



## Lincoln Colony Apartments Project

### Appendix N

#### Mitigation Monitoring and Reporting Plan

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**LINCOLN COLONY APARTMENT DEVELOPMENT PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM NO. 379**

- Project Name:** Lincoln Colony Apartments Development (DEV2019-00179)
- Project Location:** The Proposed Project is located at 898-914 West Lincoln Avenue (APNs 036-112-03 and 036-112-32), in the northwestern portion of Anaheim, approximately 25 miles southeast of downtown Los Angeles. The Proposed Project encompasses approximately 0.733 acres. The Proposed Project is located south of Lincoln Avenue, west of South Ohio Street, north of West Broadway, and east of Illinois Street in the City of Anaheim.
- Address:** 898-914 West Lincoln Avenue
- CEQA Action:** Initial Study/Mitigated Negative Declaration (The Initial Study/Mitigated Negative was prepared to identify any potentially significant impacts associated with the Proposed Project and incorporate mitigation measures into the Proposed Project as necessary to eliminate the potentially significant effects of the Proposed Project or to reduce the effects to a level of less than significant.)
- Entitlement Requests:**
- A Conditional Use Permit (CUP2019-06049) to allow a 42-unit apartment project and reduced structural and landscape setbacks along the Lincoln Avenue and Ohio Street frontages; and to reduce the number of trees provided within the setbacks.
- Project Description:** Pacific Coast Asset Management, LLC (Applicant) proposes to construct a multifamily residential development consisting of a 43 residential apartment (rental) unit complex, which includes 42,057 sq. ft. of living area, 390 sq. ft. management office, 4,706 sq. ft. of building support (stairs, storage, elevators, etc.), and 45,111 sq. ft. of parking, providing an overall enclosed building size of 92,264 sq. ft. The Proposed Project would have 106 on-site parking spaces and storage area, mechanical equipment rooms, circulation, mailbox rooms, trash rooms, and stairwells. The Proposed Project is located on 0.733-acres of land consisting of two parcels, Assessor's Parcel Numbers (APNs) 036-112-03 and 036-112-32 located at 898-914 W. Lincoln Avenue (Project Site).



## LINCOLN COLONY APARTMENT DEVELOPMENT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM NO. 379

### Terms and Definitions:

1. **Property Owner/Developer** – Owner or developer of Lincoln Colony Apartment Development Project.
2. **Environmental Equivalent/Timing** – Any mitigation measure and timing thereof, subject to the approval of the City, which will have the same or superior result and will have the same or superior effect on the environment. The Planning Department, in conjunction with any appropriate agencies or City departments, shall determine the adequacy of any proposed "environmental equivalent/timing" and, if determined necessary, may refer said determination to the Planning Commission. Any costs associated with information required in order to make a determination of environmental equivalency/timing shall be done by the property owner/developer. Staff time for reviews will be charged on a time and materials basis at the rate in the City's adopted Fee Schedule.
3. **Timing** – This is the point where a mitigation measure must be monitored for compliance. In the case where multiple action items are indicated, it is the first point where compliance associated with the mitigation measure must be monitored. Once the initial action item has been complied with, no additional monitoring pursuant to the Mitigation Monitoring Plan will occur, as routine City practices and procedures will ensure that the intent of the measure has been complied with. For example, if the timing is "to be shown on approved building plans" subsequent to issuance of the building permit consistent with the approved plans will be final building and zoning inspections pursuant to the building permit to ensure compliance.
4. **Responsibility for Monitoring** – Shall mean that compliance with the subject mitigation measure(s) shall be reviewed and determined adequate by all departments listed for each mitigation measure. Outside public agency review is limited to those public agencies specified in the Mitigation Monitoring Plan which have permit authority in conjunction with the mitigation measure.
5. **Ongoing Mitigation Measures** – The mitigation measures that are designated to occur on an ongoing basis as part of this Mitigation Monitoring Plan will be monitored in the form of an annual letter from the property owner/developer in January of each year demonstrating how compliance with the subject measure(s) has been achieved. When compliance with a measure has been demonstrated for a period of one year, monitoring of the measure will be deemed to be satisfied and no further monitoring will occur. For measures that are to be monitored "Ongoing During Construction", the annual letter will review those measures only while construction is occurring; monitoring will be discontinued after construction is complete. A final annual letter will be provided at the close of construction.
6. **Building Permit** – For purposes of this Mitigation Monitoring Plan, a building permit shall be defined as any permit issued for construction of a new building or structural expansion or modification of any existing building, but shall not include any permits required for interior tenant improvements or minor additions to an existing structure or building.



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<b>4.13 NOISE</b>				
<b>MM NOI-1</b>	Prior to the issuance of a grading permit.	Prior to the issuance of a grading permit, the Property Owner/Developer shall include a note on the grading plans that vibratory rollers (or other similar vibratory equipment) are prohibited from operating within 20 feet of any commercial structure to the west of the Project Site and 136 feet of any residential structures to the south and/or southwest of the Project Site, and that large bulldozers are prohibited from operating within 12 feet of any commercial structure to the west of the Project Site and 80 feet of any residential structures to the south and/or southwest, during all phases of construction activity for development. If construction activity must occur within these specified distances, it shall be performed with smaller equipment types that do not exceed the vibrations thresholds applied herein.	Planning and Building Department/Building Division	
<b>“Good Neighbor” Measures</b>				
“Good Neighbor” Measure 1	During all phases of construction and on-site grading.	The Property Owner/Developer shall ensure the construction contractors equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards during all project construction and grading on-site.	Planning and Building Department/Building Division	
“Good Neighbor” Measure 2	During all phases of construction and on-site grading.	The Property Owner/Developer shall ensure the construction contractor place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project Site.	Planning and Building Department/Building Division	
“Good Neighbor” Measure 3	During all phases of construction and on-site grading.	The Construction Contractor shall shut off and not leave to idle any/all equipment when not in use, as applicable.	Planning and Building Department/Building Division	



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“Good Neighbor” Measure 4	During all phases of construction and on-site grading.	The Construction 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 phases of project construction.	Planning and Building Department/Building Division	
“Good Neighbor” Measure 5	During all phases of construction and on-site grading.	The Construction Contractor shall shield and direct use of any jackhammers, pneumatic equipment and any/all other portable stationary noise sources away from sensitive receptors.	Planning and Building Department/Building Division	
“Good Neighbor” Measure 6	During all phases of construction.	The Property Owner/Developer shall mandate that the Construction Contractor prohibit the use of music or sound amplification on the Project Site during all phases of project construction.	Planning and Building Department/Building Division	
“Good Neighbor” Measure 7	During all phases of construction.	The Construction Contractor shall limit haul truck deliveries to the same hours specified for construction equipment.	Planning and Building Department/Building Division	
<b>4.18 TRIBAL CULTURAL RESOURCES</b>				
<b>MM TCR-1</b>	Prior to the commencement of any grading and/or construction activities.	Prior to the commencement of any grading and/or construction activity, the Property Owner/Developer shall retain a qualified Juaneño Band of Mission Indians – Acjachemen Nation - Belardes Native American Monitor (Tribal Monitor) with ancestral ties to the area and a copy of the executed contract shall be submitted to the City of Anaheim Planning and Building Department. The Tribal Monitor will only be present on-site during the construction phases that involve ground-disturbing activities within undisturbed native sediments. Ground disturbing activities may include, but are not limited to, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the Project site. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities,	Planning, Engineering, and Building Department/Building Division	



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		<p>locations, soil, and any cultural materials identified. The on-site monitoring shall end when the Project site grading and excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the Project site has a low potential for impacting archaeological or tribal cultural resources.</p> <p>Upon discovery of any archaeological or tribal cultural resources, construction activities shall cease in the immediate vicinity of the find until the find can be assessed. All archaeological and/or tribal cultural resources unearthed by project construction activities shall be evaluated by the qualified archaeologist meeting the Secretary of Interior standards and a Tribal monitor. If the resources are Native American in origin, the Tribal Monitor from a recognized California Native American tribe culturally and traditionally affiliated with the area shall coordinate with the City and Property Owner/Developer regarding treatment and curation of these resources. The City and Property Owner/Developer shall, in good faith, consult with the "TRIBE" on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be provided by the Property Owner/Developer. A treatment plan would be prepared for the resources, which would be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a</p>		



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		public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, the Copper Center, or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.		
<b>MM TCR-2</b>	Prior to the commencement of any grading and/or construction activities.	<p>Prior to the commencement of any grading and/or construction activity, the Property Owner/Developer shall retain a qualified Gabrieleño Band of Mission Indians – Kizh Nation Native American Monitor (Tribal Monitor) with ancestral ties to the area and a copy of the executed contract shall be submitted to the City of Anaheim Planning and Building Department. The Tribal Monitor will only be present on-site during the construction phases that involve ground-disturbing activities within undisturbed native sediments. Ground disturbing activities may include, but are not limited to, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the Project site. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the Project site grading and excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the Project site has a low potential for impacting archaeological or tribal cultural resources.</p> <p>Upon discovery of any archaeological or tribal cultural resources, construction activities shall cease in the immediate vicinity of the find until the find can be assessed. All archaeological and/or tribal cultural resources unearthed by project construction activities shall be evaluated by the qualified archaeologist meeting the Secretary of Interior standards and a Tribal monitor. If the resources are Native American in origin, the Tribal Monitor from a recognized California Native American tribe culturally and traditionally affiliated with the area shall coordinate with the City and Property Owner/Developer regarding treatment and curation of</p>	Planning, Engineering, and Building Department/Building Division	





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		<p>these resources. The City and Property Owner/Developer shall, in good faith, consult with the “TRIBE” on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be provided by the Property Owner/Developer. A treatment plan would be prepared for the resources, which would be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, the Copper Center, or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p>		