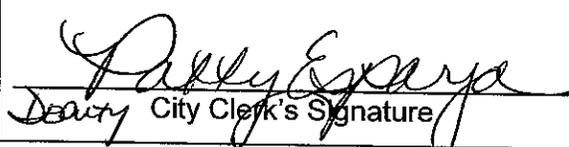


CITY OF HUNTINGTON BEACH

MEETING DATE: February 22, 2005

DEPARTMENT ID NUMBER: PL05-07

Council/Agency Meeting Held: _____		 Deputy City Clerk's Signature	
Deferred/Continued to: <u>3/7/05</u>			
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied			
Council Meeting Date: February 22, 2005	Department ID Number: PL05-07		

**CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION**

SUBMITTED TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

SUBMITTED BY: PENELOPE *Penelope Culbreth Graft* CULBRETH-GRAFT, City Administrator

PREPARED BY: HOWARD ZELEFSKY, Director of Planning *Howard Zelefsky*

SUBJECT: APPROVE MITIGATED NEGATIVE DECLARATION NO. 03-08
(Good Shepherd Cemetery - Appeal)

RECEIVED
 CITY CLERK
 CITY OF
 HUNTINGTON BEACH, CA
 2005 FEB 10 P 4:40

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

Statement of Issue:

Transmitted for your consideration is an appeal by the applicant, Mike Padian of Padian Team Consulting, of the Planning Commission's approval of Mitigated Negative Declaration No. 03-08. This application analyzes the potential environmental impacts associated with the proposed expansion of Good Shepherd Cemetery that includes the phased construction of a three-story mausoleum, a maintenance facility, one-story garden crypt buildings, and construction of perimeter fencing. Conditional Use Permit (CUP) No. 00-63 covers the proposed cemetery expansion.

The Planning Commission approved the Mitigated Negative Declaration (MND) on November 9, 2004 and continued CUP No. 00-63 to December 7, 2004. On November 19, 2004, the applicant filed an appeal of the Planning Commission's approval of the MND. The basis for the appeal is the mitigation measure that requires the on-site detention basins be designed with earthen slopes at a 5 to 1 slope ratio. There are no other mitigation measures that are being appealed by the applicant. On December 7, 2004, the Planning Commission approved CUP No. 00-63 with findings and conditions of approval. There were no appeals filed on the approval of the CUP by the Planning Commission. Planning staff recommended approval of the MND to the Planning Commission and is recommending the City Council approve the MND based on the revised mitigation measure and re-design of the detention basins.

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 22, 2005

DEPARTMENT ID NUMBER: PL05-07

Funding Source: Not applicable.

Recommended Action:

A. **PLANNING COMMISSION RECOMMENDATION:**

Motion to:

"Approve Mitigation Negative Declaration No. 03-08 with findings and mitigation measures (5:1 slopes) (ATTACHMENT NO. 1)." **MOTION PASSED**

Planning Commission Action on November 9, 2004:

THE MOTION MADE BY SCANDURA, SECONDED BY STILTON, TO APPROVE MITIGATED NEGATIVE DECLARATION NO. 03-08, WITH FINDINGS AND MITIGATION MEASURES (ATTACHMENT NO. 1), CARRIED BY THE FOLLOWING VOTE:

AYES: THOMAS, SCANDURA, DAVIS, STILTON, LIVENGOOD
NOES: NONE
ABSENT: NONE
ABSTAIN: RAY, DINGWALL

OR

B. **STAFF RECOMMENDATION:**

Motion to:

"Approve Mitigated Negative Declaration No. 03-08 with findings and modified mitigation measures (2:1 slopes) (ATTACHMENT NO. 2)."

Alternative Action(s):

The City Council may make the following alternative motion(s):

1. "Deny Mitigated Negative Declaration No. 03-08 with findings."
2. "Continue Mitigated Negative Declaration No. 03-08 and direct staff accordingly."

Analysis:

A. **PROJECT PROPOSAL:**

Applicant: Mike Padian, Padian Team Consulting, 14 Crucillo Dr., Ste. A, Rancho Santa Margarita, CA 92688

Location: 8301 Talbert Avenue (northeast corner of Beach Blvd. and Talbert Ave.)

PL05-07 Good Shepherd Appeal

D-2.2 2

2/10/2005 3:24 PM

REQUEST FOR CITY COUNCIL ACTION

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Mitigated Negative Declaration No. 03-08 analyzes the potential environmental impacts associated with the proposed expansion of Good Shepherd Cemetery. The expansion includes three phases over a seven to ten year period. The proposed improvements consist of an 85,000 square foot three-story mausoleum, a 10,000 square foot maintenance facility, one-story garden crypt buildings totaling 100,000 square feet, and construction of approximately 1,850 lineal feet of perimeter fencing (See Attachment No. 4). Please note the development project (CUP No. 00-63) approved by the Planning Commission and not appealed cannot be issued permits and constructed until such time as the project receives environmental clearance and approval of MND No. 03-08.

The major issue identified in the MND is on-site drainage. Currently two natural drainage swales are located in the area of the proposed development and serve as a detention basin for storm water runoff from the subject site and upstream development. Although the proposed development will not generate a substantial increase in water runoff, the historical volume of runoff detained in the two natural drainage swales during a large storm currently exceeds the capacity of the downstream storm drain system. The existing on-site drainage pattern will be altered based on the proposed improvements and therefore is required to mitigate the potential impact. A mitigation measure was proposed to provide two on-site detention basins with earthen slopes at a ratio not to exceed 5 to 1. The final size and design of the detention basins are subject to the review and approval of the Public Works Department.

B. PLANNING COMMISSION MEETING:

The Planning Commission held a public hearing on November 9, 2004. There were five residents who spoke at the public hearing. Three of the five residents who live to the north of the cemetery expressed concerns regarding flooding that has historically occurred in their neighborhood during large storms. These residents also raised concerns regarding the aesthetics along Newman Avenue with the proposed detention basins. The other neighborhood concerns regarding the project were considered in relation to the CUP. The applicant preferred vertical concrete walls and contested the mitigation measure that required detention basins to be designed with earthen slopes at a 5 to 1 slope ratio. The applicant stated the earthen slope design would require more land on-site and reduce the land available for future interment.

The Planning Commission approved Mitigated Negative Declaration No. 03-08 and continued Conditional Use Permit No. 00-63 to December 7, 2004. The MND was approved with the following mitigation measures:

- 1) On-site water detention basins shall be incorporated into the site design to temporarily detain runoff on the subject site.
 - a. Historical volumes using cross-sectional areas that are perpendicular to the longitudinal (N-S) centerline of each "historical" basin shall be calculated to identify the size of on-site water detention basins.

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DEPARTMENT ID NUMBER: PL05-07

- b. The design of the detention basins shall provide for earthen slopes not to exceed a 5:1 slope ratio.
- 2) All easements, storm drains, and detention facilities shall be designed per City and applicable County of Orange standards and approved the Public Works Department

On December 7, 2004, the Planning Commission approved the CUP with findings and conditions of approval. The CUP was not appealed.

C. APPEAL:

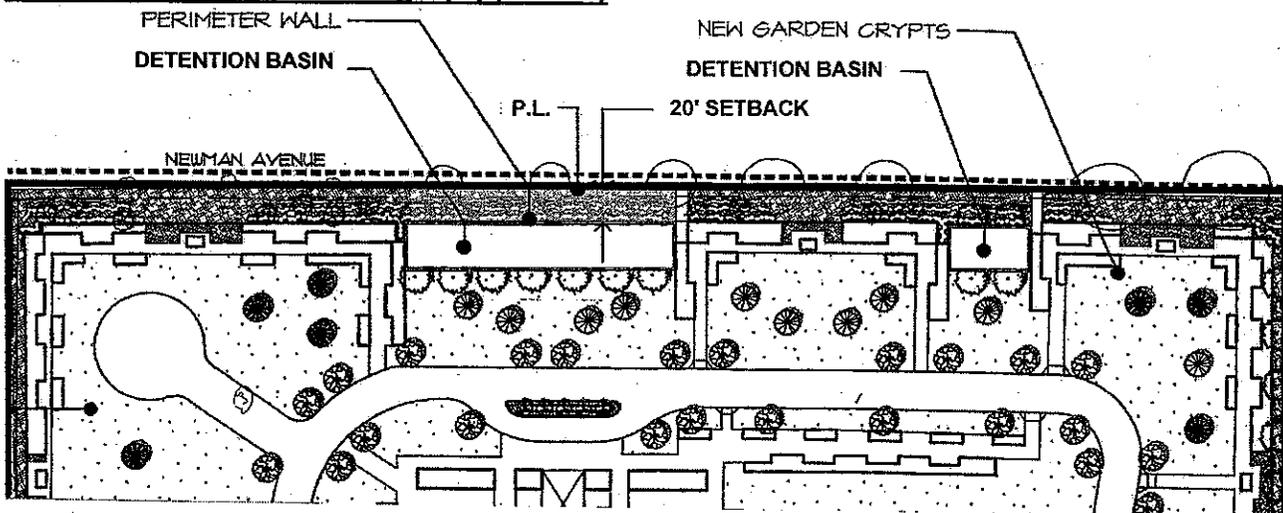
On November 19, 2004, the applicant appealed the Planning Commission's approval of Mitigated Negative Declaration No. 03-08. The basis for the appeal is the applicant's objection to the mitigation measure and the required design of the detention basins with a 5 to 1 earthen slope. The mitigation measure would require more land on-site and reduce the land available for future interment (see Attachment No. 5).

D. STAFF ANALYSIS AND RECOMMENDATION:

The mitigation measure is required to mitigate the potential impacts associated with the proposed expansion of the Good Shepherd Cemetery. The project includes a three-story mausoleum, a maintenance facility, garden crypt buildings and perimeter fencing

The applicant's original proposal to address the mitigation measure consisted of two detention basins with vertical concrete walls located in-line with the garden crypt buildings along Newman Avenue. The basins were surrounded by six-foot tall concrete block walls and were setback 20 feet from the northerly property line. The detention basins were approximately 206 ft. by 57 ft. and 61 ft. by 37 ft. respectively. Exhibit 1 below illustrates the original design of the detention basins:

EXHIBIT 1 – Original Design (Applicant)



D-24
4

REQUEST FOR CITY COUNCIL ACTION

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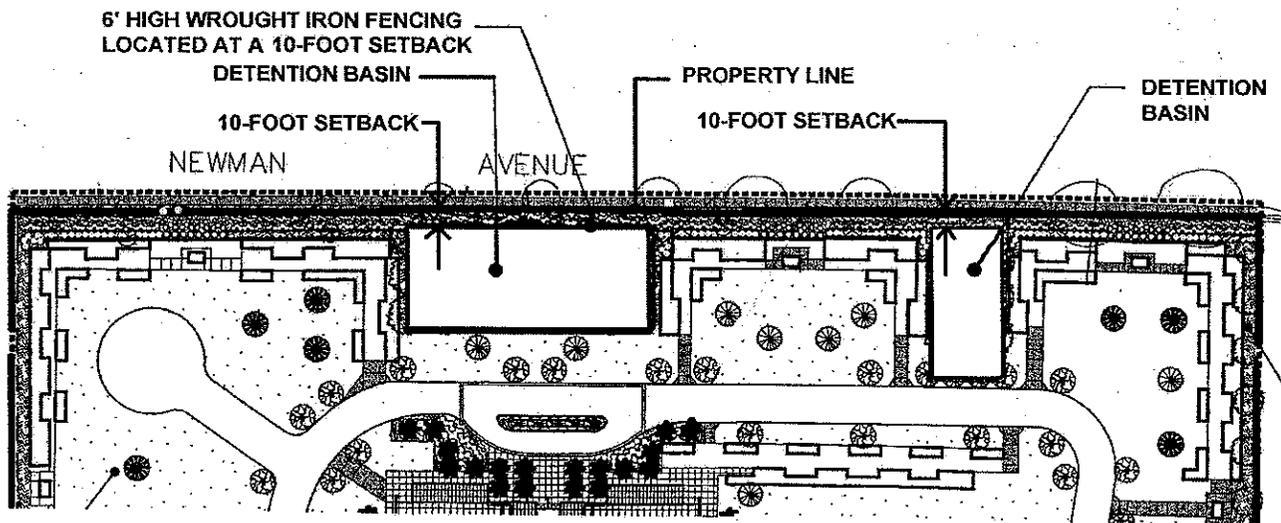
DEPARTMENT ID NUMBER: PL05-07

The approved mitigation measure with the earthen slopes ensures that failing concrete walls, as proposed by the applicant, will not hinder future maintenance of the detention basins. The possible repair of the concrete walls could be difficult based on the location of the proposed improvements.

Subsequent to appealing the MND, the applicant met with staff on December 6, 2004. Several design solutions were discussed which represented a compromise between the design criteria outlined by the mitigation measure and the vertical concrete walls that were proposed by the applicant. The applicant has revised the design of the detention basins to incorporate earthen slopes at a 2 to 1 slope ratio in an effort to comply with the mitigation measure and the engineering requirements of the City.

The revised proposal consists of two detention basins in approximately the same location but at a minimum code required setback of 10 feet in lieu of the originally proposed 20 feet. The detention basins have increased in size to accommodate the 2 to 1 earthen slopes. The basins now measure approximately 197 ft. by 90 ft. and 60 ft. by 132 ft. respectively. The depth of the basins range between approximately 6.5 feet to 6.7 feet. As a result of the depths of the basins, a six-foot high wrought iron fence is required around the perimeter of the detention basins in accordance with the Uniform Building Code. The following exhibit illustrates the revised design:

EXHIBIT 2 – Revised Design



The bottoms of the detention basins will be planted with ground cover and the slopes will be landscaped with ground cover, low shrubbery, and trees. As shown in Exhibit 2, a perimeter wrought iron fence surrounds the detention basins.

Staff supports the revised mitigation measure based on the proposed design of the detention basins with earthen slopes. The revised mitigation measure is consistent with the findings of the MND and the CUP and will provide a compatible and aesthetic design solution consisting

REQUEST FOR CITY COUNCIL ACTION

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of wrought iron fencing and landscaping. The design will also facilitate future maintenance of these facilities while mitigating the potential impacts associated with the development project and the storm water runoff from upstream developments. The applicant also concurs with the revised mitigation measure and design. The final size and design of the detention basins will be based on a hydrology study submitted by the applicant and subject to review and approval of the City

Environmental Status:

The project's potential environmental impacts are analyzed under Mitigated Negative Declaration No. 03-08. Staff determined that the proposed development, with mitigation, would not have any significant environmental effects and that a mitigated negative declaration is warranted.

Attachment(s):

City Clerk's Page Number	No.	Description
7	1	Planning Commission - Recommended Findings and Mitigation Measures
10	2	Planning Department - Recommended Findings and Modified Mitigation Measures
13	3	Mitigated Negative Declaration No. 03-08
39	4	Minutes from the Nov. 9, 2004 Planning Commission Meeting
48	5	Planning Commission Staff Report Dated Nov. 9, 2004
92	6	Appeal letter from Applicant dated Nov. 19, 2004
99	7	PowerPoint Presentation

RCA Author: PD/HF

D-2.6

ATTACHMENT 1

D-2.7

FINDINGS
MITIGATED NEGATIVE DECLARATION NO. 03-08

FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 03-08:

1. Mitigated Negative Declaration No. 03-08 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Mitigated Negative Declaration and Conditional Use Permit No. 00-63.
2. Mitigation measures are recommended to avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated, will have a significant effect on the environment.

D-2.8

Summary of Mitigation Measures

<u>Description of Impact</u>	<u>Mitigation Measure</u>
Potential flooding downstream caused by the elimination of two natural drainage swales with the proposed project	<ol style="list-style-type: none">1) On-site water detention basins shall be incorporated into the site design to temporarily detain runoff on the subject site.<ol style="list-style-type: none">a) Historical volumes using cross-sectional areas that are perpendicular to the longitudinal (N-S) centerline of each "historical basin shall be calculated to identify the size of on-site water detention basins.b) The design of the detention basins shall provide for earthen slopes not to exceed a 5:1 slope ratio.
Inadequate design of detention facilities may result in a lack of storage capacity and future maintenance issues	<ol style="list-style-type: none">2) All easements, storm drains, and detention facilities shall be designed per City and applicable County standards and approved by the Public Works Department.

APPROVED
DATE

D-2.9

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ATTACHMENT 2

D-2.10

FINDINGS
MITIGATED NEGATIVE DECLARATION NO. 03-08

FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 03-08:

1. Mitigated Negative Declaration No. 03-08 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Mitigated Negative Declaration and Conditional Use Permit No. 00-63.
2. Mitigation measures are recommended to avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated, will have a significant effect on the environment.

D-2!!

Summary of Mitigation Measures

<u>Description of Impact</u>	<u>Mitigation Measure</u>
Potential flooding downstream caused by the elimination of two natural drainage swales with the proposed project	<ol style="list-style-type: none">1) On-site water detention basins shall be incorporated into the site design to temporarily detain runoff on the subject site.<ol style="list-style-type: none">a) Historical volumes using cross-sectional areas that are perpendicular to the longitudinal (N-S) centerline of each "historical basin shall be calculated to identify the size of on-site water detention basins.b) The design of the detention basins shall provide for earthen slopes not to exceed a 2:1 slope ratio.
Inadequate design of detention facilities may result in a lack of storage capacity and future maintenance issues	<ol style="list-style-type: none">2) All easements, storm drains, and detention facilities shall be designed per City and applicable County standards and approved by the Public Works Department.

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DATE
APPROVED

D-2.12

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ATTACHMENT 3

D-2.13

ENVIRONMENTAL CHECKLIST FORM
CITY OF HUNTINGTON BEACH
PLANNING DEPARTMENT
ENVIRONMENTAL ASSESSMENT NO. 03-08

1. **PROJECT TITLE:** **Good Shepherd Cemetery**
- Concurrent Entitlements:** **Conditional Use Permit No. 00-63/
Design Review Board No. 00-48**
2. **LEAD AGENCY:** City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
Contact: Paul Da Veiga, Associate Planner
Phone: (714) 536-5271
3. **PROJECT LOCATION:** 8301 Talbert Avenue (Northeast corner of Beach Blvd. and Talbert Avenue)
- PROJECT PROPONENT:** Padian Team Consulting, Inc.
14 Crucillo Drive, Ste. A
Rancho Santa Margarita, CA 92688
Contact: Michael Padian, Project Manager
Phone: (949) 370-9778
5. **GENERAL PLAN DESIGNATION:** PS (Public/Semi-Public)
6. **ZONING:** P (Public)
7. **PROJECT DESCRIPTION:**

Project Background

The subject property is approximately 35.5 acres in size and is developed with a cemetery. The current improvements on the subject property are limited to the southerly 23 acres along the Talbert Avenue and Beach Boulevard frontages. The remaining 12.5 acres are undeveloped.

The cemetery is surrounded by commercial and residential uses with Walmart shopping center to the south, commercial uses to the west, and residential uses to the north and east. Vehicular access to the site is provided via a single access point on the Talbert Avenue street frontage. The Talbert street frontage is partially improved with asphalt curbs and sidewalks, and fencing consisting of sections of permanent wrought iron and split-face block pilasters.

D-2.14

Proposed Project

The applicant has requested a conditional use permit in order to develop the remaining 12.5 acres of vacant land within the project boundary. The proposed development will include an 85,000 square foot mausoleum (an enclosed multi-story crypt and interment building), a 10,000 square foot maintenance facility for housing maintenance equipment and vehicles, and garden crypt buildings totaling approximately 100,000 square feet along the perimeter of the subject site. New sidewalks, curbs and gutters, and fencing will be constructed along the Beach Boulevard, Talbert Avenue, and Newman Avenue frontages including new signage at the corner of Beach Boulevard and Talbert Avenue. Additional street lights are also proposed along the Talbert Avenue and Newman Avenue frontages. The onsite improvements include the installation of three new concrete detention areas to collect stormwater runoff from the subject site.

The project is proposed in three phases. Phase 1 consists of construction of the maintenance facility, garden crypt building and an adjoining lawn crypt area, including installation of the loop road system. Phase 1 also includes the proposed off-site upgrades along the Beach Boulevard and Talbert Avenue frontages. Phase 1 will commence shortly after approval of the Conditional Use Permit. Phase 2 will include the initial phase of free-standing garden crypts, the initial mausoleum, and associated loop roads. The westerly drainage course will be completely improved, with the construction of the remainder of the concrete pipe, and the westerly-most flood detention basin. The Newman Avenue improvements will also be constructed during this phase. Phase 2 would be completed approximately three to six years from the approval date of the project. Phase 3 completes the development of the cemetery with the buildout of the mausoleum, garden crypts, and surrounding horizontal interment areas. The easterly drainage course and flood control facilities will also be constructed within this phase. Completion of Phase 3 is anticipated at approximately seven to ten years from the date of approval.

8. SURROUNDING LAND USES AND SETTING:

The subject property is located in a highly urbanized area. Surrounding uses to the north, south, east, and west are as follows:

North: Single Family Residential
South: Commercial – Walmart Shopping Center
East: Multi-Family Residential
West: Hospital

9. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION: None

10. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED) (i.e. permits, financing approval, or participating agreement):

CalTrans, Encroachment Permit

D-2.15

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Transportation / Traffic | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a "potentially significant impact" or a "potentially significant unless mitigated impact" on the environment, but at least one impact (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required**.

D-2.16

This environmental assessment summarizes the appropriate findings of the General Plan EIR, however, some impacts resulting from the proposed development will likely be "peculiar to the parcel or to the project," therefore, this Initial Study checklist acts as a tool (to identify impacts "peculiar to the project") in conjunction with Section 21083.3 of the Public Resources Code. Based upon the results of the Initial Study checklist and the partial exemption allowed within Section 21083.3, I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared. □



Signature
PAULA VEIGA

Printed Name

2/1/05

Date
ASSOCIATE PLANNER

Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. "Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVIII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVIII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVIII. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach's requirements.

(Note: Standard Code requirements - The City imposes standard code requirements on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures.)

D-2.17

SAMPLE QUESTION:

ISSUES (and Supporting Information Sources):

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
---------------------------------------	---	-------------------------------------	------------------

Would the proposal result in or expose people to potential impacts involving:

Landslides? (Sources: 1, 6)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The attached source list explains that 1 is the Huntington Beach General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).

D-2.18

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING. Would the project:

- a) 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, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: 1 and 2)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is presently developed with a cemetery including direct burials, lawn crypts, and cremation niches on the southerly 23-acre portion of the subject site. The remaining 12.5 acres are undeveloped. The land use designation for the subject property is Public under the Huntington Beach General Plan allowing a maximum density factor of 1.5. The zoning on the subject property is Public Semipublic. The proposed project is consistent with the permitted uses and development standards within these designations (including setbacks, building height, and floor area ratio). No significant impacts to Land Use or Planning are anticipated. The project is consistent with the following goals, objectives, and policies of the General Plan:

1. LU 13.1 – Provide for the continuation of existing and development of new uses, such as governmental administrative, public safety, human service, cultural, educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses
2. LU 13.1.2 – Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses and subject to City review and approval.
3. LU 13.1.8 – Ensure that the City’s public buildings, sites, and infrastructure improvements are designed to be compatible in scale, mass, character, and architecture with existing buildings and pertinent design characteristics prescribed by this General Plan for the district or neighborhood in which they are located, and work with non-City public agencies to encourage compliance.

- b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources: 1)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject site is not shown in the General Plan as a generalized habitat area, which supports plant or animal communities, nor is it within a marine habitat. The project will not conflict with any applicable habitat or natural community conservation plan as none currently exists in the City.

- c) Physically divide an established community? (Sources: 1, 3 and 4)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject site is located at the northeast corner of two arterial streets and is located within an established urban area; therefore, it will not divide any established communities. The project will not impact access to surrounding development.

II. POPULATION AND HOUSING. Would the project:

- a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)? (Sources: 1)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will not be growth inducing through construction or extension of roads or other infrastructure. The proposed use of the site is public and will cater to local residents and residents of the surrounding region as an extension of the existing cemetery use. There will be no substantial growth as a result of the proposed project.

Discussion: The project will not displace any existing housing.

D-2.19

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

- b) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources: 3, 4 and 5)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project will not result in the displacement of people since the site is currently vacant. No impacts resulting from the development are anticipated.

III. GEOLOGY AND SOILS. Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Sources: 1 and 9)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The project site is not located within the Alquist-Priolo Earthquake Fault Zone or any other known earthquake faults.

- ii) Strong seismic ground shaking? (Sources: 1 and 9)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The project may be subject to ground shaking in the event of an earthquake in the region. Structures to be constructed are required to comply with the Uniform Building Code per standard code requirements and to be built to a Seismic Zone 4 standard to address this issue.

- iii) Seismic-related ground failure, including liquefaction? (Sources: 1, 9 and 16)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The subject site is located in an area of potential liquefaction according to the State Seismic Hazard Zones Map. The structural risks from seismic-related ground failure, including liquefaction, will be less than significant because the proposed buildings are designed and constructed in conformance with current standards set forth in the Uniform Building Code. No significant impacts are anticipated.

- iv) Landslides? (Sources: 1)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: Site stability, including impacts from landslides, should not be a concern because the project site and the surrounding areas are relatively flat. The building will be built on a level pad. No significant impacts are anticipated.

- b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1 and 9)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: Site preparation may result in short term wind and water erosion impacts; however, the project will be subject to standard code requirements requiring implementation of dust control measures and submittal of an erosion control plan. After completion, the site will be covered with structures, landscaping, and paving, which would preclude substantial soil erosion. Standard code requirements require the preparation of a grading plan by a registered engineer. The analysis will include on-site soil sampling and laboratory testing of materials and submission of a soils report, which will address issues regarding excavation, grading, fill, foundation and utilities. The site contains two natural drainage swales. The subject site will be re-graded. The project does not propose a substantial amount of earth moving or any other activities which result in unstable earth condition or change in geologic substructures with the exception of digging activities to construct on-site water detention basins. The proposed cut and fill activities will balance; therefore, the import/export of soil to and from the site will be

D-2.20

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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negligible. In the event that unstable soil conditions occur on the project site due to previous grading, excavation, or placement of fill materials, these conditions would be identified in the geotechnical study being prepared to evaluate the project site. No significant impact would occur and no mitigation measures would be required. No significant impacts are anticipated.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Sources: 1 and 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The subject site is located in an area of low liquefaction potential according to page V-EH-15 of the City's General Plan Environmental Hazards Element and the State Seismic Hazard Zones Map. This potential impact shall be addressed through compliance with standard code requirements. However, in the event of an earthquake in the Huntington Beach area, the site may be subject to ground shaking. The UBC and associated code requirements address lateral spreading and subsidence. No significant impacts are anticipated.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources: 1, and 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Based upon the City's General Plan and Geotechnical Inputs Study, the project site is located within an area of low to moderate clay content according to the Expansive Soil Distribution Map. This is common in the City and impacts can be addressed through compliance with applicable soils, grading and structural foundation requirements, codes and ordinances, such that any potential geologic impacts will be reduced to a level of insignificance. No significant impacts are anticipated.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? (Sources: 1, 4 and Public Works Department) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The Public Works Department recommends a standard code requirement requiring a Water Quality Management Plan to be prepared by a Civil or Environmental Engineer in accordance with the National Pollution Discharge Elimination System (NPDES) regulations in order to control the quality of water runoff and protect downstream areas. NPDES requirements assure compliance with water quality standards and water discharge requirements. The project will be designed to drain entirely into the City's storm drain system.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted? (Sources: 1 and 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The Water Division of the Public Works Department reviewed the project and did not indicate concerns about any substantial impacts to ground water supplies due to the nature of the proposed use. The project site does contain an active private well which is used for irrigation of the existing landscape areas within the cemetery. The project will utilize existing water lines connected to the City's water system in addition to constructing a private on-site water system for domestic and fire service to accommodate the proposed use. The proposed water use will amount to approximately 500 gallons per day. This figure does not include water used to irrigate landscaped areas which will generate from the existing, on-site private water well. Although the project will contribute to cumulative water usage in the city, it is considered insignificant since the estimated water demand for the proposed project can be accommodated by the City's water service capacity and does not

D-2.21

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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represent a significant increase in demand. The project will be subject to standard code requirements requiring implementation of Title 24 conservation measures such as low flow fixtures and use of drought tolerant plant species and drip irrigation. No significant impacts are anticipated to the City's groundwater supply.

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? (Sources: 1 and 4) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site? (Sources: 1, 6 & 10) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (Sources: 1, 3, 4 and 12) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion: c)-e) The project will not impact the course of a stream or river, as none exist on the site. However, the existing drainage pattern of the site will be altered based on the new mausoleum buildings and private access roads proposed on the site. Currently two natural drainage swales, located in the proposed development area, serve as a detention basin for stormwater runoff water from the subject site and upstream development. Runoff flows northerly and enters the system on Newman Avenue through two storm water inlet structures. With the development of the project, approximately 10% of the site will be paved, 20% covered with buildings, and 70% will be landscaped with pervious surfaces such as turf and landscaping. Although the proposed development is not anticipated to generate a substantial increase in runoff water, the historical volume of runoff water detained in two natural drainage swales on the subject site during storm events currently exceeds the capacity of the downstream storm drain system. Based on the alteration of the drainage swale with the newly proposed development, the project is required to incorporate water detention basins into the project design. The size and design of the detention basins are subject to the review and approval of the Public Works Department. Public Works has informed the applicant that the detention basins depicted on the submitted plans are not sized adequately and shall be sized to accommodate the historical volumes currently detained on site in the two existing natural drainage swales. Furthermore, the design of the basins shall include earthen slopes not to exceed a 2:1 slope ratio in lieu of the proposed design with vertical concrete walls.

The project will be subject to standard code requirements requiring submittal of grading plans and hydrology and hydraulic studies for review and approval by the Public Works Department as well as the construction of the necessary detention basins to ensure that the runoff generated by the proposed project will not further exacerbate the deficiencies in the existing downstream drainage systems and adjacent properties. The following mitigation measures shall be incorporated into the on-site drainage design:

- 1) On-site water detention basins shall be incorporated into the site design to temporarily detain runoff on the subject site.
 - a) Historical volumes using cross-sectional areas that are perpendicular to the longitudinal (N-S) centerline of each "historical basin shall be calculated to identify the size of on-site water detention basins.
 - b) The design of the detention basins shall provide for earthen slopes not to exceed a 2:1 slope ratio.
- 2) All easements, storm drains, and detention facilities shall be designed per City and applicable County standards and approved by the Public Works Department.

With the above-mentioned mitigation measures, on-site storage of stormwater run-off water will be adequate in mitigating the loss of the drainage swales on the subject site. Impacts to the on-site drainage are considered to be less than significant with mitigation.

D-2.22

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality? (Sources: 1, 4 and Public Works Department)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The Public Works Department requires a Water Quality Management Plan to be prepared by a Civil or Environmental Engineer in accordance with the National Pollution Discharge Elimination System (NPDES) regulations in order to control the quality of water runoff and protect downstream areas. NPDES requirements assure compliance with water quality standards and water discharge requirements. The project will be designed to drain entirely into the City's storm drain system.				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Sources: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project site is located within Flood Insurance Rate Map (FIRM) Zone X, which is not subject to Federal Flood Development requirements and is outside the 100-year flood hazard area. The project will be subject to standard code requirements requiring Public Works Department review and approval of grading plans, soils reports, and hydrology studies prior to any activity on the site. However, no impacts are anticipated.				
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? (Sources: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The site is not within a 100-year flood hazard area. Therefore, no impacts are anticipated.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources: 3 and 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The site is not in the immediate vicinity of a levee or a dam. Therefore, no impacts are anticipated.				
j) Inundation by seiche, tsunami, or mudflow? (Sources: 1 and 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project site is not designated in the General Plan as an area subject to tsunami run-up and is not located in proximity to areas susceptible to seiche or mudflow. Therefore, no impacts are anticipated.				
k) Potentially impact storm water runoff from construction activities? (Sources: 1, 5 & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l) Potentially impact storm water runoff from post-construction activities? (Sources: 1, 5 & 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m) Result in a potential for discharge storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? (Sources: 1, 5 & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n) Result in the potential for discharge or storm water to affect the beneficial uses of the receiving waters? (Sources: 1, 5 & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o) Create or contribute significant increases in the flow velocity or volume of storm water runoff to cause environmental harm? (Sources: 1, 5 & 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D-2.23

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources: 1, 5 & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: k)-p) As identified in the discussion for Section IV.c-e, the existing drainage pattern of the site will be altered based on the new mausoleum buildings and private access roads proposed on the site. Currently a natural drainage swale, located in the proposed development area, serves as a detention basin for runoff water from the subject site and upstream development. Runoff flows toward Newman Avenue to two storm water inlet structures. Although the proposed development is not anticipated to generate a substantial increase in runoff water, the historical volume of runoff water held in a natural drainage swale on the subject site during storm events currently exceeds the capacity of the downstream storm drain system. Based on the alteration of the drainage swale with the newly proposed development, the project is required to incorporate water detention basins into the project design. With the mitigation measures identified in Section IV.c-e, the impacts of run-off from the site to the existing storm drain system will be less than significant.

The project will be integrated into the existing storm drain system and will be monitored and maintained by the Public Works Department. The Public Works Department recommends a standard code requirement requiring a Water Quality Management Plan to be prepared by a Civil or Environmental Engineer in accordance with the National Pollution Discharge Elimination System (NPDES) regulations in order to control the quality of water runoff and protect downstream areas. No significant impacts are anticipated.

V. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The project site is within the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The local air quality management agency is required to monitor air pollutant levels to assure that the air quality standards are met, and if they are not met, to develop strategies to meet the standards. The proposed project is consistent with the adopted Huntington Beach General Plan. This long-range plan has been utilized by the SCAQMD to prepare the Air Quality Management Plan (AQMP). Project implementation does not include land use changes that would conflict with the long-range air quality projections; rather, the proposed project is consistent with the adopted General Plan and, therefore, the AQMP. The project is consistent with the intensity of development prescribed by the Land Use Element of the General Plan. The applicant will be required to implement measures to minimize pollutant emissions and to cooperate with the SCAQMD and other regional agencies that implement and enforce regional air quality management plans.

Short Term: The construction of the project is proposed in three phases, over a period of 10 years. All three construction phases may result in short-term increases in dust and construction equipment emissions. The construction time within each phase is estimated at approximately 9 to 12 months. Emissions are expected from gasoline and diesel powered grading, excavating, and paving equipment. Fugitive dust generated from these activities might occur. Due to the size and scope of the grading (approximately three months in each construction phase) and general location, the dust and construction emissions are not considered significant. In order to address community concerns regarding air quality during construction, it is common to reduce any potential air quality and emissions impacts through standard code requirements. The applicant/contractor will be required to water down construction areas and vehicles, employing low sulfur vehicles, avoiding construction on high-ozone days, and decreasing activities during windy conditions. Water trucks will be utilized on the site and will be available to be used throughout the day during the site project construction. Also, wind barriers will be installed along the proposed site construction to minimize the dust during construction of the project. In addition, site premises and adjacent private and public properties will be kept free from accumulations of waste materials and rubbish. Removal of debris and dirt from public property and around project will be executed. Sidewalks and adjacent driveways and public areas will be swept promptly and daily. Minimal poor local ambient air quality may occur during site preparation and construction as a result of construction

D-2.24

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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equipment emission and dust, however impacts resulting from the proposed improvements are not considered significant and will be further reduced by the following: all haul trucks would be covered prior to leaving the site to prevent dust from impacting the surrounding areas. Rubbish and waste material on the project site will not be burned or buried. Cleaning and disposal operations to comply with local ordinances and anti-pollution laws will be maintained. The standard code requirements also require that the site be posted with a name and phone number of a contact person capable of handling construction complaints with regard to noise and dust control measures. The contact information will also be mailed out to surrounding property owners prior to grading and construction. No adverse impacts are anticipated with implementation of standard code requirements pertaining to dust control and compliance with AQMD requirements.

Long Term: Since cemeteries are not identified in the Daily Thresholds of Potential Significance tables for air quality in the CEQA Air Quality Handbook, the impacts associated with the construction of an elementary school were used to analyze potential impacts of the proposed project based on similar project size and intensity of development. According to the CEQA Air Quality Handbook the maximum daily threshold of potential significance for an elementary school is 220,000 square feet. Since an elementary school is a much more intense use from a traffic generation standpoint when compared with a cemetery, the proposed construction of a 185,000 mausoleum and a 10,000 square foot maintenance facility will not have significant air quality impacts.

The Traffic Division has indicated that a project that will generate a one percent or greater increase in traffic generation on any arterial may have a significant impact on traffic circulation and will require further analysis. Vehicle trips for the project are estimated at approximately 100 trips per day and approximately 150 trips after development. The net increase in vehicle trips is negligible and will not result in an increase of over one percent to surrounding arterials; therefore, the vehicle trips generated by the proposed project are not expected to produce emissions that will significantly impact air quality. Because the scale of the project is substantially below the threshold criteria establish by the SCAQMD for potentially significant impacts, its contribution is minor in nature. No significant air quality impacts to the area are anticipated.

- b) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 3, 11 and 12)

Discussion: The project site is located a significant distance away from any potentially sensitive receptors. The project is below the threshold identified by SCAQMD for projects of significance, and no impacts to sensitive receptors are anticipated.

- c) Create objectionable odors affecting a substantial number of people? (Sources: 1, 4, 11 and 12)

Discussion: The proposed development is an expansion of the cemetery use already existing in the area and is not anticipated to generate any unusual or objectionable odors. The development will remain subject to the air quality standards established by the SCAQMD.

- d) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 1, 11 and 12)

Discussion: This project is below the SCAQMD's established threshold for projects that could potentially have significant air quality impacts. As described above, the project's contribution to the cumulative air quality impact, identified by the General Plan build-out, is not considerable.

- e) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (Sources: 1, 11 and 12)

D-2.25

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The 195,000 square foot cemetery expansion does not constitute a cumulatively considerable increase in development in the city. According to the CEQA Air Quality Handbook the maximum daily threshold of potential significance for an elementary school is 220,000 square feet; therefore, since an elementary school is a much more intense use from a traffic generation standpoint when compared with a cemetery, the proposed construction of a 185,000 mausoleum and a 10,000 square foot maintenance facility will not result in a cumulatively considerable increase of any criteria pollutant under an applicable federal or state ambient air quality standard.

VI. TRANSPORTATION/TRAFFIC. Would the project:

- a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections? (Sources: 1, 4, 12 and 13)
-

Discussion: The proposed development is projected to result in approximately 72 new vehicle trips/day. Access to the project is proposed via Talbert Avenue. Beach Boulevard is designated as a Major Arterial and Talbert Avenue is designated as a Primary Arterial on the Circulation Plan of Arterial Streets and Highways in the General Plan (1996). The Traffic Division of the City of Huntington Beach has indicated that acceptable levels of service (LOS) for roadway segments and intersections exist in the project vicinity. The City's General Plan considers all surrounding roadway segments and intersections acceptable. Traffic generation associated with the project is anticipated to have a negligible impact to levels of service in the area due to its small size. The project is still subject to standard code requirements including the payment of traffic impact fees to minimize any potential impacts.

Construction traffic resulting from development of the project may result in short-term interruptions to traffic circulation, including pedestrian and bicycle flow. Based on the scope of the project construction, the short-term interruptions to traffic are not considered to be significant. These potential impacts may be reduced through implementation of code requirements requiring department of Public Works approval of a construction vehicle control plan.

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Sources: 1, 12, and 13)
-

Discussion: As discussed above, the traffic volume projected for the development is not anticipated to affect the current level of service for area roadways.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Sources: 1 and 13)
-

Discussion: The heights of the proposed structures do not penetrate the navigable airspace to impact air traffic patterns or levels for the area.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources: 4)
-

Discussion: Project access will be provided via an existing driveway off Talbert Avenue. The project access and circulation design has been reviewed by the City and is considered adequate.

D-2.26

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) Result in inadequate emergency access? (Sources: 1, 3 and 4)

Discussion: The project was reviewed by the Fire Department and no comments regarding emergency access problems were noted by the Fire Department.

- f) Result in inadequate parking capacity? (Sources: 2 and 4)

Discussion: Approximately 65 parking spaces will be provided along the internal road system leading to the new mausoleum structures in order to accommodate visitors to the cemetery. The planned project has been designed according to City parking regulations and provides sufficient parking spaces. No impacts are anticipated to parking capacity.

- g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: 1 and 4)

Discussion: Based on the project size and use, the development will not conflict with any policies or regulations regarding alternative transportation modes.

VII. BIOLOGICAL RESOURCES. Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: 1)

Discussion: The project site is presently vacant and located in a commercial area of the city. It does not support any unique or endangered species and is not shown in the General Plan as a generalized habitat area; therefore, no impacts to any habitat or wildlife area are anticipated.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: 1)

Discussion: The project does not contain any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service. The project will not result in any loss to endangered or sensitive animal or bird species and does not conflict with any habitat conservation plans.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: 1)

Discussion: The project does not contain any wetlands; therefore, no impacts are anticipated.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (Sources: 1)

D-2.27

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The project is an expansion of the existing cemetery use and is surrounded by commercial development. The site does not support any fish or wildlife and should not interfere with the movement of any fish or wildlife species nor impede the use of native wildlife nursery sites.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1)
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is currently a vacant dirt lot and does not contain any rare or unique plant species. The site does not contain any mature trees. The project will be subject to a standard code requirement requiring the submittal of a landscaping plan including standard tree requirements in the Zoning Code. Landscaping associated with the proposed project may introduce new plant species to the site; however, plant materials are expected to be common landscaping species and will be contained within the project boundaries.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources: 1)
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: As discussed above, the project site is currently vacant. It does not support any unique or endangered plant or animal species and is not shown in any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan; therefore, no impacts to any habitat or wildlife area are anticipated.

VIII. MINERAL RESOURCES. Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: 1)
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed cemetery expansion will increase natural resources and energy use on this site. The project will be subject to standard conditions of approval, which require implementation of Title 24 conservation measures for construction. The new mausoleum buildings are not anticipated to deplete any non-renewable resource or require the development of new energy sources. No impacts are anticipated.

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Sources: 1)
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not designated as an important mineral resource recovery site in the General Plan or any other land use plan. Development of the project is not anticipated to have any impact on any mineral resource recovery.

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: 1, 4 and 5)
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed mausoleum buildings are designed for the interment of human remains. The applicant is not intending to operate the site in a way that would generate hazardous materials. No impacts are anticipated.

D-2.28

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: 1, 4 and 5)

Discussion: The project will be subject to regulation by the Fire Department for any possible hazardous materials. Currently, the site provides four to five 50-gallon above-ground fuel storage tanks for purposes of providing diesel fuel to machinery and maintenance vehicles on the subject site. The applicant proposes to eliminate the existing 50 gallon tanks and replace them with an above-ground 500-gallon tank for the storage and dispensing of diesel fuel oil. Only minor amounts of gasoline will be stored on-site in 10-gallon containers. These activities will be monitored and regulated by the Fire Department. The on-site storage of fuel is subject to environmental regulations. Based on the information noted above regarding the proposed uses, no significant impacts are anticipated.

c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 1, 4 and 5)

Discussion: The site is surrounded by similar uses and the nearest school is approximately one half mile from the subject site therefore, no impacts are anticipated.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources: 1,4, 15)

Discussion: The site is not listed on the State's Hazardous Waste and Substances Site List. No impacts are anticipated.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1 and 3)

Discussion: The City of Huntington Beach is included in the Orange County Airport Environs land use plan due to the Los Alamitos Armed Forces Reserve Center. However, the site is located such that it would not be impacted by flight activity from the center. No impacts are anticipated.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1 and 3)

Discussion: The project site is not near any private airstrips. No impacts are anticipated.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: 1, 3 and 4)

Discussion: The project has been reviewed by the Fire Department and is designed to be in compliance with fire access and circulation requirements. The proposed construction of the project will not involve the use of any hazardous materials and will not result in any impediments to emergency response or evacuation plans. The project site is located within the recommended five-minute response area from the Gothard Fire Station. No impacts are anticipated on any emergency response or evacuation plans.

D-2.29

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Expose people or structures to a significant risk of loss, injury, or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? (Sources: 1, 3 and 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is located in an urbanized area and is not near any wild lands. No impacts are anticipated.

X. NOISE. Would the project result in:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: 1, 4, 5 and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: During the site grading for the new building and other construction phases of the project, noise levels on the site may increase from normal construction vehicles such as concrete trucks and a backhoe as well as other equipment and tools typically used on construction sites. Construction of the project will create short-term noise impacts. However, the development will be required to comply with the City Noise Ordinance (Chapter 8.40 Noise Control), which restricts the hours of construction to reduce impacts to the area. No other significant impacts are anticipated after construction due to the nature of the use, which is compatible with the character of the area.

Long-term noise impacts from the project are subject to compliance with the City Noise Ordinance as well but are not expected to be a concern due to the proposed use of the site as an expansion of an existing cemetery use. No significant long-term noise impacts resulting from the new development project are anticipated.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Sources: 1 & 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: No significant additional ground borne vibration is anticipated given the anticipated traffic volume generated by the project which is considered negligible and does not significantly impact the level of service on area roadways. No significant impacts are anticipated.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 4 and 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The type of noise to be generated by the project in the long term will be similar to that generated by the existing cemetery use and is not anticipated to increase the ambient noise levels.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 4 and 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is anticipated to generate short-term noise impacts during construction. Based on a standard code requirement, which regulates hours of construction, a negligible impact is anticipated. No other significant noise impacts are expected after construction due to the nature of the project, which is compatible with other commercial uses in the area.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 3 and 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

D-2.30

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The City of Huntington Beach is included in the Orange County Airport Environs land use plan due to the Los Alamitos Armed Forces Reserve Center. However, the site is located such that it would not be impacted by flight activity from the center. No impacts are anticipated.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 3 and 4)

Discussion: The development is not within the vicinity of a private airstrip and will not expose people living in the residences to excessive noise levels.

XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) Fire protection? (Sources: 1 and Fire Department)

Discussion: The Fire Department reviewed the project and indicated that it is required to comply with several code requirements and specifications. The project site is within the area of five-minute response time from the Gothard Fire Station and can be served by existing facilities. The proposed on-site fuel storage tank shall be subject to the Fire Department permits. Based on this, no impacts are anticipated.

- b) Police Protection? (Sources: 1 and Police Department)

Discussion: The Police Department reviewed the project and indicated that they have no concerns that need to be mitigated. The project can be adequately served with existing Police resources.

- c) Schools? (Sources: 1)

Discussion: The site is located approximately one-half mile from the nearest school and will not result in substantial adverse physical impacts. Payment of school impact fees will be required prior to issuance of building permits. No impacts are anticipated based on the location of site and nature of the use.

- d) Parks? (Sources: 1)

Discussion: The project is not expected to have impacts to park facilities based on the location of the site with surrounding commercial and residential uses, nor result in additional demand on existing park facilities.

- e) Other public facilities or governmental services? (Sources: 1)

Discussion: The project is located within a developed urban environment and all facilities needed to service it are already in place. The project has been reviewed by the various City Departments, including Public Works, Building and Safety, Fire, Police, and Planning for compliance with all applicable City codes. With compliance of standards code requirements, and compliance with City specifications, no significant adverse impacts to public services are anticipated.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

D-2.31

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources: 1 and 3)

Discussion: As indicated under section IV (a), a standard code requirement addresses wastewater quality issues. No significant impacts are expected.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1 and 3)

Discussion: The project is not expected to result in the construction of new or significant expansion of existing water or wastewater treatment facilities. The project will likely require extensions of public services and utilities to the site provided by the respective governmental agencies and utility companies. All public utility connections to the project will be in accordance with all applicable Uniform Building Codes, City ordinances, Public Works standards, and Water Division criteria. The project is subject to standard code requirements, therefore no adverse impacts to the City's utilities or services are anticipated.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1 and 3)

Discussion: The proposed project will not contribute to significant increases in storm water runoff to off-site facilities or result in erosion of the site or surrounding areas if the required detention facilities are constructed prior to the removal of the existing on-site drainage swales/detention basins. However, the existing drainage pattern of the site will be altered based on the new mausoleum buildings and private access roads proposed on the site. Currently two natural drainage swales, located in the proposed development area, serve as a detention basin for stormwater runoff water from the subject site and upstream development. Runoff flows northerly and enters the system on Newman Avenue through two storm water inlet structures. With the development of the project, approximately 10% of the site will be paved, 20% covered with buildings, and 70% will be landscaped with pervious surfaces such as turf and landscaping. It is not located in the vicinity of and does not drain directly into any natural body of water. Although the proposed development is not anticipated to generate a substantial increase in runoff water, the historical volume of runoff water detained in two natural drainage swales on the subject site during storm events currently exceeds the capacity of the downstream storm drain system. Based on the alteration of the drainage swale with the newly proposed development, the project is required to incorporate water detention basins into the project design. The size and design of the detention basins are subject to the review and approval of the Public Works Department. Public Works has informed the applicant that the detention basins depicted on the submitted plans are not sized adequately and shall be sized to accommodate the historical volumes currently detained on site in the two existing natural drainage swales. Furthermore, the design of the basins shall include earthen slopes not to exceed a 2:1 slope ratio in lieu of the proposed design with vertical concrete walls.

The project will be subject to standard code requirements requiring submittal of grading plans and hydrology and hydraulic studies for review and approval by the Public Works Department as well as the construction of the necessary detention basins to ensure that the runoff generated by the proposed project will not further exacerbate the deficiencies in the existing downstream drainage systems and adjacent properties. The following mitigation measures shall be incorporated into the on-site drainage design:

- 1) On-site water detention basins shall be incorporated into the site design to temporarily detain runoff on the subject site.
 - a) Historical volumes using cross-sectional areas that are perpendicular to the longitudinal (N-S) centerline of each "historical basin shall be calculated to identify the size of on-site water detention basins.
 - b) The design of the detention basins shall provide for earthen slopes not to exceed a 2:1 slope ratio.
- 2) All easements, storm drains, and detention facilities shall be designed per City and applicable County standards and approved by the Public Works Department.

D-2.32

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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With the above-mentioned mitigation measures, on-site storage of stormwater run-off water will be adequate in mitigating the loss of the drainage swales on the subject site. Impacts to stormwater drainage facilities are considered to be less than significant with mitigation.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources: 1 and 3)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project would result in a minimal increase in public water usage on the subject site based on the proposed expansion of an existing cemetery use. The applicant has indicated that the average water usage would amount to 500 gallons per day. This figure does not include irrigation of the site, which is accommodated by an on-site private water well. The project is expected to have a negligible impact on water supplies.

- e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: 1 and 3)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project would result in a minimal increase in wastewater on the subject site based on the addition of restroom facilities, however, the proposed use is expected to have a negligible impact on wastewater treatment capacity.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources: 1 and 3)
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is not expected to generate a significant amount of solid waste. The nearest landfill is the Frank R. Bowerman Landfill located in the City of Irvine. The landfill has a remaining capacity in excess of 30 years based on the present solid waste generation rates. The project is not anticipated to noticeably impact the capacity of existing landfills that will serve the use.

- g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 1 and 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will be served by Rainbow Disposal and will be subject to participation in any solid waste reduction programs presently available in the city.

XIII. AESTHETICS. Would the project:

- a) Have a substantial adverse effect on a scenic vista? (Sources: 1, 3 and 4)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is located in an established mixed use area. It is not located adjacent to a state scenic highway nor is it in an area with any scenic vistas.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: 1, 3 and 4)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is presently vacant. It does not contain any scenic resources such as rock outcroppings or historic buildings. No adverse aesthetic impacts are anticipated.

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources: 1, 2, 3 and 4)

Discussion: The proposed building will be designed and constructed of similar colors, materials, and scale found in the surrounding development. This includes the same color pallet and similar mass and height of the other structures in the project area. The project will incorporate modern architectural design and should be an enhancement to the aesthetics of the area. No negative impacts to aesthetics are anticipated with the proposed development.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (Sources: 4, 17)

Discussion: Lighting will be included throughout the project but will be in character with lighting found within the existing cemetery. The project will be subject to a condition of approval that requires lighting to be shielded and directed so as to prevent glare and spillage onto adjacent properties. Although the project will result in an increase in light, the additional lighting in the community is considered negligible as the area is already developed.

XIV. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Sources: 7 and 12)

Discussion: The subject site is currently undeveloped and does not contain any historic structures and is not located within any of the City's historic districts. No historical resource will be impacted by the construction of the project.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: 8 and 12)

Discussion: The subject site is not located in an identified archaeological site; therefore, no impacts are anticipated.

c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: 1 and 8)

Discussion: The site is a vacant dirt lot. It does not contain any unique geologic features. It is not designated as having any paleontological resources. No impacts are anticipated.

d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 8)

Discussion: The existing burials will not be affected by the cemetery expansion. Based on the discussion under item XIV (b), the project is not expected to result in the disturbance of human remains.

XV. RECREATION. Would the project:

a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Sources: 3 and 4)

Discussion: Although employees of the proposed use may visit existing park facilities, no significant increase in the use of existing neighborhood, community and regional parks or recreational facilities is anticipated based on the small number of employees proposed. No impacts are anticipated.

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (Sources: 1, 3 and 4)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will not require the construction or expansion of new or existing recreational facilities. The proposed use is for the expansion of an existing cemetery, therefore, no adverse impacts to recreational facilities are anticipated.

- c) Affect existing recreational opportunities? (Sources: 3 and 4)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Although employees of the proposed use may visit existing recreational facilities, no significant increase in the use of these facilities is anticipated based on the small size of the project. No impacts are anticipated.

XVI. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources: 1 and 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject site is currently vacant and surrounded by commercial and residential uses, and does not contain any farming operations. Development of this project will not result in the conversion of any farmland.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1 and 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject site is presently zoned PS (Public-Semipublic) which does not permit agricultural uses. Development of the site will not conflict with agricultural use and zoning as none exist nor are permitted on the site.

- c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Sources: 1 and 3)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is presently vacant and is surrounded by commercial and residential uses. Therefore, the development will not result in the loss of any farmland.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: 1, 3, 4, 5 and 7)

Discussion: The project site is currently vacant. It is not located within any wildlife or biological resource area and therefore will not impact any fish, wildlife, or plant community. The site does not contain any historic resource. Based on discussions in Sections I to XVI above, the project is anticipated to have no impact on the quality of the environment.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: 1, 3, 4, 5 and 12)
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: As discussed above in Sections I to XVI, the project is not anticipated to have any individual and cumulative impacts based on the limited increase of vehicle trips (72) and use which is an expansion of an existing cemetery that will result in negligible impacts to surrounding properties.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1, 3, 4, 5 and 12)
- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: As discussed above in Sections I to XVI, the project as proposed and with implementation of the recommended code requirements will have a less than significant impact on human beings, either directly or indirectly.

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XVIII. EARLIER ANALYSIS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Huntington Beach General Plan and EIR	City of Huntington Beach Planning Dept., Zoning Information Counter, 3rd Floor 2000 Main St. Huntington Beach
2	City of Huntington Beach Zoning and Subdivision Ordinance	"
3	Summary of Mitigation Measures	See Attachment #1
4	Project Vicinity Map	See Attachment #1
5	Reduced Site Plan, Floor Plans, Elevations	See Attachment #2
6	Project Narrative	See Attachment #3
7	City of Huntington Beach Municipal Code	City of Huntington Beach City Clerk's Office 2000 Main Street, 2 nd floor Huntington Beach
8	City of Huntington Beach Historic District Map	City of Huntington Beach Planning Dept., Zoning Information Counter, 3rd Floor 2000 Main St. Huntington Beach
9	City of Huntington Beach Archaeological Site Vicinity Map	"
10	City of Huntington Beach Geotechnical Inputs Report	"
11	FEMA Flood Insurance Rate Map (June 14,2000)	"
12	CEQA Air Quality Handbook	"
	South Coast Air Quality Management District (1993)	
13	City of Huntington Beach CEQA Procedure Handbook	"
14	Trip Generation Handbook, 5 th Edition, Institute of Traffic Engineers	"
15	Orange County Airport Environs Land Use Plan (Nov. 16, 1995)	"
16	Hazardous Waste and Substances Sites List	"
17	State Seismic Hazard Zones Map	"

D-2.37

Summary of Mitigation Measures

<u>Description of Impact</u>	<u>Mitigation Measure</u>
Potential flooding downstream caused by the elimination of two natural drainage swales with the proposed project	<ol style="list-style-type: none">1) On-site water detention basins shall be incorporated into the site design to temporarily detain runoff on the subject site.<ol style="list-style-type: none">a) Historical volumes using cross-sectional areas that are perpendicular to the longitudinal (N-S) centerline of each "historical basin shall be calculated to identify the size of on-site water detention basins.b) The design of the detention basins shall provide for earthen slopes not to exceed a 2:1 slope ratio.
Inadequate design of detention facilities may result in a lack of storage capacity and future maintenance issues	<ol style="list-style-type: none">2) All easements, storm drains, and detention facilities shall be designed per City and applicable County standards and approved by the Public Works Department.

D-2.38

ATTACHMENT 4

D-2.39

Vice Chair Ray made reference to Area C on Attachment No. 4.12 and discussion ensued with staff about the term "mixed vertical" (commercial on the ground floor and residential above) and how the Lowe's project changes the area to commercial. Vice Chair Ray voiced approval.

Staff discussed mixed use being used for 10-15 acre parcels, and explained that requests involving smaller parcels do require a coordinated development plan. Staff explained uniform regulations throughout each district and also discussed how zoning maintains property values and character.

Commissioner Dingwall discussed how the request assists residential owners that are locked out of making improvements and how this request will not hurt auto dealerships.

Commissioner Stilton explained how the request only makes consistent the current zoning identified in the Huntington Beach Zoning and Subdivision Ordinance with the General Plan.

THE MOTION WAS ACTED ON BY THE FOLLOWING VOTE:

AYES: Thomas, Scandura, Ray, Stilton, Livengood, Dingwall
NOES: Davis
ABSENT: None
ABSTAIN: None

MOTION APPROVED

- B-2. MITIGATED NEGATIVE DECLARATION NO. 03-08/CONDITIONAL USE PERMIT NO. 00-63 (GOOD SHEPHERD CEMETERY EXPANSION): Applicant: Padian Team Consulting Property Owner: Roman Catholic Diocese of Orange Request: **MND:** To analyze the potential environmental impacts associated with the implementation of the proposed project. **CUP:** 1) To permit the three-phase expansion of the existing 23 acre cemetery. The phased improvements include the construction of an approximately 85,000 square foot, three-story mausoleum, an approximately 10,000 square foot maintenance facility, and above-ground garden crypts totaling approximately 100,000 square feet on 12.5 undeveloped acres adjacent to the existing cemetery. 2) To permit approximately 980 lineal feet of six-foot tall decorative block walls and view fencing at a zero setback along the Beach Boulevard and Talbert Avenue frontages. Location: 8301 Talbert Avenue (North side of Talbert Avenue, east of Beach Boulevard). Project Planner: Paul Da Veiga**

STAFF RECOMMENDATION: Motion to: "Approve Mitigated Negative Declaration No. 03-08 with findings and mitigation measures;" and, "Approve Conditional Use Permit No. 00-63 with findings, modifications and conditions of approval."

The Commission made the following disclosures: Vice Chair Ray and Commissioner Dingwall excused themselves from action on the item due to possible conflicts of interest; Commissioner Thomas visited the site; Commissioner Scandura visited the site and spoke with staff; Commissioner Stilton visited the site; Commissioner Livengood visited the site and disclosed that he owns a plot for future interment.

Paul Da Veiga, Associate Planner, provided a staff report and PowerPoint presentation to the Commission.

THE PUBLIC HEARING WAS OPENED:

Chrysteen Bandy, Board Secretary for the Tamarack Village Homeowners Association (TVHOA), spoke in support of the proposed lighting but voiced concerns about the proposed vinyl fencing, criminal activity, vagrancy, and the 10 foot setback between their property line and the crypt building. She also voiced opposition to the 3-story building and discussed how their front doors face the cemetery fence.

Mindy Belli, Huntington Beach, discussed the property's north/south border along the Tamarack Village and voiced concerns about fencing and a 10-foot setback. She discussed how the area collects bad traffic, including trespassers coming over the fence at the northwest corner of Tamarack Village. She stated that safety issues in the 10-foot setback must be addressed through proper lighting and maintenance. She also discussed the nature of the gate at the end of alleyway, and whether groundcover was being considered.

Gordon Doull, Residents – RD283, voiced concerns that existing water runoff problems and not being adequately addressed in the report, including water basins not being able to maintain proper capacity because of problems that exist downstream. He discussed Districts 2 and 3 having no tract access to the east and south, creating a pocket that could attract undesirables and encourage criminal activity. He also discussed the 20-foot Newman Avenue setback and the use of trees and shrubs that could provide housing to vagrants and prohibit vehicular access by police. He stated support for wrought iron fencing.

Ron Cowper, Huntington Beach, stated that certain exhibits do not correctly depict the area they represent. He described the mausoleum as prison-like and dilapidated. He discussed the public notification process and the 300 feet radius requirement. He voiced concerns about aesthetics, wall height, and connecting a 54" drainpipe into a 48" drainpipe. He described flooding in recent years that caused water to rise up to the front doors of residents on Newman Avenue.

Joe Novoa, Diocese of Orange, identified his associates and discussed a neighborhood meeting held to address concerns by residents about lighting, landscaping, Police accessibility, and neighborhood flooding due to the absence of a capable drainage system downstream. He explained that a large volume of public water travels through their property that lies between 2 drainage areas, suggesting the need for a comprehensive master plan to upgrade the property and improve runoff conditions. He discussed landscaping and setback enhancements and stated that the project is committed to enhancing the infrastructure, irrigation, current slopes, and mitigation of issues related to drainage and runoff.

Discussion ensued about standard city code requirements.

Mr. Novoa addressed concerns related to noise by referencing fencing and solid block wall information provided on page 3 of the staff report. He also requested that public improvements along Newman Avenue be completed within the second

DV-2.41

phase of the project because of unfeasible costs estimated at \$3 million dollars. He finalized his comments by referencing staff's opposition to the three-part phasing plan identified on page 11 and the associated financial impacts related to grading and construction of detention basins.

Mike Padian, applicant, addressed the concerns related to possible flooding on the property and the re-design of the nature of detention basins. He discussed Public Works suggestion for compliance with the sloped basin design for water drainage, City liability issues, the City's annual schedule for maintaining the channels, and basins not depicted in the City's master plan of drainage. He also voiced concerns with taking property away for City drainage issues.

Commissioner Scandura made reference to an informational discrepancy related to phase one activity on attachment 3.15 and the conditions of approval listed on page 5 of the staff report.

Mr. Padian discussed drainage improvements projected in the first phase, including making detention basins slightly bigger by using larger drainpipe, depicted on Attachment 2.1, CUP Site Plan Phases 1, 2 and 3.

Irwin Fishbein, Huntington Beach, provided a history of activity related to the existing storm basin backing up and causing flooding to area neighbors. He described how his property has been flooded 3 times in 25 years, and that boats were required to access neighbors front doors that were submerged in 3 feet of water. He called the situation urgent and recommended that an expedient remedy for drainage be initiated.

WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

Commissioner Scandura commented on the differences in drainage and the applicant's proposal to install pipes in certain areas but not throughout the property.

Commissioner Stilton questioned the applicant's choice for phase 1 improvements proposing the walls along Newman Avenue, and the corner of Beach Blvd. and Talbert Avenue. The applicant suggested swapping Newman Avenue improvements for the Beach/Talbert improvements.

Commissioner Thomas asked if it was common for the City to require an applicant to complete improvements like detention basins within the first phase of a project. Staff responded that it is common to condition necessary public improvements within the first phase on projects with a phasing plan, and given the drainage issues that impact the residents to the north of the site, the condition is appropriate.

Commissioner Scandura asked about the vinyl fencing near Tamarack Village. Staff replied that the Tamarack Village Homeowners Association (TVHOA) is responsible for maintaining the vinyl fence, and suggested that the Commission consider a condition that prohibits double fencing.

D-2.42

Commissioner Scandura asked how the applicant would control vagrant and graffiti activity. Staff responded that security patrols will be made 4 times per evening and reported graffiti would be removed within a 24-hour period.

Commissioner Scandura asked what type of storm event the proposed detention basins would control in the final phase would control. Staff responded that the improvements would maintain the current level of detention and not accentuate the condition.

Commissioner Scandura asked if the cemetery is responsible for the floods experienced by area neighbors. Staff responded that the cemetery is not the reason for the floods in the area, but rather it is a combination of things. Staff discussed the vertical concrete walls requested by applicant and staff's recommendation for earthed sloped areas to prevent slope deterioration.

Commissioner Scandura stated that he had difficulty contacting cemetery officials and requested that a condition of approval be added that provides a public contact number. He asked that the vegetation in bermed areas be clearly identified, reminding the applicant that the Environmental Board requires native, drought-tolerant plants. He voiced concerns about the height of garden crypts along Newman Avenue, and massing issues associated with the mausoleum height.

Commissioner Stilton asked if staff received reports related to criminal activity on the property. Staff replied that code enforcement has received calls about people trespassing, but none from the Police Department.

Commissioner Stilton voiced concerns about massing of the mausoleum and height of the garden crypts. She asked if the applicant considered the scale of adjacent businesses when designing the project, and whether or not it was possible to relocate the 3-story building. She also voiced concerns about insufficient landscaping and lighting to mitigate vagrancy, discussed how drainage issues may have dictated design, and how the request hasn't appropriately addressed neighborhood concerns.

Commissioner Livengood asked how much property it would take to create sloped basins that would accommodate the storm water. Staff responded that they were waiting for a final proposal from the applicant before an exact area could be determined.

Commissioner Livengood asked if the City is responsible for replacing the 32-inch drainpipe. Terri Elliott, Public Works, responded that channels downstream are not sized properly to accommodate a large volume of water, and that a detention basin must be included. Staff also discussed existing drainage channels identified on past maps.

Chair Davis asked if the issue is inadequate downstream capacity. Staff confirmed, stating that the City provides a recommendation based on an analysis of the worst-case scenarios and then determining what level of improvements are necessary. Staff also explained that the adjacent Wal-Mart development is conditioned to retain storm water flow (underground pipes, detention basins, etc.) in order to maintain current water flow conditions.

D-2.43

Chair Davis asked what is involved, including costs, to fix the problems that exist downstream. Staff responded that a number of issues exist, most importantly improperly sized channels constructed by the County prior to 1996. Staff also explained how detention basins operate to store water.

Commissioner Livengood voiced concerns about the sidewalk/curb/gutter on the south side of Talbert Avenue being ADA compliant. He stated that modifying the sidewalk and adjacent improvements would be cost prohibitive, and asked for a recommendation by Public Works. Public Works staff distributed photos that identified sidewalk width and their relationship to the streetlights and other right-of-way improvements. Discussion ensued on the process of involving the DRB in area modification.

Commissioner Livengood discussed Attachment 3 and the applicants phasing for the CUP. He asked if the detention basin identified within the first phase was temporary. Staff confirmed that the detention basin was temporary until the issues identified downstream were corrected.

Commissioner Livengood discussed staff's acceptance of the applicant's wall proposal for Newman Avenue, and staff's recommendation for view fencing at the Beach/Talbert location. Staff described wall and landscape design along Newman Avenue. Staff also stated that view fencing was recommended at Beach Blvd. and Talbert Avenue because of zero setback issues, adding that it also softens the overall appearance.

Commissioner Livengood asked the applicant if block wall fencing would better deter vagrants. Mike Padian discussed topography and fencing in between crypt buildings along Newman Avenue and that the detention basin in front of the mausoleum is heavily screened. Commissioner Livengood asked if the crypts are considered part of the wall. Mr. Padian discussed the wall materials and crypt construction.

Commissioner Thomas asked if the proposed crypt design provided an improvement to the stark-like appearance that currently exists. Mr. Padian responded that the proposed design would not be a flat wall.

Discussion ensued about the zero setbacks along Beach Blvd. and landscaping. Commissioner Thomas asked if the fence along the garden crypt on Talbert Avenue could be set back to align with the mausoleum. Staff responded that moving existing gravesites pose serious problems. Staff stated that the wall could not be set back enough to provide adequate landscaping and that is why staff recommends view fencing.

Joe Truxaw, the applicant's consultant, discussed street access and ADA compliance on Talbert Avenue. He also discussed moving the existing curb line 2 feet into Talbert Avenue to provide for a 6-foot wide sidewalk, explained that the existing gravesites abut at a zero setback line and encroaching into the street will not prohibit the right turn onto Beach Blvd. Staff responded that the City does not recommend reducing the right-of-way for Talbert Avenue to provide a 6-foot sidewalk.

Commissioner Thomas asked if the properties lighting is shielded away from the adjacent residents. Staff confirmed.

Commissioner Scandura recommended adding 4 new conditions for discussion including keeping the applicant's proposal for drainage, looking at garden crypt and mausoleum heights, considering a maximum height of 30 to 35 feet, redesigning the garden crypts along Newman Avenue, and moving the crypt wall and flush with the existing mausoleum.

Commissioner Stilton stated that the applicant did not provide enough information asking if it were possible for the applicant to present material to the Design Review Board (DRB) in order to consider Urban Design Guideline elements, etc. Staff referred to the mandatory processing time identified on page 8 of the staff report, and explained that the Commission could act on Mitigated Negative Declaration. Staff added that based on the comments related to design, staff recommends that the Commission receive input from the DRB.

Staff asked Commission Counsel if a 45-day extension of the CUP would be in compliance with CEQA guidelines. Commission Counsel stated that the applicant would have to concur.

Discussion ensued about possible meeting dates for the DRB.

A MOTION WAS MADE BY SCANDURA, SECONDED BY STILTON, TO APPROVE MITIGATED NEGATIVE DECLARATION NO. 03-08 WITH FINDINGS AND MITIGATIONS MEASURES, BY THE FOLLOWING VOTE:

AYES: Thomas, Scandura, Davis, Stilton, Livengood
NOES: None
ABSENT: None
ABSTAIN: Ray, Dingwall

MOTION APPROVED

Staff recommended the Commission identify what they wish to see at the next meeting, adding that the applicant had met the code requirements. Staff also reminded the Commission that public improvement requirements are regulated by code and the Public Works Department.

Commissioner Livengood asked for an appropriate solution to widening the sidewalk on the north side of Talbert Avenue. Staff reminded the Commission that the street/curb/gutter/sidewalk design was part of the WalMart project and again referenced the photos distributed. Staff also stated that the existing utility pole would be relocated underground, and that the signal poles comply with Title 24 requirements.

Commissioner Livengood asked for the sidewalk width in commercial areas. Staff replied that the sidewalk on Talbert Avenue is 8 feet and explained that due to gravesite location along the north side of Talbert Avenue, a 10-foot dedication would not be possible. Staff said that the existing sidewalk could be modified to meet ADA requirements.

Commissioner Thomas asked if the fence could be moved inward at the corner of Beach Blvd. and Talbert Avenue. Commissioner Scandura said he believed that 15 feet existed between the fence and gravesites. Mr. Padian explained that

D-2.45

lawn crypts must be measured and the width must be established for the area behind the fence, but that they would prefer a block wall in that area to inhibit noise and allow visitors to mourn. Staff stated that such a request would be subject to further review. Staff also recommended seeking a recommendation from the DRB for walls and landscaping.

Commissioner Scandura questioned how much time would be necessary to allow the applicant to address height and sidewalk issues. Chair Davis responded that the applicant has met all zoning requirements and staff repeated that if the Commission decides to continue the item, clear direction must be given on what specific items the Commission is asking staff and the applicant to address.

THE COMMISSION TOOK A RECESS AT 10:00 P.M. AND RESUMED AT 10:07 P.M.

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY THOMAS, TO CONTINUE CONDITIONAL USE PERMIT NO. 00-63 TO A SPECIAL MEETING HELD ON WEDNESDAY, NOVEMBER 30, 2004, BY THE FOLLOWING VOTE:

AYES: Thomas, Scandura, Davis, Stilton, Livengood
NOES: None
ABSENT: None
ABSTAIN: Ray, Dingwall

MOTION APPROVED

A SUBSTITUTE MOTION WAS MADE BY DAVIS, SECONDED BY THOMAS, TO APPROVE STAFF'S CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 00-63, AND FORWARD DESIGN ELEMENTS (BUILDING SIZE/MASSING) TO THE DESIGN REVIEW BOARD.

Commissioner Thomas asked if it were possible for the DRB to provide a recommendation on downsizing the garden crypts or mausoleum. Staff responded that there isn't enough time to get a DRB meeting scheduled to review the proposal prior to the next meeting.

The applicant explained the overall crypt height, articulation, and design proposed to address the mass of the building and to soften the appearance of the Newman Avenue frontage.

Commissioner Scandura suggested modifying the grade, downsizing the proposal to 5 crypts, and reducing the mausoleum height by 15 feet.

Commissioner Stilton requested that the Commission give the applicant precise direction. She also expressed concerns with the long, linear design of the crypts and the 10-foot setback along the easterly side of the project adjacent to the existing residential development.

COMMISSIONER THOMAS WITHDREW HER SECOND TO THE SUBSTITUTE MOTION MADE BY CHAIR DAVIS.

Commissioner Scandura restated his proposal to reduce the mausoleum height by 15 feet. He also recommended reducing garden crypt height by 3 to 6 feet,

creating view corridors on the east side of the project, widening the sidewalk width at Beach Blvd. and Talbert Avenue, and providing view fencing versus a solid wall at Beach Blvd. and Talbert Avenue.

Commissioner Stilton stated that height issues could be addressed during design review.

Commissioner Scandura stated that if the slope/grade causes increased building height, then a two-story structure can be considered.

Commissioner Livengood stated that the projects phasing plan needs to be studied, adding a request that 1 to 2 feet be added to the sidewalk on the north side of Talbert Avenue for increased width.

Commissioner Scandura proposed conditions of approval to address the Tamarack Village fence issues, advertising a public contact number for the cemetery, using California native/drought tolerant landscaping, prohibiting use of bushes and shrubs that may provide visual cover to vagrants, and to leave the applicant's phasing plan as is.

Discussion ensued about continuing the item to December 7, 2004.

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY THOMAS, TO CONTINUE CONDITIONAL USE PERMIT NO. 00-63 TO A SPECIAL MEETING HELD ON DECEMBER 7, 2004 BY THE FOLLOWING VOTE:

AYES: Thomas, Scandura, Ray, Davis, Stilton, Livengood, Dingwall
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED SEPTEMBER 14, 2004

RECOMMENDED ACTION: Motion to: "Approve the September 14, 2004 Planning Commission Minutes as submitted."

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY THOMAS, TO APPROVE THE PLANNING COMMISSION MINUTES DATED SEPTEMBER 14, 2004, BY THE FOLLOWING VOTE:

AYES: Thomas, Scandura, Ray, Davis, Stilton, Livengood, Dingwall
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

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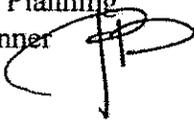
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ATTACHMENT 5



City of Huntington Beach Planning Department

STAFF REPORT

TO: Planning Commission
FROM: Howard Zelefsky, Director of Planning
BY: Paul Da Veiga, Associate Planner 
DATE: November 9, 2004

SUBJECT: MITIGATED NEGATIVE DECLARATION NO. 03-08/CONDITIONAL USE PERMIT NO. 00-63 (Good Shepherd Cemetery Expansion)

APPLICANT: Mike Padian, Padian Team Consulting, 14 Crucillo Dr., Ste. A, Rancho Santa Margarita, CA 92688

PROPERTY

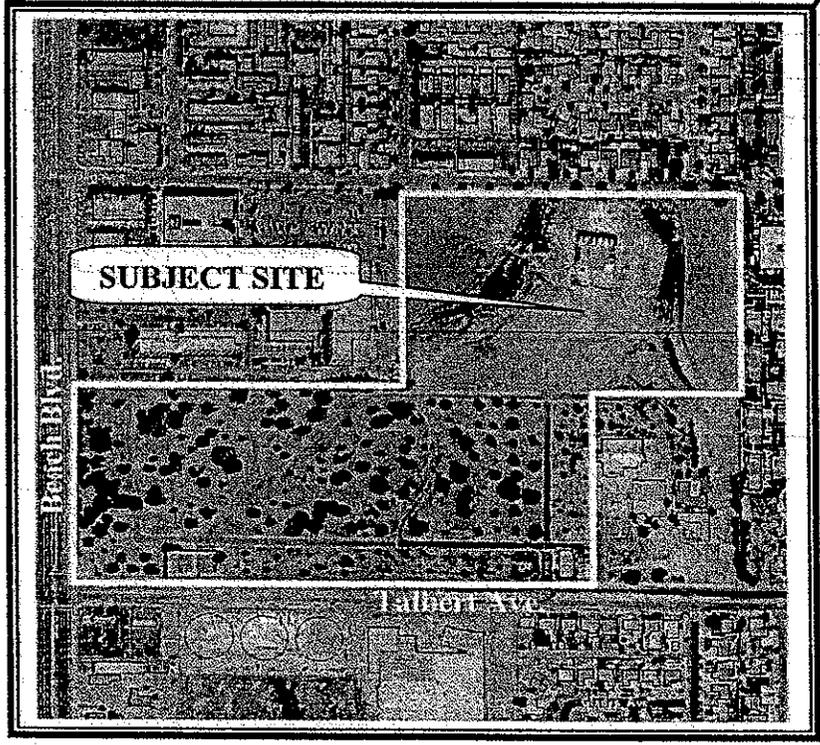
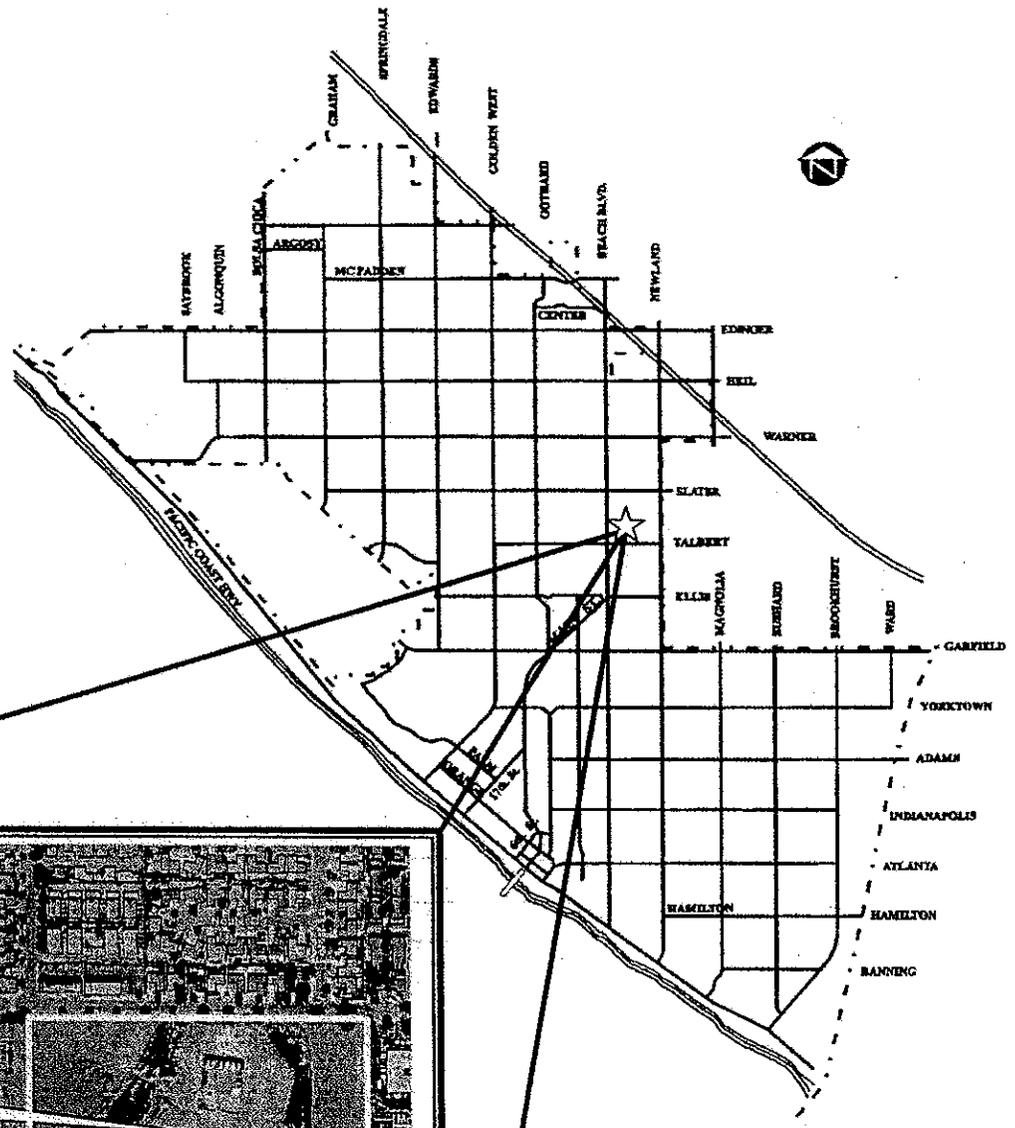
OWNER: Roman Catholic Diocese of Orange, P.O. Box 14195, 2811 E. Villa Real Dr., Orange CA 92863

LOCATION: 8301 Talbert Ave. (Northeast corner of Beach Boulevard and Talbert Avenue)

-
- ♦ Mitigated Negative Declaration No. 03-05/
 - Analyze the potential impacts of the three-phase expansion to the existing 23-acre cemetery site.
 - ♦ Conditional Use Permit No. 00-63 request:
 - Construction of an 85,000 square foot, three-story mausoleum, a 10,000 square foot maintenance facility, and one-story garden crypt buildings totaling 100,000 square feet.
 - Six-foot tall decorative block walls/wrought iron fencing at a zero setback along the Beach Boulevard and Talbert Avenue frontages.
 - ♦ Staff's Recommendation: Approve Mitigated Negative Declaration No. 03-08/Conditional Use Permit No. 00-63 with modifications based upon the following:
 - The proposed development is consistent with the General Plan designation of Public on the subject site.
 - The project complies with all development standards identified in the Huntington Beach Zoning and Subdivision Ordinance.
 - The proposed development is consistent with the existing cemetery use and can be integrated and be sensitive to the surrounding land uses with adequate setbacks, landscaping, and design amenities.
 - The project will not be detrimental to the general health, welfare and safety to persons working or living in the area, nor detrimental to the value of the property or improvements in the area.

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B-2
ATTACHMENT NO. 4.1



D-2.50

VICINITY MAP
 Mitigated Negative Declaration No. 03-08/Conditional Use Permit No. 00-63
 8301 Talbert Avenue
 THE CITY OF HUNTINGTON BEACH

♦ Staff's Suggested Modifications:
Conditional Use Permit No. 00-63

- All new fencing along the Beach Blvd. and Talbert Ave. frontages shall be composed of wrought iron view fencing with split face block pilasters at measured at 20 feet on center. The design, color, and materials of new fencing shall be consistent with existing view fencing along the Talbert Avenue frontage.
- Security lighting shall be installed at the rear of the garden crypt buildings adjacent to the easterly property line. (Lighting shall be shielded so as to not spill onto adjacent residential properties – Code Requirement)
- The existing mausoleum along Talbert Ave. shall incorporate architectural enhancements on the south elevation facing Talbert Ave.
- Public improvements along Newman Avenue shall be completed within the first phase of development.
- Enhanced landscaping shall be provided within the twenty-foot setback along the Newman Avenue frontage in order to deter graffiti. Landscaping will consist of climbing vines on perimeter walls, ground cover, shrubs, and trees.

RECOMMENDATION:

Motion to:

- A. "Approve Mitigated Negative Declaration No. 03-08 with findings and mitigation measures (Attachment No. 4);"
- B. "Approve Conditional Use Permit No. 00-63 with suggested findings, modifications, and conditions of approval (Attachment No.1)"

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Deny Conditional Use Permit No. 00-63 with findings for denial."
- B. "Continue Mitigated Negative Declaration No. 03-08 and Conditional Use Permit No. 00-63 and direct staff accordingly."

PROJECT PROPOSAL:

Mitigated Negative Declaration No. 03-08 was prepared pursuant to the provisions of the California Environmental Quality Act and analyzes the potential environmental impacts associated with the implementation of the proposed cemetery expansion. The study concludes that the project will not result in significant environmental impacts with the proposed mitigation measures.

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Conditional Use Permit No. 01-20 represents a request for the following:

- A. Phased construction of an 85,000 square foot, three-story mausoleum, a 10,000 square foot maintenance facility, and one-story garden crypt buildings totaling 100,000 square feet pursuant to Section 214.06 PS District – Land Use Controls of the HBZSO; and
- B. Six-foot tall decorative block walls/view fencing at a zero setback in lieu of ten feet along the Beach Boulevard and Talbert Avenue frontages pursuant to Section 214.08 PS District: Development Standards and Section 230.88 Fencing and Yards of the HBZSO.

The applicant has requested a conditional use permit in order to phase development of the remaining 12.5 acres of vacant land located to the north of the existing 23-acre Good Shepherd cemetery property. The existing cemetery provides direct burials, lawn crypts (pre-installed, in-ground, concrete vaults), and cremation niches throughout the developed site. The entrance to the cemetery is restricted to a single access drive off of Talbert Avenue. The Talbert Avenue frontage is partially improved with asphalt curbs and sidewalks, and fencing consisting of permanent wrought iron and split-face block pilasters. An existing garden crypt building with an approximate height of 20 feet is also located along the Talbert Ave. frontage. The Beach Blvd. frontage has concrete and asphalt curbs, and dirt and concrete sidewalks. The fencing consists of chain link covered with vines and sections of split face block walls. The undeveloped portion of the property is to the northeast of the existing cemetery and is rectangular in shape. A temporary maintenance yard is located in the center of the undeveloped property.

The proposed development will include construction of a three-story 85,000 square foot mausoleum (an enclosed multi-story crypt and interment building), a 10,000 square foot maintenance facility for housing maintenance equipment and vehicles, and one-story garden crypt buildings totaling approximately 100,000 square feet along the perimeter of the subject site. The mausoleum will occupy a prominent location on the cemetery property and is positioned to take advantage of the terminus of the main entrance road from Talbert Avenue. Both the mausoleum and garden crypt buildings include horizontal design elements that incorporate materials such as polished and rough granite, pre-cast concrete, textured concrete, and art glass.

The request also includes newly proposed fencing along the Beach Boulevard and Talbert Avenue frontages at a zero setback in lieu of the required 10-foot setback. The proposed fencing will replace existing chain link and block walls in the same location. The fencing will be a combination of six-foot high split face block walls, pilasters, and sections of wrought iron. New sidewalks, curbs and gutters will also be constructed in compliance with ADA (Americans with Disabilities Act) accessibility requirements along the Beach Boulevard, Talbert Avenue, and Newman Avenue frontages. The onsite improvements include the installation of two new concrete detention areas to collect storm water runoff from the subject site.

The reason for the cemetery expansion is based on the diminishing availability of land on the existing cemetery grounds. The existing grave sites within Good Shepherd limit alternative forms of interment on the subject site which, coupled with the diminishing availability of grave sites, requires that they expand onto the undeveloped portion of the subject site. The proposed phasing program anticipates the future interment needs of the surrounding region over a seven to ten year period (See Attachment No. 3). The project is proposed in three phases and includes the following improvements:

- Phase 1 is approximately two acres in size and is concentrated at the southwesterly portion of the property, adjacent to the Huntington Beach Hospital's service area and existing cemetery. This phase consists of construction of the maintenance and garden crypt building and an adjoining lawn crypt area, including installation of a portion of the loop road system. Phase 1 also includes the proposed off-site installation of curbs, sidewalks, and fencing along Beach Boulevard and Talbert Avenue. Phase 1 will commence shortly after project approval.
- Phase 2 is approximately 4.5 acres in size and is located at the northwesterly corner of the expansion property adjacent to Newman Avenue. It will include the construction of freestanding garden crypts, the main mausoleum, and associated loop roads. While it is anticipated that the entire mausoleum will be constructed at one time, it is designed so that it can be constructed in sub-phases, per the demands of the market. The westerly drainage course will be completely improved, with the construction of the remainder of the concrete pipe, and the westerly-most flood detention basin. The Newman Avenue improvements will also be constructed during this phase. Phase 2 would be completed approximately three to six years from the date of project approval.
- Phase 3 completes the development of the cemetery with the buildout of the mausoleum, garden crypts, and surrounding interment areas. The easterly drainage course and flood control facilities will also be constructed within this phase. Completion of Phase 3 is anticipated at approximately seven to ten years from the date of approval.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	P (Public)	PS (Public-Semi-public)	Cemetery
North of Subject Property:	RL (Residential Low Density) CO (Commercial Office)	RL (Residential Low Density) CO (Commercial Office)	Single Family Homes Church
East of Subject Property:	RM (Residential Medium Density)	RM (Residential Medium Density)	Healthcare Center/ Condominiums
South of Subject Property: (across Talbert)	CG (Commercial General)	CG (Commercial General)	Retail Commercial (Walmart Shopping Center)
West of Subject Property: (across Beach)	CO (Commercial Office) CG (Commercial General)	CO (Commercial Office) CG (Commercial General)	Huntington Beach Hospital Retail Commercial

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is Public. The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

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ATTACHMENT NO. 4.5

A. Land Use Element

Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational, and service uses that support resident needs within residential neighborhoods.

Policy LU 9.4.1: Accommodate the development of parks, sports facilities, schools, libraries, community meeting facilities, religious facilities, and similar community-serving uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.

Objective LU 13.1: Provide for the continuation of existing and development of new uses, such as governmental, administrative, public safety, human service, cultural, educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

Policy LU 13.1.8: Ensure that the City's public buildings, sites, and infrastructure improvements are designed to be compatible in scale, mass, character and architecture with existing buildings and pertinent design characteristics prescribed by this General Plan for the district or neighborhood in which they are located, and work with non-city public agencies to encourage compliance.

The proposed cemetery expansion is consistent with the General Plan objectives and policies by advocating the inclusion of institutional and religious uses that support resident needs in the City and surrounding region. The use of the site as a cemetery fulfills a basic public necessity for interment and is consistent with the General Plan designation of Public on the subject property.

Zoning Compliance:

This project is located in the PS (Public Semi-Public) zone and complies with the requirements of that zone with the exception of the block walls along Beach Blvd. and Talbert Ave.

Urban Design Guidelines Conformance:

The proposed development is in substantial conformance with the Urban Design Guidelines. The proposed buildings will be compatible with the surrounding area in terms of design, layout, materials, and architecture. The height and mass of the buildings are compatible with adjacent properties. The project incorporates high quality materials and architectural treatments such as pre-cast concrete, polished and rough granite, textured concrete, and colored glass treatments. Staff is recommending that newly proposed perimeter fencing be composed of split-face block pilasters at equal intervals with wrought iron view fencing which is compatible with existing fencing on the subject site. Staff is in support of the proposed design of the subject buildings based on compatibility with surrounding development and compliance with the Design Guidelines. The final design, colors, and materials for all the improvements are recommended to be reviewed by the Design Review Board.

Environmental Status:

Staff has reviewed the environmental assessment and determined that no significant impacts are anticipated as a result of the proposed project that could not be mitigated to a level of insignificance with proper design and engineering. Subsequently, Mitigated Negative Declaration No. 03-08 (Attachment No.

4) was prepared with mitigation measures pursuant to Section 240.04 of the HBZSO and the provisions of the California Environment Quality Act (CEQA).

The Planning Department advertised draft Mitigated Negative Declaration No. 03-08 for thirty (30) days commencing on September 13, 2004 and ending on October 15, 2004. Written correspondence from the applicant was received regarding the design of the detention basins as required by the Public Works Department. Comments were also received from the Environmental Board requesting information on the types of drought-tolerant plants proposed on the project and more detailed information on the design of the on-site detention basins. No other correspondence regarding the mitigated negative declaration was received.

The major issue identified in the mitigated negative declaration is on-site drainage. Currently two natural drainage swales are located in the area of the proposed development and serve as a detention basin for storm water runoff water from the subject site and upstream development. Although the proposed development will not generate a substantial increase in water runoff, the historical volume of runoff water detained in two natural drainage swales on the subject site during storm events currently exceeds the capacity of the downstream storm drain system. The existing drainage pattern will be altered based on the improvements proposed on the site. Based on the alteration of the drainage swale, the project is required to incorporate water detention basins into the project design. The size and design of the detention basins are subject to the review and approval of the Public Works Department.

Prior to any action on Conditional Use Permit No. 00-63, it is necessary for the Planning Commission to review and act on Mitigated Negative Declaration No. 03-08. Staff, in its initial study of the project, is recommending that the mitigated negative declaration be approved with findings and mitigation measures to reduce the potential impacts of the development to surrounding development and compliance with the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).

Coastal Status: Not applicable

Redevelopment Status: Not applicable.

Design Review Board:

The project is subject to review by the Design Review Board based on its location fronting Beach Boulevard. The project is recommended to be presented to the Design Review Board subsequent to Planning Commission approval.

Other Departments Concerns and Requirements:

The Departments of Public Works, Fire, and Building and Safety have recommended conditions that are noted for the applicant as typical code requirements or are incorporated into the conditions of approval if they are unique to the project proposal.

D-2.55

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on Thursday, October 28, 2004, and notices were sent to property owners and tenants of record within a 300 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department's Notification Matrix), applicant, and interested parties. As of November 5, 2004, no other communication supporting or opposing the request has been received.

A community meeting was held on October 26, 2004 to discuss the proposed project. A total of ten neighborhood residents attended the meeting and commented on the project. Residents from the single family residential neighborhood to the north expressed concern over drainage problems that currently exist on their street and questioned whether the project would further impact the drainage system. The neighbors were informed that as mitigation for the project, storm water detention basins would be constructed on-site to accommodate the same amount of volume as currently is stored on the site. The residents to the east of the site expressed concern over security within the setback area along the easterly property line. The residents cited an existing problem with loitering and graffiti within the cemetery. The applicant responded that security lighting could be placed at the rear of the garden crypt buildings as a deterrent to potential loiterers. To address this concern staff has included a condition of approval that requires security lighting along the easterly property line. The applicant also indicated that a security company currently patrols the cemetery four times throughout the evening to provide necessary security. The applicant stated that the setback area along Newman Ave. would have substantial trees and landscaping including climbing vines on the walls as a deterrent to graffiti. Staff has included a condition of approval requiring that the property owner be responsible for the removal of all graffiti and requiring enhanced landscaping to deter graffiti. The neighbors also expressed concerns regarding the two proposed 16-foot access driveways along the Newman Avenue frontage. The applicant indicated that the sole purpose for these driveways is to provide access twice a year to maintain the detention basins. Staff has recommended a condition of approval that limits use of the two driveways to maintenance purposes twice a year and in emergency situations only.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

Mit. Neg. Dec.: April 19, 2004

MANDATORY PROCESSING DATE(S):

October 15, 2004 (180 days)*

*November 29, 2004 (45-day extension per request letter submitted by applicant)

Conditional Use Permit: April 19, 2004

Within 3 months from Mit. Negative Declaration Approval

ANALYSIS:

The three major issues for analysis in this proposed cemetery expansion project are the on-site improvements and land use compatibility, the perimeter improvements and aesthetics, and the phasing plan.

D-2.56

ATTACHMENT NO. 4.8

On-Site Improvements

The subject cemetery has existed on the site since the mid 1900's. Currently the cemetery is limited to the southerly 23-acre portion of the property. The cemetery has one single vehicular access point located along Talbert Avenue, which will remain as the only public access to the cemetery after the complete build-out of the cemetery expansion. A continuous loop road currently traverses the entire property and will connect to the northerly, undeveloped site. Staff supports the layout of the loop road as it will provide continuous vehicular access to all portions of the cemetery and will allow for parking along the side of the street for visitors to the cemetery. Two gated access points are proposed along Newman Avenue that allow access twice a year for maintenance of the proposed detention basins. A recommended condition of approval limits use of the two driveways along Newman Avenue to twice a year and for emergency maintenance situations only. The suggested condition will ensure the limited use of these driveways and reduce any potential adverse traffic impacts to the residents north of the site.

The proposed three-story mausoleum building will be located at the center of the site and will have substantial setbacks from adjacent residential uses to the north and east. The proposed mausoleum will be setback approximately 210 feet to the northerly property line and 410 feet to the easterly property line. The proposed setbacks to the mausoleum building substantially exceed the minimum code requirement. In addition, the structure incorporates a contemporary architectural design that will include quality materials and is highly articulated on all four sides of the building. There will also be approximately 150 to 175 new trees and landscape turf areas introduced throughout the site, which will soften the appearance of the proposed mausoleum. The location and design of the mausoleum will provide substantial setbacks, improved architectural design, and increased landscaping throughout the entire site.

The above ground, one-story garden crypts will be located along the perimeter of the site and are oriented in an inward design focusing all of the activity to the interior of the site. The building will range in height from approximately 18 feet to 21 feet. The structures are compatible in design to the mausoleum building incorporating similar materials such as granite and textured concrete. The design of the garden crypts also incorporate variation in the roofline with breaks in the façade. The garden crypts will comply with required setbacks along the easterly, westerly and northerly (Newman Ave.) property lines. In response to neighbor concerns regarding loitering and security of the site, staff is recommending a condition of approval requiring security lighting along the easterly property line. The landscape setback along the Newman Avenue will be heavily landscaped with trees, shrubs, and climbing landscaping to provide additional buffering to adjacent residential uses and to act as a deterrent for graffiti. Staff supports the proposed location of the garden crypts based on adequate separation from adjacent residential uses, their inward orientation, the architectural design, landscape buffers, and security lighting.

The proposed 10,000 square foot maintenance facility will be located adjacent to the Huntington Beach Hospital property, at the southwest corner of the undeveloped site. The maintenance facility will be setback approximately 420 feet from the nearest residential property to the north of the site. The facility houses all of the maintenance equipment, supplies, and fuel for the cemetery. The building will be a combination garden crypt building and maintenance facility. The garden crypt portion of the building will be visible to the rest of the cemetery site and will incorporate the same design and materials as the other garden crypt buildings. The portion of the building that houses the maintenance facility will be enclosed

0-2.57

and not visible to the public. As a result of the new design and orientation of the maintenance building, the issue of noise being generated from the building have been reduced and/or eliminated.

The increased separation to the maintenance facility and construction of new perimeter crypt buildings will minimize noise impacts to adjacent residential properties currently experienced with the temporary facility. Staff supports the proposed location and design of the maintenance facility as it provides a substantial buffer from adjacent residential properties and incorporates the same design and materials as the other garden crypt buildings.

Perimeter Improvements

The project proposes the installation of perimeter fencing along the entire Beach Boulevard frontage and a portion of the Talbert Avenue frontage stretching from the southwest corner of the site to the existing mausoleum. The applicant is proposing 20-foot long sections of six-foot high split face block wall with intermittent four-foot wide sections of view fencing. The existing fencing is located on the property line and cannot meet the required 10-foot setback based on the location of existing grave sites. Since there is no opportunity to comply with the required setback and provide landscaping in front of the perimeter walls to soften their appearance, staff is recommending that the walls be composed of six-foot tall wrought-iron view fencing with split-face block pilasters at equal 20-foot intervals. This design is consistent with the view fencing already existing along Talbert Ave. The incorporation of view fencing to offset the inability to provide a landscape setback along Beach Blvd. and Talbert Ave. will permit clear visibility of landscaped areas and trees already existing on the subject site.

The Newman Avenue frontage will include new public improvements and a 20-foot landscaped setback. The proposal is to provide decorative block walls and garden crypt buildings at the 20-foot setback along the Newman Avenue frontage. In order to soften the look of the rear of these crypt buildings, the applicant is proposing a landscaped berm up against the rear of the garden crypt buildings in conjunction with trees and climbing landscaping. The rear of the garden crypt buildings is also designed with vertical offsets in the façade to allow for shadow patterns, adding interest to the design. A six-foot high block walls will be located between the garden crypt buildings and will provide a visual break along this frontage. The perimeter improvements along Newman Avenue will greatly improve the frontage based on the 20-foot setback, enhanced landscaping, and the overall design of the buildings.

The southwest corner of the site (Beach/Talbert intersection) will also be upgraded with new monument signage, landscaping, and fencing. A pre-cast concrete monument will be erected to identify the cemetery, surrounded by raised and at-grade planters with trees, shrubs, and ground cover. A new stamped concrete paving pattern is proposed in front of the proposed planters. The existing curb cuts at the subject location will be eliminated to allow for new a new curb, gutter, and sidewalk. The proposed modifications to the southwest corner of the site will provide an updated appearance and provide a focal point that identifies the cemetery as a landmark in the City.

The existing Talbert mausoleum was built in 1968. The design of the visible portion of the structure is stark and unarticulated. The applicant is proposing to upgrade the façade of the existing mausoleum by introducing metal panels with cutouts and lighting. The existing bollards located at the base of the mausoleum will be removed to allow for a continuation of a low split-face wall directly in front of the

structure. The upgrades to the southerly façade of the existing mausoleum will improve the overall aesthetics and articulation of the structure.

The last improvement is the Talbert Avenue entrance to the site. The existing improvements consist of sections of six-foot high split face block walls with sections of view fencing. There are two vehicular gates that are always open during the cemetery operating hours. Staff is recommending that adequate turn around space be provided in the event that a car needs to turn around if the gates are closed. The main entrance to the subject site along Talbert Avenue will be enhanced with new landscaping in existing planters and new signs consisting of raised individual metal lettering depicting the name of the cemetery. These proposed improvements will update the look of the entrance to the cemetery and provide new identification.

Phasing Program

The applicant is proposing a three-part phasing plan for all the improvements proposed on the subject site. See Project Proposal on page 5 of this report.

Staff does not support the applicant's proposed phasing program, based on the timing of the perimeter improvements along Newman Ave. and construction of the detention basins, which are not proposed until the second phase. This phase is estimated at three to six years from the date of approval of the conditional use permit. The subject property is located adjacent to residential property to the north that has historically experienced problems with run-off from the subject site as a result of large storm events. The residents have expressed concerns regarding the potential impacts to drainage as a result of the project. Staff is recommending that all required drainage facilities, public improvements, and perimeter improvements be in place within the first phase. The recommendations are made based on the premise of protecting residents from any potential impacts relating to storm water runoff (flooding) and provide the required public and perimeter improvements to address the perimeter access and aesthetics of the site. The two remaining phases and their scheduled improvements are satisfactory and remain as originally proposed by the applicant.

SUMMARY:

As conditioned, and with the implementation of mitigation measures, the project is consistent with the Public-Semipublic land use designation. Staff recommends approval of Mitigated Negative Declaration No. 03-08 and Conditional Use Permit No. 00-63 for the following reasons:

- The proposed development is consistent with the General Plan designation of Public on the subject site.
- The project complies with all development standards identified in the Huntington Beach Zoning and Subdivision Ordinance.
- The proposed development is consistent with the existing cemetery use and can be integrated and be sensitive to the surrounding land uses with adequate setbacks, landscaping, and design amenities.
- The project will not be detrimental to the general health, welfare and safety to persons working or living in the area, nor detrimental to the value of the property or improvements in the area.

D-2.59

ATTACHMENT NO. 4.11

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval –CUP No. 00-63
2. Site Plan, Floor Plans and Elevations dated June 24, 2004
3. Narrative dated October 7, 2003
4. Mitigated Negative Declaration No. 03-08 & Comment letters

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ATTACHMENT NO. 4.12
(04sr29)

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

MITIGATED NEGATIVE DECLARATION NO. 03-08
CONDITIONAL USE PERMIT NO. 00-63

SUGGESTED FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 03-08 :

1. Mitigated Negative Declaration No. 03-08 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Mitigated Negative Declaration and Conditional Use Permit No. 00-63.
2. Mitigation measures are recommended to avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated, will have a significant effect on the environment.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 00-63:

1. Conditional Use Permit No. 00-63 for the establishment, maintenance and operation of a three-phase expansion of the existing 23 acre cemetery including the construction of an approximately 85,000 square foot, three-story mausoleum, an approximately 10,000 square foot maintenance facility, and above-ground garden crypts totaling approximately 100,000 square feet on 12.5 undeveloped acres adjacent to the existing cemetery and to permit approximately 980 lineal feet of six-foot tall decorative block walls and view fencing at a zero setback along the Beach Boulevard and Talbert Avenue frontages will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed project meets or exceeds all Huntington Beach Zoning and Subdivision Ordinance standards. Based upon the conditions imposed, the cemetery expansion will be designed with adequate setbacks, landscape buffering, and quality architecture and materials which will be compatible with adjacent residential and commercial properties. With the implementation of MND No. 03-08 mitigation measures, conditions of approval, and design modifications, the potential impacts of the project have been mitigated to a level of insignificance.
2. The conditional use permit will be compatible with surrounding uses which consist of residential properties to the north and east, medical office uses to the west and the existing cemetery to the south of the subject site. The height of the buildings in proximity to residential uses will be limited to a one story building with a maximum height of 18 feet. Setbacks will be entirely landscaped with trees, shrubs and ground cover to provide a buffer from nearby residential uses. Security lighting will also

D-2.61

be provided within the setback area adjacent to residential uses along the easterly property line to deter loitering activity.

3. The proposed Conditional Use Permit No. 00-63 will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition required for the proposed use in the district in which it would be located.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Public on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational, and service uses that support resident needs within residential neighborhoods.

Policy LU 9.4.1: Accommodate the development of parks, sports facilities, schools, libraries, community meeting facilities, religious facilities, and similar community-serving uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.

Objective LU 13.1: Provide for the continuation of existing and development of new uses, such as governmental, administrative, public safety, human service, cultural, educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

Policy LU 13.1.8: Ensure that the City's public buildings, sites, and infrastructure improvements are designed to be compatible in scale, mass, character and architecture with existing buildings and pertinent design characteristics prescribed by this General Plan for the district or neighborhood in which they are located, and work with non-city public agencies to encourage compliance.

The proposed cemetery expansion is consistent with the General Plan objectives and policies by advocating the inclusion of institutional and religious uses that support resident needs in the City and surrounding region. Good Shepherd is the only cemetery in Huntington Beach. The use of the site as a cemetery fulfills a basic public necessity for the interment of family members and loved ones and is consistent with the General Plan designation of Public on the subject property.

D-2.62

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 00-63:

1. The site plan, floor plans, and elevations received and dated June 24, 2004 shall be the conceptually approved design with the following modifications:
 - a. All fencing proposed along the Beach Blvd. and Talbert Ave. frontages shall be wrought iron view fencing and incorporate split face pilasters at 20-foot intervals.
 - b. Security lighting shall be installed at the rear of the garden crypt buildings located along the easterly property line. Lighting will be shielded so as to not spill onto adjacent residential properties.
 - c. The existing main entry drive at Talbert Ave. shall be redesigned to provide adequate turnaround area for a vehicle when the gates are closed. The main entry drive shall be fully handicap compliant with access ramps in conformance with Title 24. (PW)
 - d. The 20-foot setback located along the Newman Ave. frontage shall incorporate enhanced landscaping consisting of trees, shrubs, and climbing landscaping on perimeter walls to deter graffiti. In addition, a landscape berm shall be provided against the rear of the garden crypt buildings located along the Newman Ave. frontage.
2. Prior to submittal for building permits, the Design Review Board shall review the design, colors, and materials of the proposed mausoleum, garden crypts, maintenance building, perimeter fencing, and all improvements proposed at the subject site.
3. The phasing program as outlined in the narrative dated October 7, 2003, shall be modified to include the following within the first phase of construction:
 - a. Construction of both detention basins including all appurtenant drainage pipes prior to issuance of any permits on the undeveloped site.
 - b. All public improvements along, Beach Blvd., Talbert Ave., and Newman Ave.
4. The property owner shall be responsible for the removal of all graffiti from the subject site within 24 hours.
5. The two driveways located along the Newman Ave. frontage shall be used for access to and for the sole purpose of maintaining the detention basins. The two driveways and access shall be permitted twice a year and in emergency situations only.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

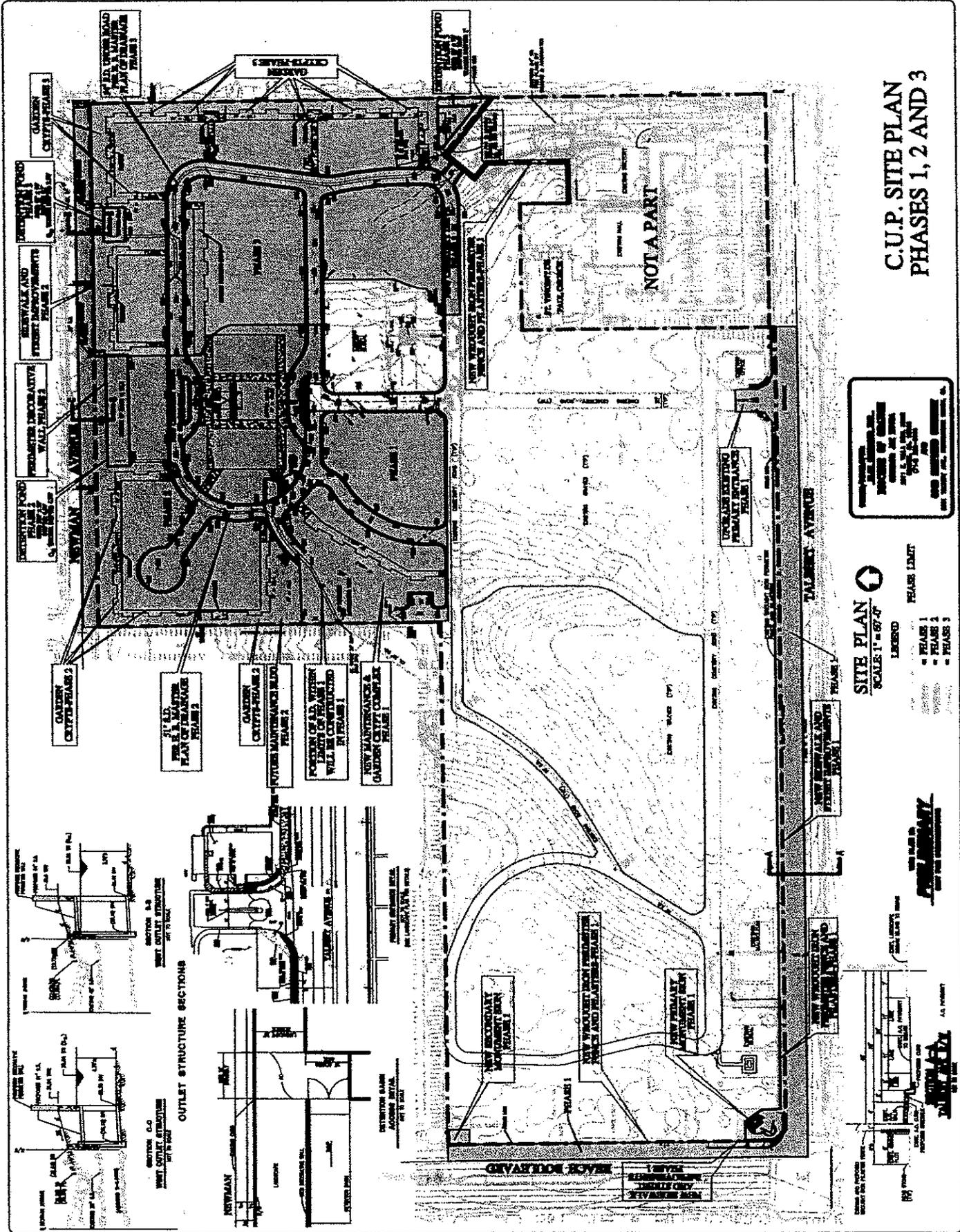
The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any

D-2.63

approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

D-2.64

ATTACHMENT NO. 4.16



C.U.P. SITE PLAN
 PHASES 1, 2 AND 3

LEGEND

- PHASE 1
- PHASE 2
- PHASE 3

SITE PLAN
 SCALE: 1" = 60'-0"
 LEGEND

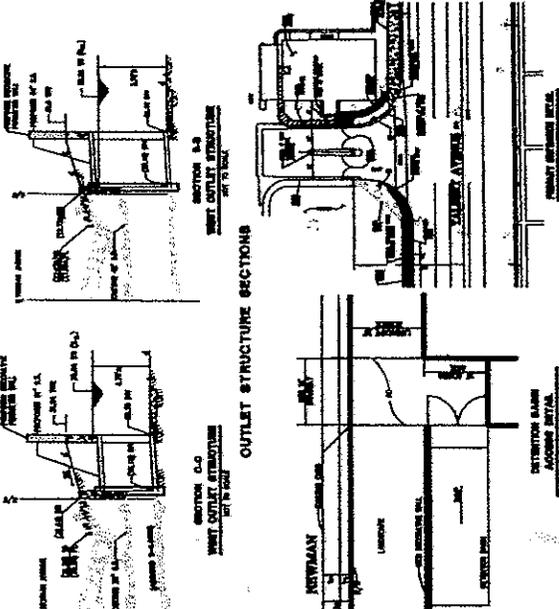
- PHASE 1
- PHASE 2
- PHASE 3

LEGEND

- PHASE 1
- PHASE 2
- PHASE 3

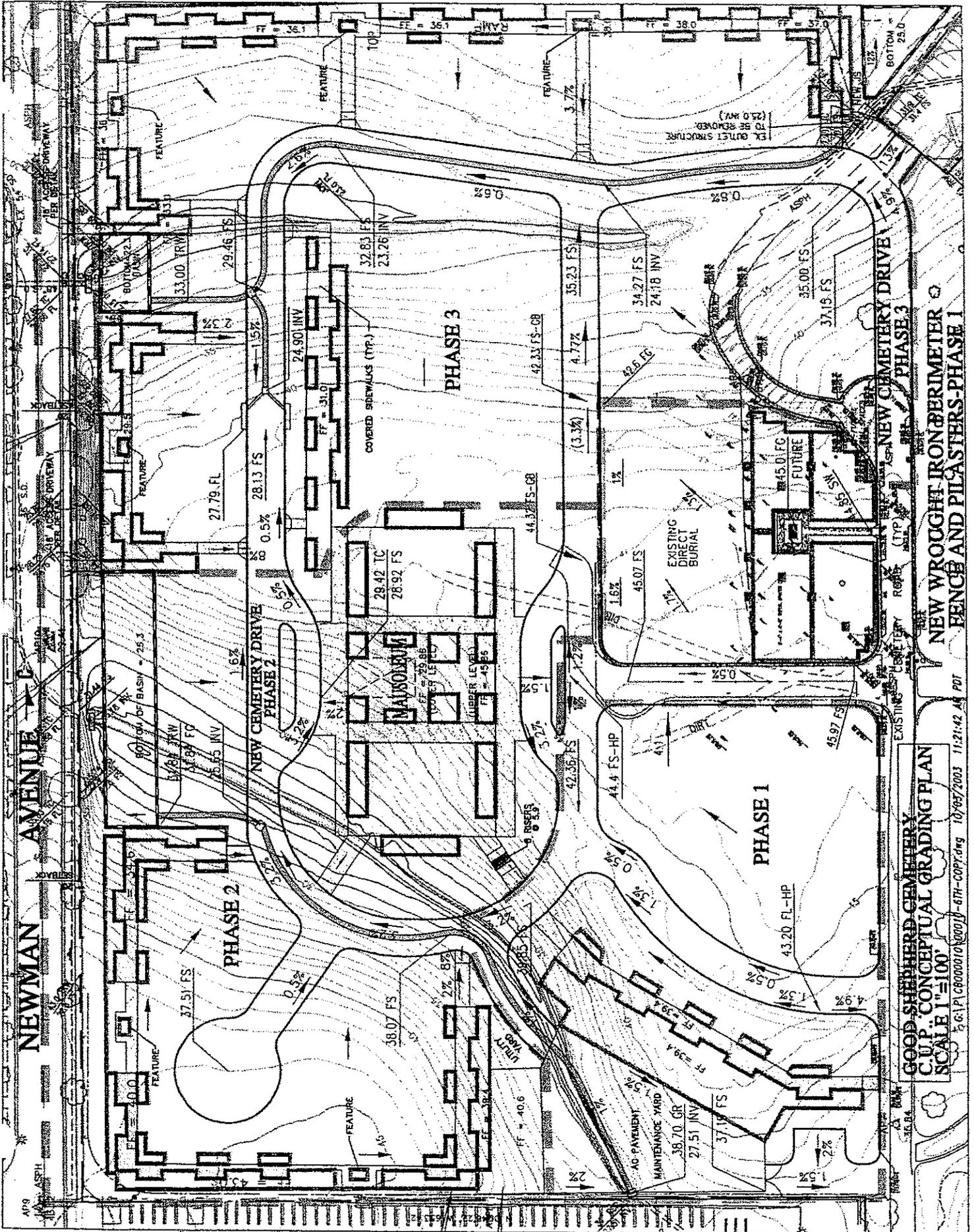
LEGEND

- PHASE 1
- PHASE 2
- PHASE 3



D-2.65

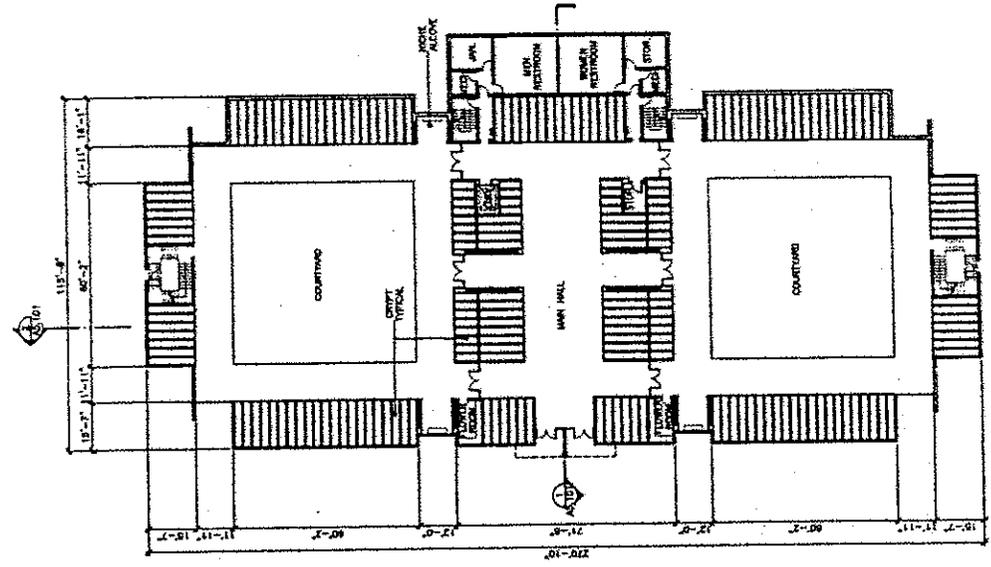
ATTACHMENT NO. 4.17



GOOD SHEPHERD CEMETERY
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 SCALE 1"=100'
 PLOT: P1C8000010 (2007)-6TH-COPY.dwg 10/05/2003 11:21:42 AM PDT

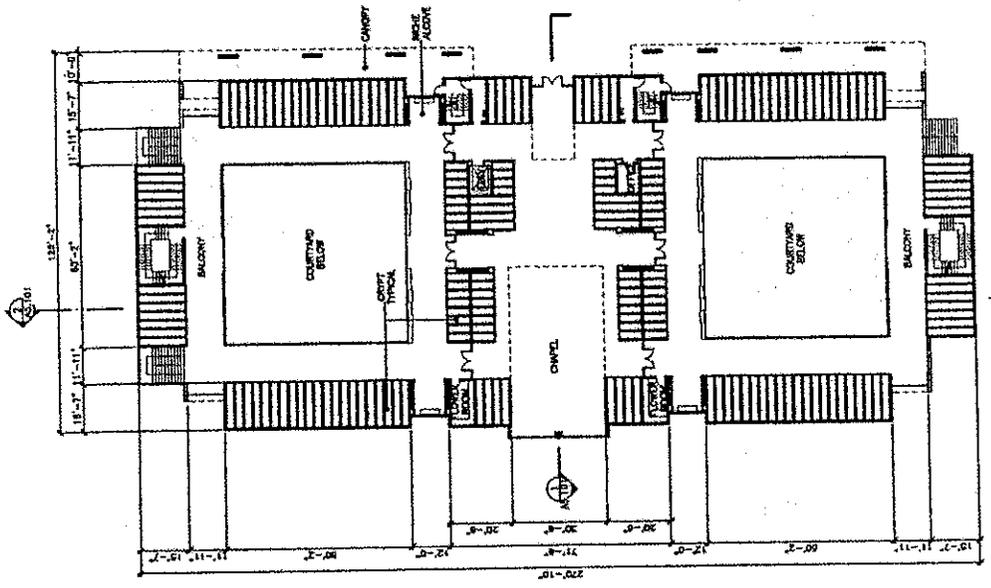
D-2.67

ATTACHMENT NO. 4.19

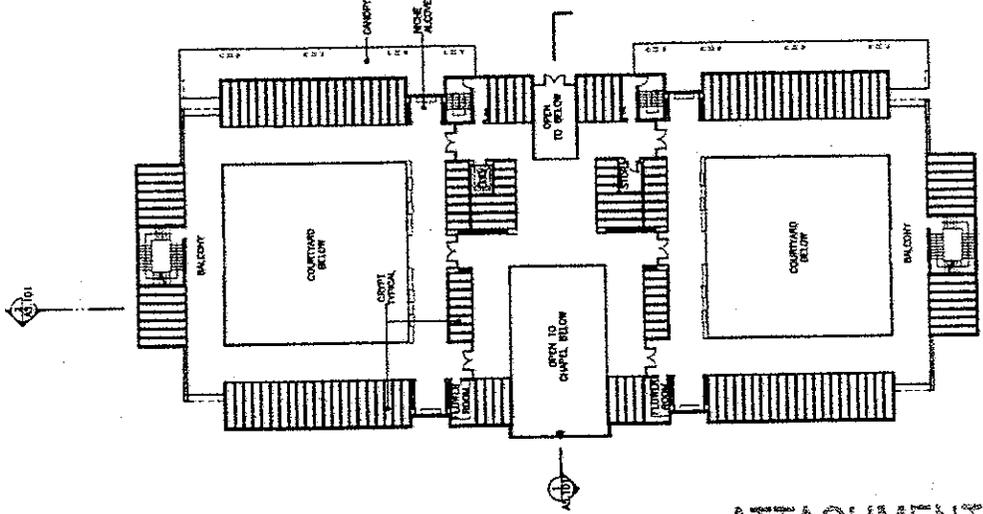


TOTAL NUMBER OF COFFERS 8,097
TOTAL NUMBER OF REINFC 2,797

1ST FLOOR
FLOOR PLAN
1/16" = 1'-0" (MULT.)



2ND FLOOR
FLOOR PLAN
1/16" = 1'-0" (MULT.)



3RD FLOOR
FLOOR PLAN
1/16" = 1'-0" (MULT.)

ATTACHMENT NO. 4.20

D-2.68

F D
A E

F. J. D'S
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ARCHITECTS
ENGINEERS

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GOOD
SHEPHERD
CEMETERY

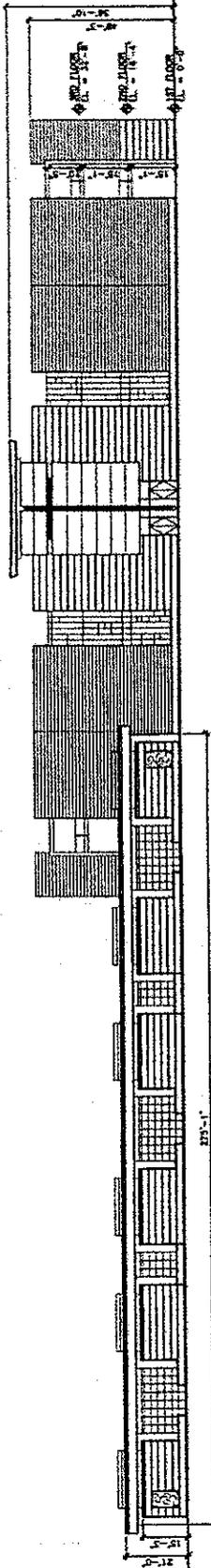
111 Valley Avenue
Rosington, N.Y.
Callahan 7146

DATE: 08-28-03
BY: J.D.S.
CHECKED: 09-18-03
BY: J.D.S.

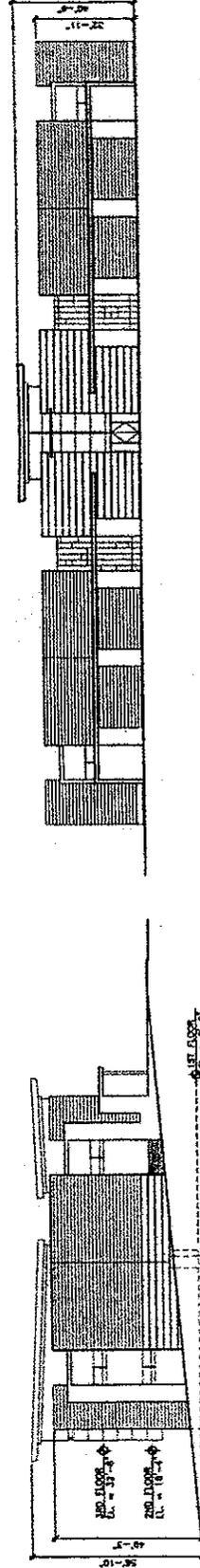
MAUSOLEUM
AND GARDEN
CRUITS AT
MAINTENANCE
ELEVATIONS

DATE: 08-28-03
BY: J.D.S.
CHECKED: 09-18-03
BY: J.D.S.

A5.001



1 MAUSOLEUM NORTH ELEVATION
1/8"=1'-0"



2 MAUSOLEUM SOUTH ELEVATION
1/8"=1'-0"

3 MAUSOLEUM - WEST ELEVATION
EAST ELEVATION - SIMILAR
1/8"=1'-0"

D-269



**FIELDS
BEVEREADA
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**6000
SHEPHERD
CEMENTERY**

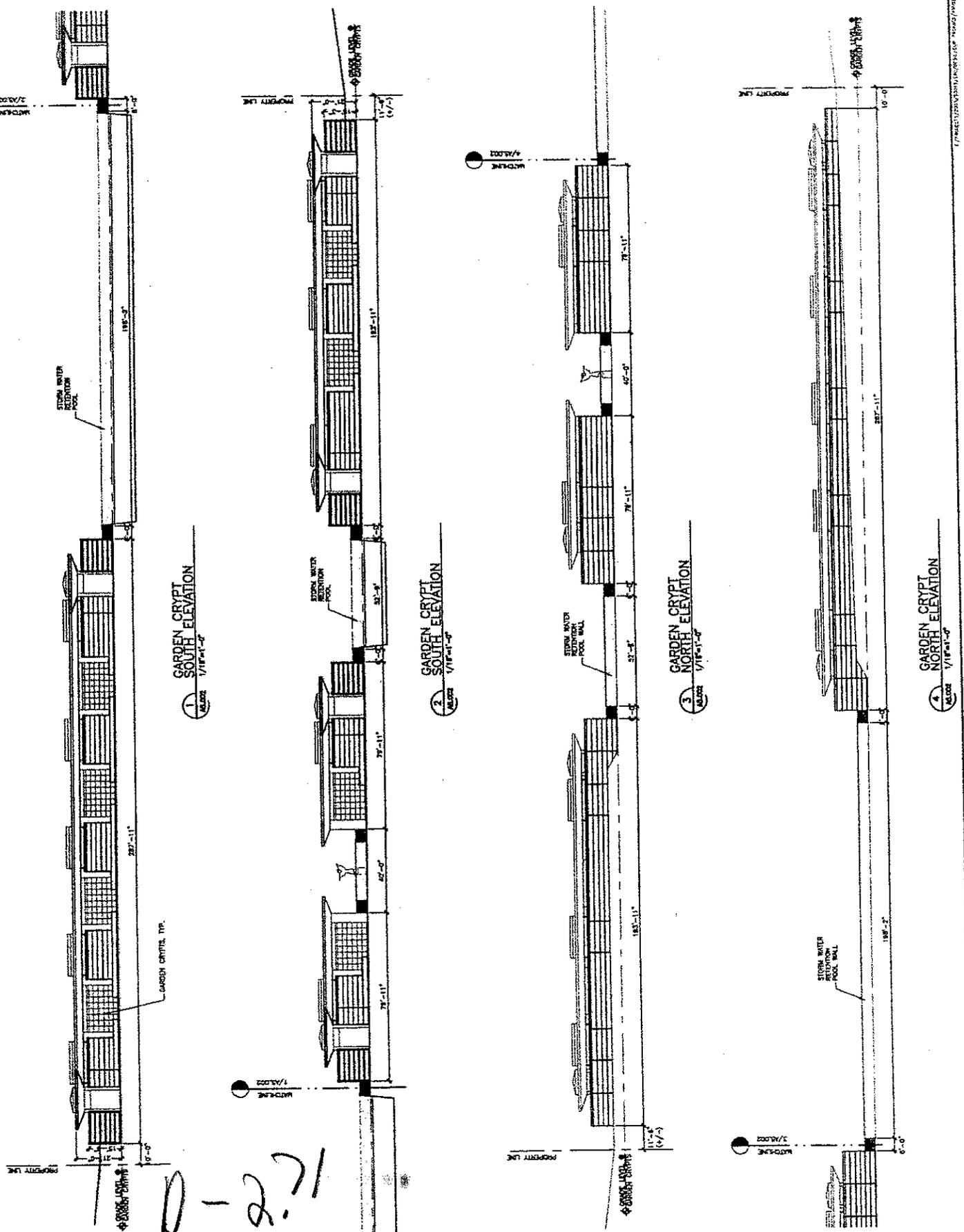
DATE: 1/24/02
PROJECT: 6000 SHEPHERD
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN

NO.	DATE	DESCRIPTION
1	1/24/02	ISSUED FOR PERMIT
2	1/24/02	ISSUED FOR PERMIT
3	1/24/02	ISSUED FOR PERMIT
4	1/24/02	ISSUED FOR PERMIT

**GARDEN
CRYPTS
ELEVATIONS**

SCALE: 1/8"=1'-0"
DATE: 1/24/02
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN

A5.002



D-2.71

Good Shepherd Cemetery

Conditional Use Permit CUP-00-63

Submitted To:
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Huntington Beach, CA 92648

Contact:
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Associate Planner
714-536-5271

Submitted by
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Orange, CA

Contacts:
Joe Novoa
714-282-3121
Director, Construction Services
Mike Wesner
714-919-1610
Director, Cemetery Operations

D-2.73

INTRODUCTION

Project Summary

This Use Permit package has been prepared to provide the City of Huntington Beach Planning Commission with the necessary information to approve an expansion to the Good Shepherd Cemetery, located at the corner of Talbert and Beach. (See Exhibit 1: Area Map)

Currently, the Cemetery is limited to the southerly 23-acre part of the property. This existing area is approximately 90% occupied or committed, and at this time, offers Direct Burials, Lawn Crypts (Lawn Crypts are pre-installed, in-ground, concrete vaults), and Cremation Niches as interment options. Recently, the Diocese of Orange embarked on a Master Plan of improvements for the Cemetery to improve irrigation operational efficiencies and the look and health of the landscaping (project complete), provide much needed additional cemetery product, and enhance the perimeter.

The total scope of the proposed expansion project is depicted on the Master Phasing Plan which primarily encompasses the buildout of the remaining undeveloped, northerly, 12.5 acre Cemetery property. (See Exhibit 2: Master Phasing Plan) Several new buildings are proposed for this vacant area: a Mausoleum (an enclosed multi-story crypt and niche interment building); a combined Maintenance Facility/Garden Crypt building (a Garden Crypt is an open-air, one-story crypt and niche interment structure); additional free-standing Garden Crypt buildings; and Private Mausoleums (smaller, single-family open-air and enclosed structures). Off site, new sidewalks and fences will be constructed along the Cemetery's Beach, Talbert, and Newman street frontages; also, new signage will be installed along Beach and Talbert. On site, waters flowing in the existing urban drainage courses will be placed in concrete pipes, with flood control detention areas at the downstream edge of the property. Significant amounts of landscaping will also be installed. (See Exhibit 3: Landscape Master Plan)

The project will be constructed in three phases. Phase I will consist of the Maintenance Facility/Garden Crypt building and an adjoining lawn crypt area, and the surrounding private roads. A small portion of the westerly drainage course will be placed in a concrete pipe, with additional interim flood control improvements. Phase I also includes the improvements along Beach and Talbert. Phase I construction will commence shortly after approval of the Conditional Use Permit, and be complete within two years.

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ATTACHMENT NO. 426

Phase II will include the initial phase of the free-standing Garden Crypts, the initial Mausoleum, and the associated private roads. The westerly drainage course will be completely improved, with the construction of the remainder of the concrete pipe, and the ultimate west flood control detention basin. The Newman street improvements will also be constructed with this Phase. Phase II would be constructed approximately three to six years from now.

Phase III completes the development of the Cemetery, with the buildout of the Mausoleum, Garden Crypts, and surrounding horizontal interment areas. The easterly drainage course and flood control facilities will also be constructed with this phase. Depending upon demand, this last Phase will be constructed approximately seven to ten years from now.

Purpose and Scope of Use Permit

This document has been prepared in order to provide the City of Huntington Beach Planning Commission with the necessary background and supporting documentation to approve the following discretionary actions:

Permit the construction of an 85,000sf Mausoleum, Garden Crypt buildings totaling 100,000sf, a 10,000sf Maintenance Facility, and Private Mausoleums;

Permit all grading and construction of infrastructure and drainage improvements, including the placement of the existing storm water drainage courses in concrete pipes, connecting to similar facilities both upstream and downstream, with flood control detention basins;

Permit construction of all landscape, sidewalk, and fencing improvements, along Beach, Talbert, and Newman; and

Permit the Project to be constructed in three major Phases.

D-2.75

PROJECT BACKGROUND

History

The Cemetery was established by the Huntington Beach Company in 1907 (before the City's incorporation in 1909) on a four-acre parcel at the corner of what is now known as Beach and Talbert; access was at the Beach/Talbert intersection. At that time, the Huntington Beach Company wanted to redevelop their existing cemetery on Reservoir Hill in Pacific City; several remains were relocated from the old cemetery to the Good Shepherd site. Over the years, numerous civic and public figures came to be buried at the Cemetery, as well as several Civil War veterans who became enamored of the area during popular encampment reunions held at the City around the turn of the 19th/20th centuries.

After World War II, the City started to grow beyond its original boundaries near the ocean, and the farms around the Cemetery were transformed into residential neighborhoods, schools, and small commercial buildings. In the late 1950's, the low-lying area downstream and north of the Cemetery was filled in and developed into blocks of single-family residences, resulting in the ponding of stormwaters on the upstream vacant property, south of Newman. In the early 1960's the existing cemetery and an additional 19 acres were sold to Dr. Paine, who constructed a residence at the east end of the property.

In the mid 1960's, the Diocese of Los Angeles acquired the existing cemetery from Dr. Paine and the approximately 12.5 acre vacant property to the north. Also during the mid 1960's, all of the property was transferred to the newly created Diocese of Orange, and the Diocese separated 4.5 acres to create a parcel for the St. Vincent de Paul Church. Dr. Paine's house was transformed into the rectory for the new Church. Until the existing Garden Crypt structure was built in 1968, only direct burials occurred at the Cemetery. In the early 1980's, a new office was constructed, along with a new entrance on Talbert; and recently, Lawn Crypts were installed.

The General Plan designation for the property is P(OS-P) Public – Open Space, and the Zoning is PS Public/Semipublic; this submittal is consistent with the appropriate development standards, so no variances are requested. Per the Zoning Codes, a Use Permit is required for the proposed development.

An application for a Use Permit was first submitted to the City in September 2000, as CUP-00-63. During the ensuing three years, several screencheck comments and responses have been transmitted between the City and the Diocese. The Diocese also took the opportunity to refine the Master Plan. This

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ATTACHMENT NO. 4.28

submittal is in response to the City's last screencheck comments, dated September 20, 2002.

Existing Site Conditions

The Cemetery is surrounded by commercial and residential uses. To the south, across Talbert, is a Walmart store and several smaller free-standing fast-food and commercial establishments. To the west, across Beach, are several, small, one-story strip malls, and other commercial establishments. To the northwest is the Huntington Beach Hospital. Across from Newman to the north are a two-story medical office building, a two-story church, and several single-family homes. To the east are the Huntington Valley Healthcare Center and the Tamarack Village townhomes.

Access to the Cemetery is restricted to a single access off of Talbert. (See Exhibit 4: Talbert Avenue Main Entrance) The Talbert street frontage is partially improved with asphalt curbs and sidewalks, and fencing consisting of either sections of permanent wrought-iron and split-face block pilasters (See Exhibit 5: Talbert Avenue West of Main Entrance) or plain split-face block wall, with concrete-filled steel bollards located adjacent to the existing Garden Crypt structure. (See Exhibit 6: Talbert Avenue East of Beach Boulevard) The Beach frontage has concrete and asphalt curbs, and dirt and concrete sidewalks. Along Beach, vines cascade over the existing chain link fencing and split face block wall. (See Exhibit 7: Beach Boulevard Frontage) Remnants from the original access remain at the corner of Beach and Talbert. (See Exhibit 8: Old Beach & Talbert Access) The Newman street frontage consists of older concrete curb, gutter, and sidewalks, and a few mature eucalyptus trees (See Exhibit 9: Newman Avenue Frontage)

The undeveloped property is rectangular in shape, and is bounded on the southerly side by the existing Cemetery. (See Exhibit 10: South Interior Along Existing Cemetery) On the west side is a six foot concrete block wall that surrounds the Huntington Beach Hospital service area (See Exhibit 11: Huntington Beach Hospital) Also along the west side, on Cemetery property, is an overhead electrical line that services the Hospital. On the north boundary is a six foot chain link fence along Newman (See Exhibit 12: North Interior Along Newman) Along the east side, there is a five foot block wall adjacent to the Huntington Valley Healthcare Center (See Exhibit 13: Huntington Valley Health Care) and a six-foot wood fence along the Tamarack Village Townhomes (See Exhibit 14: Tamarack Village Townhomes). A temporary, fenced-in Maintenance Yard is located in the middle of the undeveloped property.

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The topography of the vacant property is gentling rolling, with elevations ranging from 28 to 47 feet msl. Waters from upstream developments and public streets course through the Cemetery and the Church through storm drain pipes under the private roads and parking lots, and then through the undeveloped Cemetery property to Newman Street on the north, towards either one of two storm water inlet structures, which in turn are connected to 36"RCP and 48"RCP pipes under Newman. The underlying geology consists of sands and clays.

Operations and Maintenance

Hours of Operation

The Cemetery is open every day of the year from 8am to 5pm in the winter, and until 6pm in the summer. The Office is not open on Sundays and some Holidays. Services are held from 9am to 4pm Monday to Saturday, except for Holidays. Most maintenance work occurs from 8am to 5pm, Monday to Friday; rarely, maintenance will occur on a Saturday.

Types of Activities and Equipment

The primary activities at the Cemetery are the interment of remains and associated grave-side services. Currently this typically involves the excavation of a burial plot; in the future, as more facilities are constructed, the interments will involve the placement of remains in the crypts and niches of the various structures and in-ground vaults, generating significantly less dirt spoils. The secondary activity is the maintenance of the site's landscaping, primarily the mowing of the turf and the pruning of trees and shrubs.

The main lawn mowing activities are performed once a week on a weekday, by a larger, tractor-mower. The lawn-mowers are self-mulching models, so there is little or no green waste from the turf maintenance activities. Roll-off trash containers are placed within the temporary Maintenance Yard. These bins are typically removed once a week during normal business hours; the majority of the waste is flowers and decorations left by visiting relatives.

The types of equipment stored and used at this facility are:

- Three (3) four-wheeled diesel tractors, with trailer, mower, backhoe, and frontloader attachments
- Two (2) 72" gasoline riding lawn mowers
- Two (2) gasoline lawn vacuum trailers
- One (1) diesel air-compressor (assists in compacting grave backfill)
- Gasoline edge trimmers
- Gasoline hand mowers
- Several general-duty pickup trucks

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ATTACHMENT NO. 4.30

Hand tools
Miscellaneous irrigation parts and hoses
Cemetery operations-related equipment (chairs, canopies, etc.)
Concrete crypts
Minor amounts of bagged sand and concrete

There is not currently, nor will there be in the future, any bulk storage of fertilizers, herbicides, or pesticides; these items are purchased in just the quantity needed and applied promptly via approved means. Most of the larger pieces of mechanized equipment run on diesel, which is stored in 55-gallon drums. Gasoline is stored in 5-gallon cans.

Irrigation water for the Cemetery is supplied from an on-site well, which was recently refurbished and enlarged to meet the needs of the expansion area.

With the proposed expansion, there will be a minor increase in maintenance activities, but the operating hours and basic procedures will remain the same as existing.

D-279

MASTER PLAN OVERVIEW

Expansion Area Layout

Most of the new improvements will be constructed on the remaining vacant 12.5 acre parcel north of the existing cemetery. The Good Shepherd Cemetery Master Plan for this expansion area is designed to create strong relationships between the built forms and the landscaping areas. The buildings are in service with the landscaping, either as carefully considered and positioned objects within the landscape, or as garden walls that enclose and frame the landscape. The result is a serene and peaceful park setting, appropriately created to honor the memorial function of the cemetery. (See Exhibit 15: Expansion Area Master Plan)

The two primary building forms are the Mausoleum and the Garden Crypts. Overall, all of the project's buildings have been designed to be of a similar vernacular, consisting of clean lines and simple forms. The direct and well-proportioned development of the basic forms gives the design a timeless quality, and although it does not evoke period associations to a particular architectural style, there are elements that are reminiscent of architects Le Corbusier, Frank Lloyd Wright, and Moneo/Daly, with influences from artists like Mondrian. The buildings are primarily open air to take advantage of the prevailing onshore breezes, and planned with views and convenient passage into the landscape of the lawn burial gardens. In addition to the Garden Crypts and Mausoleum, the Cemetery will permit the construction of a limited number of smaller Private Mausoleums. The buildings will be constructed primarily of cast-in-place concrete, with granite finishes in warm, earth-tones. None of the buildings will have exterior lights that will create glare offsite.

On-Site Improvements

The primary on-site improvements are the regrading of the surface, and the placement of the existing open storm water drainage courses into pipes, with open-water detention basins at the downstream end of the property. The proposed development will not substantially alter the existing drainage pattern or the quantity of flow. The onsite drainage will be conveyed through a combination of the aforementioned pipes, and the road gutters, in approximately the same locations as the exiting courses, to the existing downstream onsite inlet structures. Each phase will be designed to be balanced, so there is no import or export of dirt.

Based upon previously submitted Hydrology and Hydraulic studies, the City has determined the methodology for ascertaining the size of the storm drain

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ATTACHMENT NO. 4.92

facilities. Per the Department of Planning of the City of Huntington Beach, " a hydrology and hydraulic study shall address and provide for onsite/detention capacity to accommodate existing conditions plus increased runoff resulting from the proposed development without flooding into Newman Avenue or negatively impacting the existing deficient downstream storm drainage systems. The study and design analysis shall limit stormwater runoff from the site to the undeveloped pre-1986 10-year storm event. The onsite area of detention shall be comparable to the existing historical volume detained within the project boundary"

Preliminary calculations have already been performed, and result in the pipe and detention sizes shown. (See Exhibit 16: Master Grading Plan) Prior to each phase of development, detailed and project-specific Hydrological and Hydraulic studies will be submitted that outline the improvements required for that phase.

The other on-site improvements include the private driveways and utilities required to support each phase. The private driveways will be reviewed for exact width to comply with the City's Fire access requirements, and constructed of asphalt with rolled concrete curbs. Water, sewer, and electrical utilities will be brought into the site and distributed as needed. All new utilities will be undergrounded.

Off-Site Improvements

The primary off-site improvements consist of new curbs and gutters, sidewalks, and fences along the Cemetery's Beach, Talbert, and Newman frontages. In addition new monumentation signage will be installed at the Talbert entrance, and at the Beach/Talbert intersection, with a minor sign at the north end of the Beach frontage. In conjunction with the Talbert/Beach monument project, the northeast corner's street intersection traffic signal and control systems will be upgraded.

Master Phasing Plan

The Project is the master-planned improvement and expansion of the Good Shepherd Cemetery. The principle improvements consist of the construction of a permanent maintenance facility, much needed additional interment options and inventory, new sidewalks and exterior fencing, and new monumentation signage. (See again Exhibit 2: Master Phasing Plan). The majority of the improvements will occur on the currently vacant, northerly parcel.

D-2.81

Phase I

The expansion project will be constructed in three phases. The Phase I portion of the expansion project consists of a combined Garden Crypt/Maintenance Facility, adjoining Lawn Crypt areas, and the surrounding private roads. A small portion of the existing, westerly drainage course under the Maintenance Facility will be placed in a proposed 51" Reinforced Concrete Pipe (RCP), and the existing downstream detention area will be temporarily expanded and improved. Also during Phase I, the project will install new curb, sidewalk, and fencing along the entire Beach Boulevard frontage, new fencing along Talbert from the corner of Beach and Talbert to the end of the existing Garden Crypt, and a new sidewalk along the entire Talbert frontage. In addition, the traffic signal system at Beach and Talbert will be graded. New monument signage will be installed at the corner of Beach and Talbert, and minor improvements will be made at the existing entrance. Development efforts will commence immediately upon City approval, and be complete two years later.

Phase II

Phase II will include the initial phase of the free-standing Garden Crypts, the initial phase of the Mausoleum, additional ground-burial inventory, and the associated private roads. The westerly drainage course would be entirely improved, with construction of the remainder of the proposed 51" RCP, and the ultimate storm drain flood control detention facility; at the same time, the easterly drainage course will be temporarily expanded and improved. Also during Phase II, new curb, sidewalks, fencing, and landscaping will be installed along Newman. Phase II will commence immediately after Phase I and will complete three to six from now.

Phase III

Phase III will complete the buildout of the Cemetery, with the final phase(s) of the Mausoleum, and additional Garden Crypts and ground-burial product. The easterly drainage course will be placed in a proposed 54" RCP pipe, and the ultimate storm drainage flood control detention facility will be constructed. Phase III will start after Phase II and complete seven to ten years from now.

These Phases are described in further detail in later sections.

D-2.82

ATTACHMENT NO. 4.34

ARCHITECTURAL DESIGN

Mausoleum

The design of the Mausoleum establishes a vocabulary of built forms and materiality that is carried throughout the landscape and Garden Crypts design. In the middle of the expansion area, the Mausoleum will occupy a prominent location on the Cemetery property. The Mausoleum complex is positioned to take advantage of the terminus of the main entrance road, as well a command of the surrounding areas.

The Mausoleum plans depict the building's elevations and site plan. (See Exhibit 17: Mausoleum Elevations, Exhibit 18: Mausoleum Cross-sections, Exhibit 19: Mausoleum Floor Plans - Dimensioned, Exhibit 20: Mausoleum Elevations - Dimensioned, and Exhibit 21: Mausoleum Cross-sections - Dimensioned). The building height ranges from 41 to 57 feet, is approximately 85,000sf in size, and could hold upwards of 6100 crypts and 2800 cremation niches.

The upper, main entrance level provides access directly into the two-story Mausoleum Chapel from the south, and the lower level entrance on the north side enters directly into the lowest level of the Mausoleum. On two sides of the main building, wings of the Mausoleum are developed with open-air courtyards with crypts on three levels facing into the courts, and with lawn burials available within the courts at the ground level. Side entrances allow for access and views from and into the adjoining garden areas. In addition to stairs, an elevator will be located inside the air-conditioned space to provide access to all of the floors.

The Mausoleum creates a transition that unites the upper and lower burial gardens. Garden Crypt buildings are placed adjacent to the lower level of the Mausoleum enclosing the adjacent garden lawn burial and mediating the scale of the Mausoleum's tallest elevation. This reinforces the horizontal emphasis established in the design of the overall site and strengthens the connection established between the built form and the landscape. This building will have minor amounts of accent and security lighting; the mechanical equipment will be ground-mounted and screened by landscaping. The applicant will review fire sprinkler coverage in the enclosed public areas with the Huntington Beach Fire Department prior to the issuance of building permits.

D-2.83

Typical Garden Crypts

The same basic architectural elements from the Mausoleum are extended and incorporated into the Garden Crypts. The Garden Crypt buildings are low and one-story in profile, and their horizontality is emphasized. (See Exhibit 22: Garden Elevations) They are arranged to visually contain the perimeter, allowing minimal and controlled views into the cemetery, thus preserving its open space value to the neighborhood, without compromising the cemetery visitor's experience. The Garden Crypts form a nearly continuous wall that also creates an acoustical barrier from the neighborhood, and the adjacent street traffic. The edge to the adjacent neighbors is softened through the use of landscaped berms and plant materials between the garden crypts and the street frontage. The spaces between the buildings will consist of more intimate gardens, with smaller statues and niche spaces.

The main elements of the Garden Crypts are a long breezeway-type corridor, with an open-air, canopy roof. (See Exhibit 23: Garden Crypt Elevations – Dimensioned) Crypts and niches occupy one side, forming a continuous wall, while the other side has groupings of crypts and niches, creating wide open areas that allow for views into the garden areas. Skylights with opaque glass in the roof are centered over the more closed portions of the corridors, providing a soft-light to the areas below. These buildings will have minimal security lighting, no fire sprinklers, and since they are open-air, no mechanical equipment. In total, up to 100,000sf of Garden Crypt buildings are proposed, with space for 10,000 crypts, and 6,000 niches.

Garden Crypt/Maintenance Facility

Phase I contains a special building that is a combination of a Garden Crypt structure and a Maintenance Facility. The Maintenance Facility/Garden Crypt plans depict the building's site plan and elevations. (See Exhibit 24: Maintenance Facility/Garden Crypt Elevations, Sections, and Floor Plans – Dimensioned)

The Garden Crypt portion of the facility is one-story, 21 feet high and approximately 10,000sf in size in Phase I. It will provide spaces for 1000 caskets and 600 cremations. Typical of all of the Garden Crypts, it contains an internal open-air passage that is canopy-covered and punctuated periodically with skylights along its length.

The Maintenance Facility portion of the structure is one-story, 18 feet high, and approximately 5700sf in size in Phase I and 4000sf in Phase II. The Maintenance

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Facility shares a common wall with the adjoining Garden Crypts. Due to the utilitarian nature of the Maintenance Facility, and the minimal views from the exterior, its architecture is clearly functional; the Garden Crypt side architecture matches the master plan style. The Facility's finished floor elevation will be several feet below the adjoining Garden Crypts, which will reduce the perceived height of the building.

Garden Crypts will form two sides of the Facility's yard; the other side is an existing block wall ranging from 6' to 8' on the west side adjoining the service yard for the Hospital. A paved driveway leads to a gate; the interior courtyard area will be paved, and striped to provide eight parking stalls for the Cemetery's maintenance employees, including one handicap stall.

The largest part of the Maintenance Facility may have up to six bays with roll-up doors to provide storage for machinery, equipment, and supplies. A smaller area will be constructed for an office, restrooms for employees and visitors, and a break area for employees. On one side, concrete slabs will be poured for roll-off trash dumpsters to be stored. Elsewhere, an aboveground 500-gallon tank will be installed for the storage and dispensing of diesel fuel oil. Only minor amounts of gasoline will be stored on-site in 10-gallon containers. The applicant will obtain all approvals and permits for the storage of these substances from the appropriate agencies, including but not limited to the Huntington Beach Fire Department.

This building will have minor amounts of exterior convenience and security lighting, and fire sprinklers will be installed, if required. The Maintenance Facility's mechanical equipment will be ground-mounted, and located within the yard area. Note that only one of the ultimate Maintenance Facility buildings will be constructed with this Phase; the other building will be constructed during Phase II to support additional maintenance activities as the Cemetery expands.

Private Mausoleums

Private Mausoleums are smaller, free-standing structures for the interment of a direct family; typically, they contain less than eight crypts. As the name suggests, these structures are not built for pre-need inventory, but rather are built-to-suit per the family's direction. Most are simple, above-ground, pre-assembled, companion mausoleum crypts. (See Exhibit 25: Typical Companion Private Mausoleums) A few may be larger, with doors and interior conveniences such as an altar or bench. (See Exhibit 26: Typical Vestibule Private Mausoleums) Most will fit within a ten foot by ten foot by ten foot cube, with none to exceed 15 feet in height. As the areas around the main buildings are

D - 2.85

developed, spaces will be set aside for these minor buildings.

Materials

The building materials are selected for their permanence and low maintenance properties. There is an emphasis on integral rather than applied finishes. The buildings are primarily constructed of cast-in-place concrete, overlaid with veneer surfaces consisting primarily of polished and rough granite in natural, earth-toned hues, and textured architectural concrete similar in appearance to natural sandstone, with limited amounts of architectural metals and art glass. (See Exhibit 27: Building Materials and Colorboard)

D-286

ATTACHMENT NO. 4.38

PHASE I

On-site Improvements

Phase I is approximately 2 acres in size, and is located at the southwesterly corner of the expansion property, adjacent to the Hospital's service area and the existing Cemetery. The existing drainage course will be placed in a proposed 51" RCP pipe under the Maintenance Facility parking lot, connecting to the existing upstream 36" inlet from the Hospital service yard. The RCP pipe will drain to an enlarged and improved temporary detention area that then drains to the existing 36" inlet structure at Newman. Per the City's condition, the temporary detention basin will be sized to accommodate the existing historical (pre-1986 10-year event) storage, plus the amount required to handle the slightly increased runoff resulting from the hardening of the Phase I buildings and private roads. A detailed Hydrology and Hydraulic report will be submitted with this Phase to validate the sizing of the storm water systems.

A small amount of private roads will be constructed during this phase, creating a loop from the existing Cemetery circulation system. New sewer, water, and electrical utilities will be extended to serve the facilities in this Phase. While the designs for these systems currently are in the conceptual stage, the goal is to minimize site impacts by potentially creating the existing electrical service area along the west boundary with the Hospital into the expansion area's utility service corridor.

Buildings

Maintenance Facility/Garden Crypts

As noted above, the only building anticipated during this phase is the 15,700sf Garden Crypt/Maintenance Facility.

Off-Site Improvement

Talbert

The majority of the project's off-site improvements, including sections of new fencing, will be constructed during Phase I. (See Exhibit 28: Perimeter Elevations) Starting with the Talbert frontage, the existing Main Entrance is proposed to be enhanced, with new monument signage and landscaping, consisting of stone and brick walls, with raised individual metal lettering. (See Exhibit 29: New Talbert Entrance Elevation) In addition, handicap landings and an extension of the sidewalk into the property will be constructed. (See Exhibit 30: Main Entrance Plan) The existing wrought-iron and split-face block pilaster fence along Talbert will remain as is. Additional trees will be planted within 20'

D - 2.87

inside of the perimeter fence along Talbert in the few uncommitted grave sites adjacent to the street; the new trees, together with the existing trees, will meet the City's requirements of a tree every 45 linear feet. Closer to Beach, the existing 5' block wall will be replaced with a new 6' block wall, with minor sections of the same wrought-iron fencing. In front of the existing Garden Crypt structure, the existing bollards will be encased in an extension of the new 6' block wall.

Along the entire stretch of Talbert, the existing asphalt curb, gutter, and sidewalk will be removed and replaced with concrete. Due to the existing on-site interments, the public road right-of-way cannot be expanded. To accommodate the six-foot sidewalk, the curb will be relocated approximately two feet towards the street, reducing the existing traffic lanes to 11', with a five foot bicycle lane. (See Exhibit 33: Talbert Cross-section) The existing single electrical pole serving the Garden Crypts will be removed, and the service will be undergrounded. In addition, several streetlights will be installed along the Cemetery's Talbert frontage.

Beach

Along Beach, the existing chain link fence and low block wall will be removed and replaced with the same type of alternating open wrought-iron and block wall sections as proposed for Talbert. (See Exhibit 32: Typical New Talbert and Beach Perimeter Fencing and Monument Signage) The alternating sections provide security, yet also allow for screened views into the Cemetery, as well as reducing the volume of traffic noise inside the Cemetery. A few new trees will be installed inside the perimeter closer to the Beach/Talbert intersection; together with the numerous existing trees, the new trees will meet the City's requirements. The existing asphalt curb and gutter and 8' dirt sidewalk will be replaced with concrete curb, gutters, and sidewalks. The existing bus shelter will be protected in place.

Beach/Talbert Intersection

The existing northeast quadrant of the Beach/Talbert intersection will be removed and replaced with new concrete curb, gutters, handicap landings and sidewalks, and new traffic signal poles and related control systems. In addition to City review, the project will also require the approval of Caltrans. The existing wrought-iron gates and block wall will be removed and replaced with new corner monument signage. The new signage consists of a series of wrought-iron fences, and block planters and walls of various heights, up to 6' tall, with the same raised metal individual lettering. (See again Exhibit 32: Beach & Talbert Monument Signage) The entrance will be backgrounded by a 17 foot tall wall, with an incised cross.

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PHASE II

On-site improvements

Phase II is approximately 4.5 acres in size, and is located at the northwesterly corner of the expansion property, adjacent to the Hospital's service area and Newman Avenue. The existing drainage course will be placed in a proposed 51" RCP pipe, connecting to the existing upstream 51" RCP pipe installed under the Maintenance Facility. The stormwaters will then flow to a permanent on-site detention basin, which will drain to the existing 36" inlet structure. The detention basin will be constructed of concrete vertical walls, and a soft, non-landscaped bottom. The walls will be higher than the surrounding topography, constructed with form liners on the outside surfaces to create the appearance of stacked stones. For maintenance purposes, the basin will be accessed via a locked driveway off Newman.

In addition to the permanent improvements to the west-side drainage channel, the storage capacity of the east-side drainage course will be enlarged and improved, created by expanding the existing stormwater ponding area. The stormwaters will flow into the temporary detention basin, and then to the existing 48" inlet structure. Per the City's condition, both the permanent west-side detention basin, and the east-side temporary basin, will be sized to accommodate the existing historical (pre-1986 10-year event) storage, plus the amount required to handle the slightly increased runoff resulting from the 'hardening' of the Phase II buildings and private roads. A detailed Hydrology and Hydraulic report will be submitted with this Phase to validate the sizing of the storm water systems.

A small amount of private roads will be constructed during this phase, creating a loop from the existing Cemetery circulation system. New sewer, water, and electrical utilities will be extended to serve the facilities in this Phase; the designs for these systems currently are in the conceptual stage.

Buildings

Garden Crypts

Phase II envisions the construction of additional Garden Crypt inventory, and the Mausoleum. Approximately 30,000sf of Garden Crypt structures are anticipated during this Phase, holding 3000 crypts and 1800 niches. The exterior façade will consist of exposed integrally colored concrete, screened from view from the outside by a combination of landscaped berms, shrubs, and trees. An additional 4000sf Maintenance Facility expansion may also be constructed at this time.

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Mausoleum

Phase II includes the construction of the main Mausoleum. While it is anticipated that the entire Mausoleum will be constructed at one time, it is designed so that it can be constructed in sub-phases, per the demands of the market.

Off-site improvements

Along Newman, the proposed Garden Crypts will create most of the property's exterior, together with a 20 foot bermed and landscaped setback. The existing chain link fence will be removed and, in the small areas between the buildings and the detention areas, replaced with the same type of alternating open wrought-iron and block wall sections as proposed for Talbert. The alternating sections provide security, yet also allow for screened views into the Cemetery, as well as reducing the volume of traffic noise inside the Cemetery. New trees will be installed along Newman to meet the City's requirements.

The existing curb, gutter, and sidewalk will be replaced with new concrete curb, gutters, and sidewalks. In addition new streetlights will be installed along the Newman frontage

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ATTACHMENT NO. 4.92

PHASE III

On-site improvements

Phase II is approximately 6 acres in size, and is located at the easterly side of the expansion property, adjacent to the Tamarack Village townhomes, the Healthcare Center, and Newman Avenue. The existing drainage course will be placed in a proposed 54" RCP pipe, connecting to the existing upstream 54" RCP pipe installed under the Church parking lot. The stormwaters will then flow to an on-site detention basin, which will drain to the existing 48" inlet structure. Similar to the Phase II structure, the detention basin will be constructed of concrete vertical walls, and a soft, non-landscaped bottom. The walls will be higher than the surrounding topography, constructed with form liners on the outside surfaces to create the appearance of stacked stones. For maintenance purposes, the basin will be accessed via a locked driveway off Newman.

Buildings

Garden Crypts

Phase III envisions the buildout of additional Garden Crypt inventory, and the Mausoleum. The Garden Crypts are arranged in clusters around the edge of the property, creating an internal garden environment. Approximately 60,000sf of Garden Crypt structures are anticipated during this Phase, with 6000 crypts and 3600 niches

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D-2.92

ATTACHMENT 6

DIocese OF ORANGE



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November 19, 2004

City Clerk
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

RE: Appeal of Planning Commission Action,
Mitigated Negative Declaration No. 03-08
Good Shepherd Cemetery

Dear City Clerk:

The purpose of this letter is to formally Appeal the Planning Commission's actions at their November 9, 2004 meeting, wherein they approved the above subject Mitigated Negative Declaration (Neg. Dec.). The Diocese of Orange, at 2811 Villa Real, Orange, CA., the owner and operator of the Good Shepherd Cemetery, is the proponent of the project and the appelliant.

The Diocese is requesting this Appeal for several reasons, the primary one being that the Diocese disagrees with portions of the final Neg. Dec. Report, and was not allowed to make a full presentation on key pertinent master planning issues at the November 9, 2004 Planning Commission meeting, apparently because the related imposed Neg. Dec. Findings and Development Requirements were deemed to be "Code-related" and not subject to the review of the Planning Commission.

It is our contention that the issues in question are not Code-related, and should have been contained in the Conditional Use Permit Staff Report, and open for discussion. We know that several items have been drafted and modified during the four years that this project has been in review at the City, so we are not convinced that these items have been officially codified into the City's Codes. By separate letter (attached) we have requested that the City Attorney review whether these items are within the purview of the Planning Commission's approval.

Please note that this Appeal has been submitted in order to retain future rights, and is limited to the above subject Mitigated Neg. Dec. approval. In as much as the other portion of the project's proposal, the Conditional Use Permit (CUP) No. 00-63, has not yet been approved and has been continued to a special meeting to be held December 7, 2004, the Diocese respectfully requests that the processing of this Appeal of the Neg. Dec. be placed 'on hold', until after the Planning Commission's final action on the CUP.

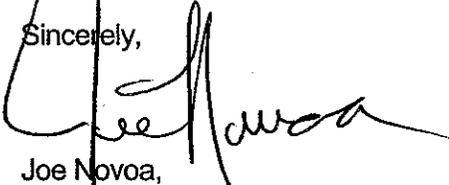
D-2.93

November 19, 2004

Please find attached the required check in the amount of \$2,335.00

If you have any questions, please contact me at 714-282-3012.

Sincerely,



Joe Novoa,
Director of Construction, Diocese of Orange

Cc: *Howard Zelefsky, Director of Planning*
Scott Hess, Planning Manager
Herb Fauland, Principal Planner
Paul Da Veiga, Associate Planner
Leonie Mulvihill, City Legal Counsel
Terri Elliott, Public Works

JN/df

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DIOCESE OF ORANGE



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November 19, 2004

Chair Ron Davis
Planning Commission
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

RE: Mitigated Negative Declaration No. 03-08, Good Shepherd Cemetery
Request for Clarification

Dear Mr. Davis:

The purpose of this letter is to request clarification of the Planning Commission's actions taken on the above subject Negative Declaration on November 9, 2004. It must be noted at the outset that the cemetery business is unique and not like most commercial ventures, and in light of recognizing these differences, the Diocese simply requests what is fair and equitable.

At the November 9th meeting, the Diocese began to address positions in the text and a few of the Mitigation Measures in the Negative Declaration that we did not agree with. We were not allowed to make our full presentation on our positions on key pertinent master planning design issues apparently because the related imposed Negative Declaration 'Conditions' and Development Requirements were deemed to be "Code related" and not subject to the review of the Planning Commission as indicated by City staff. If these items were not under the jurisdiction of the Planning Commission, then why was the Planning Commission asked to approve these items without hearing our position on various items that are, in our opinion, not code related issues? It is our contention that the following items below are not "Code related" and should have been contained in the Conditional Use Permit Staff Report, and open for public discussion. We have listed the main items of our concern and included our proposed amendments as follows (as referenced in the November 2, 2004 correspondence regarding Development and Use Requirements):

1. Item 1.c., Storm Drain Pipe Design: We propose that the system be allowed to utilize the on-site drainage systems towards providing detention capacity; this is an industry-wide standard alternate accepted by other governmental agencies, and we propose the following revision:

"Furthermore, the proposed on-site drainage system will not be permitted to provide any required detention capacity unless it is demonstrated in the final hydrology and hydraulics study that the retained storm water in the pipe(s) would not negatively impact the existing upstream or private properties or cause flooding onto Talbert Avenue."

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2. Item 1.c., Detention Basin Design: We propose that the detention basins be constructed with concrete vertical walls instead of earthen 5:1 slopes. The rationale for the 5:1 slopes is unclear, since the City does not have a set of detention basin specifications. The Cemetery is confident that it can design and construct a vertical wall facility that will meet all of the City's operational requirements.

The Cemetery's proposed design will make maintenance easier. Instead of utilizing a backhoe to scrape large sloped grass areas clean of debris and silt deposits, the Cemetery's design will concentrate the debris and silt, and will provide easier access, which will allow for more efficient maintenance clearing with a front-end loader.

The Cemetery's design is more sensitive to its surroundings. The Cemetery proposes to encircle the basins with a secure wall, which will then be heavily screened with landscaping, which allows for the noisy and visually obtrusive maintenance activities to occur behind a visual and acoustical barrier, and thus have less impact on the somber and sacred Catholic religious practices.

The Cemetery's proposed design is also a more efficient use of the land. The City's design, which is a frustum, utilizes 50% more private property than the Cemetery's design. Other developments can find dual use for temporary detention basins; however, basins in a cemetery cannot have such dual use because interments are never made in an area that is subject to flooding (except in New Orleans.) In as much as over 85% of the Cemetery will be landscaped, there is no need to encumber any remaining valuable land for an indeterminate period of time for slope areas that cannot be utilized in any fashion because they may be underwater for a few short days a year. The Cemetery's revised language follows:

"Slopes within the earthen detention areas shall not can be steeper than 5:1 maximum vertical."

3. Item 1.c., Detention Basin Freeboard: Please provide clarification for the following statement:

"Additionally, the proposed on-site detention basins shall be designed to maintain 1-ft. minimum freeboard (measured from the top of the respective detention basin) during the 100-year storm event."

4. Item 1.c., Storm Drain System Maintenance: The Cemetery respectfully requests that the Public Works Department be consistent with its past practices, and continue its maintenance of the existing native water course, and accept responsibility for any portion of the facilities that are constructed per the City's Master Plan of drainage, including a vertical wall detention basin. In as much as the improvements to the Cemetery are anticipated to be phased, the Cemetery expects the City to assume responsibilities as each portion of the improvements consistent with the City's Master Plan is completed. Therefore, the Cemetery proposes that the entire following paragraph be deleted:

~~"Alternatively, the cemetery owner shall be responsible for all maintenance, operation, and liability associated with the entire proposed on-site detention and storm drain system that is not designed and constructed per City and applicable County standards and not accepted by the City Engineer. Information from the design analysis shall be incorporated into a Covenant recorded by the County of Orange that describes the on-site detention area(s) and storm drain system, the maximum release rate of flows, the responsibility of the cemetery owner for all operations and maintenance costs, and the liability of the cemetery owner for the entire on-site detention/drainage system and its use. A restriction shall be placed in the Covenant that prohibits any alteration to the on-site detention/drainage system without the prior written approval of the City Engineer."~~

D - 2.96

5. Item 1.e., Existing Storm Drain System: The Cemetery requests that the City accept maintenance of the existing 36" pipe from Talbert be accepted by the City, in the event that the pipe is shown to be sound. The Cemetery therefore proposes the following revised language:

"Additionally, any portion of this pipe that is currently located beneath the existing mausoleum and is shown to be in a sound working condition shall not be re-aligned..."

~~"Alternatively, the cemetery owner shall be responsible for all maintenance, operation, and liability associated with the entire, existing 36" diameter storm drain line located on site along the westerly natural drainage course, that is not designed and constructed per City and applicable County standards and not accepted by the City Engineer."~~

6. Items 4.a.2., 4.a.5., 4.s., and 4.t., Fire Sprinklers: Throughout the various reports and findings, there are conflicting conditions regarding the installation of fire sprinklers. Some of the requirements appear to be mandatory, while others, such as 4.a.5. are conditional (i.e. '...if required...'). The Cemetery's position is that each building will undergo a separate review by the Fire Department, and if required, fire sprinklers will be installed. At the present time, the Cemetery anticipates the possible installation of a fire sprinkler system in the maintenance portion of the Maintenance/Garden Crypt building in Phase I, but not in the Garden Crypts or the Mausoleum. The Cemetery therefore requests the following revisions:

Item 4.a.2.: "Construct private on-site water system to provide domestic and fire service, if required, to the proposed maintenance building(s) and mausoleum."

Item 4.s.: "An automatic fire sprinkler system will be installed throughout in those facilities requiring such a system."

Item 4.t.: "A Class II wet standpipe shall be installed in those facilities requiring such a system."

7. Item 4.a.6., On-Site Irrigation Water Well: The Cemetery respectfully disagrees with the City's requirement to abandon its existing well if it switches to City water in the future. The Cemetery recently completed an extensive rehabilitation of the well, and replacement of the pump and pump control systems, and expects them to be utilized for several decades hence; this upgrade was sized to handle the build-out of the Cemetery's grounds. The only extenuating circumstance that may occur that would cause the Cemetery to request City water would be if the Cemetery's water supply was impacted by circumstances out of its control, such as seawater intrusion into its aquifer. Because well drilling and pump placement is capital intensive, the Cemetery requests that the well and pump systems be allowed to remain in-place after being disconnected, in the event that the water supply under the Cemetery returns to a usable condition. The Cemetery requests the following changes:

~~"A single source of water shall serve all irrigation needs of the existing and proposed development. A separate irrigation water service, meter, and backflow prevention device may be installed to serve the existing and future irrigation system(s) provided that the applicant properly abandons the on-site well per applicable regulatory agency(s) (sic) requirements."~~

D-2.97

8. Item 4.c., Tree Report: Because the Cemetery already has a significant number of trees on-site, the Cemetery requests that the required report on existing trees be limited to those impacted by construction, and requests the following revision:

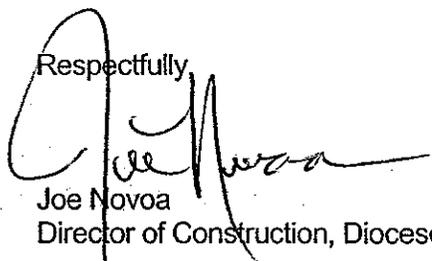
"Prior to the submittal of a landscape plan, the applicant shall provide a Consulting Arborist report on all the existing trees impacted by construction, if any."

With this letter, we are requesting that the City Attorney's Office review whether or not these items are within the Planning Commission's jurisdiction. In order to maintain all of our rights, we are anticipating filing a formal Appeal of the Planning Commission's approval of the project's Mitigated Negative Declaration. However, we will request that this Appeal not be submitted to the City Council until after the Planning Commission's final actions on the project's remaining Conditional Use Permit approval items.

As a final separate item, we are preparing the additional exhibits and submittals regarding the architectural issues that were raised at the November 9th meeting for presentation at the special meeting scheduled for December 7, 2004.

As always, if you have any questions, or if I can be of any other assistance, please contact me at 714-282-3012.

Respectfully,



Joe Novoa
Director of Construction, Diocese of Orange

- Cc: *Howard Zelefsky, Director of Planning*
Scott Hess, Planning Manager
Herb Fauland, Principle Planner
Paul Da Veiga, Planner
Leonie Mulvihill, Legal Counsel
Terri Elliot, Public Works

JN/df

D-2.98

D-2.99

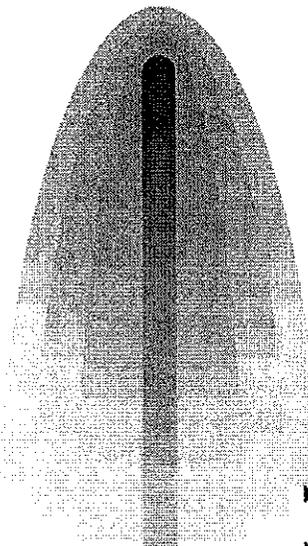
ATTACHMENT 7

**GOOD SHEPHERD CEMETERY
EXPANSION**

D-2.100

APPEAL OF MITIGATED NEGATIVE

DECLARATION NO. 03-08

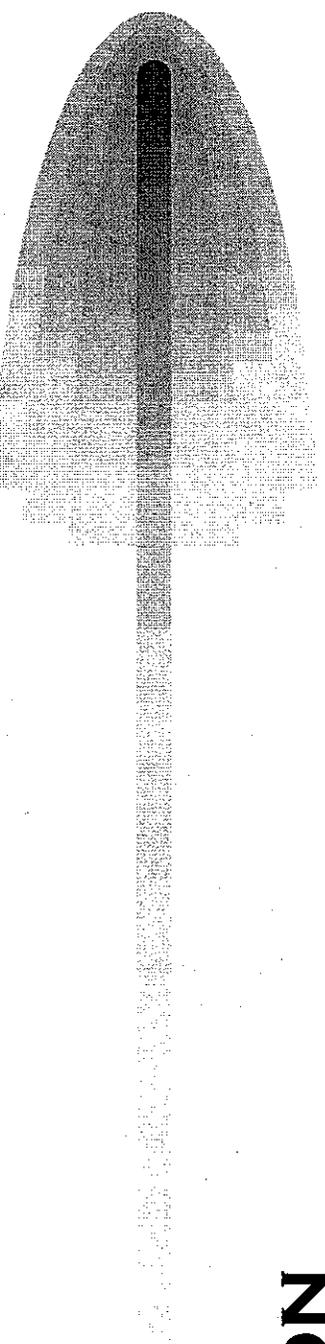


APPLICANT / APPELLANT: MICHAEL
PADIAN

LOCATION: 8301 TALBERT AVENUE

FEBRUARY 22, 2005

LOCATION AND SURROUNDINGS



LOCATION

- N/E/C OF BEACH BLVD. AND TALBERT AVE.

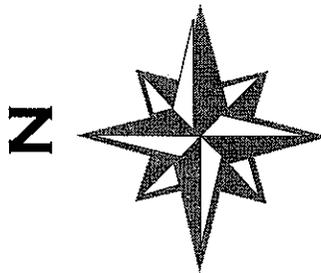
SURROUNDINGS

- NORTH – RESIDENTIAL/CHURCH
- SOUTH - COMMERCIAL (WAL-MART)
- EAST – RESIDENTIAL
- WEST – HOSPITAL/COMMERCIAL

D-2.101

AERIAL MAP

**SUBJECT
SITE**



D-2.102

PROJECT PROPOSAL

MIND No. 03-08

ANALYZES THE PHASED CONSTRUCTION OF:

- **85,000 SQ. FT. - MAUSOLEUM**
- **10,000 SQ. FT. - MAINTENANCE FACILITY**
- **100,000 SQ. FT. - GARDEN CRYPT**

BUILDINGS

- **1,857 LINEAL FEET OF PERIMETER**

FENCING

D-2.103

D-2.104

PROJECT HISTORY

PLANNING COMMISSION ACTIONS:

- 11/19/04 – MND APPROVED/CUP
CONTINUED TO 12/7/04
- 11/19/04 – MND APPEALED BY
APPLICANT
- 12/7/04 – CUP APPROVED – NO
APPEAL FILED

APPEAL

REASONS FOR APPEAL:

- **MITIGATION MEASURE REQUIRES
DETENTION BASINS WITH 5 TO 1 SLOPE
RATIO W/ EARTHEN SLOPES**
- **5 TO 1 SLOPE REQUIREMENT RESULTS IN
MORE LAND AREA**
- **APPLICANT'S DESIGN PROPOSES
VERTICAL CONCRETE WALLS**

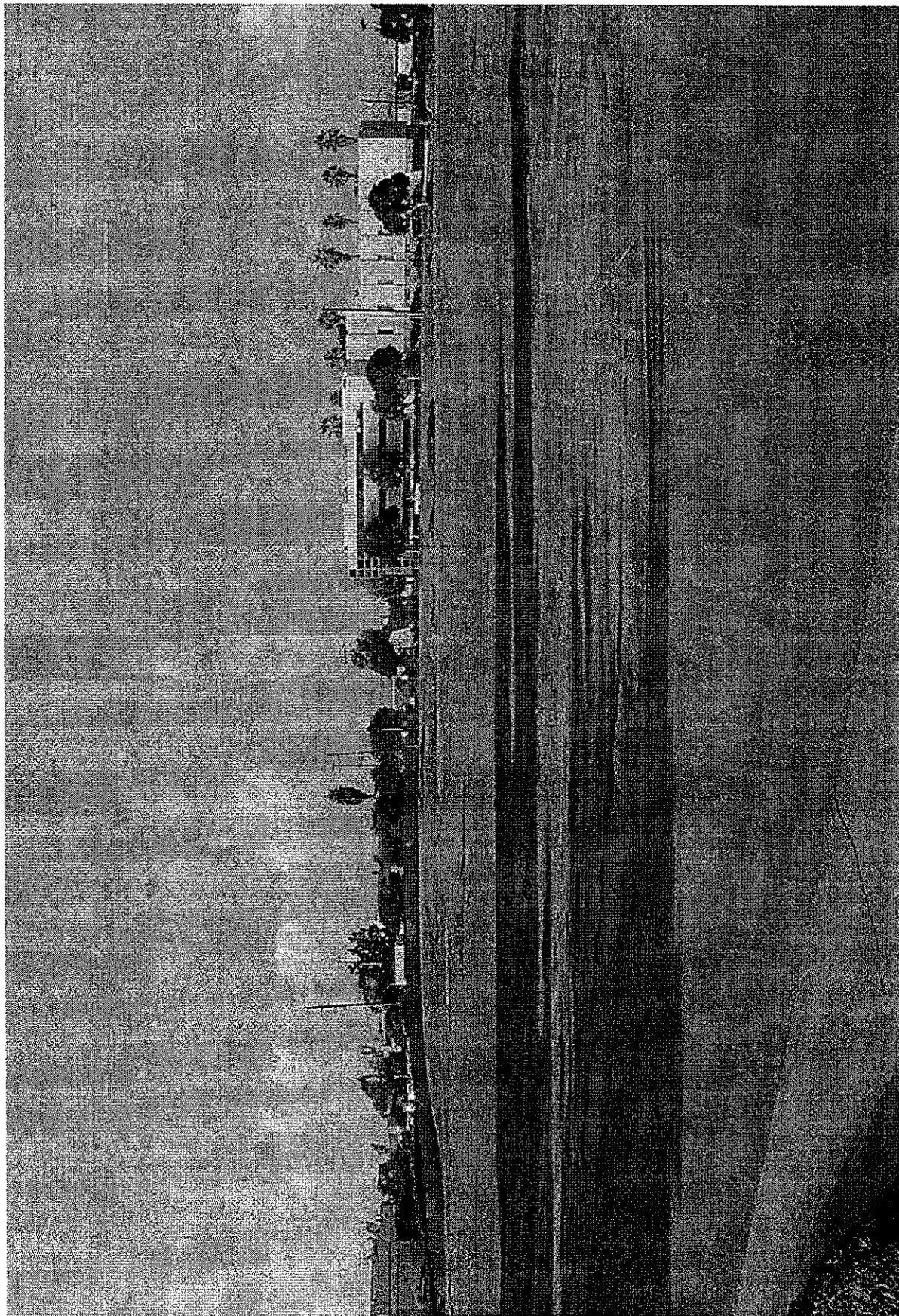
D-2.105

**NEWMAN AVE. FRONTAGE
(LOOKING SOUTH)**



D-2.106

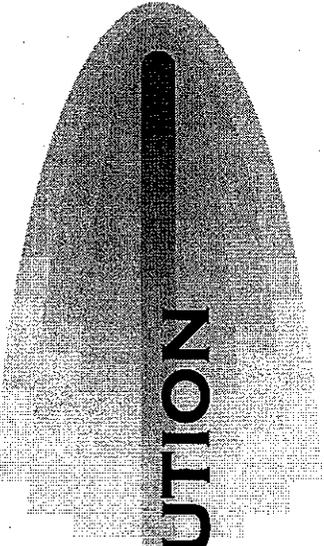
UNDEVELOPED SITE (LOOKING NORTH)



D-2.107

D-2.108

ISSUES: DETENTION BASIN DESIGN



**A COMPROMISE DESIGN SOLUTION
INCLUDES THE FOLLOWING:**

- **2 TO 1 EARTHEN SLOPES IN THE SAME
GENERAL LOCATION AS THE APPLICANT'S
ORIGINAL PROPOSAL**
- **10-FOOT SETBACK TO THE PROPERTY LINE**
- **WROUGHT IRON VIEW FENCING**

STAFF RECOMMENDATION

RECOMMEND APPROVAL BASED ON:

- **THE PROPOSED DESIGN MITIGATES POTENTIAL DRAINAGE IMPACTS**
- **2 TO 1 SLOPES ARE ACCEPTABLE TO THE CITY AND APPLICANT**
- **DESIGN OF THE DETENTION BASINS WILL BE CONSISTENT WITH THE FINDINGS OF THE MND & CUP & WILL BE COMPATIBLE WITH THE SURROUNDINGS**

D-2.109

**INTENTIONALLY
LEFT
BLANK**