

RESOLUTION NO. 19-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING PLANNING APPLICATION 17-11 FOR THE MASTER PLAN FOR FUTURE EXPANSION OF VANGUARD UNIVERSITY AT 55 FAIR DRIVE

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Dr. Michael J. Beals, representing Vanguard University of Southern California, the property owner, requesting approval of the following:

Planning Application 17-11: A Master Plan for the future expansion of the Vanguard University Campus. The proposed Master Plan establishes a comprehensive plan for future development at the University and is intended to supersede previous Master Plan approvals. It is anticipated that the Master Plan will accommodate up to 2,700 enrolled students (2,098 students are currently enrolled) and is comprised of at least 12 separate projects that involve the removal and/or construction of buildings on the campus. The Master Plan establishes Development Areas and Development Guidelines for future buildings and related site improvements within a Master Plan framework. It is intended that the Development Areas and Development Guidelines remain fixed while allowing for the future development of buildings of various types, size and heights within these Areas, consistent with the Guidelines. The following buildings are included in the Vanguard University Campus Master Plan:

- **Project A:** Gym/Events Center—This project would replace the existing gymnasium and provides facilities for Vanguard's athletics program. The center court will also transform into an events center for the campus to gather during planned events. This facility removes parking (existing Lot K) that is internal to the campus. An outdoor space/quad will be created to the east of the facility, connecting this building to the campus core and improving pedestrian circulation.
- **Project B:** Student Center—This project would remove the existing Café and Cove/Bookstore on campus, replacing them with a Student Center. The development area for this facility includes the removal of parking lot L. The perimeter road that connects Vanguard Way to parking lot M will remain. NOTE: This portion of the project was approved by the Planning Commission on June 25, 2018 via Planning Commission Resolution Number PC-18-48, along with

approval of the Initial Study/Mitigated Negative Declaration for the project via Planning Commission Resolution Number PC-18-47.

- **Project C:** Maintenance & Operations/Warehousing—This project relocates facilities for maintenance and operations to the southwest corner of the University. This will create a new access point to the campus for deliveries. Deliveries will enter from Vanguard Way, directly to the facility. Campus vehicles will distribute materials as needed throughout the campus.
- **Project D:** STEM & Kinesiology—This project would replace antiquated Science, Technology, Engineering, Math and Kinesiology facilities on campus. The project is planned in two phases within one development area along Newport Boulevard. Because of the location of the existing Smith Building, Phase 1 would ideally retain the facility, while Phase 2 would require the demolition of Smith Building. In addition to the academic facilities, limited parking and a service road will connect the North and South parking lots along Newport Boulevard. This project would remove parking lots E & F.
- **Project E:** Multi-Disciplinary Academic Building—This project would locate a new academic facility south of Scott Academic Center and west of Heath Academic Center. This project would replace existing modular offices and classrooms and provide permanent classrooms and offices.
- **Project F:** Learning Resource Center—This project would locate a new Learning Resource Center (LRC) along the south edge of the campus core. The new LRC would replace the existing library.
- **Project G:** Student Housing—This project would locate a Student Housing facility east of the new LRC. This facility could accommodate approximately 300 students depending on design and room size.
- **Project H:** Central Plant—This project would locate a central plant on campus. Depending upon further engineering studies, the following sites within the Institutional Areas would be considered: Project A (Gym/Events Center), Project B (Student Union), Project D (STEM & Kinesiology).
- **Project I:** Athletics—This project identifies ongoing improvements to the athletic facilities.
- **Project J:** North East Parking—This project would create a new front entry for Vanguard University. Relocating the primary entry drive to the east would allow

direct access for vehicles to move into the parking lot and would provide a formalized campus drop-off. The project also removes open space and re-organizes parking lots C and D.

- **Project K: Parking Structure**—This project would remove parking lots H and G, locating a four-level parking structure along Newport Boulevard.
- **Project L: Campus Beautification/Infrastructure**—This project would address ongoing site improvements on campus.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration was prepared and circulated from March 19, 2018 to April 18, 2018 for public review and comment.

WHEREAS, the Initial Study/Mitigated Negative Declaration including the Mitigation Monitoring Program for this project was approved and adopted on June 25, 2018 by the Planning Commission via Resolution No. PC-18-47, along with Project B of the Master Plan via Resolution No. PC-18-48.

WHEREAS, the City Council, exercising its own independent judgement, has determined that the subject project was adequately described and analyzed in the approved Initial Study/Mitigated Negative Declaration; therefore, nothing further is required for CEQA compliance.

WHEREAS, duly noticed public hearings were held by the Planning Commission on April 23, 2018, May 14, 2018, June 25, 2018, and October 8, 2018 with all persons having the opportunity to speak for and against the proposal, and the project was approved by the Planning Commission on October 8, 2018 on a 5-0 vote.

WHEREAS, a request for review of the Planning Commission's decision for the project was filed on October 10, 2018 by Councilmember Sandy Genis.

WHEREAS, a duly noticed public hearing was held by the City Council on November 13, 2018, with all persons having the opportunity to speak for and against the proposal, which was continued off-calendar to allow the applicant additional time to explore an alternate location for Project C.

WHEREAS, a duly noticed public hearing was held by the City Council on February 19, 2019, with all persons having the opportunity to speak for and against the proposal.

BE IT RESOLVED that, based on the evidence in the record, testimony received at the public hearings and the findings contained in Exhibit A, and subject to the

conditions of approval and mitigation measures indicated in the Mitigation Monitoring Program contained within Exhibits B and C, respectively, the City Council hereby **APPROVES** Planning Application 17-11.

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application 17-11 and upon the applicant's compliance with each and all of the conditions in Exhibits B, the Mitigation Monitoring Program in Exhibit C, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval and/or mitigation measures.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the documents in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this ___ day of _____, 2019.

Katrina Foley, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 19-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the ___ day of _____, 2019, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this ___ day of _____, 2019.

Brenda Green, City Clerk

EXHIBIT A

FINDINGS (APPROVAL)

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(5) because:

Finding: The Master Plan meets the broader goals of the General Plan and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures, and the protection of the integrity of neighboring development.

Facts in Support of Findings: The project, as conditioned, meets the purpose and intent of the stated policies of the General Plan, and the Zoning Code. The project will allow for the redevelopment of existing buildings and construction of new buildings within the existing University campus to meet the needs of the University. The proposed project will enhance the visual appearance of the property from the public streets and provide the type and mix of uses consistent with a university campus.

The following analysis evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

- **Objective LU-1A:** Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.
- **Policy LU-1.1:** Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of business and residential segments of the community.

Consistency

The proposed project would enhance an existing educational institution, including the provision of student housing and additional employment opportunities. The character of the surrounding area is defined by residential and institutional uses. The project would be compatible with the mix of uses and character of its surroundings, and would maintain the quality of the environment. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the General Plan or zoning regulations).

- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. An Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the project and approved and adopted per Resolution No. PC-18-47 in accordance with CEQA. Mitigation measures from the IS/MND have been adopted as conditions of approval and included as Exhibit C.
- C. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation

System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated at all affected intersections.

- D. The proposed buildings are an excessive distance from the street necessitating fire apparatus access and provisions of on-site fire hydrants.

EXHIBIT B

CONDITIONS OF APPROVAL (NOTE: CONDITIONS SHALL BE COMPLIED WITH AT TIME OF CONSTRUCTION OF ANY PROJECT IN THIS MASTER PLAN)

- Plng.
1. Planning Application 17-11 shall comply with the conditions of approval, code requirements, special district requirements, and mitigation measures of the IS/MND for this project and as listed in the attached Mitigation Monitoring Program (Exhibit C).
 2. The use(s) shall be limited to the type of operation(s) as described in the staff report. Any change in the operational characteristics including, but not limited to, the hours of operation indicated, shall require review by the Planning Division and may require an amendment subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 3. Use of campus athletic facilities, including, but not limited to, sports fields, gym/events center, etc., by any outside vendors shall adhere to good neighbor policies, including parking on-campus and ceasing any outdoor use, including field lighting, by 10:00 pm. Such good neighbor policies shall be reviewed and approved by the Development Services Department prior to an event.
 4. Implementation of any project in this Master Plan shall require the issuance of a "Notice of Zoning Approval" by the Planning Division indicating the project is in compliance with the overall Master Plan. If individual projects are proposed that require modifications to the approved Master Plan, those projects shall be processed as minor or major Master Plan amendments (depending on the nature of the changes) and may be subject to Zoning Administrator approval.
 5. If parking shortages or other parking-related problems arise, the University shall institute whatever reasonable operational measures necessary to minimize or eliminate the problem.
 6. During athletic events on-campus that involve persons from outside the campus, the University shall provide on-site parking and adopt policies and procedures requiring patrons to use such parking, including, but not limited to, the use of directional signs, parking attendants, etc. A copy of the on-site parking policies and procedures for outside organizations shall be provided to the Development Services Department and the Transportation Services Division for review and approval prior to an event.
 7. After any athletic event on campus, the University shall be responsible for trash removal both on the campus and in the public rights-of-way immediately adjacent to the campus.
 8. The driveway leading to the maintenance facilities off of Vanguard Way shall be posted with a sign stating "Vanguard Employees Only".
 9. Noise-generating work at the Maintenance and Operations/Warehousing area shall be conducted outside the building only between the hours of

8:00 AM to 6:00 PM, Monday through Friday. If noise complaints are received, additional measures shall be implemented to further reduce noise. Such measures may include but are not limited to, the use of machinery inside the building only with the roll-up doors in a closed position.

10. The elevations for the maintenance building facing toward residential properties shall be designed with view obscuring, non-openable windows subject to review by the Director of Development Services.
11. The buildings in the Maintenance and Operations/Warehousing area shall be subject to the following:
 - a. Limited to one story with a maximum height of 18 feet for the office and shop buildings and 22 feet for the warehouse/storage building.
 - b. Shall be setback a minimum of 15 feet from the rear property line.
 - c. Setback areas between the Maintenance and Operations Building and residences shall be planted with minimum 48-inch box trees to screen the buildings from the residences.
 - d. No roof-mounted mechanical equipment (i.e., air conditioning units) will extend above the 18-foot and 22-foot height limits established and shall be screened from view of surrounding properties per existing Zoning Code requirements.
12. Prior to the issuance of building permits for any individual project in this Master Plan, the University shall provide the current student enrollment and the pre- and post-project number of parking spaces to verify that the number of required on-site parking spaces is provided.
13. Any future increases above the 2,700 maximum projected enrollment shall be subject to the approval of a Major Master Plan Amendment by the Zoning Administrator to determine that any traffic impacts have been appropriately addressed and adequate onsite parking for the enrollment increase has been provided.
14. Mitigation measures from the IS/MND for this project have been included as Exhibit C (Mitigation Monitoring Program). If any of these conditions are removed or substantially modified, the Planning Commission must make a finding that the project will not result in significant environmental impacts.
15. The conditions of approval including Mitigation Measures listed in Exhibit C, code requirements, and special district requirements of PA-17-11 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
16. Prior to issuance of building permits, a final landscape plan indicating the landscape palette and the design/material of paved areas shall be submitted for review and approval by the Planning Division.
17. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
18. Prior to issuance of building permits, developer shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
19. No exterior roof access ladders, roof drain scuppers, or roof drain

downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.

20. Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Development Services Department. The Lighting Plan shall demonstrate compliance with the following:

The mounting height of lights on light standards shall not exceed 18 feet in any location on the project site unless approved by the Development Services Director.

- a. The intensity and location of lights on buildings shall be subject to the Development Services Director's approval.
 - b. All site lighting fixtures shall be provided with a flat glass lens. Photometric calculations shall indicate the effect of the flat glass lens fixture efficiency.
 - c. Lighting design and layout shall limit spill light to no more than 0.5 foot-candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on-site.
 - d. Glare shields may be required for select light standards.
21. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information. CAL Green Code or higher as determined by applicant.
 22. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring residential uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption to residents during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager.
 23. The subject property's ultimate finished grade level may not be filled/raised in excess of 36 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building

Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.

24. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
25. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
26. A comprehensive sign program shall be submitted for all on-site signs (i.e., monument, directional, wall mounted) for review and approval of the Development Services Director prior to issuance of sign permits.
27. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.
28. In the event that archaeological resources are encountered during grading and construction, all construction activities shall be temporarily halted or redirected to permit the sampling, identification, and evaluation of archaeological materials as determined by the City, who shall establish, in cooperation with the project Applicant and a certified archaeologist, the appropriate procedures for exploration and/or salvage of the artifacts.
29. Prior to issuance of Certificate of Occupancy (C of O), the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be

annotated with its corresponding address and suites if applicable.

30. If human remains are encountered, State Health and Safety Code Section 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 Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

- Eng. 31. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

CODE REQUIREMENTS (NOTE: CODE REQUIREMENTS SHALL BE COMPLIED WITH AT TIME OF CONSTRUCTION OF ANY PROJECT IN THIS MASTER PLAN)

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 3. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 4. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 5. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
 6. Two (2) sets of landscape and irrigation plans, approved by the Planning

Division, shall be attached to two of the final building plan sets.

7. All on-site utility services shall be installed underground.
8. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
9. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
10. The project shall comply with the NPDES requirements, as follows:
 - Construction General Permit Notice of Intent (NOI) Design: Prior to the issuance of preliminary or precise grading permits, the project Applicant shall provide the City Engineer with evidence that an NOI has been filed with the Storm Water Resources Control Board (SWRCB). Such evidence shall consist of a copy of the NOI stamped by the SWRCB or Regional Water Quality Control Board (RWQCB), or a letter from either agency stating that the NOI has been filed.
 - Construction Phase Storm Water Pollution Prevention Plan (SWPPP): Prior to the issuance of grading permits, the Applicant shall prepare a SWPPP that complies with the Construction General Permit and will include at a minimum the following:
 - Discuss in detail the BMPs planned for the project related to control of sediment and erosion, nonsediment pollutants, and potential pollutants in non-storm water discharges;
 - Describe post-construction BMPs for the project;
 - Explain the maintenance program for the project's BMPs
 - List the parties responsible for the SWPPP implementation and the BMP maintenance during and after grading. The project Applicant shall implement the SWPPP and modify the SWPPP as directed by the Construction General Permit.

- Bldg.
11. The Applicant shall comply with the requirements of the 2016 California Building Code, 2016 California Residential Code, 2016 California Electrical Code, 2016 California Mechanical Code, 2016 California Plumbing Code 2016 California Green Building Standards Code, and the 2016 California Energy Code (or the applicable adopted California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code at the time of plan submittal or permit issuance), and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Areas of alteration and additions shall comply with 2016 California Green Building Standards Code section 5.303.2 and 5.303.2.

12. Prior to the issuance of Grading Permits, the project Applicant shall provide the City of Costa Mesa Department of Building Safety with a geotechnical investigation of the project site detailing recommendations for remedial grading in order to reduce the potential of on-site soils to cause unstable conditions. Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Department of Building Safety.
13. Submit precise grading plans, an erosion control plan, and a hydrology study.
14. **The Applicant shall** submit a soils report for this project. Soils Report recommendations shall be blueprinted on both the architectural and grading plans. For existing slopes or when new slopes are proposed, the Soils Report shall address how existing slopes or the new slopes will be maintained to avoid erosion or future failure.
15. On graded sites the top of exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved discharge devise a minimum of 12 inches plus 2 percent. 2013 California Building Code Section 1808.7.4.
16. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5% for a minimum distance of 10 feet measured perpendicular to the face of the wall per BCB Section 1804.3
17. All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:
 - a. Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
 - b. Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
 - c. Water excavated soil piles hourly or covered with temporary coverings.
 - d. Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
 - e. Wash mud-covered tired and under-carriages of trucks leaving construction sites.

- f. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
 - g. Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
 - h. Cease grading during period when winds exceed 25 miles per hour.
18. Prior to demolition activities, removal and/or abatement of asbestos containing building materials, lead based paints, and hazardous materials associated with the existing building materials, an investigation shall be conducted by a qualified environmental professional in consultation with the Costa Mesa Fire Department. An asbestos and hazardous materials abatement plan shall be developed by the qualified environmental professional, in order to clearly define the scope and objective of the abatement activities.
 19. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.
 20. During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.
 21. Prior to investigations, demolition, or renovation, all activities shall be coordinated with Dig Alert (811).
 22. Visual inspections for areas of impact to soil shall be conducted during site grading. If unknown or suspect materials are discovered during construction by the contractor that are believed to involve hazardous wastes or materials, the contractor shall:
 - Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;
 - Notify the City Engineer and Costa Mesa Fire Department;
 - Secure the area(s) in question;

Implement required corrective actions, including remediation if applicable.

23. In order to comply with the 2003 DAMP, the project shall prepare a Storm Drain Plan, Stormwater Pollution Prevention Plan (SWPPP), and

Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer or Environmental Engineer, which shall be submitted to the Department of Public Services for review and approval.

- The SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of development.
- The plan shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows and for nuisance flows during construction.
- A WQMP shall be maintained and updated as needed to satisfy the requirements of the adopted NPDES program.
- The plan shall ensure that the existing water quality measures for all improved phases of the project are adhered to. Location of the BMPs shall not be within the public right-of-way.

24. Prior to the issuance of any Grading Permit, the Applicant shall:

- Prepare a detailed Hydrology Study, approved by the City Engineer.
- Design all storm drain facilities, approved by the City Engineer, for 25-year storm event protection.
- Design all storm drains in the public right-of-way to be a minimum of 24 inches by City of Costa Mesa requirements and in accordance with the Orange County Local Drainage Manual including a minimum spacing between manholes of 300 feet.

25. Prior to approval of Plans, the project shall fulfill the City of Costa Mesa Drainage Ordinance No. 06-19 requirements.

26. The project Applicant shall submit grading plans, an erosion control plan, and a hydrology study.

Trans. 27. Construct all proposed driveway approaches to comply with city standards.

28. Fulfill mitigation of off-site traffic impacts at the time of issuance of occupancy by submitting to the Planning Division the required traffic impact fee pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated including credits for all existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of building permit/certificate of occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

29. Close unused drive approaches, or portion of, with full height curb and gutter that comply with City Standards.

Eng. 30. At the time of development submit for approval an offsite plan to the engineering division and grading plan to the building division that shows

sewer, water, existing parkway improvements and the limits of work on the site, and hydrology calculations, both prepared by a registered civil engineer or architect. Cross lot drainage shall not occur. Construction access approval must be obtained prior to building or engineering permits being issued by the city of costa mesa. Pay offsite plan check fee per section 13-231 of the C.C.M.M.C. and an approved offsite plan shall be required prior to engineering permits being issued by the City Of Costa Mesa.

31. A construction access permit and deposit will be required by city of costa mesa, engineering division prior to start of any on-site work, necessary during construction for street sweeping and to guarantee replacement costs in case of damage to existing public improvements.
32. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approaches per City of Costa Mesa standards as shown on the offsite plan. Location and dimensions are subject to the approval of the transportation services manager. ADA compliance required for all new driveway approaches.
33. Obtain a permit from the City Of Costa Mesa, Engineering Division, at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk.
34. Fulfill City Of Costa Mesa Drainage Ordinance No. 06-19 requirements prior to approval of plans.
- Fire 35. Prior to the issuance of a Building Permit, the City of Costa Mesa Fire Department shall review and approve the developer's project design features to assess compliance with the California Building Code and California Fire Code.
36. Projections, including eaves, shall be one-hour fire resistive construction, heavy timber or of noncombustible material if they project into the 5-foot setback area from the property line. They may project a maximum of 12 inches beyond the 3-foot setback. CRC Tables R302.1(1) and R302.1(2).
37. The final Master Plan for development of the project shall provide sufficient capacity for fire flows required by the City of Costa Mesa Fire Department.
38. Vehicular access shall be provided and maintained serviceable throughout construction to all required fire hydrants.
39. The project shall provide approved smoke detectors to be installed in accordance with the 2016 Edition of the Uniform Fire Code.
40. The project shall provide fire extinguishers with a minimum rating of 2A to be located within 75 feet of travel distance from all areas. Extinguishers may be of a type rated 2A, 10BC as these extinguishers are suitable for all types of fires and are less expensive.
41. The project shall provide a fire alarm system.
42. The project shall provide individual numeric signage for proposed residences with minimum 6 inches height.

43. As final building plans are submitted to the City of Costa Mesa for review and approval, the Costa Mesa Police Department shall review all plans for the purpose of ensuring that design requirements are incorporated into the building design to increase safety and avoid unsafe conditions. These measures focus on security measures are recommended by the Police Department, including but not limited to, the following:

- Lighting shall be provided in open areas and parking lots.
- Required building address numbers shall be readily apparent from the street and rooftop building identification shall be readily apparent from police helicopters for emergency response agencies.
- Landscaping requirements (e.g., minimize use of hedges, use of low height shrubs for greater visibility).
- Emergency vehicle parking areas shall be designated within proximity to buildings.
- Prior to the issuance of a Building Permit, the City of Costa Mesa Police Department shall review and approve the developer's project design features to satisfy local requirements. The applicant shall then pay the appropriate fee in effect to mitigate the project's proportionate impact to additional demands on police protection services, if any.

Street
Trees

44. All City trees shall be protected in place during construction. Damaged trees shall be replaced with a 24-inch box tree or larger. Tree species shall be determined by the City arborist.

SPECIAL DISTRICT REQUIREMENTS (NOTE: SPECIAL DISTRICT REQUIREMENTS SHALL BE COMPLIED WITH AT TIME OF CONSTRUCTION OF ANY PROJECT IN THIS MASTER PLAN)

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani.
1. Applicant will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.
 2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer.
 3. County Sanitation District fees, fixtures fees, inspection fees, and sewer permit are required prior to installation of sewer.
 4. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.
 5. Applicant will be required to coordinate with the Costa Mesa Sanitary District to comply with all recommended studies and improvements, prior to issuance of a building permit.
 6. Unless an offsite trash hauler is being used. The applicant shall contact

the Costa Mesa Sanitary District to pay trash collection program fees and arrange for service for all new residences. Residences using bin or dumpster services are exempt from the requirement.

7. Applicant shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.
8. The applicant is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.
9. Applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements.
- AQMD 10. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.
- Water 11. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District.
- School 12. Pay applicable Newport Mesa Unified School District fees to the Building Division prior is issuance of building permits.
- State 13. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.

Table 1: Vanguard University Campus Master Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
3. Air Quality					
MM AIR-1: Prior to issuance of grading permits, the applicant shall submit documentation to the City of Costa Mesa demonstrating that all off-road construction equipment in excess of 50 horsepower is equipped with engines meeting the EPA Tier III off-road engine emission standards.	Verify submittal of documentation	Prior to issuance of grading permits	City of Costa Mesa		
4. Biological Resources					
MM BIO-1: Construction during Breeding Season and Pre-construction Breeding Bird Surveys To comply with the MBTA and the California Fish and Game Code, and to avoid and reduce direct and indirect impacts on migratory non-game breeding birds, and their nests, young, and eggs to less than significant levels, the following measures shall be implemented. <ul style="list-style-type: none"> Project activities that would remove or disturb potential nest sites would be scheduled outside the breeding bird season, if feasible. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites outside of the breeding bird season also would help to prevent birds from nesting within the project site during the breeding season and during construction activities. If project activities that would remove or disturb potential nest sites cannot be avoided during February 15 through September 15, a qualified biologist would conduct a pre-construction clearance and nesting bird survey to search for all potential nesting areas, breeding birds, and active nests or nest sites within the limits of project disturbance up to seven days prior to mobilization, staging and other disturbances. The survey shall end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. 	Verify submittal of documentation; notes on construction plans; conduct site inspection	During construction activities	City of Costa Mesa		

Table 1 (cont.): Vanguard University Campus Master Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<ul style="list-style-type: none"> • If no breeding birds or active nests are observed during the pre-construction survey, or if they are observed and would not be disturbed, then project activities may begin and no further mitigation would be required. • If an active bird nest is located during the pre-construction survey and potentially would be disturbed, a no-activity buffer zone would be delineated on maps and marked (flagging or other means) up to 500 feet for special-status avian species and raptors, or 75 feet for non-special-status avian species. The limits of the buffer would be demarcated so as to not provide a specific indicator of the location of the nest to predators or people. Materials used to demarcate the nests would be removed as soon as work is complete or the fledglings have left the nest. The biologist would determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species because some bird species are more tolerant than others to noise and other disturbances. Buffer zones would not be disturbed until a qualified biologist determines that the nest is inactive. Additionally, the area would also not be disturbed until the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young would no longer be impacted by project activities. • Birds or their active nests will not be disturbed, captured, handled, or moved. Inactive nests may be moved by a qualified biologist, if necessary, to avoid disturbance by project activities. 					

Table 1 (cont.): Vanguard University Campus Master Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
5. Cultural and Tribal Cultural Resources					
MM CUL-1: In the event that buried cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist and shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria.	Verify submittal of documentation; notes on construction plans; site inspection (if necessary)	During construction activities	City of Costa Mesa		
MM CUL-2: If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.	Verify appropriate mitigation measures have been identified (if necessary)	During construction activities	City of Costa Mesa		
MM CUL-3: No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.	Verify no further grading has occurred (if necessary)	During construction activities	City of Costa Mesa		

Table 1 (cont.): Vanguard University Campus Master Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>MM CUL-4: In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified paleontologist, approved by the County of Orange, to examine the discovery. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology [1995] standards), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5.</p>	<p>Verify submittal of documentation (if necessary)</p>	<p>During construction activities</p>	<p>City of Costa Mesa</p>		
<p>MM CUL-5: A qualified paleontological monitor will be on-site to monitor all excavations occurring at depths of 8 feet or deeper. In the event of an important paleontological discovery, the paleontologist shall notify the appropriate agencies to 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, and the paleontologist cannot easily jacket and/or remove the specimen(s), the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the Lead Agency for review and approval prior to implementation, and the Applicant shall adhere to the recommendations in the plan.</p>	<p>Confirm presence of a qualified paleontological monitor on-site</p>	<p>During construction activities</p>	<p>City of Costa Mesa</p>		
<p>8. Hazards and Hazardous Materials</p>					
<p>MM HAZ-1: Based on the age of the existing improvements, there is a potential that asbestos-containing materials (ACMs) and lead-based paints (LBPs) are present within the on-site structures. In the event that on-site structures are to be impacted or demolished during redevelopment/construction activities, an asbestos and lead paint survey shall be conducted prior to the disturbance or removal of any suspect ACMs and</p>	<p>Confirm an asbestos and lead paint survey has been conducted</p>	<p>Prior to disturbance or removal of suspect ACMs and LBPs</p>	<p>City of Costa Mesa</p>		

Table 1 (cont.): Vanguard University Campus Master Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
LBP; these materials should be characterized for asbestos and lead by a reliable method. All activities involving ACMs and LBPs shall be conducted in accordance with governmental regulations.					
9. Hydrology and Water Quality					
MM HYD-1: A preliminary WQMP shall be prepared and submitted to the City for approval prior to the issuance of grading permits.	Confirm a preliminary WQMP has been prepared for the project	Prior to issuance of grading permits	City of Costa Mesa		
12. Noise					
MM NOI-1: Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts: <ul style="list-style-type: none"> The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment. The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited. The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists. At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences. The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site. 	Inspect and confirm compliance with mitigation measures	During construction activities	City of Costa Mesa		

Table 1 (cont.): Vanguard University Campus Master Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<ul style="list-style-type: none"> The construction contractor shall ensure that all on-site demolition and construction activities, including deliveries and engine warm-up, shall be restricted to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday. Construction work is not to be performed on Sunday or on the federal holidays that are listed in the City ordinances. 					
16. Transportation/Traffic					
<p>MM TRANS-1: During the construction of the residential dorms, the project developer shall construct Vanguard Way from Morristown Lane to the south project boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development, as necessary, to the satisfaction of the Department of Public Works.</p>	Inspect and confirm construction of Vanguard Way from Morristown Lane to the south project boundary at its ultimate half-section width	During the construction of the residential dorms	City of Costa Mesa		
<p>MM TRANS-2: During the construction in the area along Fair Drive, the project developer shall construct Fair Drive from Civic Center to Newport Boulevard South at its ultimate half-section width including landscaping and parkway improvements in conjunction with development, as necessary, to the satisfaction of the Department of Public Works.</p>	Inspect and confirm construction of Fair Drive from Civic Center to Newport Boulevard South at its ultimate half-section width	During the construction in the area along Fair Drive	City of Costa Mesa		
<p>MM TRANS-3: During the construction of the area along Newport Boulevard, the project developer shall construct Newport Boulevard South from Fair Drive to the south project boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development, as necessary, to the satisfaction of the Department of Public Works.</p>	Inspect and confirm construction of Newport Boulevard South from Fair Drive to the south project boundary at its ultimate half-section width	During the construction of the area along Newport Boulevard	City of Costa Mesa		
<p>MM TRANS-4: Sufficient on-site parking shall be provided to meet City of Costa Mesa parking code requirements.</p>	Verify on-site parking complies with City parking code requirements	Prior to issuance of a certificate of occupancy	City of Costa Mesa		

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Table 1 (cont.): Vanguard University Campus Master Plan Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
MM TRANS-5: On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project. Circulation within the project site should allow relatively free flow of vehicular traffic volumes with no constrictions.	Verify on-site traffic signing and striping have been implemented	Prior to issuance of a certificate of occupancy	City of Costa Mesa		
MM TRANS-6: Sight distance at project accesses shall comply with standard California Department of Transportation and City of Costa Mesa sight distance standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met. Such plans must be reviewed by the City and approved as consistent with this measure prior to issue of grading permits.	Inspect and confirm sight distance at project accesses comply with California Department of Transportation and City of Costa Mesa sight distance standards	Prior to issuance of a certificate of occupancy	City of Costa Mesa		
MM TRANS-7: As is the case for any roadway design, the City of Costa Mesa should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.	Inspect traffic operations in vicinity of project site	After project has been constructed	City of Costa Mesa		
17. Utilities and Service Systems					
MM UTL-1: To determine the available sewer capacity for the proposed project, a sewer flow study of the sewer line on Fair Drive is required. Flow studies typically consist of checking the master planned flows versus existing capacity along with installing flow meters in the pipe to check the level of existing flows. Once the flow study is completed by the applicant, the District shall determine if additional sewer capacity is necessary for the proposed project. In the event where additional capacity of the sewer is required, the Applicant shall pay a proportional fair-share cost as determined by the Costa Mesa Sanitary District.	Confirm a sewer flow study of sewer line on Fair Drive has been prepared	Prior to construction activities	City of Costa Mesa		