

MITIGATED NEGATIVE DECLARATION
Mitigation Monitoring and Reporting Plan
SUNFLOWER LEGACY APARTMENTS



Lead Agency:

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1.0 MITIGATION MONITORING AND REPORTING PLAN

1.1 Introduction

This is the Mitigation Monitoring and Reporting Plan (MMRP) for the Sunflower Legacy Apartments 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 Santa Ana is the lead agency for the project, and is therefore, responsible for administering and implementing the MMRP. 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 applicant proposes to demolish the existing Sound Church at 651 Sunflower Avenue and construct 226 apartments in a five-story building and a six level parking structure on a on a 3.59-acre site. The parking structure includes one level of subterranean parking and five levels above ground and is proposed for the middle of the site along the northern project boundary. The five-story apartment building would be wrapped around the five level parking structure on three sides. The apartment building and the parking structure would front Sunflower Avenue. The project includes a central outdoor courtyard with a swimming pool and spa, outdoor furniture, bar-b-ques, outdoor yoga and fitness court and restrooms at the apartment building on the west side of the site. A central fitness center, clubroom and business center/conference room, mailroom, parcel room, bike storage area and apartment leasing area are proposed for the westerly apartment building. The project includes studio, one-and two-bedroom apartments ranging in average size of 612 square feet for the studio apartments, 670 square feet for the one-bedroom apartments and 1,105 square feet for the two-bedroom apartments. The apartment building would be 75 feet in height to the top of roof and the parking structure would be 70 feet in height. The project proposes 452 parking spaces, including 10 subterranean parking spaces and handicap spaces. Four bicycle parking spaces are proposed. A total of 227 storage units are proposed for all five levels in the parking structure, including 20 storage units in the subterranean parking level, for use by the residents. Landscaping is proposed within the required setbacks along all sides of the site. The existing student drop-off area for Taft Elementary school is adjacent to and north of the site and would remain with the project. An emergency vehicle access route is proposed along the north project boundary for emergency vehicle access from both the west and east sides of the site at Sunflower Avenue. The project is scheduled to be constructed in two phases. Project construction would start in the first quarter of 2020 and the first phase completed in October 2021. The second phase is scheduled to be completed in December 2021 or early 2022. The project proposes Modern architecture.

1.3 Monitoring and Reporting Procedures

This MMRP 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 MMRP 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
Sunflower Legacy Apartments
Mitigation Monitoring and Reporting Plan**

Mitigation Number	Mitigation Measure	Timing	Implementation Responsibility	Monitoring/ Responsibility	Verification of Compliance		
					Initials	Date	Remarks
Hazards and Hazardous Materials							
1	<p>Prior to the issuance of a demolition permit of any existing on-site improvements the developer shall submit proof to the City's satisfaction that one of the following two options to reduce pesticide and/or herbicide levels to meet accepted Environmental Protection Agency (EPA) and County of Orange Health Care Agency (COHCA) requirements have been completed.</p> <ul style="list-style-type: none"> • The on-site soils shall be tested for the presence of pesticides and/or herbicides. • Remove and dispose of the soil from the site where pesticides and/or herbicides are detected above regulated levels. • Through a corrective grading process, which consists of digging out soil containing pesticides and/or herbicides along with a large quantity of underlying 	Prior to the issuance of a demolition permit	Developer	City of Santa Ana Building Division			

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	soil that does not contain pesticide concentrations, followed by further testing to confirm whether the resulting concentrations of pesticides in soil require further management as either a California hazardous waste or concern based on levels above the EPA Regional Screening Levels (RSLs).						
Noise							
2	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.	On-going throughout project construction	Developer	City of Santa Ana Building Division			
3	The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.	On-going throughout project construction	Developer	City of Santa Ana Building Division			

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4	Equipment shall be shut off and not left to idle when not in use.	On-going throughout project construction	Developer	City of Santa Ana Building Division			
5	The contractor shall locate equipment staging in areas that would create the greatest distance between construction-related noise sources and sensitive receptors nearest the project site during all project construction.	On-going throughout project construction	Developer	City of Santa Ana Building Division			
6	Jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded and noise shall be directed away from sensitive receptors.	On-going throughout project construction	Developer	City of Santa Ana Building Division			
7	The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.	On-going throughout project construction	Developer	City of Santa Ana Building Division			
8	The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.	On-going throughout project construction	Developer	City of Santa Ana Building Division			

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9	All residential units that face Sunflower Avenue and Flower Street shall have acoustic windows with STC ratings shown in Table 6 of the Noise Report.	Prior to the issuance of the first building permit	Developer	City of Santa Ana Building Division			
10	Vibratory equipment such as vibratory rollers shall be restricted from use within 16 feet of the eastern property line and large bulldozers within 2 feet of the eastern property line.	On-going throughout project construction	Developer	City of Santa Ana Building Division			
Transportation/Traffic							
11	Prior to the issuance of the first occupancy permit, the project developer shall modify the traffic signal at the intersection of Sunflower Avenue and Main Street to provide a southbound right-turn overlap phase.	Prior to the issuance of the first occupancy permit	Developer	City of Santa Ana Planning and Building Divisions, and Public Works Agency			
Tribal Cultural Resources							
12	The project developer shall retain a Native American Monitor of Gabrieleño Ancestry to conduct a Native American Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving	Prior to the start of any excavation activities	Developer	City of Santa Ana Building Division and Planning Division			

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	activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation						
13	The project developer shall retain a Native American Monitor of Gabrieleño Ancestry to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, grubbing, and weed abatement) of soils to a maximum depth of 10 feet below ground surface.	On-going during ground disturbing construction activities	Developer	City of Santa Ana Building Division and Planning Division			
14	A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe would request reburial or preservation for educational	On-going during ground disturbing construction activities	Developer	City of Santa Ana Building Division			

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	<p>purposes. If archaeological features are discovered, the archaeologist shall report such findings to the City of Fountain Valley Planning and Building Director. If the archaeological resources are found to be significant, the archaeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5 (f).</p>						