



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Howard Zelefsky, Director of Planning
BY: Mary Beth Broeren, Principal Planner
DATE: March 23, 2004

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 02-01 (Pacific City)

APPLICANT/

PROPERTY OWNER: Makallon Atlanta Huntington Beach, LLC, 4100 MacArthur Blvd., Ste. 150, Newport Beach, CA 92660

LOCATION: 21002 Pacific Coast Highway (between 1st and Huntington Streets, south of Atlanta Ave.)

STATEMENT OF ISSUE:

- ◆ Environmental Impact Report No. 02-01 (EIR No. 02-01):
 - Analyzes proposed development on an approximate 31 acre vacant site for the purpose of constructing up to 516 condominiums, a 400-room hotel, up to 240,000 square feet of visitor-serving commercial uses, private and public open space and associated infrastructure including the extension of Pacific View Drive
 - Documents potential impacts to aesthetics, air quality, biological resources, cultural resources, energy and mineral resources, geology and soils, hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation/traffic and utilities and service systems.
 - Evaluates three alternatives to the proposed project.
 - Concludes that the Reduced Project Alternative is the environmentally superior alternative.
 - Concludes that potential impacts can be mitigated to less than significant levels for the project and the Reduced Project Alternative with the exception of impacts to air quality and transportation/traffic, which would remain significant and unavoidable.

- ◆ Staff's Recommendation:
 - Certify EIR No. 02-01 because it adequately analyzes the potential environmental impacts associated with the project, identifies project alternatives and mitigation measures to lessen the project's impacts consistent with General Plan policies and has been prepared in accordance with the California Environmental Quality Act (CEQA).

RECOMMENDATION:

Motion to:

“Certify EIR No. 02-01 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1589 (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Deny certification of EIR No. 02-01 with findings for denial."
- B. "Continue certification of EIR No. 02-01 and direct staff accordingly."

PROJECT PROPOSAL:

Environmental Impact Report No. 02-01 represents an analysis of potential environmental impacts associated with the construction of a mixed use project that includes up to 516 condominium units, a 400-room hotel, up to 240,000 square feet of visitor-serving commercial uses, private and public open space and associated infrastructure on an approximate 31 acre site. Infrastructure improvements include the extension of Pacific View Drive between First and Huntington Streets and improvements to Huntington and First Streets, Atlanta Avenue and Pacific Coast Highway.

The EIR provides a discussion of impacts by issue area and provides mitigation measures, where appropriate. Specific issue areas discussed in the EIR include: aesthetics, air quality, biological resources, cultural resources, energy and mineral resources, geology and soils, hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation/traffic and utilities and service systems. An analysis of alternatives to the proposed project and long-term implications resulting from project implementation are also provided.

The EIR consists of three volumes. Volume 1 is the Draft EIR that was circulated for a minimum 45-day public review period. Volume 2 is the Appendices to the Draft EIR that was circulated concurrently with Volume 1. Volume 3 is titled the Final EIR and includes the Comments received during the public review period, Responses to those comments and Text Changes to the Draft EIR (Volumes 1 and 2) to clarify or correct information in response to comments or as identified as necessary by staff. These volumes are referenced as Attachment No. 2 to this staff report. Attachment No. 3 provides a corrected Text Change page to Volume 3.

An analysis of the proposed development of the property is presented in a companion report that will be considered by the Planning Commission after action on the EIR. The companion report reviews applications for Tentative Tract Map No. 16338, Conditional Use Permit No. 02-20 with Special Permits, Coastal Development No. 02-12 and Conceptual Master Plans.

Background:

On June 2, 1999, Coastal Development Permit No. 99-1, Conditional Use Permit No. 99-1 and Negative Declaration No. 99-1 were approved for export of approximately 226,000 cubic yards of soil from the project site to the Hyatt Regency Resort site. This application was initiated by developers of the Hyatt Regency Resort site. The soil was extracted from the northern central portion of the property under the oversight of the City of Huntington Beach Fire Department. On December 13, 2000, Coastal Development Permit No. 00-09 and Conditional Use Permit No. 00-36 were approved for the excavation, temporary stockpiling and remediation on-site of approximately 30,000 cubic yards of contaminated soil.

This application was initiated by Chevron Environmental Management Company. The remediation activity pursuant to these entitlements is ongoing.

ISSUES:

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

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Residential High Density and Commercial Visitor	Downtown Specific Plan (SP 5) – District 7 (Visitor Serving Commercial and District 8A (High Density Residential)	Vacant
North of Subject Property (across Atlanta Ave.):	Residential Medium High Density	Residential Medium High Density-Small Lot	Multi-family units
East of Subject Property (across Huntington St.):	Residential Medium Density and Commercial Visitor	Manufactured Home Park and SP 5 – District 9 (Commercial/Recreation)	Mobilehome park and Waterfront Hilton Hotel
South of Subject Property (across PCH):	Open Space-Shore	SP 5 – District 11 (Beach Open Space)	South Beach Parking Lot, Beach and Beach Improvements
West of Subject Property (across 1 st St.):	Mixed Use Vertical	SP 5 – District 3 (Visitor Serving Commercial) and District 5 (Mixed Use; Commercial/Office/ Residential)	Commercial, Oil-Related and Residential

General Plan Conformance:

The General Plan Land Use Map designations on the subject property are CV-F7-sp (Commercial Visitor-max. floor area ratio of 3.0-Specific Plan) and RH-30-sp (High Density Residential-max. 30 u/gac-Specific Plan). In addition, the project is located within Subareas 4C and 4I of the General Plan. The EIR is consistent with these designations and the goals and objectives of the City’s General Plan as follows:

A. Air Quality Element

Policy AQ 1.3.2: Require that employment centers with 100 or more employees increase the availability and the “attractiveness” of parking spaces for vans and carpools.

Mitigation Measure AQ-7 requires that preferential parking spaces be provided for carpools and vanpools. In addition, it specifies the minimum vertical clearance needed for vanpool access.

Policy AQ 1.8.1: Continue to enforce construction site guidelines that require truck operators to minimize particulate emission.

Policy AQ 1.8.2: Require installation of temporary construction facilities (such as wheel washers) and implementation of construction practices that minimize dirt and soil transfer onto public roadways.

Mitigation Measures AQ-1 through AQ-5 address means by which air emission impacts will be minimized, primarily by complying with the SCAQMD Rule 403 regarding fugitive dust.

Policy AQ 1.10.1: Continue to require the utilization and installation of energy conservation features in all new construction.

Mitigation Measure AQ-6 requires that the developer implement a variety of methods to reduce project-related stationary and area source emissions using energy conservation features.

B. Circulation Element

Policy CE 2.3.1: Require development projects to mitigate off-site traffic impacts and pedestrian, bicycle, and vehicular conflicts to the maximum extent feasible.

Policy CE 2.3.4: Require that new development mitigate its impact on City streets, including but not limited to, pedestrian, bicycle, and vehicular conflicts, to maintain adequate levels of service.

The EIR included a detailed traffic analysis to document potential impacts associated with the project. Mitigation would be required for the intersection of PCH and Seapoint and PCH and Warner, as well as a traffic signal at 1st and Atlanta. Mitigation Measures TR-1 through TR-3 require the developer to contribute its fair share of the cost of these improvements and construct the signal.

C. Coastal Element

Policy C 1.2.3: Prior to the issuance of a development entitlement, the City shall make the finding that adequate services (i.e., water, sewer, roads, etc.) can be provided to serve the proposed development, consistent with policies contained in the Coastal Element, at the time of occupancy.

Mitigation Measures TR-1 through TR-3 require the developer to contribute its fair share of the cost of certain traffic improvements and construct a traffic signal. The EIR analysis further concludes that the development will be adequately served with infrastructure.

Policy C 5.1.2: Where new development would adversely impact archeological or paleontological resources within the Coastal Zone, reasonable mitigation measures to minimize impacts shall be required.

The EIR documents all known archaeological sites in the vicinity of the project and recommends Mitigation Measures CR-1 and CR-2 to reduce impacts to a less than significant level.

D. Environmental Hazards Element

Policy EH 1.2.1: Require appropriate engineering and building practices for all new structures to withstand groundshaking and liquefaction such as stated in the Uniform Building Code (UBC).

Mitigation Measure GEO-1 requires that the grading plan contain the recommendations of the final soils and geotechnical analysis, which would address groundshaking, liquefaction, compaction, foundations, etc.

Objective EH 5.2: Provide information to the public regarding tsunami areas and emergency response plans.

Mitigation Measure HYD-1 fulfills this objective by requiring the developer to prepare a plan that would include tsunami safety information to project residents and guests, identification of an evacuation site and a plan for notifying residents and other persons on site in the event of a tsunami warning or watch.

E. Growth Management Element

Policy GM 1.1.7: Ensure that new development site design incorporates measures to maximize policing safety and security.

Mitigation Measure PS-4 requires the applicant to consult with the Huntington Beach Police Department regarding the provision of adequate crime prevention design measures and to incorporate the Department's recommendations into the plan.

F. Historic and Cultural Resources Element

Objective HCR 1.1: Ensure that all the City's historically and archaeologically significant resources are identified and protected.

The EIR documents all known archaeological sites in the vicinity of the project and recommends Mitigation Measures CR-1 and CR-2 to reduce impacts to a less than significant level.

G. Housing Element

Policy H 3.1.1: Encourage the provision and continued availability of a range of housing types throughout the community, with variety in the number of rooms and level of amenities.

Mitigation Measure P-1 requires the preparation and implementation of an affordable housing plan to fulfill the City's affordable housing requirements.

H. Land Use Element

Goal LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Mitigation Measures TR-1 through TR-3 require the developer to contribute its fair share of the cost of transportation improvements and construct a traffic signal. The EIR also documents that as part of project design, numerous transportation and utility improvements are proposed to ensure that adequate infrastructure is provided for the project.

Policy LU 2.1.7: Ensure that development shall not occur without providing for adequate school facilities.

Mitigation Measures PS-5 requires that the developer negotiate with the affected school districts regarding school impact fees to address the project's potential impacts.

I. Noise Element

Policy N 1.2.1: Require, in areas where noise levels exceed an exterior Ldn of 60 dB(A) and an interior Ldn of 45 dB(A), that all new development of "noise sensitive" land uses, such as housing, health care facilities, schools, libraries, and religious facilities, include appropriate buffering and/or construction mitigation measures that will reduce noise exposure to levels within acceptable limits.

The project will be required to reduce potential noise impacts for proposed residential private open space areas along First Street and Atlanta and Pacific View Avenues pursuant to Mitigation Measure N-2, consistent with this policy.

J. Public Facilities and Services Element

Objective PF 1.3: Ensure that new developments in Huntington Beach are designed to encourage safety.

Mitigation Measure PS-4 requires the applicant to consult with the Huntington Beach Police Department regarding the provision of adequate crime prevention design measures and to incorporate the Department's recommendations into the plan.

Policy PF 2.3.3: Ensure that new construction is designed with fire and emergency access and safety in mind.

The EIR documents that Mitigation Measures PS-1 through PS-3 are necessary to ensure adequate emergency pedestrian access for the subterranean parking structures and to provide dedicated fire control rooms to better manage an emergency situation on site.

Objective PF 3.2: Decrease the need for rescues and emergency responses by increasing public awareness of marine safety.

Mitigation Measure PS-6 requires the preparation and implementation of a Beach Safety and Maintenance Awareness Program to fulfill this objective.

K. Recreation and Community Services Element

Policy RCS 2.1.1: Maintain the current park per capita ratio of 5.0 acres per 1,000 persons, which includes the beach in the calculation.

The applicant will be required to comply with Mitigation Measure REC-1, which specifies that the City’s parkland ordinance be adhered to.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

In accordance with CEQA, Environmental Impact Report No. 02-01 was prepared by EIP Associates, a consultant hired by the City to analyze the potential impacts to the project. The EIR must be certified by the Planning Commission prior to any action on Tentative Tract Map No. 16338, Conditional Use Permit No. 02-20 with Special Permits and Coastal Development No. 02-12. The procedure that was followed during the preparation of EIR No. 02-01 is outlined below:

<i>DATE</i>	<i>ACTIVITY</i>
January 8, 2003	Staff conducted an initial study and determined that an EIR was necessary.
January 8-10, 2003	A Notice of Preparation was sent to responsible agencies and filed with the State Clearinghouse to notify public of intent to prepare an EIR. A 30-day public review period was established. A notice of availability was sent to area property owners, occupants and interested parties.
January 27, 2003	A Scoping Meeting was held to take comments on the Initial Study and NOP.
September 23, 2003	Planning Commission Study Session on EIR process
October 17, 2003	Notice of Completion filed with the State Clearinghouse. Draft EIR available for public review and comment for 45-day public review period.
November 13, 2003	City held a public information meeting to take comments on the project.
December 3, 2003	EIR public review period ended.
February 23-25, 2004	Final EIR (including Response to Comments on Draft EIR, Text Changes to Draft EIR, Addendum Technical Appendix and Comments) made available for public information and sent to Responsible Agencies. (CEQA requires Response to Comments be sent to Responsible Agencies 10 days prior to certification hearing.)
February 24 th and March 9 th 2004	Planning Commission Study Session

March 23, 2004	Public hearing before Planning Commission to Certify EIR No. 02-01.
----------------	--

Through the use of appropriate mitigation measures identified in the EIR, the majority of the potentially adverse impacts associated with the project can be mitigated to a level of insignificance. There are, however, some adverse environmental impacts anticipated from the proposed project that cannot be completely eliminated through mitigation measures. These include air quality impacts from construction and project traffic and transportation impacts. These effects can be lessened by mitigation measures suggested in the environmental impact report, and staff recommends these be incorporated into the project. Prior to certification and adoption of the EIR by resolution, the Planning Commission may amend the document. However, removal of any of the recommended mitigation measures requires findings and justification. The analysis section of this report contains further discussion regarding the EIR.

Environmental Board:

The City’s Environmental Board reviewed the EIR and provided a comment letter during the public review period. The letter has been responded to in the Response to Comments. In summary, the Board commented on the following: pedestrian traffic, air quality, water quality, traffic improvements and hazardous materials.

Coastal Status:

The proposed project is within the Coastal Zone. Coastal Development Permit No. 02-12 is being processed concurrently with EIR No. 02-01 pursuant to Chapter 245 of the ZSO. The project’s compliance with Coastal Zone issues is discussed in a separate report.

Redevelopment Status:

The project is located in the Huntington Beach Redevelopment Project Main-Pier subarea. Discussion of the proposed project’s effect on redevelopment issues is discussed in a separate report.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The EIR was circulated to other Departments for review and comment. All Department comments and recommendations are incorporated into the EIR and its mitigation measures. No conditions of approval apply to the EIR. As development of the proposed project occurs, compliance with mitigation measures will be enforced through the Mitigation Monitoring and Reporting Program.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on March 11, 2004, and notices were sent to property owners of record within a 1,000 ft. radius of the subject property, occupants within 300 feet, individuals/organizations requesting notification (Planning Department's Notification Matrix), applicant, interested parties, and individuals/organizations that commented on the environmental document.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

Jan. 8, 2003

MANDATORY PROCESSING DATE(S):

April 7, 2004 (Includes max. 90-day extension allowed by CEQA)

ANALYSIS:

The analysis section provides an overview of the EIR and its conclusions, a review of the project alternatives and a summary of the response to comments.

EIR Overview

The EIR provides a detailed analysis of potential impacts associated with the proposed project. It is intended to serve as an informational document for decisions to be made by the City and responsible agencies regarding the project. The issues discussed in the EIR are those that have been identified in the course of extensive review of all potentially significant environmental impacts associated with the project. The EIR discusses potential adverse impacts in 15 issue areas. The direct, indirect and cumulative impacts of the project are addressed, as are the impacts of project alternatives. A summary of key issues and mitigation measures as a result of the environmental impact report process is provided below. A complete listing of the recommended mitigation measures is provided in the Mitigation Monitoring Program provided as Attachment No. 5.

◆ Aesthetics

Implementation of the project will alter views of the area and introduce new sources of light and glare. The EIR analyzes the potential impacts associated with these changes, including an analysis of impacts to scenic resources and vistas, the effects of shadows on adjacent uses, and the impacts of vehicle headlights on existing and proposed uses from vehicles exiting the subterranean garage and new street intersections created by the construction of Pacific View Avenue. The EIR includes visual simulations of the project and shadow projection diagrams.

The EIR concludes that impacts associated with light and glare from building facades could be potentially significant and recommends Mitigation Measure (MM) AES-1, which restricts the use of reflective materials. In terms of potential impacts associated with light and glare from nighttime lighting, the EIR concludes that impacts will be less than significant. However, in response to a comment regarding the potential impacts associated with nighttime lighting during foggy conditions, MM AES-2 is included in the Final EIR to further reduce impacts by having a lighting plan that addresses this condition. The EIR documents that potential impacts related to scenic resources, views, shadows and vehicle headlights will be less than significant and do not warrant mitigation.

◆ Air Quality

Air quality modeling was completed by EIP Associates to assess potential impacts related to construction and operation of the project. Consistent with the South Coast Air Quality Management District's (SCAQMD) recommendations, the EIR analyzed the following emissions: Carbon Monoxide (CO), Volatile Organic Compounds (VOC), Nitrogen Oxides (NO_x), Sulfur Oxides (SO_x) and Fine Suspended Particulate Matter (PM₁₀). In addition, the EIR examined if localized CO concentrations at nearby intersections would be increased beyond state and national standards as a result of increased vehicle traffic.

The EIR concludes that there will be significant and unavoidable short-term air quality impacts associated with construction of the project as a result of construction equipment emissions of NO_x and VOC. In addition, there will be significant and unavoidable long-term impacts associated with daily operation of the project as a result of vehicle emissions of NO_x and VOC. The project results in less than significant impacts for all other emissions. The project will have to comply with standard requirements such as SCAQMD's Rule 403 related to fugitive dust during construction. The EIR also recommends seven mitigation measures to further reduce air quality impacts; however, the impacts noted above will remain significant and unavoidable, thus requiring a Statement of Overriding Considerations for the project. In response to a comment regarding the City's standard notification radius of 300 feet for grading activities, the City will increase the notification requirement to surrounding property owners and tenants to 500 feet for this project.

◆ Biological Resources

The EIR includes an analysis of potential impacts to plant and wildlife as well as wetlands. Two biological surveys were conducted (2001 and 2003). The 2003 survey was primarily conducted to assess the potential wetland characteristics of the site. As described in the EIR, groundwater seepage had occurred in the remediation pits located in the southeastern portion of the site, resulting in vegetation growth. Although the EIR concludes that no significant impacts to wetlands would result, MM BIO-1 is recommended to address potential impacts to special status plant species that may exist on site prior to grading. A second mitigation measure is included to minimize impacts related to disturbance of rodents during construction. Overall, construction of the project is not expected to have any significant impacts on biological resources.

◆ Cultural Resources

A detailed evaluation of two archaeological sites on the subject property was completed in 2002. CA-ORA-149 is a prehistoric midden site that is historically significant; CA-ORA-1528H is an historic dump that was determined to not be a historically significant resource. In addition, eight paleontological sites have been identified and excavated on the subject property as of 2001. The EIR concludes that implementation of the project would result in impacts to remaining significant paleontological and archaeological resources. The EIR recommends two mitigation measures to reduce impacts to these resources to less than significant, including on-site monitors during grading, trenching and other

excavation activities. In response to comments from the County of Orange, the proposed mitigation measures have been modified to reflect compliance with the County of Orange Curation Project.

◆ Energy and Mineral Resources

The EIR reviews the project's expected energy demands and analyzes potential impacts related to mineral resources. The EIR concludes that the project will not have a significant impact on energy and mineral resources. However, the EIR does recommend MM EM-1 to reduce less-than-significant impacts related to energy demand by requiring the project to implement an energy conservation plan.

◆ Geology and Soils

The EIR includes an analysis of existing geology, seismicity and soil conditions that would be conducive to geological constraints such as liquefaction or expansive soils. The analysis is based on the preliminary geotechnical study completed for the project, which determined that the project is feasible from a geotechnical perspective. The EIR concludes that implementation of the project will require MM GEO-1 to minimize potential impacts to less than significant levels. This mitigation measure requires compliance with the recommendations of the geotechnical study.

◆ Hazardous Materials

The subject property is part of a former oil field operated by Chevron. There are 20 abandoned oil wells throughout the project site. In addition to oily soil conditions on portions of the site, there is documentation of other soil contaminants. Also, in association with former uses on the site (restaurant and hotel), lead and asbestos abatement has been completed. Appendix E of the EIR provides a descriptive listing of previous soil investigations and activities related to hazardous materials. The EIR analyzes the potential for impacts associated with hazardous materials on existing uses, construction workers and proposed uses.

The EIR identifies eight mitigation measures to reduce potential impacts to a level of insignificance. The mitigation measures call for a site assessment for PCBs, completion of all remediation of the site, submittal of closure reports and procedures to follow regarding the abandoned oil wells. The mitigation measures are structured with the knowledge that remediation will be phased at the site due to the archaeological areas and an existing water line, both areas of which will require remediation. Notwithstanding the phased approach, the mitigation measures require that the entire site be cleaned and a closure report be approved by the City prior to building permits being issued.

◆ Hydrology and Water Quality

The project proposes to construct an on-site filtration system that would treat first flush storm flows and dry weather flows. The system would include a below ground detention basin where runoff would be detained for treatment prior to being discharged into the City's storm drain system. The project will also be required to comply with standard City requirements related to National Pollution Discharge Elimination System (NPDES) provisions, including the preparation of a Water Quality Management Plan (WQMP). A preliminary WQMP was prepared and analyzed for the EIR. The EIR concludes that due to project design features and standard City requirements impacts related to water quality will be less than

significant. Because the site is located in an area subject to tsunami run-up, the EIR does identify the need for a mitigation measure requiring the submittal of a safety plan for City approval.

◆ Land Use and Planning

The proposed project is consistent with the General Plan and Downtown Specific Plan land use designations for the site. The EIR concludes that the project is consistent with the applicable goals, objectives and policies of the General Plan and Local Coastal Program. As such, there will not be any significant land use and planning impacts as a result of the project.

◆ Noise

Potential noise impacts relate to short-term construction activities and long-term changes in ambient conditions related to an increase in traffic. Ambient noise levels were measured at five locations around the project site and roadway noise levels were calculated using data from the traffic study. In terms of the short-term noise impacts from construction, the City's noise ordinance exempts noise associated with construction provided the construction takes place between the hours of 7:00 A.M. and 8:00 P.M. Monday through Saturday. Despite this exemption, to further reduce less-than-significant impacts the EIR recommends MM N-1 to limit the hours and days during which pile driving can occur to between the hours of 8:00 A.M. and 6:00 P.M. Monday through Friday. The EIR also identifies the potential for noise impacts to future private recreation areas of the project as a result of traffic noise on First, Atlanta and Pacific View. MM N-2 is recommended to require the construction of noise attenuating walls to reduce these impacts. The EIR also examined the potential for noise impacts associated with delivery vehicles as well as traffic related noise on other street segments and concluded that no significant impacts would occur.

◆ Population and Housing

This section of the EIR analyzes the potential for the project to induce population and employment growth beyond current growth projections and the impacts on housing. Because the project is consistent with the General Plan, the expected number of residents and employees is accounted for in growth projections. Moreover, the project's contribution to population and employee totals is relatively small, less than one percent. Thus, these project impacts are insignificant. The EIR documents that the project does not yet have a fully defined, or approved, affordable housing plan. A mitigation measure is recommended pertaining to the plan to ensure that impacts relative to the provision of affordable housing are less than significant.

◆ Public Services

Potential impacts to fire, police, schools and lifeguard services are analyzed in the EIR. A total of six mitigation measures are recommended. Although both the Fire and Police Departments confirmed that they have adequate staffing to serve the project, mitigation measures are included to minimize impacts to service. MM PS-1 through MM PS-3 are included at the advice of the City of Huntington Beach Fire Department to reduce potential impacts related to emergency pedestrian access to/from the parking structure and to provide a dedicated area (a control room) for use by the Fire Department in an emergency. MM PS-4 requires that the project implement Crime Prevention Design measures in final

plans to assist in reduced calls for service of the Police Department. The project would also be subject to a standard mitigation measure related to mitigating impacts to school facilities by entering into a mitigation agreement. Finally, although impacts to lifeguard services are expected to be less than significant, MM PS-6 would require the development of a Beach Safety and Maintenance Awareness Program that would be provided to project residents and hotel guests in an effort to inform beach users of safety precautions and beach regulations so as to minimize calls for service in this area.

◆ Recreation

The City requires that new residential projects dedicate parkland or pay park in-lieu fees, or some combination thereof, to ensure that adequate recreation facilities are available. The EIR recommends MM REC-1 to address this requirement. With implementation of this mitigation measure, no significant impacts to Recreation are expected.

◆ Transportation/Traffic

The EIR examines the potential impacts related to traffic generation, parking demand and access. The analysis takes into consideration the transportation improvements that will be constructed with the project, including improvements to Pacific Coast Highway, First Street, Atlanta Avenue and Huntington Street and the construction of Pacific View Drive. A project specific traffic study was completed that includes an analysis of traffic conditions in Year 2008 and Year 2020 to assess potential impacts at project buildout and the long-term effect of the project in conjunction with other growth within the city.

The EIR documents that background traffic from existing and other projects, i.e. not including Pacific City, will result in certain intersections exceeding acceptable Levels of Service (LOS). However, the Pacific City project will contribute to a worsening of the LOS at two intersections that warrants mitigation. MM TR-1 and TR-2 require the project to contribute its fair share of the cost of improvements to the PCH and Warner and PCH and Seapoint intersections. Because the improvements to the intersection of PCH and Warner are under the jurisdiction of Caltrans it is unknown when and if improvements to this intersection will occur. Therefore, the EIR concludes that this impact will remain significant and unavoidable. The project will also contribute to the need for a traffic signal at First Street and Atlanta, which is addressed by MM TR-3. The EIR shows that the project will not result in any other significant transportation/traffic related impacts. In response to comments from the City of Newport Beach, a traffic study addendum was prepared to examine potential impacts to intersections in that city. The addendum is included in the Final EIR and concludes that no significant impacts would result.

◆ Utilities and Service Systems

This section of the EIR analyzes potential impacts to water, wastewater and solid waste services. Consistent with recent legislation, a Water Supply Assessment was completed for the project. The EIR concludes impacts related to water and wastewater would be less than significant. However, mitigation is required to reduce impacts related to solid waste. MM U-1 requires submittal of solid waste management plan that address long-term source reduction and recycling as well as construction waste.

Alternatives to the Proposed Project

CEQA requires that an EIR describe a range of reasonable alternatives to the project or its location that could feasibly attain the basic objectives of the project, but would avoid or substantially lessen any of the significant impacts of the project. An EIR need not consider every conceivable alternative to a project; rather, it must consider a range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR should also evaluate the comparative merits of the alternatives.

Three alternatives were selected for detailed analysis in the Draft EIR:

- No Project/No Development Alternative – Maintain the project site in its current state.
- Reasonably Foreseeable Development – Analyzes buildout of the site pursuant to the Downtown Specific Plan, includes 1.4 million sq. ft. of visitor-serving commercial.
- Reduced Project Alternative – Analyzes a reduction in the amount of visitor-serving commercial uses: 191,000 sq. ft. versus 240,000 sq. ft. with the proposed project.

The No Project/No Development Alternative would not meet the basic project objectives of the City or the applicant. The Reasonably Foreseeable Development would result in greater impacts than the proposed project. The Reduced Project Alternative would meet most of the project objectives of the City and the applicant and would result in fewer impacts than the proposed project. The Draft EIR identifies the Reduced Project Alternative as the environmentally superior alternative.

Statement of Overriding Considerations

Environmental impacts associated with implementation of a project may not always be mitigated to a level considered less than significant. In such cases, a Statement of Overriding Considerations must be prepared prior to approval of the project, and in accordance with CEQA Guidelines Sections 15091 and 15093. Because implementation of the proposed project would create significant unavoidable impacts as describe above in the Air Quality and Transportation/Traffic sections, a Statement of Overriding Considerations (SOC) is required to describe the specific reasons for approving the project, based on information contained within the Final EIR, as well as any other information in the public record. The SOC is part of the companion report for this project, which analyzes the tract map, conditional use permit and other entitlement requests.

Public Comments on the Draft EIR

During the public review period, the City of Huntington Beach received 18 comment letters from 17 agencies and individuals, as well as some verbal and written comments at the public meeting that was held during the comment period. The comments focused on numerous issues, including: biological resources, traffic, construction impacts and water quality. Staff has responded to all comments received in the Response to Comments. The Final EIR includes revised text sections as a result of the comments. The analysis sections above discuss where mitigation measures have been revised in response to comments. One additional letter was received after the close of the comment period and is provided in

Attachment No. 4 along with a response to the comments. Any written communication received subsequent to the preparation of this staff report will be forwarded to the Planning Commission under separate cover.

SUMMARY:

Environmental Impact Report No. 02-01 serves as an informational document with the sole purpose of identifying potential environmental impacts associated with the Pacific City project, alternatives that minimize those impacts, and appropriate mitigation measures.

Staff recommends that the Planning Commission certify EIR No. 02-01 because:

- The EIR has been prepared in accordance with the California Environmental Quality Act;
- The EIR adequately addresses the environmental impacts associated with the proposed project; and
- The EIR identifies project alternatives and mitigation measures to lessen the project's impacts consistent with General Plan policies.

ATTACHMENTS:

1. Resolution No. 1589
2. Final EIR No. 02-01, includes EIR, EIR Appendices, Response To Comments and Text Changes
(under separate cover – not attached)
3. Revised Final EIR No. 02-01 page 2-62
4. Comment letter received after the close of the EIR comment period
5. Mitigation Monitoring Program

SH:HF:MBB:rl

ATTACHMENT NO. 1