Resources Code Section 21092.3.

Project Title

Orange Avenue Luxury Apartments Project

<u>20190696016</u>	<u>Sean Reilly, Senior Planner</u>	<u>(909) 798-7555</u>
State Clearinghouse Number	Lead Agency Contact Person	Telephone Number

Project Location

The project site is located in the City of Redlands, San Bernardino County, California. The 21.84-acre project site is located on the west side of Alabama Street and is bisected by Orange Avenue. The project spans the north and south sides of Orange Avenue between Alabama Street and Iowa Street. The project site consisting of Assessor's Parcel Numbers (APNs) 0292-167-08-0000, 0292-167-11-0000, 0292-167-12-0000, 0292-167-13-0000, 0292-167-18-0000, 0292-167-25-0000, 0292-168-03-0000, 0292-168-16-0000, 0292-168-21-0000, and 0292-168-22-0000. The site is located on the Redlands, California, United States Geological Survey 7.5-minute topographic quadrangle map, in Township 1 South, Range 39 West, Section 21, within the San Bernardino Baseline and Meridian (34° 3'7.24"N, 117° 12'35.84"W). Project site elevation ranges from 1,215 to 1,240 feet above mean sea level (msl).

Project Description

The proposed project would develop a 328-unit low-rise luxury apartment complex spanning the northern and southern portions of the project site. The apartment complex would include six new, 3-story apartment buildings and a clubhouse (with a total building area of 169,835 square feet). The apartment buildings would include a combination of one, two and three-bedroom units. Some of the apartment units would feature garages on the first floor and balconies on the second floor. A total of 653 parking spaces would be available within the complex, including both covered and uncovered spaces, as well as Americans with Disabilities Act (ADA) van accessible spaces. The project would include 346,064 square feet of landscaping area, plus 19,156 square feet of landscaping area within parking areas.

The proposed project would require a Specific Plan Amendment to the East Valley Corridor Specific Plan to change the zoning of the entire site to EV/2500 (Multi-Family Residential), a Tentative Tract Map to merge the existing lots within the project area into two lots, the approval of a Conditional Use Permit for the development of 328 apartments, and Street Vacation for an approximately 16 foot wide portion of the Orange Avenue right-of-way along the project's frontage and the demolition of existing structures within the project site.

Public Review Process

This is to advise that the City of Redlands has determined that a Mitigated Negative Declaration is the appropriate CEQA environmental determination for the proposed project. The Recirculated Initial Study reflects the independent judgment of the City. The Recirculated Initial Study is available for review at the City of Redlands Planning Division office located at 35 Cajon Street, Suite 20, Redlands, CA 92373, as well as the Planning Division website at www.cityofredlands.org (under Development Services Department, Planning Division, Environmental Documents). The project is tentatively scheduled for a public hearing before the City of Redlands Planning Commission on Tuesday, September 10, 2019, beginning at 4:00 PM or as soon thereafter as the matter may be heard, at which time the Planning Commission will make a recommendation to the City Council on the project.

The Recirculated Initial Study and proposed Mitigated Negative Declaration will be available for public review and comment from August 1, 2019, to August 31, 2019. Any comments you wish to submit must be submitted in writing **no later than 5:30 p.m. on August 31, 2019**, to the City of Redlands Planning Division.

Written comments may be mailed or delivered to the following address:

City of Redlands, Planning Division
Attn: Sean Reilly, Senior Planner
35 Cajon Street, Suite 20
Redlands, CA 92373

Written comments may be submitted via e-mail to: sreilly@cityofredlands.org

Written comments may be submitted via facsimile to: 909-792-8715

**Deadline to submit public comments:
August 31, 2019, by 5:30 p.m.**



Signature

Senior Planner
Title

July 30, 2019
Date