

NOD for EIR Addendum for Vila Borba for the Vila Borba Planned Community (SCH No. 2004081134)

The Modified Vila Borba Project that was originally approved by the City Council on April 25, 2006. The proposal includes an Amendment to Tentative Tract Map 16414 (TTM 16414), General Plan Amendment 19GPA01, Zone Change 19ZC02 and Site Plan Review 19SPR04, Specific Plan Amendment 19SPA01 (Amendment No. 5 to The Shoppes Specific Plan 04SP01) and an EIR Addendum which are discussed in detail below.

- General Plan Amendment 19GPA01 to change the existing General Plan land use designation of the TTM 16414 property from Commercial to High Density Residential on Lot 1 and change the land use from High Density Residential to Medium Density Residential on Lot 2. Lot A (SCE easement) and Lot B (Water Quality Basin) would both change from High Density Residential to Private Open Space.
- Zone Change 19ZC02 to change the existing zoning designation of the TTM 16414 property from Commercial General (C-G) to High Density Residential (RM-2) on Lot 1 and change from High Density Residential (RM-2) to Medium Density Residential (RM-1) on Lot 2. Lot A (SCE easement) and Lot B (Water Quality Basin) would both be re-zoned from High Density (RM-2) to Private Open Space (OS-1).
- Tentative Tract Map No. 16414 Amendment to subdivide the tract into two Planning Areas (PA) with two numbered lots (Lot 1 and Lot 2) and two lettered lots (Lot A and Lot B). PA 1 (Lot 1) would consist of 182 attached townhomes developed on 14.01 acres. PA 2 (Lot 2) would consist of 38 attached townhomes developed on 3.43 acres. PA 2 would also include private open space areas including Lot A (1.12 acres) that is partially encumbered by an existing 100-foot wide SCE easement and Lot B (2.71 acres) that would contain a Water Quality Basin; these lots would be re-zoned Private Open Space. The Belo project (Modified TTM 16414) also includes improvements to an existing Off-Site Detention Basin (Off-Site Basin) from which storm water run-off is conveyed to a reinforced box culvert that runs east under Butterfield Ranch Road in order to manage storm water flows prior to release into the City's storm water system. The Off-Site Basin was originally approved as part of the 2006 Vila Borba Community and the applicant is required to obtain construction and maintenance permits from local, state, and federal agencies for maintenance related improvements to the Off-site Detention Basin.
- Site Plan Review 19SPR04 to allow construction of the Belo community that would consist of 36 buildings with a total of 220 attached townhomes: 182 attached townhomes on Lot 1 and 38 attached townhomes on Lot 2. The townhomes range from 3 to 4-bedroom units and each townhome has a two-car garage. The Belo neighborhood will also have a community pool, tot lot, passive open spaces, and associated infrastructure.
- Specific Plan Amendment 19SPA01 (Amendment No. 5 to The Shoppes Specific Plan 04SP01) to transfer 60 residential units to the "Shoppes II" Mixed Use site, changing the residential density of the site from 235 multiple family units to 295 multiple family units. TTM 16414 was entitled for 280 apartment units and the Modified Project would construct 220 attached townhomes, 60 fewer residential units. In order to comply with DUTRA, SB 330, and SB 166, 60 residential units would be transferred from Vila Borba TTM 16414 to The Shoppes II Mixed Use site. In 2005, the original Shoppes Specific Plan approved 360 residential units. In 2008, 125 residential units were transferred off the

current Shoppes Specific Plan Community Park site, so this returns 60 of these residential units to The Shoppes Specific Plan area.

- EIR Addendum for the Vila Borba Planned Community and for The Shoppes Specific Plan (Shoppes II) Environmental Impact Reports. In 2006, an Environmental Impact Report was certified for the Vila Borba Planned Community. In 2005, an Environmental Impact Report was certified for The Shoppes Specific Plan (Shoppes II) pursuant to the California Environmental Quality Act (CEQA). The Final EIR Addendum consists of two parts.

Part 1 is the Addendum to the Environmental Impact Report (EIR) (SCH No. 2004081134) for the Vila Borba Planned Community that evaluated the potential for any new impacts as a result of the modified TTM 16414 and Off-Site Basin improvements. The applicant is required to obtain construction and maintenance permits from local, state, and federal resource agencies for maintenance related improvements to the Off-Site Detention Basin. The mitigation measures pertaining to the Modified Vila Borba Project are required to be implemented from the Vila Borba EIR. Because construction and monitoring would occur on two separate sites (TTM 16414 and the Off-Site Basin), two separate Mitigation Monitoring Reporting Programs (MMRPs) were prepared TTM 16414 and for the Off-Site Basin.

Part 2 is the Addendum for The Shoppes at Chino Hills Community Park and Civic Center (Shoppes II) Environmental Impact Report (EIR) (SCH No. 2004111056) that evaluated the potential for any new impacts as a result the transfer/return of 60 units from Vila Borba TTM 16414 (Belo Project) to The Shoppes II Mixed Use site. A traffic memo was prepared for the change in units at Shoppes Specific Plan (Shoppes II) Mixed Use site.

The Modified Vila Borba Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects; further, no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; in addition, no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete.

PLEASE NOTE: The City of Chino Hills has made the following determinations regarding the above described project:

1. The project will not have any of the circumstances under Public Resources Code section 21166 and CEQA Guidelines section 15162 such that a supplemental or subsequent EIR was required.
2. An Addendum to the Environmental Impact Reports for the Vila Borba Planned Community and The Shoppes at Chino Hills Community Park and Civic Center (Shoppes II) was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.

4. A mitigation reporting or monitoring program for the TTM 16414 and a mitigation reporting or monitoring program the Off-Site Basin were prepared for this project.

5. A Statement of Overriding Considerations was adopted in 2005 (Shoppes II) and 2006 (Vila Borba) for the original EIRs but a Statement of Overriding Considerations was not adopted for this project.

6. Findings were made pursuant to the provisions of CEQA.