



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Andrew Gonzales, Associate Planner *AG*
DATE: July 12, 2011

SUBJECT: MITIGATED NEGATIVE DECLARATION NO. 09-003/COASTAL DEVELOPMENT PERMIT NO. 09-005/CONDITIONAL USE PERMIT NO. 09-021/SPECIAL PERMIT NO. 09-001/SPECIAL PERMIT NO. 09-002/VARIANCE NO. 09-003/TENTATIVE PARCEL MAP NO. 09-078 (GARGUIS MIXED USE DEVELOPMENT)

APPLICANT: Karen Otis - Otis Architecture, 16871 Sea Witch Lane, Huntington Beach, CA 92649

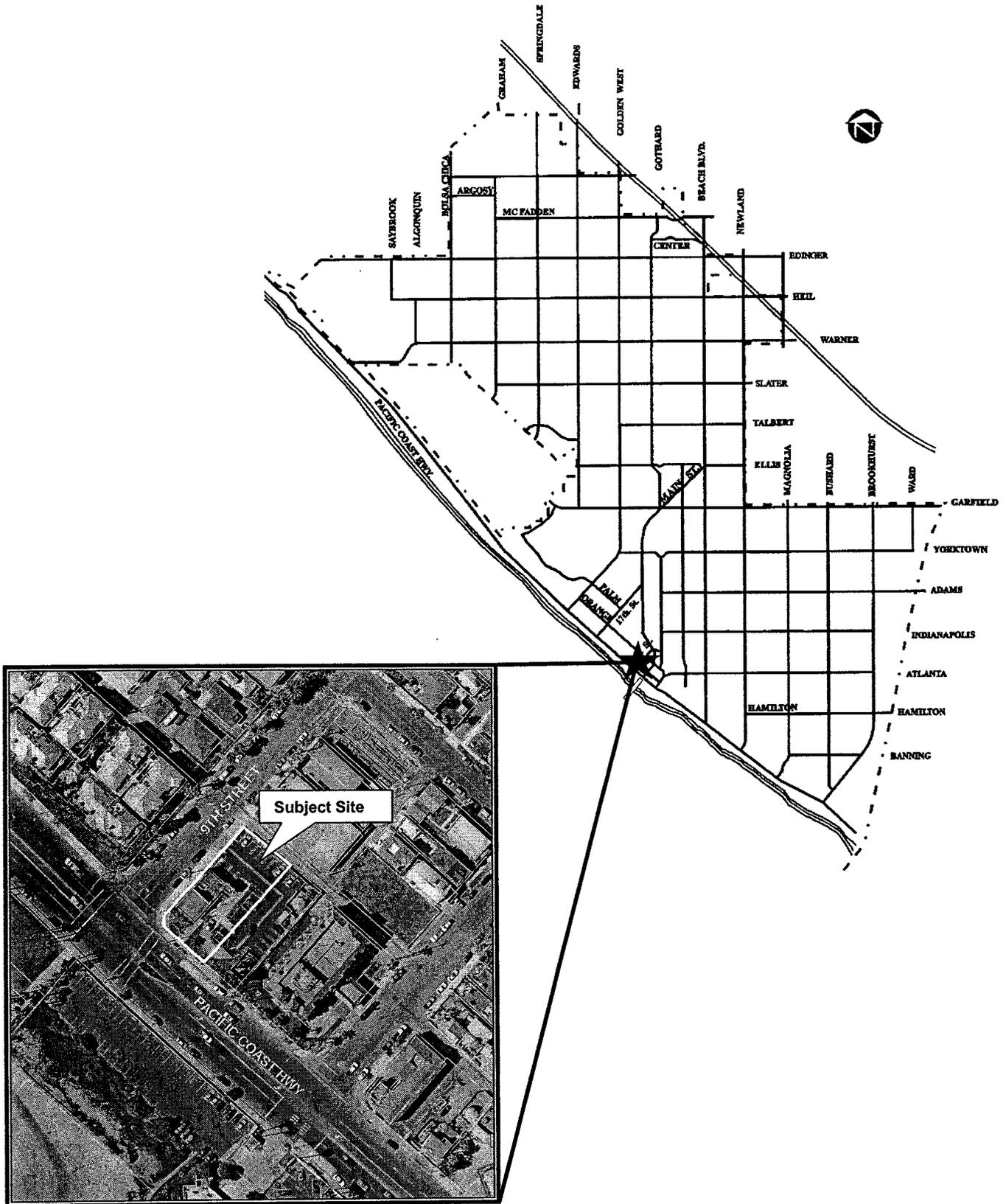
PROPERTY

OWNER: Garguis Twin Towers, Inc., c/o Marie Gallegos, Schaefer Funds, LLC, 14250 Ventura Boulevard, 2nd Floor, Sherman Oaks, CA 91423

LOCATION: 110 9th Street, Huntington Beach, CA 92648 (northeast corner of Pacific Coast Highway and 9th Street)

STATEMENT OF ISSUE:

- ◆ Mitigated Negative Declaration No. 09-003 analyzes the potential environmental impacts associated with implementation of the proposed project.
- ◆ Coastal Development Permit No. 009-005/Conditional Use Permit No. 09-021 is a request to permit the demolition of a vacant drive-thru restaurant and construction of a three-story, 35-foot tall, approximately 8,972 sq. ft. mixed-use development consisting of visitor serving commercial (retail) on the ground floor and a total of four residential units on the second and third floors, including an at-grade and subterranean parking garage which consists of nine at-grade spaces and 14 semi-subterranean spaces.
- ◆ Special Permit No. 09-001 request:
 - To permit a 10 ft. street side yard setback in lieu of the minimum required 15 ft. setback.
 - To permit a 5 ft. interior side yard setback in lieu of the minimum required 7 ft. setback.
 - To permit a 3 ft. 6 in. average third story setback in lieu of a minimum average 10 ft. third story setback along Pacific Coast Highway.



VICINITY MAP

**MITIGATED NEGATIVE DECLARATION NO. 09-003/COASTAL DEVELOPMENT PERMIT NO. 09-005/CONDITIONAL USE PERMIT NO. 09-021/SPECIAL PERMIT NO. 09-001/SPECIAL PERMIT NO. 09-002/VARIANCE NO. 09-003/TENTATIVE PARCEL MAP NO. 09-078
(GARGUIS MIXED USE DEVELOPMENT- 110 9TH STREET)**

- ◆ Special Permit No. 09-002 request:
 - To permit a slope of 9.91% in lieu of a maximum 5% slope for a parking garage transition ramp serving as back-up for parking stalls, and 18% in lieu of a maximum slope of 10% for a parking garage transition ramp with no adjacent parking stalls.
- ◆ Variance No. 09-003 is a request to permit development on a site with a minimum street frontage (Pacific Coast Highway) of 75 ft. in lieu of a minimum 100 ft.
- ◆ Tentative Parcel Map No. 09-078 is a request to permit the consolidation of three parcels totaling 11,528 sq. ft. of net lot area into one lot for condominium purposes.
- ◆ Staff's Recommendation:
 - Approve Mitigated Negative Declaration No. 09-003 based upon the following:
 - The project (with mitigation) will have no significant adverse environmental impacts.

Approve Coastal Development Permit No. 09-005, Conditional Use Permit No. 09-021, Special Permit No. 09-001, Special Permit No. 09-002, Variance No. 09-003, and Tentative Parcel Map No. 09-078 with modifications based upon the following:

- The proposed mixed-use development is in compliance with the General Plan designation of Mixed Use Vertical-Design Overlay-Specific Plan Overlay.
 - The project is consistent with the Downtown Specific Plan and will add to the pedestrian character of the downtown area based upon the proposed design.
 - The project will develop a blighted and underutilized site containing a vacant drive-thru restaurant within the Downtown, which will continue the pattern of development along Pacific Coast Highway and enhance the appearance of the area in compliance with the Urban Design Guidelines.
 - The development complies with all minimum development standards including lot size, parking, building height, and floor area ratio with exception of the requested special permits and variance.
 - The site is physically suitable for the type and density of development proposed.
- ◆ Staff's Suggest Modifications:
 - Coastal Development Permit No. 09-005 and Conditional Use Permit No. 09-021
 - Require compliance with the common and private open space requirements.
 - Modify parking stall(s) to comply with the City's pedestrian and vehicular visibility requirements.
 - Provide adequate 26 ft. clear back out space for alley adjacent parking stalls.
 - Reduce size of awning located at southwest corner of building.
 - Provide an exclusive refuse container and enclosure for onsite commercial uses.
 - Require further articulation of the building façade, additional onsite improvements, and public art.
- (DRB)**

RECOMMENDATION:

Motion to:

- A. “Approve Mitigated Negative Declaration No. 09-003 with findings and mitigation measures (Attachment No. 1);”
- B. “Approve Coastal Development Permit No. 09-005, Conditional Use Permit No. 09-021, Special Permit No. 09-001, Special Permit No. 09-002, Variance No. 09-003, and Tentative Parcel Map No. 09-078 with findings and suggested conditions of approval (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny Mitigated Negative Declaration No. 09-003, Coastal Development Permit No. 09-005, Conditional Use Permit No. 09-021, Special Permit No. 09-001, Special Permit No. 09-002, Variance No. 09-003, and Tentative Parcel Map No. 09-078 with findings for denial.”
- B. “Continue Mitigated Negative Declaration No. 09-003, Coastal Development Permit No. 09-005, Conditional Use Permit No. 09-021, Special Permit No. 09-001, Special Permit No. 09-002, Variance No. 09-003, and Tentative Parcel Map No. 09-078 and direct staff accordingly.”

PROJECT PROPOSAL:

Mitigated Negative Declaration No. 09-003 represents a request to analyze the potential environmental impacts associated with implementation of the proposed project.

Coastal Development Permit No. 09-005 and Conditional Use Permit No. 09-021 represents a request for the following:

- A. To permit the demolition of a vacant drive-thru restaurant pursuant to Chapter 245 Coastal Permit of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
- B. To permit new development pursuant to Chapter 245 Coastal Permit of the HBZSO.
- C. To construct a three-story, 35-foot tall, approximately 8,972 sq. ft. mixed-use development consisting of visitor serving commercial (retail) on the ground floor and a total of four residential units on the second and third floors, including an at-grade and subterranean parking garage which consists of nine at-grade spaces and 14 semi-subterranean spaces pursuant to Section 4.3.01(b) Permitted Uses of the Downtown Specific Plan (DTSP).

Special Permit No. 09-001, pursuant Section 4.1.02 of the DTSP, a special permit is requested for the following:

- A. A 10 ft. street side yard setback in lieu of the minimum required 15 ft. setback pursuant to Section 4.3.07(b), Setback (Side Yard), of the DTSP; and

- B. A 5 ft. interior side yard setback in lieu of the minimum required 7 ft. setback pursuant to Section 4.3.07(a), Setback (Side Yard), of the DTSP; and
- C. A 3 ft. 6 in. average third story setback in lieu of a minimum 10 ft. average third story setback along Pacific Coast Highway pursuant to Section 4.3.09(b), Setback (Upper Story), of the DTSP.

Special Permit No. 09-002, pursuant to Section 4.1.02 of the DTSP, a special permit is requested for a slope of 9.91% in lieu of a maximum slope of 5% for a parking garage transition ramp serving as back-up for parking stalls, and 18% in lieu of the maximum slope of 10% for a parking garage transition ramp with no adjacent parking stalls pursuant to Section 4.2.13, Parking, of the DTSP and Chapter 231 Off-Street Parking and Loading Provisions of the HBZSO.

Variance No. 09-003, represents a request to permit development on a site with a minimum street frontage (Pacific Coast Highway) of 75 ft. in lieu of a minimum 100 ft. pursuant to Section 4.3.02, Minimum Parcel Size, of the DTSP.

Tentative Parcel Map No. 09-078, represents request to permit the consolidation of three parcels totaling 11,528 sq. ft. of net lot area into one lot for condominium purposes pursuant to Section 4.3.02, Minimum Parcel Size, of the DTSP and Chapter 250 General Provisions of the HBZSO.

The request involves the demolition of a vacant drive-thru restaurant and construction of a three-story, 35-foot tall, 8,972 sq. ft. mixed-use building on the subject property. The applicant is proposing approximately 2,399 sq. ft. of commercial retail space on the first floor. The building is designed with the entire ground floor to be occupied for commercial-visitor uses. The primary entrance of the commercial unit will face the corner of Pacific Coast Highway (PCH) and Ninth Street.

The project proposes a total of four residential units on the upper floors consisting of 3,062 sq. ft. on the second floor (two units) and 3,287 sq. ft. on the third floor (two units). The units range in size from 1,420 sq. ft. to 1,781 sq. ft. and each have two bedrooms. Access to the units will be provided via two stairways adjacent to Ninth Street and the easterly property line and an elevator at the northeast corner of the building. The residential portion of the project is subject to the City's Affordable Housing requirements which mandates that a minimum 10 percent of all units be set aside as affordable housing. Based upon the number of condominium units proposed, the affordable housing requirement may be satisfied through the payment of an in-lieu fee. The applicant is opting to pay the affordable housing in-lieu fee.

The project proposes to provide parking within an at-grade and subterranean parking garage which consists of nine at-grade spaces and 14 semi-subterranean spaces. All onsite parking will be accessible from the rear of the building along the alley. Residential parking (10 spaces) will be separated from commercial parking (13) spaces through a vehicular access gate located within the subterranean portion of the parking garage.

A tentative subdivision map is being submitted and processed for the proposed project which intends to subdivide the four residential units, parking structure, and the retail space for condominium purposes.

The submitted plans for the proposed project include areas that are not in compliance with the development standards of the base zoning district. The specific areas are required to be re-designed to

comply with the minimum code requirements through suggested conditions of approval (Attachment # 1). The project is presently deficient in common and private open space, pedestrian and vehicular visibility requirements, minimum vehicular back out space and the provision of a refuse container. The applicant has not pursued or submitted a variance or special permit request for these deficiencies and therefore is required to re-design and comply. Staff is recommending a series of conditions of approval to gain compliance. In addition, the Design Review Board's (DRB) recommendations have been included as conditions of approval.

Background:

In 1968 the subject site was improved with a new commercial building to be occupied by a Taco Bell restaurant. In 1989 Conditional Use Permit No. 88-057 and Conditional Exception No. 89-001 was approved to permit the expansion of the restaurant in conjunction with a drive-thru and various onsite improvements utilizing an adjoining 50 ft. wide parcel. As a condition of approval, an irrevocable reciprocal driveway and parking easement was required to be recorded on the subject site and adjacent parcel that was to be valid as long as the restaurant was in operation. In January 2008, the restaurant closed and has been vacant since that time. After the closure of the restaurant, the adjacent property owner constructed a 164 linear-foot, 6 ft. high block wall that resulted in a separation of a portion of the parking lot area from the vacant restaurant building. The current property owners were requested by staff to contact the adjacent property owner to possibly sell or joint venture in the development of the site. This effort was to gain the minimum lot frontage, obtain more land to develop a better project and to eliminate a future substandard remnant parcel. The adjacent property owner declined the offer to sell or participate.

Study Session Summary:

The project was presented at the Planning Commission study session on Tuesday, June 28, 2011. The Planning Commission questioned the required alley dedication, minimum open space requirements, and clarification related to special permits. No further follow up was requested on these items.

ISSUES:

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

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MV-F8-d-sp (Mixed Use Vertical – 1.5 Max. Floor Area Ratio/ Max. 25 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay)	SP5-CZ (Downtown Specific Plan – Coastal Zone Overlay)	Vacant drive-thru restaurant
North of Subject Property (across alley):	RH-30-d-sp (Residential High Density – Greater than 30 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay)	SP5-CZ	Multi-family residential

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

LOCATION	GENERAL PLAN	ZONING	LAND USE
South of Subject Property (across PCH):	OS-S (Open Space – Shore)	SP5-CZ	Beach/Parking Lot
East of Subject Property:	MV-F8-d-sp	SP5-CZ	Oil operations & Hotel
West of Subject Property (across 9 th St.):	RH-30-d-sp	SP5-CZ	Multi-family residential

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is MV-F8-d-sp (Mixed Use Vertical – 1.5 Max. Floor Area Ratio/ Max. 25 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay). The proposed project is consistent with this designation and the goals and objectives of the City’s General Plan as follows:

A. Land Use Element

Goal LU 4: Achieve and maintain high quality architecture, landscape, and public open spaces in the City.

Policy LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Goal LU 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City’s neighborhoods, corridors, and centers.

Goal LU9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Policy LU 10.1.4: Require that commercial buildings and sites be designed to achieve a high level of architectural and site layout quality.

Goal LU11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy 11.1.7: Require that mixed-use development projects be designed to achieve a consistent and high quality character, including the consideration of architectural treatment of building elevations to convey the visual character of multiple building volumes and individual storefronts.

Policy LU 15.2.2: Require that structures located in the pedestrian overlay zone be sited and designed to enhance pedestrian activity along the sidewalks, in consideration of the following guidelines:

- 1) Incorporation of uses that stimulate pedestrian activity in the first floor along the street frontage, encouraging professional offices, data computing, and other similar uses to be located in the rear or above the first floor unless economically infeasible;
- 2) Siting of the linear frontage of the building along the front yard property line to maintain a “building wall” character, except for areas contiguous with the structure use for outdoor dining or courtyards;
- 3) Assurance that areas between building storefronts and public sidewalks are visually and physically accessible to pedestrians, except as may be required for landscape and security;
- 4) Extensive articulation of the building façade and use of multiple building volumes and planes;
- 5) Incorporation of landscape and other elements such as planter beds, planters, and window boxes that visually distinguish the site and structure;
- 6) Incorporation of arcades, courtyards, and other recesses along the street elevation to provide visual relief and interest;
- 7) Use of roofline and height variation to break up the massing and provide visual interest;
- 8) Visual differentiation of upper and lower floors;
- 9) Distinct treatment of building entrances; and
- 10) Use of pedestrian-oriented signage.

The subject property is located within Community Subarea 1C (abutting the downtown “Core”) and complies with the standards for maximum building height of three (3) stories within the subarea. Along the street frontages, the proposed design incorporates roofline variations and articulation and decorative architectural details/elements. The project also provides visual interest while enhancing the pedestrian experience in the downtown. The visitor serving commercial (retail) and residential uses proposed for the site represent development that would support the needs and reflect market demand of City residents and visitors. The proposed development improves the project site, which is on a blighted and underutilized site containing a vacant drive-thru restaurant, and provides additional destination uses that would attract and complement visitor commercial uses.

B. Urban Design Element

Policies UD 1.1.2: Reinforce Downtown as the City’s historic center and as a pedestrian-oriented commercial and entertainment/recreation district by requiring new development be designed to reflect the Downtowns historical structures and adopted Mediterranean theme

Policies - UD 1.4.1: Enhance the connections, where feasible between the public sidewalk and private commercial interior open spaces/courtyard

The project complies with the Urban Design Guidelines. Along the street frontages the project provides an articulated facade and a pedestrian-oriented design through the use of design elements such as building siting along the sidewalk and decorative stone and a glass storefront used to distinguish the ground floor commercial from upper floor residential uses. The proposed mixed-use structure incorporates characteristics consistent with the historic structures in downtown such as pedestrian oriented storefronts, and distinction between lower and upper floors. The architecture adopts a Mediterranean theme by including a stone facade on the first floor, arched storefront mullions, decorative cornices, and window treatments above the second and third floor windows, and

wrap around balconies. Furthermore, the proposed development will be constructed at reduced setbacks that will place the storefront closer to the public sidewalk to encourage a pedestrian oriented design that provides window-shopping and an intimate downtown atmosphere. In addition, the building storefront extends around to the west elevation along Ninth Street to extend the pedestrian activities.

C. Coastal Element

Policy C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Goal C 3: Provide a variety of recreational and visitor-serving commercial uses for a range of cost and market preferences

Policy C 3.2.3: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

Policy C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the “hubs” of tourist and community activity.

The development consists of a mixed-use project, which includes visitor-serving commercial located on the ground floor for retail establishments. Public services and infrastructure are currently available to the project site, as well as the surrounding parcels. Additionally, the proposed project would develop visitor-serving commercial uses at the periphery of the City’s downtown core area, which has been targeted for redevelopment as a destination location. The proposed project provides for a transition between the downtown core and surrounding residential areas which would help further establish the area. The project site is also located near other established points of attraction, including the Huntington Beach Municipal Pier, and is intended to reinforce the vicinity as a major visitor-serving district.

Zoning Compliance:

This project is located in District No. 1, Visitor-Serving Commercial of SP5 - CZ (Downtown Specific Plan – Coastal Zone), which is a mixed-use district intended to provide both commercial facilities to serve visitors to the beach as well residential uses. With the exception of the special permits, variance and incorporation of the suggested conditions of approval the project complies with the minimum requirements of the base zone. In addition, a list of City Code Requirements, Policies, and Standard Plans of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Code has been provided to the applicant (Attachment No. 5) for informational purposes only.

Urban Design Guidelines Conformance:

The proposed project is in substantial conformance with the Urban Design Guidelines (UDG), Chapter 5, Downtown/Main Street Commercial. The proposed mixed-use development will enhance the downtown as a focal point, emphasize design elements and viewshed of the shoreline and pier. The design will establish pedestrian-oriented, attractive, inviting, building that will provide high quality architecture and

design. The proposed design and architecture along the street frontages provides proper access, visibility and identity envisioned for the downtown. The proposed site planning and relationship to the street provides a continuation of the massing along PCH and is consistent with the Mediterranean architectural style encouraged in the City's UDG. The elevations are provided with wall breaks, façade offsets, contrasting exterior materials, architectural eyebrows and wrap around balconies to soften the appearance of the three story structure. The elevations propose an architectural style and design that incorporates consistent building form and mass envisioned by the Downtown Specific Plan.

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 mitigation measures. Subsequently, draft MND No. 09-003 (Attachment No. 6) was prepared with mitigation measures pursuant to Section 240.04 of the HBZSO and the provisions of the California Environment Quality Act (CEQA). The mitigation measure identifies the project's grading plan contain the recommendations included in the Geotechnical Engineering Report for the site prepared by NorCal Engineering dated December 2009. (Attachment # 1)

Draft MND No. 09-003 was advertised and made available for a thirty (30) day public review and comment period, commencing May 26, 2011 and ending on June 24 2011. A total of two comment letters were received during the review period. One received from a resident from the surrounding neighborhood addressing the following issues:

- Increase in traffic, parking, noise, generated by the project;
- Creation of unsafe driving conditions;
- Obstruction of views from adjoining private properties.

The California Department of Transportation (CalTrans) submitted a letter stating that an encroachment permit would be required for work within the Caltrans controlled right-of-way.

Environmental Board Comments:

The Environmental Board will review draft MND No. 09-003 at their July 7, 2011 meeting with a comment letter forthcoming. The letter will be provided to the Planning Commission upon receipt.

A Response to Comments and Errata was not prepared for MND No. 09-003 because the received comments did not raise any further environmental issues already discussed within the environmental assessment. Therefore, no further discussion is required.

Prior to any action on Coastal Development Permit No. 09-005, Conditional Use Permit No. 09-021, Special Permit No. 09-001, Special Permit No. 09-002, Variance No. 09-003, and Tentative Parcel Map No. 09-078, the Planning Commission must review and act on MND No. 09-003. Based on the initial study of the project, staff is recommending that the MND be approved with suggested findings and mitigation measures.

Coastal Status:

The proposed project is located within the non-appealable jurisdiction of the Coastal Zone. Coastal Development Permit No. 09-005 is being processed concurrently with Conditional Use Permit No. 09-021, Special Permit No. 09-001, Special Permit No. 09-002, and Tentative Parcel Map No. 09-078. The proposed project, as conditioned, complies with the zoning code (with exception to the requested special permits and variance) and Coastal Zone requirements, and will implement the following policies of the Coastal Element of the General Plan:

- Protect, encourage and, where feasible, provide visitor-serving facilities in the Coastal Zone that are varied in type and price.
- Improve the appearance of visually degraded areas.
- Ensure that adequate parking is provided in all new development in the Coastal Zone.

Redevelopment Status:

The project is not located within the Huntington Beach Redevelopment Project, Main-Pier subarea. The Economic Development Department reviewed the request and supports the proposed development. Economic Development requests that the proposed project comply with the City's Affordable Housing requirement through the payment of an in-lieu fee.

Design Review Board:

The project was reviewed by the Design Review Board (DRB) on two occasions. At the January 8, 2009 meeting the DRB reviewed and provided preliminary design recommendations that would aid in improving the overall project design. The applicant then re-designed the project to incorporate the suggestions. On July 8, 2010, the DRB reviewed the revised project design and recommended approval of the project with the following modifications:

- The design shall reduce the visual perception of upper-story massing by incorporating additional color variation to the second and third story façades.
- The design shall provide additional site improvements such as increased plaza area and enhanced landscaping.
- The landscape planters shall incorporate stone to match building facade.
- The design shall provide public art (i.e. sculpture) within the front setback area.

The applicant concurs with the DRB recommended modifications. The DRB recommendations have been made suggested conditions of approval (No. 1) for the proposed project.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Fire, Public Works, and Planning have reviewed the application and identified applicable code requirements. The Code Requirements letter was transmitted on April 29, 2011 and is

attached for informational purposes (Attachment No. 5). In addition, the Public Works Department recommended the following conditions of approval if the project were to be approved (Attachment No. 4):

- Damaged sidewalk along the project frontage shall be removed and replaced per Public Works Standard Plans Nos. 202 and 207.

The Public Works suggested conditions of approval have been attached and are made recommended conditions of approval for the proposed project.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on July 1, 2011, and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning and Building Department's Notification Matrix), applicant, and interested parties. As of July 5, 2011, two letters have been received in response to the MND public comment period. One letter was a local citizen against the project and the other was from CalTrans identifying the need of an encroachment permit should any associated construction activities take place within the PCH right-of-way.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

May 9, 2011

December 17, 2010

MANDATORY PROCESSING DATE(S):

Mitigated Negative Declaration: November 5, 2011
(180 days)

Coastal Development and Conditional Use Permit
with Special Permit: Within 60 days from Mitigated
Negative Declaration Approval

All the project entitlements were filed on August 3, 2009. Coastal Development Permit No. 09-005, Conditional Use Permit No. 09-021, Special Permit No. 09-001, Special Permit No. 09-002, Variance No. 09-003, and Tentative Parcel Map No. 09-078 were deemed complete August 9, 2010, and again on December 17, 2010. Environmental Assessment No. 09-003 was deemed complete on May 9, 2011, based upon submittal of studies which were required to complete the project's environmental analysis.

ANALYSIS:

The primary issues to consider with this request are consistency with the General Plan, compliance with the Downtown Specific Plan, and compatibility with the surrounding land uses. The major site plan issues are the special permits for reduced exterior and interior side yard setbacks, reduced upper story setbacks, increased transition ramp slope, and development of a site with a reduced frontage width along PCH.

Consistency with the General Plan

The proposed project would develop visitor-serving commercial uses at the periphery of the City's downtown core area, which has been targeted for redevelopment as a destination location. Portions of the downtown core have already been established. The proposed project provides for a transition between the

downtown core and surrounding residential areas which would help further establish the area. The project site is also located near other established points of attraction, including the Huntington Beach Municipal Pier, and is intended to reinforce the vicinity as a major visitor-serving district. The subject property is located within Community Subarea 1C (abutting the downtown “Core”) and complies with the standards for maximum building height of three (3) stories, 35 ft., within the subarea. The project complies with maximum building height of three stories and design standards defined by the General Plan.

Compliance with the Downtown Specific Plan

The mixed use development complies with the intent of District No. 1, Visitor-Serving Commercial, of the DTSP with the exception of the special permits for the setbacks, variance for the development of a site with a substandard frontage, and the incorporation of the recommended conditions of approval.

The proposed mixed-use project would develop residential uses along with the necessary and required visitor-serving commercial uses. The project is located at the periphery of the City’s downtown core area, which has been targeted for redevelopment as a destination location. The project will comply with the development standards set forth by the base zoning district in terms of maximum building height, maximum density, maximum floor area ratio, and minimum onsite parking. Parking for the project will be provided onsite via an at-grade and subterranean parking garage and will contain a one-space parking surplus based upon the anticipated distribution of onsite land uses. As a condition of approval, the project will be required provide all required onsite common and private open space in compliance with the DTSP. The proposed project therefore provides for a transition between the downtown core and surrounding residential areas which would help further establish the area as a major visitor-serving district.

Affordable Housing

The mixed use development will satisfy the City’s Affordable Housing requirement by opting to pay an in-lieu fee for one residential housing unit. The Economic Development Department reviewed the request and concurs that the applicant pays the requested in-lieu fee. Payment of the in-lieu fee is conditioned to be submitted to the Planning and Building Department prior to the recordation of the Final Parcel Map. The fee paid will be placed in the City’s Affordable Housing Trust Fund.

Land Use Compatibility

The subject property is located within Community Subarea 1C (abutting the downtown “Core”) and complies with the standards for maximum building height of three (3) stories, 35 ft., within the subarea. The building is setback approximately 67 ft. from the nearest residential use to the north. The project incorporates several special permits to reduce the a building setbacks along the Ninth Street and Seventh Street Frontages from 15 ft. to 10 ft. and from 7 ft. to 5 ft. respectively. The Mixed Use General Plan designation identifies the site as located in a pedestrian overlay which promotes sitting of the linear frontage of buildings along the front yard property line to maintain a “building wall” character. The Urban Design Guidelines indicates that downtown commercial development should create a familiar rhythm. This pattern of buildings with similar setbacks and scale visually ties the streetscape together and creates a consistent pattern of development. In addition, repetition of traditional façade components creates patterns and alignment that visually link buildings within several blocks. Along the street frontages, the proposed design incorporates roofline variations and articulation and decorative

architectural details/elements. The project also provides visual interest while enhancing the pedestrian experience in the downtown.

Special Permits

The applicant is requesting approval of four special permits. Section 4.1.02 of the Downtown Specific Plan allows the Planning Commission to grant special permits for deviations from the development standards of the Downtown Specific Plan. Special permits may be approved when the Planning Commission determines that significantly greater benefits from the project can be provided than would occur if all the minimum requirements were met. These benefits include unique or innovative designs and the use of energy conservation or solar technology. In addition, the Planning Commission must determine that the project and related special permits will also:

1. Promote better living environments; and
2. Provide better land planning techniques with maximum use of aesthetically pleasing types of architecture, landscaping, site layout and design; and
3. Not be detrimental to the general health, welfare, safety and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or of the City in general; and
4. Be consistent with objective of the Downtown Specific Plan in achieving a development adapted to the terrain and compatible with the surrounding environment; and
5. Be consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act; and
6. Comply with State and Federal law.

Special Permit – Setbacks

The applicant asserts that the proposed development meets the intent of the DTSP by providing a building which fosters greater pedestrian activity, is consistent with the downtown character, and serves as an appropriate transition to the adjacent residential neighborhood. Staff is in support of the requests for special permits for reduced setbacks in that the design of the building along the street frontages provides varying façades and roof offsets to create a “building wall” character. The Urban Design Guidelines indicates that downtown commercial development should create a familiar rhythm. The request continues a pattern of buildings with similar setbacks and scale that visually ties the streetscape together and creates a consistent pattern of development. In addition, a number of new buildings in downtown have received some relief from the strict application of the building setback and upper story setback requirements.

The proposed reduction in setbacks intends to compensate for the project's deficiency in the minimum lot frontage requirement along PCH resulting from the inability to acquire the abutting easterly parcel. The cumulative building setback encroachment of 7 ft. allows for a more functional commercial and residential floor space. Additionally, the reduced setbacks minimize the visual gap created by the adjacent undeveloped easterly lot (i.e., oil operations) and aims to maintain an unbroken building rhythm along PCH. The reduction in the street side yard setback in conjunction with the pedestrian oriented glass storefront along the easterly elevation will place the building closer to the public sidewalk to encourage a pedestrian oriented design. The design provides window-shopping and an intimate downtown

atmosphere. Furthermore, the basis for the upper story setback requirement is to provide a break in the building façade from the first two stories to the 3rd stories above and eliminate a shear wall design. Staff supports the reduced upper story setbacks because the applicant provides a distinctive break between the lower floors and the upper floors by the use of materials, balconies, and upper story setbacks.

Special Permit – Garage Transition Ramps

To provide a project consistent with the development concept established by District No. 1, Visitor-Serving Commercial, of the DTSP, adequate parking must be provided in compliance with the HBZSO. In order to avoid a streetscape dominated by vehicle parking, the applicant proposes to construct a 23-space at-grade and semi-subterranean parking structure. However the depth of the subject site (155'-6") restricts the availability of space to comply with max slope of 5% for a parking garage transition ramp serving as back-up for parking stalls and 18% for transition ramps. The increased slope is necessary to provide adequate circulation throughout the parking structure. Staff supports the request for an increased slope of the transition ramps in that a semi-subterranean parking garage is a superior land planning technique as opposed to provision of a surface parking lot. The Public Works Traffic Division has evaluated the requested transition percentages and concludes that the deviations will not result in any unsafe traffic hazards.

Variance – PCH Street Frontage

The subject property results in a substandard lot width along PCH due to the project inability to successfully utilize an adjacent easterly parcel once used by the previous drive-thru restaurant. The physical constraints created by the unsuccessful acquisition create a land related hardship which is unique in comparison to other newly developed properties along PCH. The property's present configuration will require a variance for any potential redevelopment of the site. Therefore, staff supports the request for the variance to facilitate redevelopment of a blighted and underutilized site.

ATTACHMENTS:

1. Suggested Findings and Conditions for Approval – Mitigated Negative Declaration No. 09-003, Coastal Development Permit No. 09-005, Conditional Use Permit No. 08-021, Special Permit No. 09-001, Special Permit No. 09-002, and Tentative Parcel Map No. 09-078
2. Site plan, floor plans, elevations, and section elevations dated June 29, 2010 and Tentative Parcel Map dated April 8, 2010
3. Project Narrative dated August 10, 2009
4. Public Works Department suggested condition of approval dated September 8, 2009
5. Revised Code Requirements Letter dated April 29, 2011 (for informational purposes only).
6. Draft Mitigated Negative Declaration No. 09-003 (includes Environmental Checklist)
7. Public Comments

SH:HF:AG:kd

ATTACHMENT NO. 1

**MITIGATED NEGATIVE DECLARATION NO. 09-003
COASTAL DEVELOPMENT PERMIT NO. 09-005
CONDITIONAL USE PERMIT NO. 09-021
SPECIAL PERMIT NO. 09-001
SPECIAL PERMIT NO. 09-002
VARIANCE NO. 09-003
TENTATIVE PARCEL MAP NO. 09-078**

SUGGESTED FINDINGS FOR APPROVAL - MITIGATED NEGATIVE DECLARATION NO. 09-003:

1. The Mitigated Negative Declaration No. 09-003 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and made 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.
2. Mitigation measures, incorporated into the attached conditions of approval, 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 through the attached mitigation measures, will have a significant effect on the environment

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 09-005:

1. Coastal Development Permit No. 09-005 for the demolition of a vacant drive-thru restaurant and construction of a three story, approximately 8,972 sq. ft. mixed-use development consisting of visitor serving commercial (retail) on the ground floor, residential units on the second and third floor, and an at-grade and subterranean parking garage which consists of nine at-grade spaces and 14 semi-subterranean space, as modified by conditions of approval, conforms with the General Plan, including the Local Coastal Program. The proposed project would develop a mix of commercial uses on parcels contiguous to similar uses in an established, urban, downtown core area. Public services are currently available to the project site, as well as the surrounding parcels, and the project includes improvements to existing infrastructure to ensure adequate service after project implementation. Additionally, the proposed project would develop visitor-serving commercial uses in the City's downtown core area, which has been targeted for redevelopment as a destination location. Portions of the downtown core have already been established, and include uses generally similar to those proposed by the project. The project site is also located near other established points of attraction, including the Huntington Beach Municipal Pier, and is intended to reinforce the vicinity as a major visitor-serving district.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code The proposed project as conditioned and

with the special permits provides a development that is consistent with the design guidelines, and is compatible with the scale and transition of surrounding development, and provides consistent public.

3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project as conditioned and with the implementation of all mitigation measure will provide all necessary infrastructures to adequately service the site and not impact adjacent development. In addition, the project provides the necessary public improvements such as dedications, curb, gutters, sidewalks, and streets, alleys.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed project maintains all exiting and proposed public access and does not conflict with any public recreation policies by the provision of a development consistent with the City's General Plan, Coastal Element, and Downtown Specific Plan.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 09-021:

1. Conditional Use Permit No. 09-021 for the construction of a three story, approximately 8,972 sq. ft. mixed-use development consisting of visitor serving commercial (retail) on the ground floor, residential units on the second and third floor, and an at-grade and subterranean parking garage which consists of nine at-grade spaces and 14 semi-subterranean spaces 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 project has been evaluated for compatibility with the surrounding neighborhood and with the conditions of approval imposed, the project will be designed to address the transition and scale of adjacent properties, be designed on a pedestrian scale and character, will provide the required parking to serve the uses on site, and will meet the goals and policies of the General Plan.
2. The conditional use permit will be compatible with surrounding uses because the project is designed with a Mediterranean architectural theme which is compatible with the Downtown Design Guidelines and will provide architectural elements and features to enhance the pedestrian character and scale of the street scene surrounding the project. In addition, the project incorporates the proper massing and scale, the design features of the Mediterranean architectural style and the colors and materials recommended by the Design Guidelines for the Downtown.
3. The proposed mixed use development 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. The proposed project as conditioned and with the special permits provides a development that is consistent with the design guidelines, is compatible with the scale and transition of surrounding development, and provides consistent public improvements.
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 MV-F8-d-sp (Mixed Use Vertical – 1.5 Max. Floor Area Ratio/ Max. 25 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU 4: Achieve and maintain high quality architecture, landscape, and public open spaces in the City.

Policy LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Goal LU 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City's neighborhoods, corridors, and centers.

Goal LU9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Policy LU 10.1.4: Require that commercial buildings and sites be designed to achieve a high level of architectural and site layout quality.

Goal LU11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy 11.1.7: Require that mixed-use development projects be designed to achieve a consistent and high quality character, including the consideration of architectural treatment of building elevations to convey the visual character of multiple building volumes and individual storefronts.

Policy LU 15.2.2: Require that structures located in the pedestrian overlay zone be sited and designed to enhance pedestrian activity along the sidewalks, in consideration of the following guidelines:

- 1) Incorporation of uses that stimulate pedestrian activity in the first floor along the street frontage, encouraging professional offices, data computing, and other similar uses to be located in the rear or above the first floor unless economically infeasible;
- 2) Siting of the linear frontage of the building along the front yard property line to maintain a "building wall" character, except for areas contiguous with the structure use for outdoor dining or courtyards;
- 3) Assurance that areas between building storefronts and public sidewalks are visually and physically accessible to pedestrians, except as may be required for landscape and security;
- 4) Extensive articulation of the building façade and use of multiple building volumes and planes;
- 5) Incorporation of landscape and other elements such as planter beds, planters, and window boxes that visually distinguish the site and structure;
- 6) Incorporation of arcades, courtyards, and other recesses along the street elevation to provide visual relief and interest;
- 7) Use of roofline and height variation to break up the massing and provide visual interest;
- 8) Visual differentiation of upper and lower floors;

- 9) Distinct treatment of building entrances; and
- 10) Use of pedestrian-oriented signage.

The subject property is located within Community Subarea 1C (abutting the downtown “Core”) and complies with the standards for maximum building height of three (3) stories within the subarea. Along the street frontages, the proposed design incorporates roofline variations and articulation and decorative architectural details/elements. The project also provides visual interest while enhancing the pedestrian experience in the downtown. The visitor serving commercial (retail) and residential uses proposed for the site represent development that would support the needs and reflect market demand of City residents and visitors. The proposed development improves the project site, which is on a blighted and underutilized site containing a vacant drive-thru restaurant, and provides additional destination uses that would attract and complement visitor commercial uses.

B. Urban Design Element

Policies UD 1.1.2: Reinforce Downtown as the City’s historic center and as a pedestrian-oriented commercial and entertainment/recreation district by requiring new development be designed to reflect the Downtowns historical structures and adopted Mediterranean theme

Policies - UD 1.4.1: Enhance the connections, where feasible between the public sidewalk and private commercial interior open spaces/courtyard

The project complies with the Urban Design Guidelines. Along the street frontages the project provides an articulated facade and a pedestrian-oriented design through the use of design elements such as building siting along the sidewalk and decorative stone and a glass storefront used to distinguish the ground floor commercial from upper floor residential uses. The proposed mixed-use structure incorporates characteristics consistent with the historic structures in downtown such as pedestrian oriented storefronts, and distinction between lower and upper floors. The architecture adopts a Mediterranean theme by including a stone facade on the first floor, arched storefront mullions, decorative cornices, and window treatments above the second and third floor windows, and wrap around balconies. Furthermore, the proposed development will be constructed at reduced setbacks that will place the storefront closer to the public sidewalk to encourage a pedestrian oriented design that provides window-shopping and an intimate downtown atmosphere. In addition, the building storefront extends around to the west elevation along Ninth Street to extend the pedestrian activities.

C. Coastal Element

Policy C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Goal C 3: Provide a variety of recreational and visitor-serving commercial uses for a range of cost and market preferences

Policy C 3.2.3: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

Policy C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the “hubs” of tourist and community activity.

The development consists of a mixed-use project, which provides for ground floor for visitor-serving commercial establishments. Public services and infrastructure are currently available to the project site, as well as the surrounding parcels. Additionally, the proposed project would develop visitor-serving commercial uses at the periphery of the City’s downtown core area, which has been targeted for redevelopment as a destination location. Portions of the downtown core have already been established. The proposed project provides for a transition between the downtown core and surrounding residential areas which would help further establish the area. The project site is also located near other established points of attraction, including the Huntington Beach Municipal Pier, and is intended to reinforce the vicinity as a major visitor-serving district.

SUGGESTED FINDINGS FOR APPROVAL – SPECIAL PERMITS NO. 09-001:

1. The granting of Special Permits pursuant to Section 4.1.02 of the Downtown Specific Plan in conjunction with Conditional Use Permit No. 09-001 for the following:
 - a. A 10 ft. street side yard setback in lieu of the minimum required 15 ft. average setback.
 - b. A 5 ft. interior side yard setback in lieu of the minimum required 7 ft. setback.
 - c. A 3 ft. 6 in. average third story setback in lieu of a minimum 10 ft. along Pacific Coast Highway.

These Special Permits result in a greater benefit from the project and will promote a better living environment because the design of the project provides a consistent development pattern along Pacific Coast Highway (PCH) and promotes the pedestrian scale envisioned by the “Village Concept” of the Downtown Specific Plan (DTSP). The reduced setbacks will compensate for the project’s deficiency in the minimum PCH frontage requirement resulting from the inability to acquire an abutting easterly parcel. The cumulative building setback encroachment of 7 ft. allows for a more functional commercial and residential floor space. Additionally, the reduced setbacks minimize the visual gap created by the adjacent undeveloped easterly lot which aims to maintain an unbroken building rhythm along PCH. The reduction in the street side yard setback and first floor façade encourages a pedestrian oriented design. The project provides an architectural style the creates a distinctive break between the lower floor and the two upper floors by the use of a reduced upper story setbacks, the provision of varied roofline treatments, the use of quality colors and materials and including building heights and a tower that is compatible with the surroundings and provides a focal element encouraged by the Design Guidelines. Finally, the project will not diminish any existing coastal views for the pedestrian at the street level. The incorporation of the special permits into the project benefits the overall design and therefore provides a better living environment for the resident, tenant, customer, and visitor to the downtown core.

2. The granting of Special Permits will provide better land planning techniques with maximum use of aesthetically pleasing types of architecture, site layout and design due to the use of appropriate site planning by placing buildings in a relationship to the street and pedestrian, the use of Mediterranean

architecture, the incorporation of compatible upper story setbacks, the use of code compliant building heights, and the provision of a tower as a focal element.

3. The granting of Special Permits will not be detrimental to the general health, welfare, safety, and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or of the City in general. The project has been evaluated for compatibility with the surrounding neighborhood and with the conditions of approval imposed, the project will be designed to address the transition and scale of adjacent properties, will be designed on a pedestrian scale and character, will provide the required parking to serve the uses on site, and will meet the goals and policies of the General Plan.
4. The granting of Special Permits will be consistent with objectives of the Downtown Specific Plan in achieving a development adapted to the terrain and compatible with the surrounding environment. The proposed project is physically suitable for the site, it consolidates multiple parcels for an adequate mixed-use development site, is consistent with the type and intensities of proposed uses, complies with the Downtown Specific Plan, and is consistent with the Downtown Design Guidelines.
5. The granting of Special Permits will be consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act. The project is consistent with the following Coastal Element goals, objectives, and policies:

Policy C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Goal C 3: Provide a variety of recreational and visitor-serving commercial uses for a range of cost and market preferences.

Policy C 3.2.3: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

Policy C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the "hubs" of tourist and community activity.

The development consists of a mixed-use project, which includes retail ground floor units for visitor-serving commercial establishments. Public services and infrastructure are currently available to the project site, as well as the surrounding parcels. The proposed project provides for a transition between the downtown core and surrounding residential areas which would help further establish the area. The project site is also located near other established points of attraction, including the Huntington Beach Municipal Pier, and is intended to reinforce the vicinity as a major visitor-serving district.

SUGGESTED FINDINGS FOR APPROVAL – SPECIAL PERMITS NO. 09-002:

1. The granting of Special Permits pursuant to Section 4.1.02 of the Downtown Specific Plan in conjunction with Conditional Use Permit No. 09-002 a slope of 9.91% in lieu of 5% for a parking garage transition ramp serving as back-up for parking stalls, and 18% in lieu of the maximum allowed

slope of 10% for a parking garage transition ramp with no adjacent parking stall will result in a greater benefit from the project and will promote a better living environment because the design allows the project to be consistent with the pattern of development along Pacific Coast Highway (PCH), and promotes the pedestrian scale envisioned by the "Village Concept" of the Downtown Specific Plan (DTSP). The design allows all onsite required onsite parking to be provided behind and underneath the proposed building so that the streetscape is not dominated by vehicle parking and that the pedestrian oriented design of new developments along PCH is maintained. The depth of the subject site (155'-6") restricts the availability of space to comply with max slope of 5% for a parking garage transition ramp serving as back-up for parking stalls and 18% for transition ramps. The increased slope is necessary to provide adequate circulation throughout the parking structure. The proposed parking lot design is superior land planning technique as opposed to provision of a surface parking lot. The Public Works Traffic Division has evaluated the requested transition percentages and concludes that the deviations will not result in any unsafe traffic hazards. The incorporation of the special permits into the project benefits the overall design and therefore provides a better living environment for the resident, tenant, customer, and visitor to the downtown core.

2. The granting of Special Permits will provide better land planning techniques with maximum use of aesthetically pleasing types of architecture, site layout and design due to the use of appropriate site planning by placing buildings in a relationship to the street and pedestrians which, avoids an auto-oriented development design.
3. The granting of Special Permits will not be detrimental to the general health, welfare, safety, and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or of the City in general. The project has been evaluated for compatibility with the surrounding neighborhood and with the conditions of approval imposed, the project will be designed to address the transition and scale of adjacent properties, will be designed on a pedestrian scale and character, will provide the required parking to serve the uses on site, and will meet the goals and policies of the General Plan.
4. The granting of Special Permits will be consistent with objectives of the Downtown Specific Plan in achieving a development adapted to the terrain and compatible with the surrounding environment. The proposed project is physically suitable for the site, it consolidates multiple parcels for an adequate mixed-use development site, provides parking consistent with the Huntington Beach Zoning and Subdivision Ordinance, is consistent with the type and intensities of proposed uses, complies with the Downtown Specific Plan, and is consistent with the Downtown Design Guidelines.
5. The granting of Special Permits will be consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act. The project is consistent with the following Coastal Element goals, objectives, and policies:

Policy C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Goal C 3: Provide a variety of recreational and visitor-serving commercial uses for a range of cost and market preferences

Policy C 3.2.3: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

Policy C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the “hubs” of tourist and community activity.

The development consists of a mixed-use project, which includes retail ground floor units for visitor-serving commercial establishments. Public services and infrastructure are currently available to the project site, as well as the surrounding parcels. Additionally, the proposed project would develop visitor-serving commercial uses at the periphery of the City’s downtown core area, which has been targeted for redevelopment as a destination location. Portions of the downtown core have already been established. The proposed project provides for a transition between the downtown core and surrounding residential areas which would help further establish the area. The project site is also located near other established points of attraction, including the Huntington Beach Municipal Pier, and is intended to reinforce the vicinity as a major visitor-serving district.

SUGGESTED FINDING FOR APPROVAL – VARIANCE NO. 09-003:

1. The granting of Variance No. 09-003 for development of a site with a minimum street frontage along Pacific Coast Highway of 75 ft. in lieu of a minimum 100 ft. will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The project site will require the acquisition of a 25 ft. wide portion of an adjacent easterly parcel to comply with the minimum street frontage requirements. Since the project proponents have unsuccessfully acquired the adjacent parcel, the site is thereby a sub-standard lot. The existing adjacent oil operations which are sited on the easterly property make acquiring the property impractical. Therefore, granting of the variance request will not result in a grant of special privilege because it allows the redevelopment of a site containing a blighted drive-thru restaurant with a new three story, approximately 8,972 sq. ft. mixed-use development consisting of visitor serving commercial (retail) on the ground floor, residential units and an at-grade and subterranean parking garage. Any other potential development of the site will require an approved variance. Therefore, approval of the request will not constitute a grant of special privilege as the variance will allow further improvement to the site and surrounding area.
2. Because of special circumstances applicable to the subject property, including size, shape, and location, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The project site is constrained by special circumstances which include the project’s inability to successfully acquire and utilize a 25 ft. wide portion of an adjacent easterly lot. The previous development (Taco Bell) was authorized to utilize portions of the 50 ft. wide lot for parking, pedestrian/vehicular access, and landscaping. After the closure of the restaurant, the entire 50 ft. wide lot was walled off and presently restricts access to the site. The project site provides the minimum lot area required by code, but the inability to successfully acquire the additional lot to comply with code is found to deprive the property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is necessary in order to allow for the removal of the existing commercial center. The City's SP5 and HBZSO require that a property meet certain minimum requirements for lot size as a determination to allow further development of a site. In this case, the project cannot meet the applicable lot requirements due to impracticable options to acquire a 25 ft. wide portion of the easterly lot. Consequently the strict application of the HBZSO would deprive the property owner of the right to improve the property to meet the objectives for community character.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification and is consistent with the General Plan . The development of the site with a proposed three-story, mixed-use building will not be materially detrimental to area as the project is required to provide a dedication for an safe and efficient turning radius along the corner of PCH and Ninth Street. Furthermore, the rear property line abutting the alley will be required to provide a 4 ft. 6 in. dedication which will assist in greater accessibility by residents and the City's emergency services. The reduction in lot width will not result in detrimental impacts, but rather improve any presently unsafe street conditions. The granting of the variance will not adversary affect the General Plan. It is consistent with the Land Uses Element designation of MV-F8-d-sp (Mixed Use Vertical – 1.5 Max. Floor Area Ratio/ Max. 25 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay) on the subject property.

SUGGESTED FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 09-078:

1. Tentative Parcel Map No. 09-078 for the consolidation of three parcels totaling 11,528 sq. ft. of net lot area into one lot for condominium purposes is consistent with the General Plan Land Use Element designation of MV-F8-d-sp (Mixed Use Vertical – 1.5 Max. Floor Area Ratio/ Max. 25 Dwelling Units per Acre – Design Overlay – Specific Plan Overlay) on the subject property and other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because the proposed subdivision will create a total of four residential condominium units.
2. The site is physically suitable for the type and density of development. The site consists of one parcel of land of approximately 11,528 sq. ft of net lot area, which is proposed for the construction of an approximately 8,972 sq. ft. mixed-use, visitor serving/residential development containing four residential units. The project involves the subdivision of these units for condominium purposes. The site will comply with minimum lot area and maximum density requirements of the HBZSO.
3. The design of the subdivision will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subdivision is proposed on a property currently zoned for mixed-use development and located in an urbanized area. The site does not serve as habitat for fish or wildlife. The proposed condominium map will comply with the HBZSO.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. No easement acquired by the public at large for access through or use of the property exists within the proposed subdivision.

SUGGESTED MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:

1. The grading plan prepared for the new proposed project shall contain the recommendations included in the Geotechnical Engineering Report for the site prepared by NorCal Engineering dated December 2009. These recommendations shall be implemented in the design of the project and include measures associated with site preparation, fill placement and compaction, seismic design features, excavation and shoring requirements, foundation design, concrete slabs and pavement, cement type, surface drainage, trench backfill, and geotechnical observation.

**SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT 09-005/
CONDITIONAL USE PERMIT NO. 09-021/ VARIANCE NO. 09-003/ SPECIAL PERMIT NO. 09-
001/ SPECIAL PERMIT NO. 09-002 WITH SPECIAL:**

1. The site plan, floor plans, elevations, and section elevations dated June 29, 2010, shall be the conceptually approved design with the following modifications:
 - a. Modify the project plans to accurately illustrate the minimum onsite open space required.
 - b. On Sheet T-1, modify the development matrix to accurately reflect the development's required minimum onsite open space pursuant to Condition of Approval No. 1(a).
 - c. On Sheet T-1, A-1.3, and A-1.4, modify the development matrix and floor plans to accurately reflect and illustrate a minimum 120 sq. ft. private open space for unit nos. 201 and 301.
 - d. On Sheet A-1.1, modify parking space no. 22 outside of a pedestrian and vehicular visibility triangular area formed by measuring 10 ft. from the intersection of the Ninth Street side property line and the adjacent alleyway (post-dedication).
 - e. On Sheet A-1.1, modify parking spaces nos. 1, 2, 22, and 23 with a clear back-up space of a minimum 26 ft.
 - f. On Sheet A-1.1, A-1.2, A-1.5, A-2.1, and A-2.2, modify depict the awning at a minimum setback of 21 ft. measured from the PCH front property line and 6 ft. measured from the Ninth Street side property line.
 - g. Depict a separate refuse container and enclosure that will exclusively serve the onsite commercial use(s).
 - h. The project design shall reduce the visual perception of upper-story massing by incorporating additional color variation to the second and third story façades. **(DRB)**
 - i. The project design shall provide additional site improvements such as increased plaza area and enhanced landscaping. **(DRB)**
 - j. The landscape planters shall incorporate stone to match building facade. **(DRB)**
 - k. The design shall provide public art (i.e. sculpture) within the front setback area. **(DRB)**
2. Prior to issuance of demolition permits, the following shall be completed:
 - a. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's.

These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies.

- b. Pursuant to the requirements of the South Coast Air Quality Management District, an asbestos survey shall be completed.
 - c. The applicant shall complete all Notification requirements of the South Coast Air Quality Management District.
 - d. The City of Huntington Beach shall receive written verification from the South Coast Air Quality Management District that the Notification procedures have been completed.
 - e. All asbestos shall be removed from all buildings prior to demolition of any portion of any building.
3. Prior to the issuance of grading permits, the following shall be completed:
- a. At least 14 days prior to any grading activity, to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning and Building Department.
 - b. A precise grading plan shall be submitted which includes a notation that any damaged sidewalk along the project frontage shall be removed and replaced per Public Works Standard Plans Nos. 202 and 207. **(PW)**
4. Prior to submittal for building permits, the following shall be completed:
- a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Division.
 - b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Planning and Building, Fire, and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
5. Prior to issuance of building permits
- a. A public art element shall be integrated and be in a publicly accessible place within the proposed project. Public art shall include art of:
 - Artistic excellence and innovation,
 - Appropriate to the design of the project,
 - Reflective of the community's cultural identity, (ecology, history, society).

The public art element shall be reviewed and approved by the Design Review Board, the Planning Department, and the Cultural Services Division Manager prior to issuance of a building permit for the project. The public art shall be in place at the subject site prior to final inspection.

- b. A planned sign program for all signage shall be submitted to the Planning Department. Said program shall be reviewed and approved by the Design Review Board prior to the issuance of the first sign permit.
6. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 5 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/ grading activity.
 7. The structure cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released and issuance of a Certificate of Occupancy until the following has been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to the Planning Division.
 - c. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building Department.
 - d. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 8. The development services departments (Planning & Building, Fire, and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Director of Planning and Building's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Director of Planning and Building may be required pursuant to the provisions of HBZSO Section 241.18.
 9. Coastal Development Permit No. 09-005, Conditional Use Permit No. 08-021, Special Permit No. 09-001, Special Permit No. 09-002 shall become null and void unless exercised within two (2) years of

the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

10. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>). Prior to submittal for building permits, the following shall be completed:

SUGGESTED CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 09-078:

1. The Tentative Parcel Map No. 09-078 for condominium purposes received and dated April 8, 2010, shall be the conceptually approved layout.
2. The following conditions shall be completed prior to recordation of the final map unless otherwise stated:
 - a. At least 90 days before the recordation of the final parcel map, CC&Rs shall be submitted to the Planning and Building Department and approved by the City Attorney. The CC&Rs shall identify the common driveway access easements, and maintenance of all walls and common landscape areas by the Homeowners' Association, and other requirements listed in Public Works Code Requirements. The CC&Rs shall also address assignment of parking spaces in the residential parking garage and disclosure statements to the tenants/prospective buyers regarding the mixed use nature of the project pursuant to the Conditions of Approval of Coastal Development Permit No. 09-005, Conditional Use Permit No. 08-021, Special Permit No. 09-001, and Special Permit No. 09-002. The CC&Rs must be in recordable form prior to recordation of the map.
 - b. Park Land In-Lieu Fees shall be paid pursuant to the requirements of HBZSO Section 254.08 – *Parkland Dedications* or as may be otherwise required in accordance with a separate Development Agreement that may be entered into between the City and developer. The fees shall be paid and calculated according to a schedule adopted by City Council resolution (*City of Huntington Beach Planning and Building Department Fee Schedule*). If no Final Parcel Map is proposed, the applicable Park Land In-Lieu Fees shall be paid prior to issuance of building permits.
 - c. All applicable Affordable Housing In-Lieu Fees shall be paid. If it is deemed necessary, the property owner shall submit an Affordable Housing Agreement to the Planning and Building Department for the required in-lieu fee. The agreement shall be reviewed and approved by the City Attorney as to form and content and, when approved, shall be recorded in the Office of the Orange County Recorder.

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 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.

110 9TH STREET

110 9TH STREET HUNTINGTON BEACH, CA 92648

ARCHITECT

OTIS ARCHITECTURE INC.
16871 SEA WITCH LN
HUNTINGTON BEACH, CA 92649
714.846.0177
REP. KAREN OTIS

CLIENT

GAURGUIS TWIN TOWERS, INC.
14250 VENTURA BLVD SECOND FLOOR,
SHERMAN OAKS, CA 91423
818.986.2274

CIVIL ENGINEER

NICK KAZEMI
4966 TOPANGA CYN, BLVD
WOODLAND HILLS, CA 91364
818.999.9890

SQUARE FOOTAGE

FIRST FLOOR..... 2,399.2 SF.
RETAIL AREA
STORAGE AREA..... 753.2 SF.

SECOND FLOOR..... 3,062.17 SF.
RESIDENTIAL AREA

THIRD FLOOR..... 3,287.35 SF.
RESIDENTIAL AREA

TOTAL BUILDING AREA..... 8,972.75 SF.

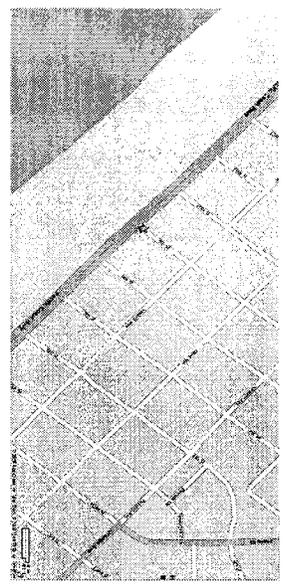
COMMON OPEN SPACE

COMMON OPEN SPACE: 25% OF 6,349.52 SF.
..... 1,587.38 SF. REQUIRED
666.76 SF. PROVIDED

PRIVATE OPEN SPACE (BALCONY)

APT. 201 114.57 SF.
APT. 202 172.39 SF.
APT. 301 114.54 SF.
APT. 302 219.88 SF.

TOTAL PRIVATE OPEN SPACE:
240.00 SF. REQUIRED
621.38 SF. PROVIDED



LEGAL DESCRIPTION

LOT 8, 9, AND 10 OF BLOCK 108 OF THE HUNTINGTON BEACH CITY, COUNTY OF ORANGE, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 3, PAGE(S) 36, INCLUSIVE OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 024-123-08

SCOPE OF WORK

NEW CONSTRUCTION OF MIXED USE THREE-STORY BUILDING WITH RETAIL AT GROUND LEVEL AND FOUR RESIDENTIAL UNITS ON UPPER FLOORS AND ONE SUBFLOOR FOR PARKING.

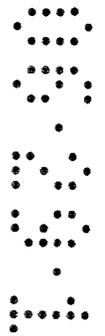
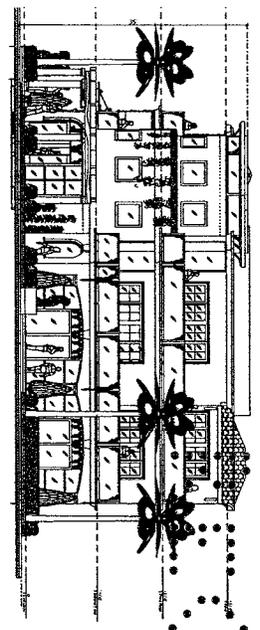
FLOOR AREA RATIO: 1:1

LOT AREA..... 11,865,874 SF.
NET LOT AREA..... 1,528,374 SF.

LOT COVERAGE..... 4,633,92 SF (40%)

PROPERTY DEVELOPMENT STANDARDS

DESCRIPTION	REQUIRED	PROVIDED
MIN. FRONT PCH SETBACK	25'-0"	25'-0"
UNDERGROUND PARKING SETBACK	5'-0"	5'-0"
REAR ALLEY SETBACK	12'-0" TO CENTER LINE	14'-0" TO CENTER LINE
9th STREET SETBACK	15'-0"	10'-0"
INTERIOR SIDE SETBACK	7'-0"	5'-0"
BUILDING HEIGHT	35'-0" TO MID. POINT	35'-0" TO MID. POINT



ATTACHMENT NO. 2.1

HUNTINGTON BEACH SECURITY ORDINANCE

1. SLIDING GLASS DOORS AND WINDOWS LOCATED LESS THAN 16 FEET ABOVE ANY SURFACE AVAILABLE FOR USE BY THE PUBLIC SHALL BE CAPABLE OF BEING LOCKED SECURELY. MOVABLE PANES SHALL NOT BE EASILY REMOVED FROM THE FRAME.
2. ALL MAIN OR FRONT ENTRY DOORS TO DWELLINGS SHALL BE ARRANGED SO THAT THE OCCUPANT HAS A VIEW OF THE AREA VISIBLE AT LEAST FROM ONE WINDOW OR OTHER OPENING WITH SUCH VIEW.
3. EXTERIOR WOODEN DOORS SHALL BE OF SOLID CORE CONSTRUCTION OR SHALL BE COVERED ON THE INSIDE FACE WITH 1/2" GAUGE SHEET METAL ATTACHED WITH SCREWS AT 6" ON CENTER AROUND THE PERIMETER.
4. ALL SLIDING DOORS SHALL BE EQUIPPED WITH A DEAD BOLT WITH A MINIMUM THROW OF 1" INCH AND AN EMBEDMENT OF NOT LESS THAN 5/8" INCH.
5. THE INACTIVE LEAF OF A PAIR OF DOORS AND THE UPPER LEAF OF DUTCH DOORS SHALL BE EQUIPPED WITH A DEAD BOLT.
6. NON-REMOVABLE PINN SHALL BE USED IN PIN TYPED HINGES THAT ARE ACCESSIBLE FROM THE OUTSIDE WHEN THE DOOR IS CLOSED.
7. UNHARMED GLASS DOORS SHALL BE OF FULLY TEMPERED GLASS NOT LESS THAN 1/2" INCH THICK.
8. NARROW-FRAMED GLASS DOORS SHALL BE OF FULLY TEMPERED GLASS NOT LESS THAN 1/4" INCH THICK.
9. ANY GLASS THAT IS LOCATED WITHIN 48 INCHES OF THE LOCKING DEVICE FOR A DOOR SHALL BE FULLY TEMPERED, OR TINTED APPROVED METAL BARS, SCREENS OR GRILLS.
10. SOLID WOODEN HATCHWAYS LESS THAN 1 1/4" INCHES THICK SHALL BE FULLY TEMPERED GLASS OR FULLY TEMPERED GLASS ATTACHED WITH SCREWS AT 6" INCH ON CENTER AROUND THE PERIMETER AND SHALL BE SECURED FROM THE INSIDE WITH A SLIDE BAR, SLIDE BOLTS AND/OR PADLOCK WITH HARDENED STEEL WITH A DIMENSION IN EXCESS OF 8 INCHES SHALL BE SECURED BY METAL BARS, SCREENS OR GRILLS. [EXCEPTION: NO OPENABLE SKYLIGHTS].
11. A DEVELOPMENT THAT INCLUDES 3 OR MORE DWELLING UNITS SHALL BE PROVIDED WITH FULLY ENCLOSED GARAGES. GARAGES SPACE FOR EACH TENANT SHALL BE SEPARATED BY PARTITIONS OF 3/8" INCH THICKWOOD OR EQUIVALENT WITH STUDS SET NO MORE THAN 24" APART ON CENTER.

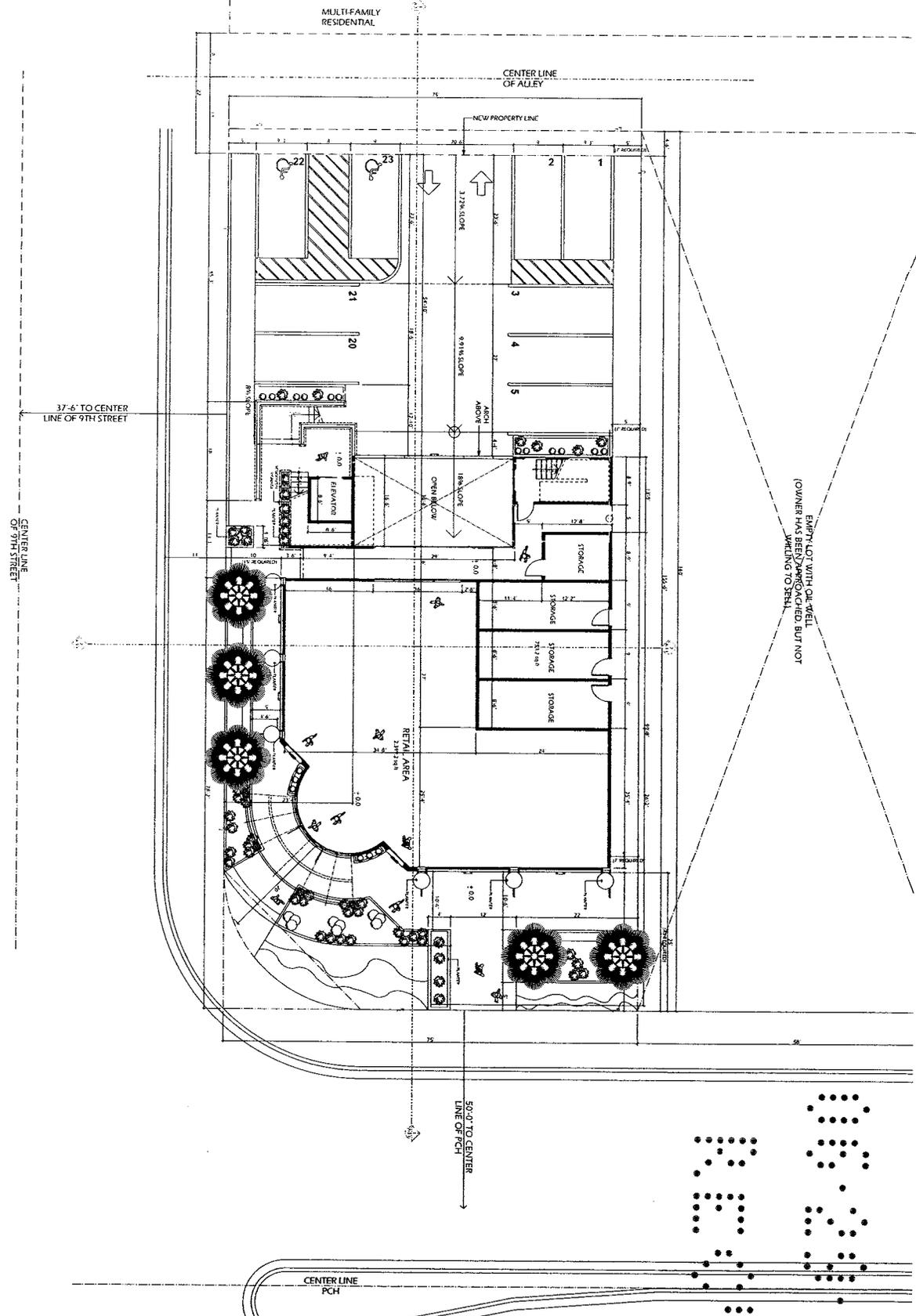
110 9TH STREET
New construction
HUNTINGTON BEACH, CA. 92648

TITLE SHEET

DATE: 03-24-2010
PROJECT NUMBER: 03-24-2010
SHEET NUMBER: 1-1

Otis Architecture Inc.
16871 Sea Witch Lane
Huntington Beach, CA 92649
(714) 846-0177 or (714) 846-2817 fax
www.otisarchitecture.com

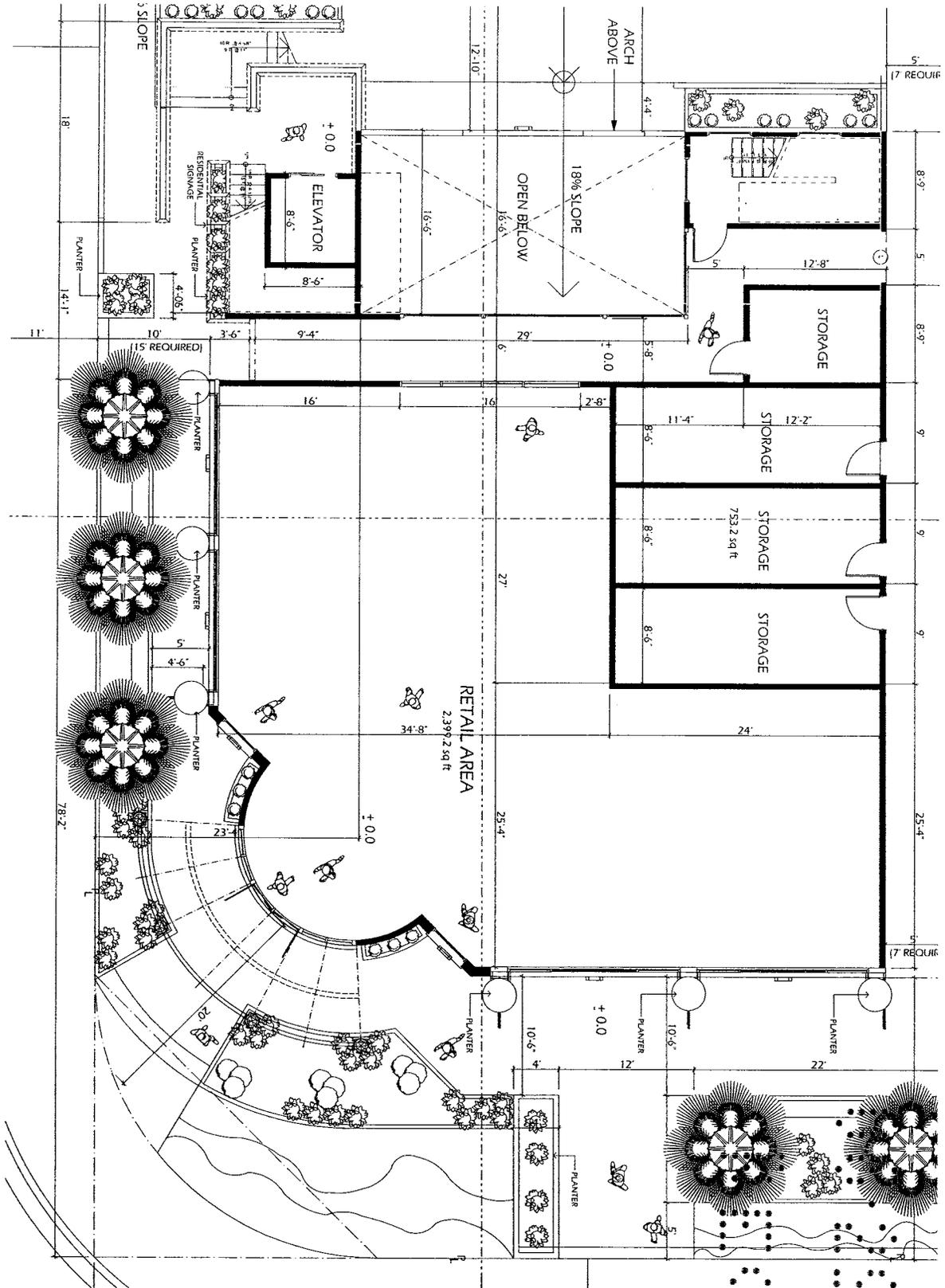
1. SHEET PLAN



ATTACHMENT NO: 2.1

<p>A-1.1</p>	<p>SITE PLAN</p>	<p>110 9TH STREET New construction HUNTINGTON BEACH, CA. 92648</p>	<p>Otis Architecture Inc. 16871 Sea Witch Lane Huntington Beach, CA 92649 (714) 846-0177 ph (714) 846-2817 fax www.otisarchitecture.com</p>
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FIRST FLOOR PLAN



ATTACHMENT NO. 22

DATE: 03-26-2010
 PROJECT: K/O/R
 DRAWN BY: EM

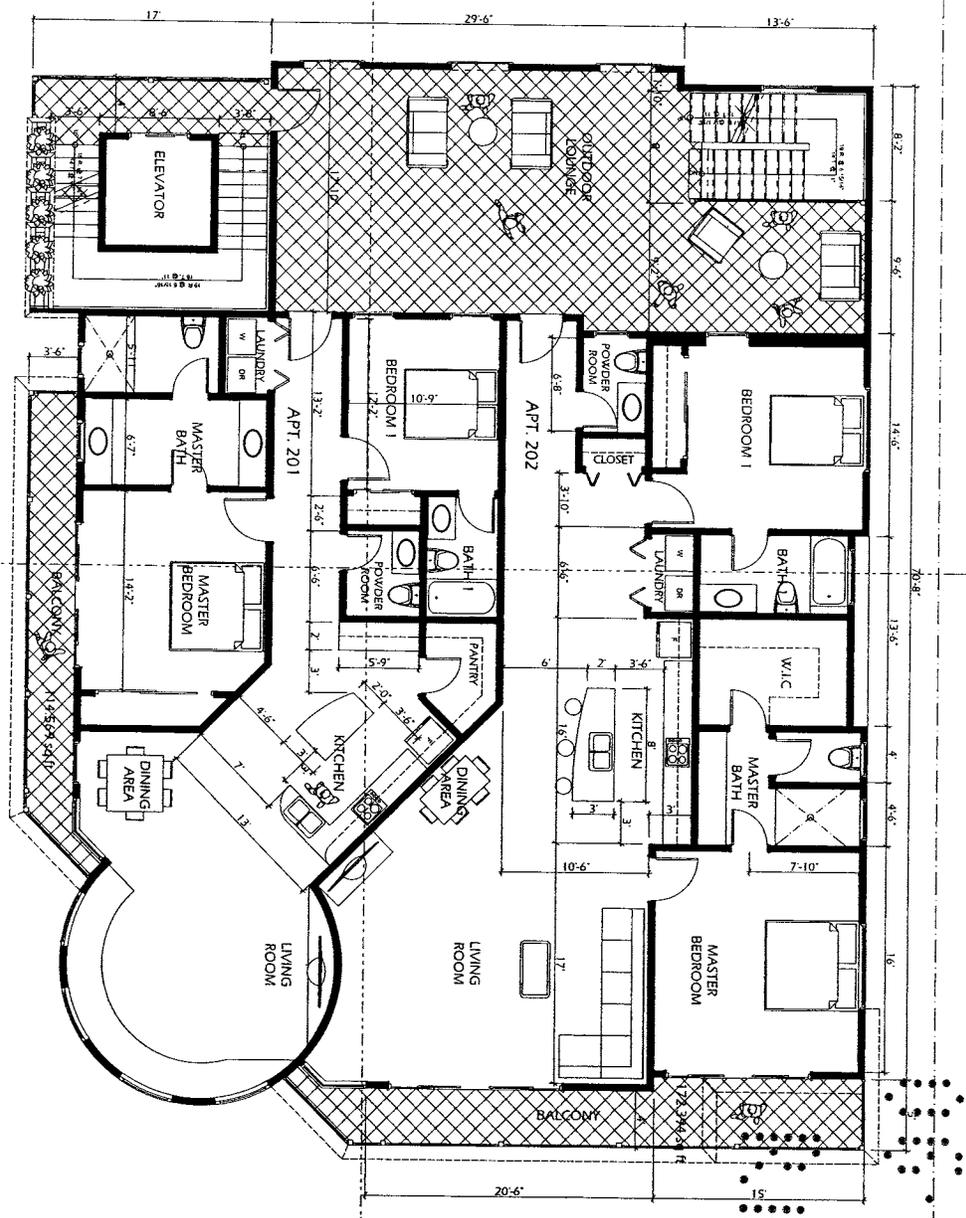
FIRST FLOOR PLAN

110 9TH STREET
 New construction
 HUNTINGTON BEACH, CA. 92648

OTIS ARCHITECTURE INC.
 16871 Sea Witch Lane
 Huntington Beach, CA 92649
 (714) 846-1772 fax (714) 846-2817 fax
 www.otisarchitecture.com

A-1.2

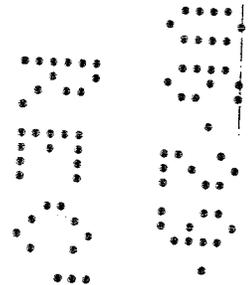
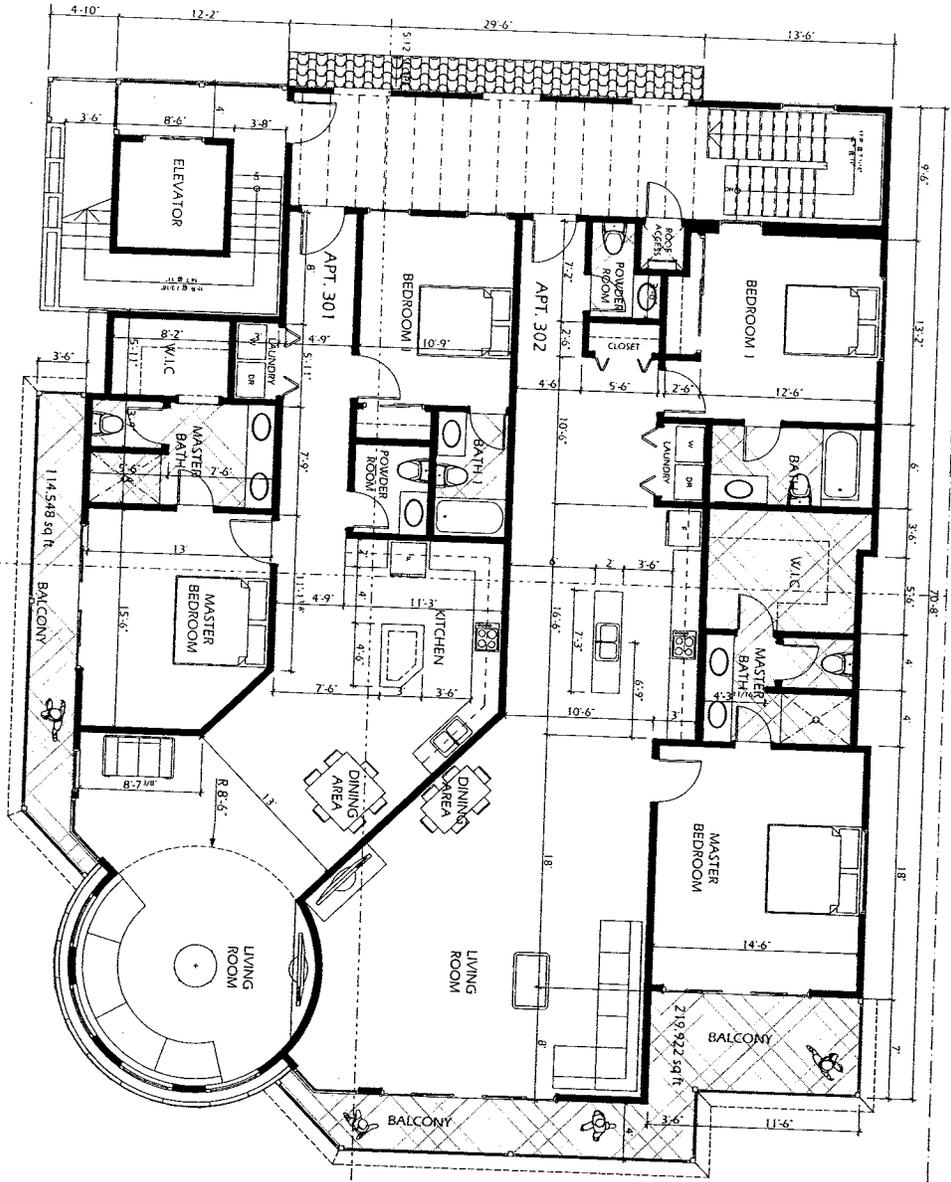
1 SECOND FLOOR PLAN



ATTACHMENT NO. 2.4

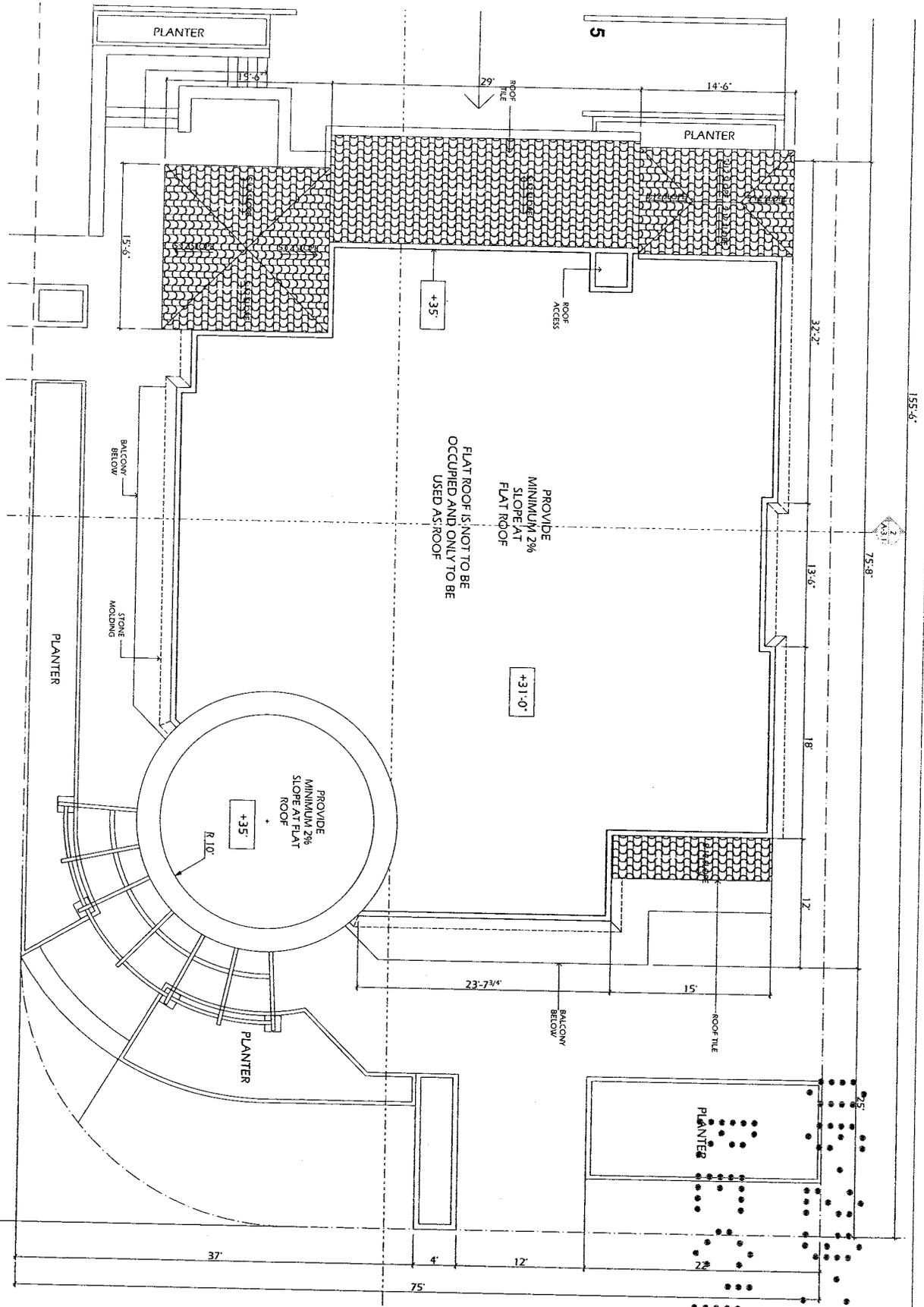
A-1.3	<p>DATE: 03-26-2010 DRAWN BY: [Name] CHECKED BY: [Name] PROJECT: [Name]</p>	<p>110 9TH STREET New construction HUNTINGTON BEACH, CA. 92648</p>	<p>Otis Architecture Inc. 16871 Sea Witch Lane Huntington Beach, CA 92649 (714) 846-0177 ps (714) 846-2817 fax www.otisarchitecture.com</p>
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④ THIRD FLOOR



ATTACHMENT NO. 25

ROOF PLAN



ATTACHMENT NO. 26

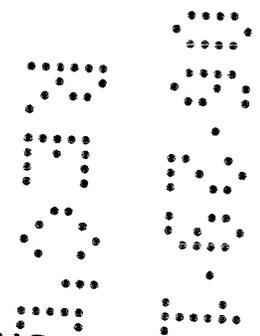
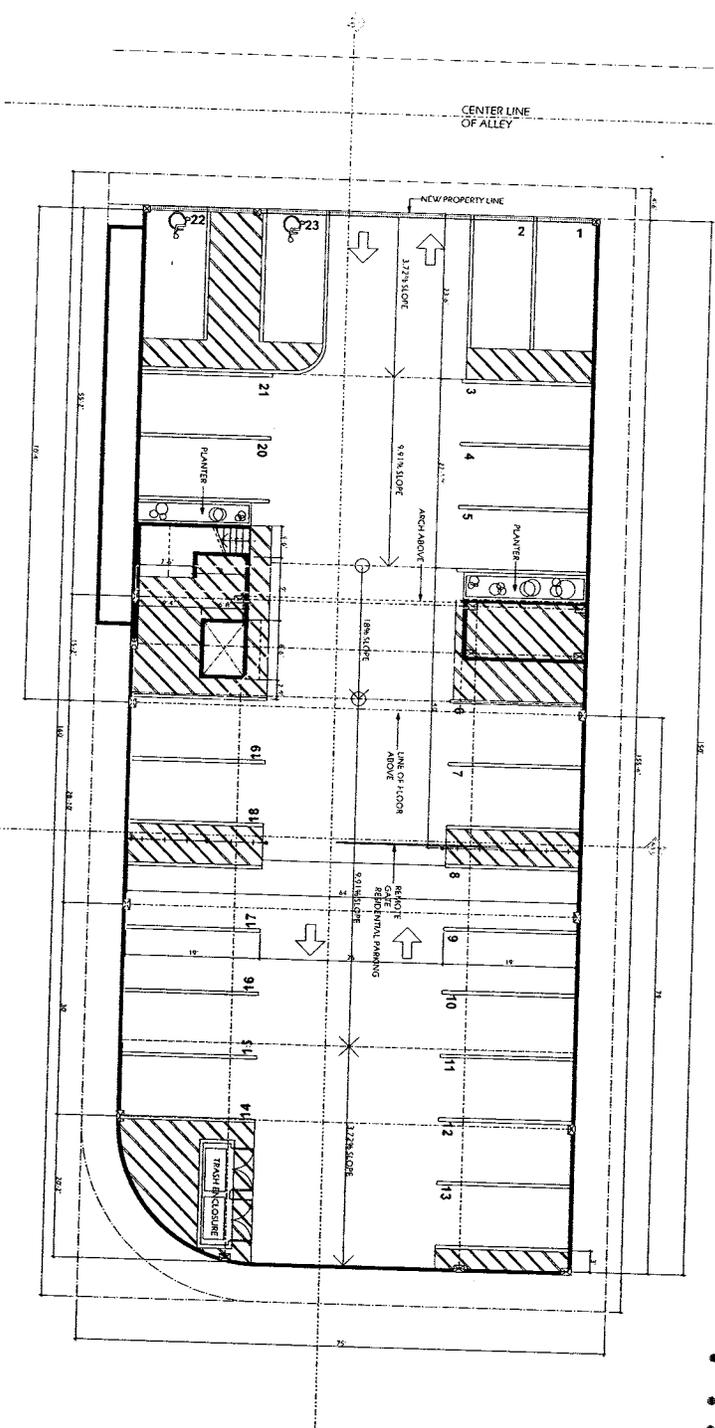
Date: 03-26-2010
 Project: 110 9th Street
 Client: K.O.B.E.
 Designer: E.M.
 Scale: A-1.5

ROOF PLAN

110 9TH STREET
 New construction
 HUNTINGTON BEACH, CA. 92648

Otis Architecture Inc.
 16871 Sea Witch Lane
 Huntington Beach, CA 92649
 (714) 846-0177 ph (714) 846-2817 fax
 www.otisarchitecture.com

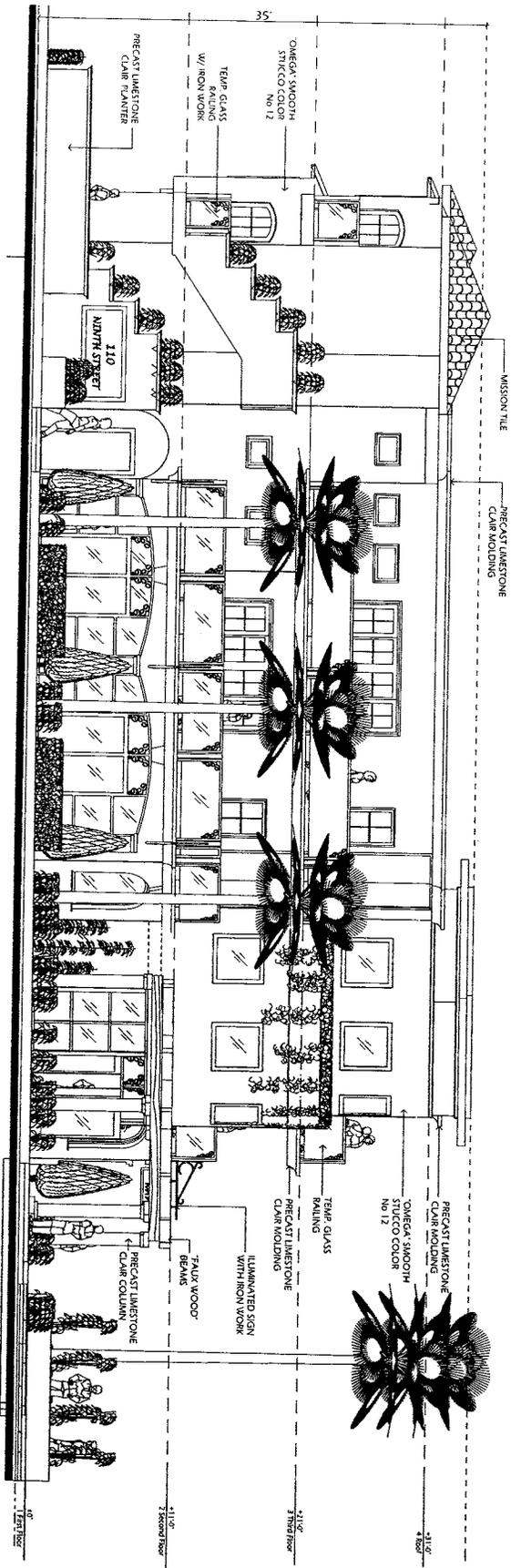
1 SUB FLOOR



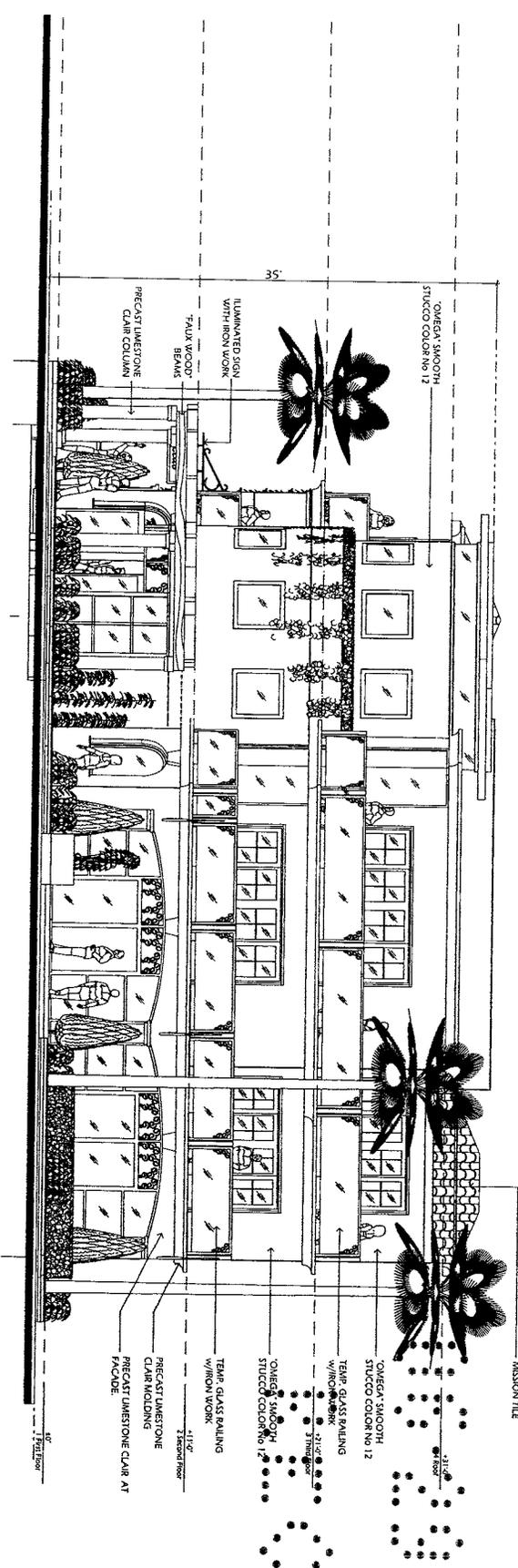
ATTACHMENT NO. 2.7

A-1.6	Date: 03-26-2010 Project Number: K016 Designer: EMI Check Number:	SUBFLOOR	110 9TH STREET New construction HUNTINGTON BEACH, CA. 92648		Otis Architecture Inc. 16871 Sea Witch Lane Huntington Beach, CA 92649 (714) 846-0177 ph (714) 846-2817 fax www.otisarchitecture.com
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2 WEST ELEVATION



1 SOUTH ELEVATION



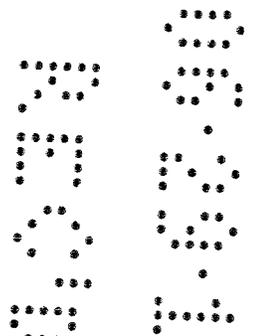
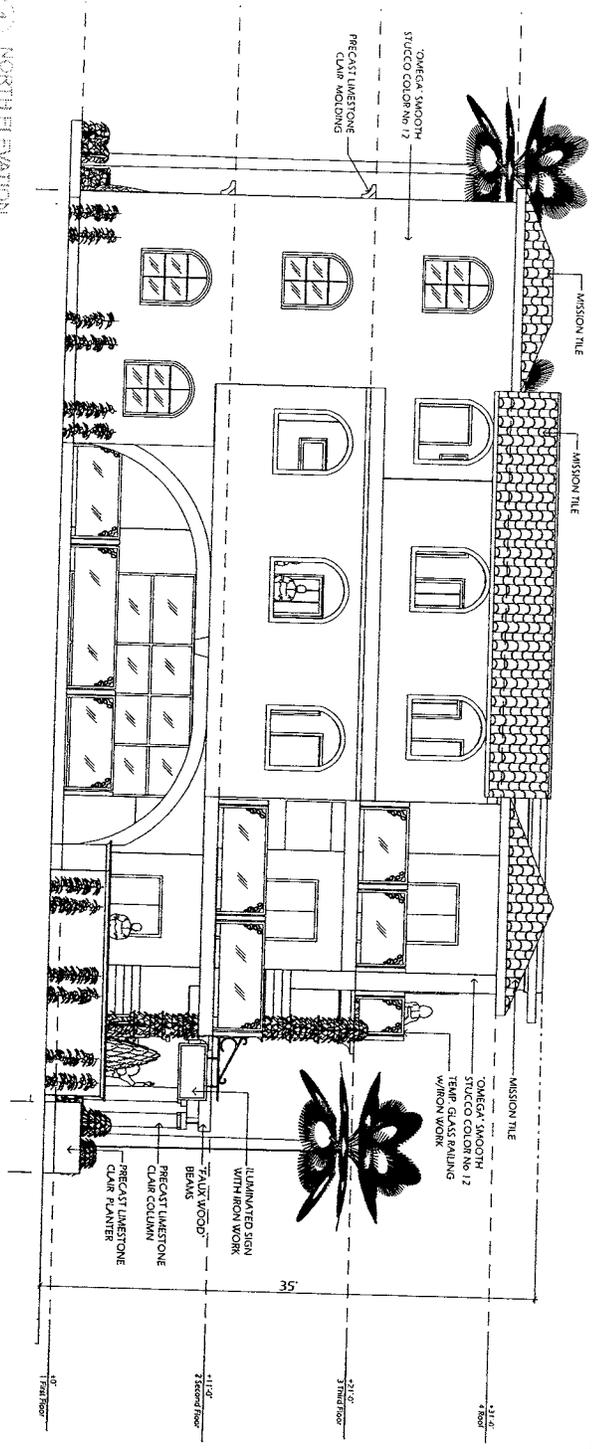
A-2.1

DATE: 03-26-2010
 PROJECT: 110 NINTH STREET
 SHEET: EXTERIOR ELEVATIONS
 DRAWN BY: BM

110 9TH STREET
 New construction
 HUNTINGTON BEACH, CA. 92648

ATTACHMENT NO. 18
 OTS ARCHITECTURE, INC.
 16871 Sea Watch Lane
 Huntington Beach, CA 92649
 (714) 846-0177 ph (714) 846-2817 fax
 www.otsarchitecture.com

1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



ATTACHMENT NO. 29

DATE	03-26-2010
PROJECT	110 9TH STREET
CLIENT	OTIS ARCHITECTURE
DESIGNER	EM
DRAWN	EM
CHECKED	EM
SCALE	1/8" = 1'-0"
PROJECT NUMBER	A-2.2

110 9TH STREET
New construction
HUNTINGTON BEACH, CA. 92648

OTIS ARCHITECTURE
16871 Sea Witch Lane
Huntington Beach, CA 92649
(714) 846-0177 ph / (714) 846-2817 fax
www.otisarchitecture.com

PARCEL MAP NO.

SHEET 1 OF 5 SHEETS

FOR SUBDIVISION PURPOSES
 BEING A SUBDIVISION OF LOTS 8,9 AND 10 IN BLOCK 108 OF TRACT HUNTINGTON BEACH, IN THE CITY OF HUNTINGTON BEACH,
 COUNTY OF ORANGE, STATE OF CALIFORNIA, RECORDED IN BOOK MM-3 PAGE 36 OF MAPS, IN THE OFFICE OF THE
 COUNTY RECORDER OF SAID COUNTY.
 APN 024-123-08

ADDRESS: 110 9TH STREET, HUNTINGTON BEACH



SCALE: 1" = 20'

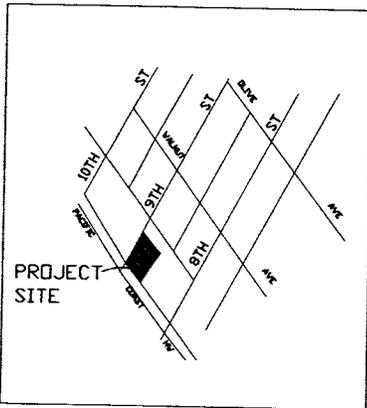
OWNER/SUBDIVIDER
 GAURGUIS TWIN TOWERS, INC.
 14250 VENTURA BLVD.
 SHERMAN OAKS, CA 91363
 (818)986-2274

CONTACT PERSON
 NICK KAZEM, INC.
 4966 TOPANGA CYN BLVD.
 WOODLAND HILLS, CA 91364
 (818)999-9890

ENGINEER
 NICK KAZEM, INC.
 4966 TOPANGA CYN BLVD.
 WOODLAND HILLS, CA 91364
 NARESH C. KAMBOJ RCE 21893
 (818)999-9890

NOTES :

- 1- TOTAL GROSS AREA = 11,678 SQ-FT
- 2- EXISTING ZONE : DOWNTOWN SPECIFIC PLAN DISTRICT 1
 PROPOSED ZONE : DOWNTOWN SPECIFIC PLAN DISTRICT 1
- 3- EXIST. USE : ONE STORY COMMERCIAL
- 3- PROPOSED USE : MIXED USE COMMERCIAL AND RESIDENTIAL
- 5- THERE IS NO EASEMENT ON THE SUBJECT PROPERTY, EXCEPT THE STREET DEDICATION.
- 6- THERE IS NO HAZARD OR HAZARDOUS MATERIAL ON PROPERTY.
- 7- NO OAK TREE ON PROPERTY.
- 8- SURFACE & CONTRIBUTORY DRAIN TO BE CONVEYED TO THE STREET.
- 9- SEWER DISPOSAL BY UNDERGROUND SEWER SYSTEM.
- 10- FLOOD MAP ID 06059C 0224J EFFECTIVE DATE 12/03/09
 ZONE X (AREA DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOOD PLAIN)



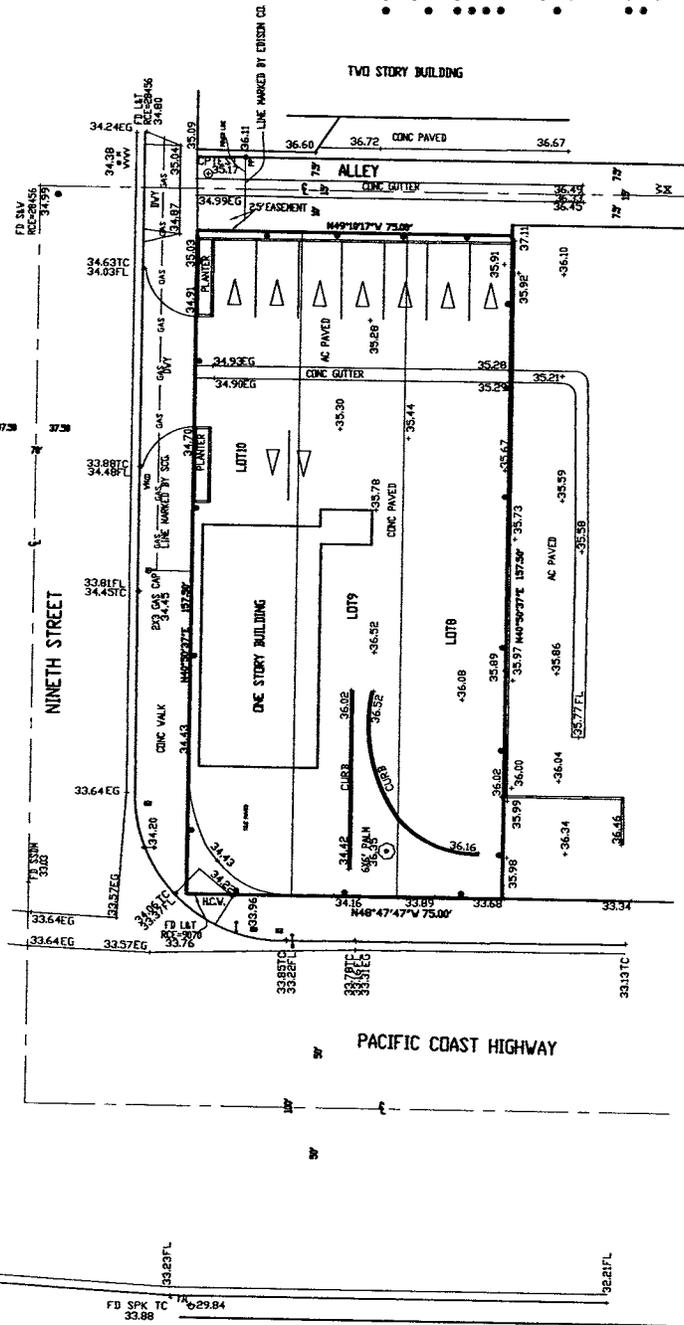
VICINITY MAP
 NTS



LEGEND



INDICATES BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP



SURVEY OF EXISTING

ATTACHMENT NO. 2.11

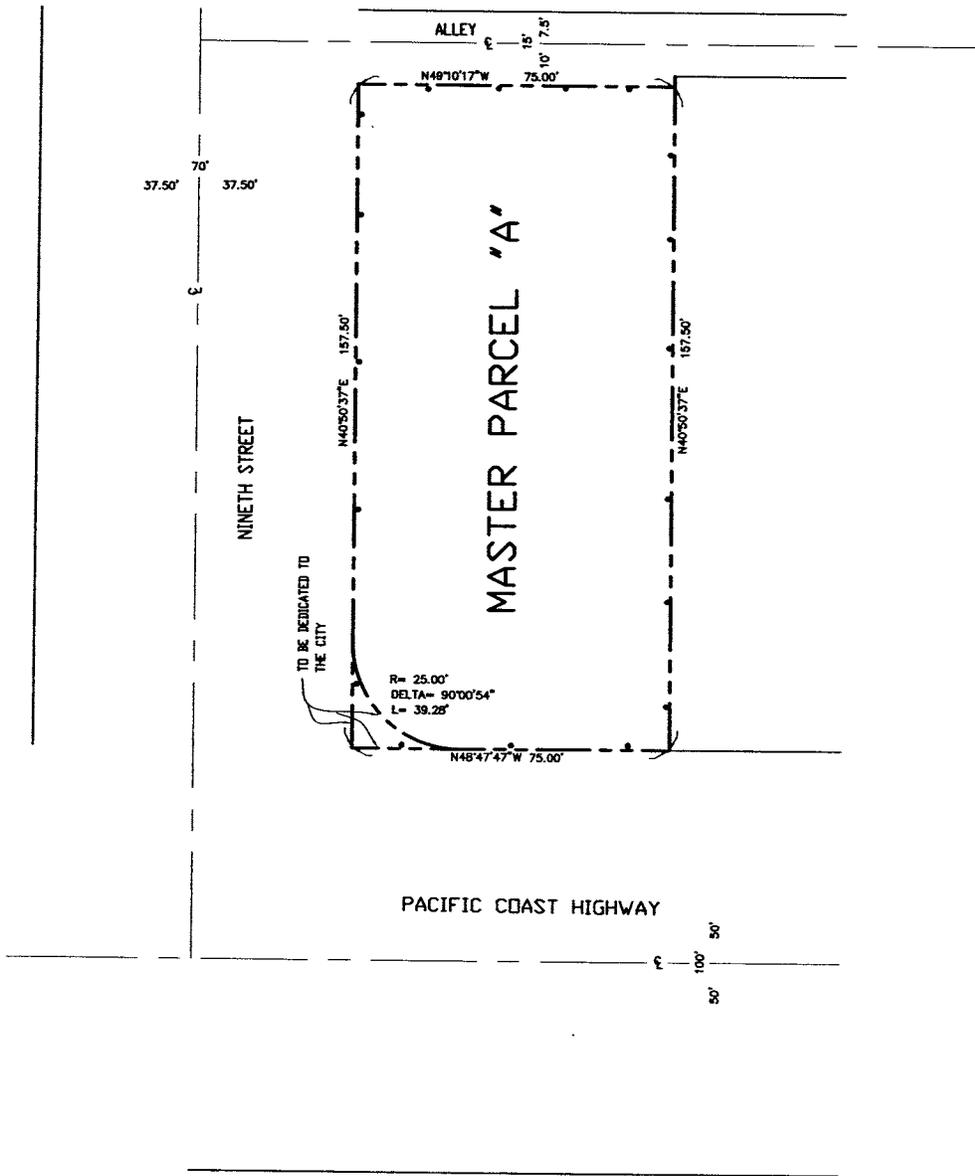
PARCEL MAP NO.
IN THE CITY OF HUNTINGTON BEACH,
STATE OF CALIFORNIA

SHEET 2 OF 5 SHEETS

04-00-10
R200



SCALE: 1" = 20'



LEGEND



INDICATES BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP

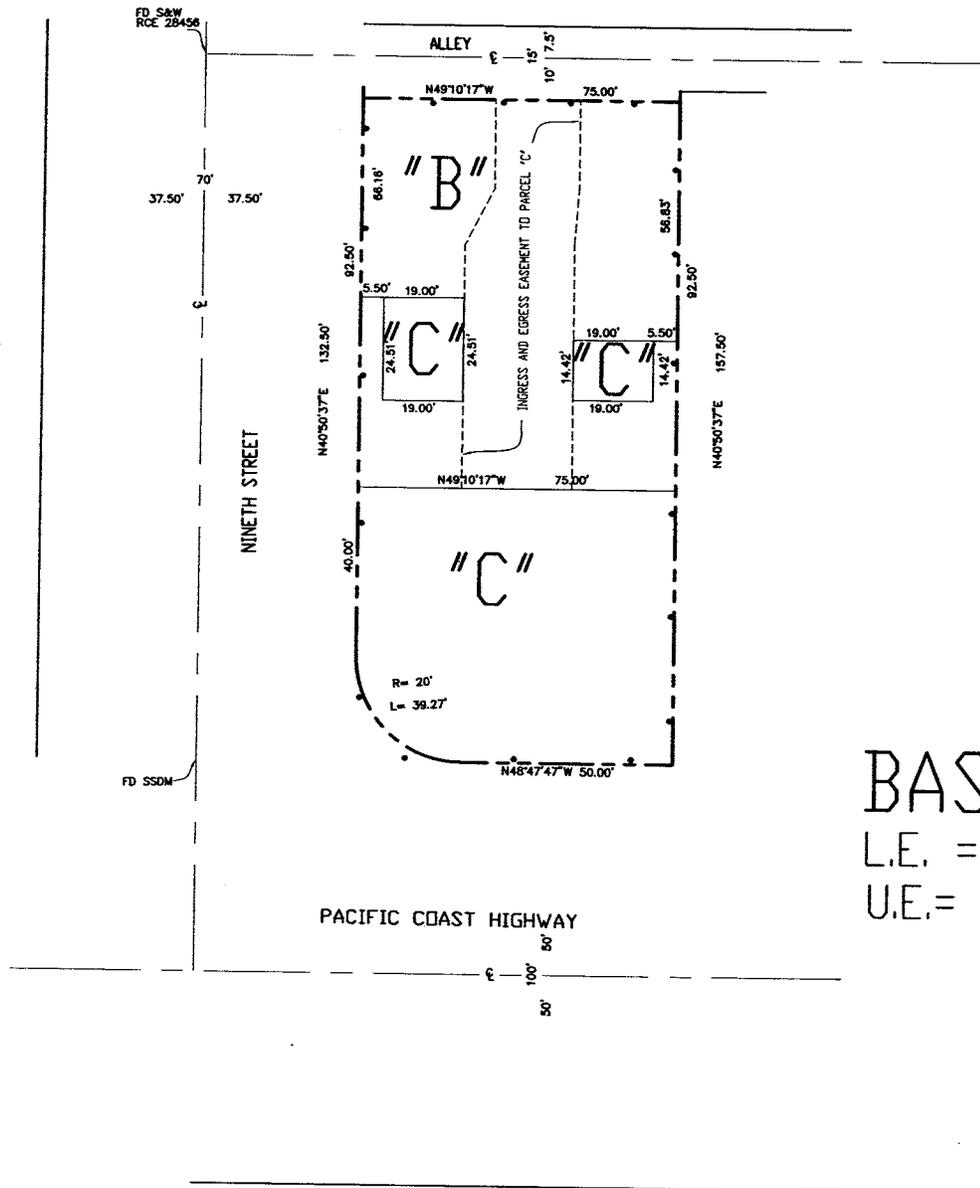
PARCEL MAP NO.
IN THE CITY OF HUNTINGTON BEACH,
STATE OF CALIFORNIA

SHEET 3 OF 5 SHEETS

04-10-10
Re: 0



SCALE: 1" = 20'



BASEMENT
L.E. = 24.40
U.E. = 35.75

LEGEND

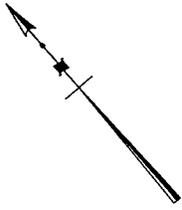
—•—•—•— INDICATES BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP

PARCEL MAP NO.
IN THE CITY OF HUNTINGTON BEACH,
STATE OF CALIFORNIA

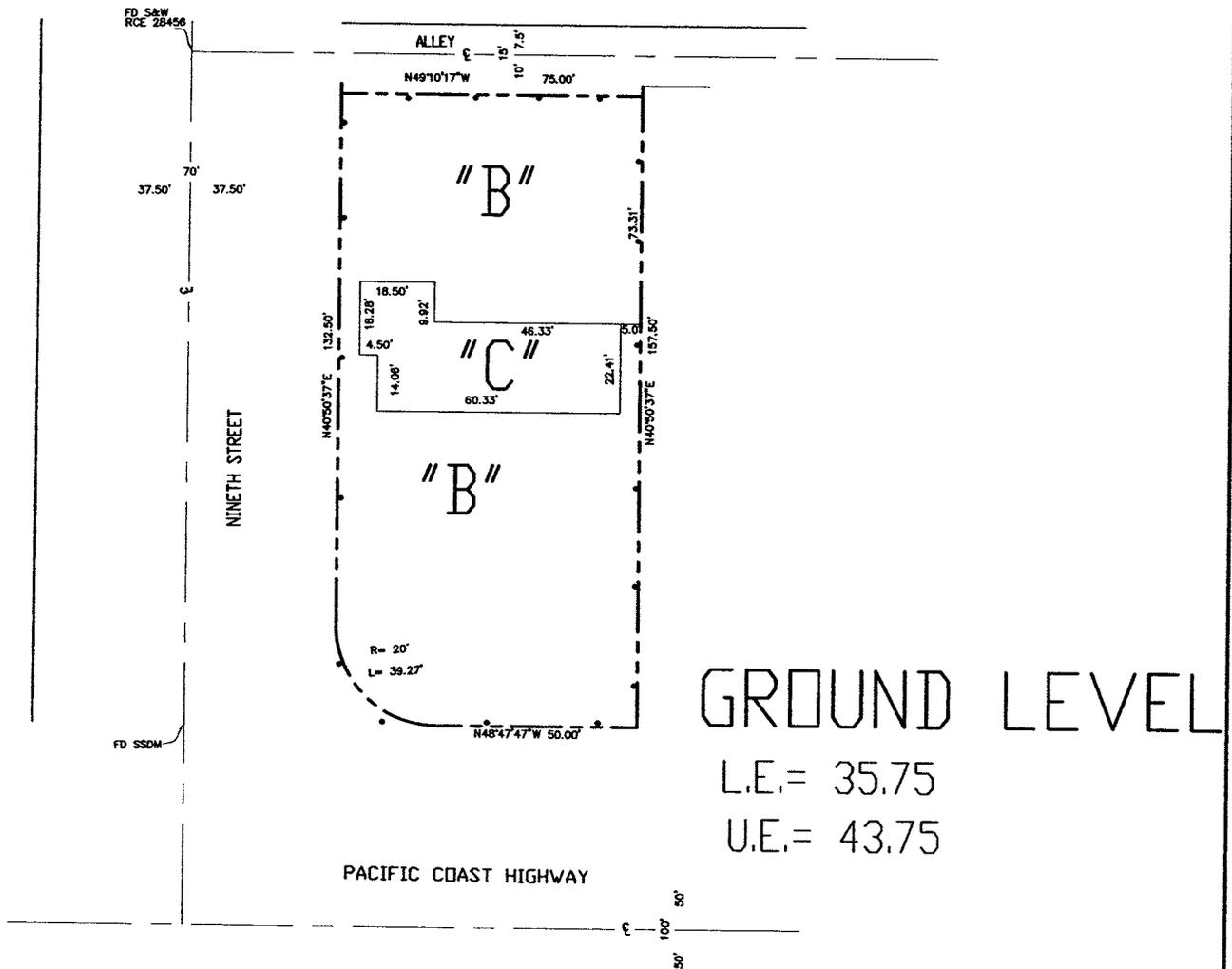
SHEET 4 OF 5 SHEETS

04-00-10

REC'D



SCALE: 1" = 20'



LEGEND



INDICATES BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP

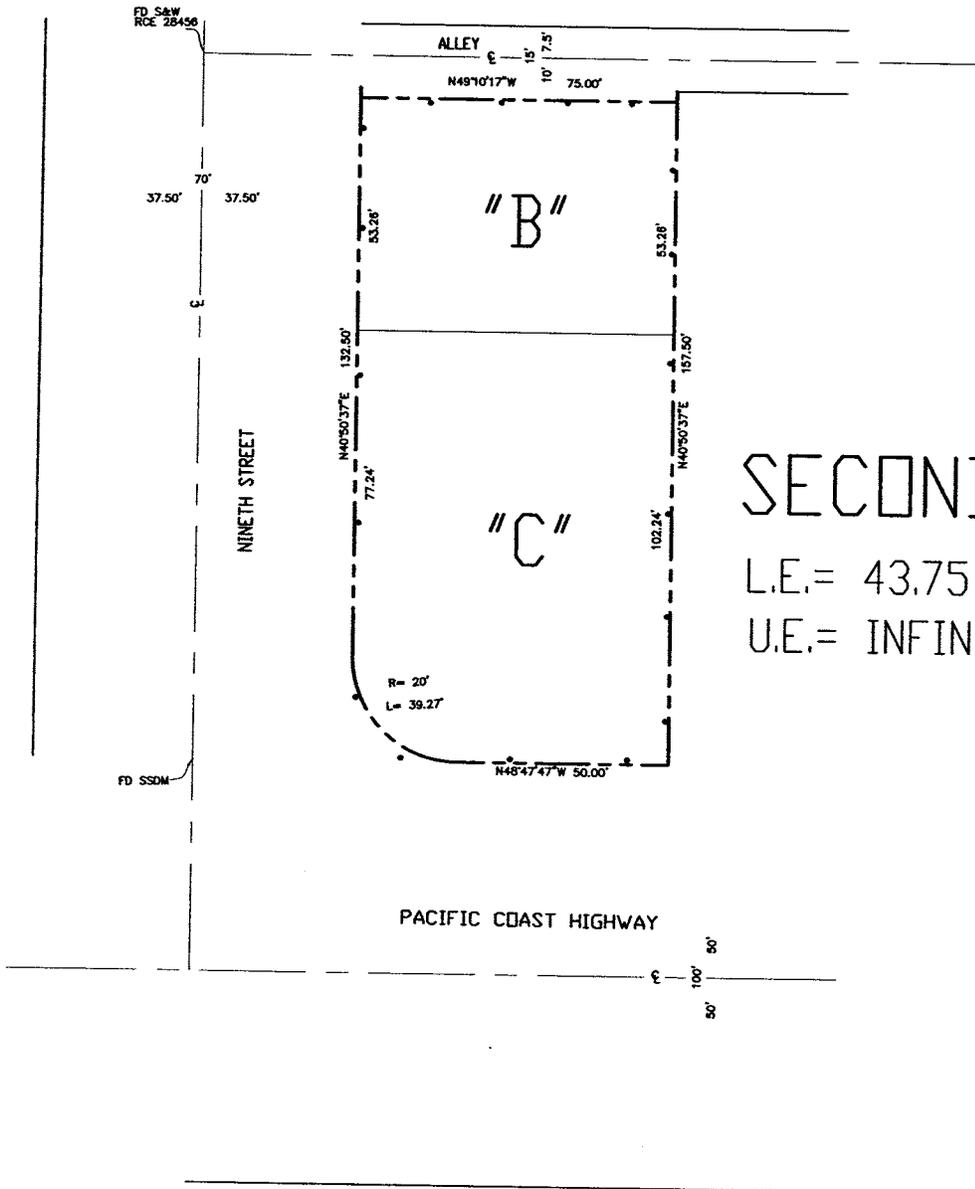
PARCEL MAP NO.
IN THE CITY OF HUNTINGTON BEACH,
STATE OF CALIFORNIA

SHEET 5 OF 5 SHEETS

04-00-10
Area



SCALE: 1" = 20'



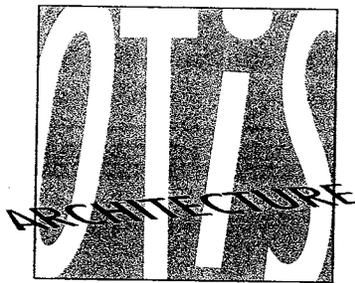
SECOND FLOOR

L.E. = 43.75

U.E. = INFINITY

LEGEND

••••• INDICATES BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP



Narrative for 110 9th Street:

The proposed project is for a mixed use three-story building with commercial retail at the first level, and two dwellings at the second floor, and two dwellings at the third floor.

The design carefully addresses the corner lot and maintains the front 25' setback so as to blend well with its neighboring buildings. We are requesting a special permit to reduce the 9th street setback from 15' to 10'; and for the interior setback to be reduced from 7' to 5'.

An eye-catching circular element demarcates the corner of 9th street and Pacific Coast Highway complementing many of the existing corner elements in the Downtown zone. The stone "base" of the building is detailed with columns and arches that enhance the Mediterranean style and provide a clear distinction between upper and lower floors. There is a high ratio of window to wall at the first floor retail to encourage window shopping. Much attention has been given to the articulation of the building facades in order to create interest and balance in the massing, and contrasting colors between the cast stone and stucco are used to enhance the architecture. The detailing for signage, lighting, and planting all contribute to the building's curb appeal and encourage pedestrian involvement.

The entrance to the residential units is located on 9th street and demarcated with a mosaic tile sign. Stepped planters line the outdoor staircase at 9th street further enhancing the Mediterranean architecture.

The required height limitation, underground setback, parking requirements, PCH front setback, and alley setback have all been met.

Additionally we have provided 667 sf of common open space for the tenants located on the second floor "outdoor lounge." This space will be further defined with seating and lounges for communal gatherings. We feel that the ample open space of the beach directly across from the project will also be utilized by the tenants for recreational activities.

Each dwelling unit has ample private open space; in most cases double the required square footage. The total required private open space is 240 sf; while this project provides 621 sf of private open space.

ATTACHMENT NO. 3



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

SUGGESTED CONDITIONS OF APPROVAL

DATE: SEPTEMBER 8, 2009

PROJECT NAME: MIXED USE BUILDING

ENTITLEMENTS: TTM 09-78, EA 09-05, CUP 09-21, CDP 09-05, VAR 09-03, SP 09-01, SP 09-02, DR 09-22

PLNG APPLICATION NO: 2009-0193

DATE OF PLANS: MAY 4, 2009

PROJECT LOCATION: 818 PACIFIC COAST HIGHWAY

PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG

PLAN REVIEWER: BOB MILANI, SENIOR CIVIL ENGINEER *BOM*

TELEPHONE/E-MAIL: 714-374-1735 / BOB.MILANI@SURFCITY-HB.ORG

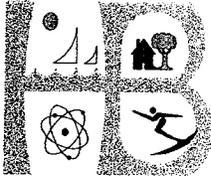
PROJECT DESCRIPTION: TTM: TO PERMIT CONDOMINIUMS. EA: TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. CUP: TO PERMIT THE CONSTRUCTION OF A 3-STORY, MIXED USE BUILDING WITH COMMERCIAL AT THE GROUND FLOOR AND RESIDENTIAL ON 2ND AND 3RD FLOORS AND SUBTERRANEAN PARKING. DRB: TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT. VAR: TO REQUEST DEVIATION OF MINIMUM SITE FRONTAGE REQUIREMENTS. SP: TO PERMIT A WAIVER OF SIDEYARD SETBACK DEVELOPMENT STANDARDS. SP: TO PERMIT A WAIVER OF COMMON OPEN SPACE DEVELOPMENT STANDARDS.

ATTACHED: SITE PLAN & NARRATIVE

THE FOLLOWING CONDITIONS ARE REQUIRED TO BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. A Precise Grading Plan shall include the following improvements on the plan:
 - a. Damaged sidewalk along the project frontage shall be removed and replaced per Public Works Standard Plan Nos. 202 and 207. (ZSO 230.84)

ATTACHMENT NO. 4



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

Building Division

714.536.5241

April 29, 2011

Karen Otis
Otis Architecture Inc.
16871 Sea Witch Lane
Huntington Beach, CA 92649

SUBJECT: CONDITIONAL USE PERMIT NO. 09-021/ COASTAL DEVELOPMENT PERMIT NO. 09-005/ VARIANCE NO. 09-003/ TENTATIVE PARCEL MAP NO. 09-078/ ENVIRONMENTAL ASSESSMENT NO 09-005/ SPECIAL PERMIT NO. 09-001/ SPECIAL PERMIT NO. 09-002/ DESIGN REVIEW NO. 09-022 (GARGUIS MIXED USE DEVELOPMENT) – 110 9th Street
REVISED PROJECT IMPLEMENTATION CODE REQUIREMENTS

Dear Karen Otis,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at AGonzales@surfcity-hb.org or 714-374-1547 and/or the respective source department (contact person below).

Sincerely,

Andrew Gonzales
Associate Planner

Enclosures: Planning Division requirements dated March 21, 2011

ATTACHMENT NO. 5.1

Economic Development requirements dated September 15, 2009
Building Division requirements dated September 8, 2009
Public Works REVISED requirements dated March 22, 2011
Public Works Department requirements dated September 8, 2009
Fire Department requirements dated November 25, 2008

Cc: Herb Fauland, Planning Manager
Jason Kelley, Senior Planner
Luis Gomez, Economic Development
March Carnahan, Building Division
Debbie Debow, Public Works
Darin Maresh, Fire Department
Garguis Twin Towers, Inc., c/o Juan Sola, Schaefer Funds, LLC, 14250 Ventura Boulevard, Sherman Oaks,
CA 91423, Property Owner
Project File



**CITY OF HUNTINGTON BEACH
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION**

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MARCH 21, 2011

PROJECT NAME: GARGUIS MIXED-USE

PLANNING APPLICATION NO. PLANNING APPLICATION NO. 2009-193

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 09-021; COASTAL DEVELOPMENT PERMIT NO. 09-005; VARIANCE NO. 09-003; TENTATIVE PARCEL MAP NO. 09-078; ENVIRONMENTAL ASSESSMENT NO. 09-005; SPECIAL PERMIT NO. 09-001; SPECIAL PERMIT NO. 09-002; DESIGN REVIEW NO. 09-022

DATE OF PLANS: JUNE 29, 2010

PROJECT LOCATION: 110 9TH STREET, 92648 (NORTHWEST CORNER OF PACIFIC COAST HIGHWAY AND 9TH STREET)

PLAN REVIEWER: ANDREW GONZALES. ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 374-1547/ AGONZALES@SURFCITY-HB.ORG

PROJECT DESCRIPTION: **CUP/CDP:** TO PERMIT THE CONSTRUCTION OF A 3-STORY, MIXED USE BUILDING WITH COMMERCIAL RETAIL AT THE GROUND FLOOR AND RESIDENTIAL ON 2ND AND 3RD FLOORS INCLUDING SUBTERRANEAN PARKING. **VAR:** TO REQUEST DEVIATION OF MINIMUM SITE FRONTAGE REQUIREMENTS ALONG PACIFIC COAST HIGHWAY. **TTM:** TO PERMIT CONDOMINIUMS. **EA:** TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. **SP:** TO PERMIT A SPECIAL PERMIT FOR (A) 10 FT. STREET SIDE YARD SETBACK IN LIEU OF THE MINIMUM 15 FT. LANDSCAPED SETBACK, (B) 5 FT. INTERIOR SIDE YARD SETBACK IN LIEU OF THE MINIMUM REQUIRED 7 FT. SETBACK, (C) 3 FT. 6 IN. MINIMUM AVERAGE UPPER-STORY SETBACK IN LIEU OF 10 FT. ALONG PACIFIC COAST HIGHWAY, (D) A SLOPE OF 9.91% IN LIEU OF 5% FOR A PARKING GARAGE TRANSITION RAMP SERVING AS BACK-UP FOR PARKING STALLS, (E) A SLOPE OF 15% IN LIEU OF THE MAXIMUM ALLOWED SLOPE OF 10% FOR A PARKING GARAGE TRANSITION RAMP WITH NO ADJACENT

PARKING STALLS. DRB: TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided should final project approval be received. If you have any questions regarding these requirements, please contact the Plan Reviewer.

1. Prior to submittal of the final parcel map to the Public Works Department for processing and approval, the following shall be required:
 - a. An Affordable Housing Agreement in accord with Section 230.26 of the ZSO. **(HBZSO Section 230.26)**
 - b. At least 90 days before City Council action on the final map, CC&Rs shall be submitted to the Planning and Building Department and approved by the City Attorney. The CC&Rs shall identify the common driveway access easements, and maintenance of all walls and common landscape areas by the Homeowners' Association. The CC&Rs must be in recordable form prior to recordation of the map. **(HBZSO Section 253.12.H)**
 - c. Final parcel map review fees shall be paid, pursuant to the fee schedule adopted by resolution of the City Council (*City of Huntington Beach Planning and Building Department Fee Schedule*). **(HBZSO Section 254.16)**
 - d. Park Land In-Lieu Fees shall be paid pursuant to the requirements of HBZSO Section 254.08 – *Parkland Dedications*. The fees shall be paid and calculated according to a schedule adopted by City Council resolution (*City of Huntington Beach Planning Department Fee Schedule*).
2. Prior to submittal for building permits, the following shall be completed:
 - a. A minimum of 14 days prior to submittal for building permits, an application for address assignment, along with the corresponding application processing fee and applicable plans (as specified in the address assignment application form), shall be submitted to the Planning and Building Department. **(City Specification No. 409)**
3. The following conditions shall be completed prior to issuance of a grading permit:
 - a. The final map shall be recorded with the County of Orange. **(HBZSO Section 253.22)**
4. The following conditions shall be completed prior to issuance of Building Permits:
 - a. A Mitigation Monitoring Fee for the mitigated negative declaration shall be paid to the Planning and Building Department pursuant to the fee schedule adopted by resolution of the City Council. **(City of Huntington Beach Planning Department Fee Schedule)**
5. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with

construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**

6. The Departments of Planning and Building, Public Works and Fire shall be responsible for ensuring compliance with all conditions of approval herein as noted after each condition. The Planning and Building Director and Public Works Director shall be notified in writing if any changes to parcel map are proposed during the plan check process. Permits shall not be issued until the Planning and Building Director and Public Works Director have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action and the conditions herein. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the HBZSO. **(HBZSO Section 241.10)**
7. Tentative Parcel Map No. 09-078 shall not become effective until the ten calendar day appeal period has elapsed from Planning Commission. **(HBZSO Section 251.12)**
8. Tentative Parcel Map No. 09-078 and Conditional Use Permit No. 09-021, Coastal Development Permit No. 09-005, Variance No. 09-003, Special Permit No. 09-001, and Special Permit No. 09-002 shall become null and void unless exercised within two (2) years of the date of final approval. An extension of time may be granted by the Director of Planning and Building pursuant to a written request submitted to the Planning and Building Department a minimum 60 days prior to the expiration date. **(HBZSO Section 251.14 and 251.16)**
9. The development/subdivision shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as all applicable local, State and Federal Codes, Ordinances and standards, except as noted herein. **(City Charter, Article V)**
10. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
11. The applicant shall submit a check in the amount of \$50 for the posting of a Notice of Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning and Building Department within two (2) days of the Planning Commission's action. **(California Code Section 15094)**
12. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Building and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission. **(HBZSO Section 232.04)**

CONDITIONAL USE PERMIT NO. 09-021/ COASTAL DEVELOPMENT NO. 09-005/ VARIANCE NO. 09-003/ SPECIAL PERMIT NO. 09-001/ SPECIAL PERMIT NO. 09-002:

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design (with the following modifications).
 - a. Parking lot striping shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code. **(HBZSO Chapter 231)**
 - b. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public right-of-ways. Electric transformers in a required front or street side yard shall be enclosed in subsurface vaults.

Backflow prevention devices shall be not be located in the front yard setback and shall be screened from view. (HBZSO Section 230.76)

- c. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s). (HBZSO Section 230.76)
- d. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks. (HBZSO Section 230.76)
- e. All parking area lighting shall be energy efficient and designed so as not to produce glare on adjacent residential properties. Security lighting shall be provided in areas accessible to the public during nighttime hours, and such lighting shall be on a time-clock or photo-sensor system. (HBZSO 231.18.C)
- f. All setback areas fronting on or visible from an adjacent public street, and all recreation, leisure and open space areas shall be landscaped and permanently maintained in an attractive manner and shall be consistent with the adopted City's Urban Design Guidelines. (SP5 4.2.12a)
- g. On-site trees shall be provided in all developments as follows: One (1) thirty-six (36) inch box tree for each residential unit or for each 2,500 square feet of gross site area for commercial or office space. Alternatively, the equivalent of thirty-six (36) inch box trees may be provided where feasible (except when palm trees are required). (SP5 4.2.12c)
- h. All parking lots shall provide a decorative masonry wall or landscaped berm installed in the setback area. All landscaping shall be installed within the parking lot area, in accordance with the Huntington Beach Ordinance Code. Parking structures must screen all street-level parking areas from the public ROW. Such screening must be approved by the Director of Planning and Building. The setback area shall be landscaped in accordance with the following guidelines and a landscape plan shall be submitted and approved by the Director (SP5 4.2.12e):
 - i. Where feasible, planting material shall include a minimum three (3) five (5) gallon size shrubs for each seventy-five (75) square feet of landscaped area and at least one (1) thirty-six (36) inch box tree or palm for each one hundred and fifty (150) square feet of landscaped area (except when palm trees are required).
 - ii. The setback area shall be planted with suitable ground cover.
 - iii. The landscaped area shall be provided with an irrigation system which conforms to the standards specified for landscaped medians by the Department of Public Works.
- i. An on-site lighting system shall be installed on all vehicular access ways and along major walkways. Such lighting shall be directed onto driveways and walkways within the development and away from adjacent properties. Lighting shall also be installed within all covered and

- enclosed parking areas. A lighting plan shall be submitted and approved by the Director of Planning and Building. **(SP5 4.2.18)**
- j. A minimum of one hundred (100) cubic feet of outside storage space shall be provided for each residential unit. **(SP5 4.2.19)**
 - k. Refuse collection areas shall be provided within two hundred (200) feet of the units they are to serve. In all developments, trash areas shall be enclosed or screened with a masonry wall, and shall be situated in order to minimize noise and visual intrusion on adjacent property as well as to eliminate fire hazard to adjacent structures. Residents shall be provided with collection areas that are separate and distinct from the collection area of offices and other commercial activities. **(SP5 4.2.22)**
 - l. All landscaping shall be maintained in a neat and attractive manner.
 - m. Bicycle parking facilities shall be provided in accordance with the provisions of HBZSO Section 231.20 – *Bicycle Parking*. **(HBZSO Section 231.20)**
2. Prior to issuance of demolition permits, the following shall be completed:
- a. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies. **(AQMD Rule 1403)**
 - b. Pursuant to the requirements of the South Coast Air Quality Management District, an asbestos survey shall be completed. **(AQMD Rule 1403)**
 - c. The applicant shall complete all Notification requirements of the South Coast Air Quality Management District. **(AQMD Rule 1403)**
 - d. The City of Huntington Beach shall receive written verification from the South Coast Air Quality Management District that the Notification procedures have been completed. **(AQMD Rule 1403)**
 - e. All asbestos shall be removed from all buildings prior to demolition of any portion of any building. **(AQMD Rule 1403)**
3. Prior to issuance of grading permits, the following shall be completed:
- a. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Planning and Building Department for review and approval. **(HBZSO Section 232.04)**
 - b. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk). **(CEQA Categorical Exemption Section 15304)**
 - c. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. **(HBZSO Section 232.04.D)**
 - d. Standard landscape code requirements apply. **(HBZSO Chapter 232)**

- e. Landscape Standards and Specifications. **(HBZSO Section 232.04.B)**
 - f. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. **(HBZSO Section 232.06.A)**
 - g. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees and the protection measures and locations of existing trees to remain. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. **(Resolution-4545)**
OR A Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree-planting plan and approve in writing the selection and locations proposed for new trees. Said Arborist signature shall be incorporated onto the Landscape Architect's plans and shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. **(Resolution No. 4545)**
4. Prior to submittal for building permits, the following shall be completed:
- a. Residential type structures on the subject property, whether attached or detached, shall be constructed in compliance with the State acoustical standards set forth for units that lie within the 60 CNEL contours of the property. Evidence of compliance shall consist of submittal of an acoustical analysis report and plans, prepared under the supervision of a person experienced in the field of acoustical engineering, with the application for building permit(s). **(General Plan Policy N 1.2.1)**
5. Prior to issuance of building permits, the following shall be completed:
- a. The Downtown Specific Plan fee shall be paid. **(Resolution No. 5328)**
 - b. A Mitigation Monitoring Fee for the mitigated negative declaration, shall be paid to the Planning and Building Department pursuant to the fee schedule adopted by resolution of the City Council. **(City of Huntington Beach Planning and Building Department Fee Schedule)**
 - c. All new commercial and industrial development and all new residential development not covered by Chapter 254 of the Huntington Beach Zoning and Subdivision Ordinance, except for mobile home parks, shall pay a park fee, pursuant to the provisions of HBZSO Section 230.20 – *Payment of Park Fee*. The fees shall be paid and calculated according to a schedule adopted by City Council resolution. **(City of Huntington Beach Planning Department Fee Schedule)**
6. During demolition, grading, site development, and/or construction, the following shall be adhered to:
- a. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
7. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released until the following has been completed:

- a. A Certificate of Occupancy must be approved by the Planning Division and issued by the Building Division. **(HBMC 17.04.036)**
 - b. Complete all improvements as shown on the approved grading, landscape and improvement plans. **(HBMC 17.05)**
 - c. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. **(HBZSO Section 232.04.D)**
 - d. The provisions of the Water Efficient Landscape Requirements shall be implemented. **(HBMC 14.52)**
8. The use shall comply with the following:
- a. Outdoor storage and display of merchandise, materials, or equipment, including display of merchandise, materials, and equipment for customer pick-up, shall be subject to approval of Conditional Use Permit. **(HBZSO Section 230.74)**
9. The Development Services Departments (Planning and Building, Fire, and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**
10. Conditional Use Permit No. 09-021, Coastal Development Permit No. 09-005, Variance No. 09-003, Special Permit No. 09-001, and Special Permit No. 09-002 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
11. The Planning Commission reserves the right to revoke Conditional Use Permit No. 09-021, Coastal Development Permit No. 09-005, Variance No. 09-003, Special Permit No. 09-001, and Special Permit No. 09-002 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
12. The project shall comply with all applicable requirements of the Municipal Code, Planning and Building Department, and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
13. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
14. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning and Building Department within two (2) days of the Planning Commission's approval of entitlements. **(California Code Section 15094)**

15. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Building and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission. **(HBZSO Section 232.04)**
16. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**



**CITY OF HUNTINGTON BEACH
ECONOMIC DEVELOPMENT DEPARTMENT
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: September 15, 2009

PROJECT NAME: 9th Street Mixed Use

PLANNING APPLICATION NO. PLANNING APPLICATION NO. 09-193

ENTITLEMENTS: TENTATIVE TRACT MAP NO. 09-078, ENVIRONMENTAL ASSESSMENT NO. 09-005, CONDITIONAL USE PERMIT NO. 09-021, COASTAL DEVELOPMENT PERMIT NO. 09-005, VARIANCE NO. 09-003, SPECIAL PERMIT NO. 09-001, SPECIAL PERMIT NO. 09-002, DESIGN REVIEW 09-022

DATE OF PLANS: MAY 4, 2009

PROJECT LOCATION: 818 PACIFIC COAST HIGHWAY, HUNTINGTON BEACH

PLAN REVIEWER: LUIS GOMEZ, PROJECT MANAGER

TELEPHONE/E-MAIL: (714) 536-5544

PROJECT DESCRIPTION: **TTM:** TO PERMIT CONDOMINIUMS. **EA:** TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. **CUP:** TO PERMIT THE CONSTRUCTION OF A 3-STORY, MIXED USE BUILDING WITH COMMERCIAL AT THE GROUND FLOOR AND RESIDENTIAL ON 2ND AND 3RD FLOORS AND SUBTERRANEAN PARKING. **DRB:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT. **VAR:** TO REQUEST DEVIATION OF MINIMUM SITE FRONTAGE REQUIREMENTS. **SP:** TO PERMIT A WAIVER OF SIDEYARD SETBACK DEVELOPMENT STANDARDS. **SP:** TO PERMIT A WAIVER OF COMMON OPEN SPACE DEVELOPMENT STANDARDS.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

The Applicant shall meet the following Code Requirements:

1. The Applicant shall comply with Section 230.26 Affordable Housing of the ZSO. Specifically, the Applicant shall pay the in Lieu fee for the residential units as specified below:

C. Fees in Lieu of Construction.

1. Fees paid to fulfill the requirements of this Section shall be placed in the City's Affordable Housing Trust Fund, the use of which is governed by subsection E. (3687-12/04)

2. The amount of the in-lieu fees shall be calculated using the fee schedule established by resolution of the City Council. (3687-12/04, 3829-6/09)

3. One hundred (100) percent of the fees required by this Section shall be paid prior to issuance of a building permit. (3687-12/04, 3827-4/09) Note: Ordinance No. 3827, effective from 4/15/09 to 4/15/10 unless extended by the City Council, temporarily defers the payment of certain Development Impact Fees.

4. Fees paid as a result of new residential projects shall be based upon the total number of the new residential units which are to be constructed.
(3687-12/04, 3829-6/09)



**CITY OF HUNTINGTON BEACH
DEPARTMENT OF BUILDING & SAFETY
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: SEPTEMBER 8, 2009

PROJECT NAME: 9TH STREET MIXED USE

PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 09-193

ENTITLEMENTS: TENTATIVE TRACT MAP NO. 09-078, ENVIRONMENTAL ASSESSMENT NO. 09-005, CONDITIONAL USE PERMIT NO. 09-021, COASTAL DEVELOPMENT PERMIT NO. 09-005, VARIANCE NO. 09-003, SPECIAL PERMIT NO. 09-001, SPECIAL PERMIT NO. 09-002, DESIGN REVIEW 09-022

DATE OF PLANS: MAY 4, 2009

PROJECT LOCATION: 818 PACIFIC COAST HIGHWAY, HUNTINGTON BEACH

PLAN REVIEWER: JASON KWAK, PLAN CHECK ENGINEER

TELEPHONE/E-MAIL: (714) 536-5278 / jkwak@surfcity-hb.org

PROJECT DESCRIPTION: **TTM:** TO PERMIT CONDOMINIUMS. **EA:** TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. **CUP:** TO PERMIT THE CONSTRUCTION OF A 3-STORY, MIXED USE BUILDING WITH COMMERCIAL AT THE GROUND FLOOR AND RESIDENTIAL ON 2ND AND 3RD FLOORS AND SUBTERRANEAN PARKING. **DRB:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT. **VAR:** TO REQUEST DEVIATION OF MINIMUM SITE FRONTAGE REQUIREMENTS. **SP:** TO PERMIT A WAIVER OF SIDEYARD SETBACK DEVELOPMENT STANDARDS. **SP:** TO PERMIT A WAIVER OF COMMON OPEN SPACE DEVELOPMENT STANDARDS.

The following is a list of code requirements deemed applicable to the proposed project based on plans received as stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the 2007 California Building Code, 2007 California Mechanical Code, 2007 California Plumbing Code, 2007 California Electrical Code, 2005 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.
2. In Group R Occupancies, which are covered multifamily dwellings, shall be accessible as provided in Chapter 11A. Public-use and common-use areas serving accessible dwelling units shall be accessible.
3. The allowable area of openings permitted in an exterior wall in any story shall not exceed the values set forth in Table 704.8 with respect to fire separation distance per Section 704.8 of the CBC.
4. Interior exit stairways shall be enclosed with fire barriers or horizontal assemblies per Section 1020.1 of the CBC. An exit enclosure shall not be used for any purpose other than means of egress.



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MARCH 22, 2011
PROJECT NAME: MIXED USE BUILDING
ENTITLEMENTS: TPM 09-78
PLNG APPLICATION NO: 2009-0193
DATE OF PLANS: APRIL 8, 2010
PROJECT LOCATION: 818 PACIFIC COAST HIGHWAY
PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: (714) 536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG
PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER *SB*
TELEPHONE/E-MAIL: 714-374-1692 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TPM: TO PERMIT CONDOMINIUMS.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO RECORDATION OF THE FINAL PARCEL MAP:

1. The Final Parcel Map shall be submitted to the City of Huntington Beach Public Works Department for review and approval and shall include a title report to indicate the fee title owner(s) for the subject properties. The title report shall not be more than six (6) weeks old at the time of submittal of the Final Parcel Map.
2. The Final Parcel Map shall be consistent with the approved Tentative Parcel Map. (ZSO 253.14)
3. The following dedications to the City of Huntington Beach shall be shown on the Final Parcel Map:
 - a. Alley right-of-way which provides a width of 14 feet from the alley centerline to the property line along the project parcels. The additional right-of-way requires removal and replacement of the existing alley approach on 9th Street. (DTSP 4.2.17)

- b. Right-of-way for pedestrian access and public utilities at the southeast curb return of Pacific Coast Highway and 9th Street. The right-of-way dedication shall provide a 25-foot radius measured along the back of sidewalk, per City Standard Plan No. 207. (ZSO 230.84)
4. Vehicular access rights to Pacific Coast Highway shall be released and relinquished to the City of Huntington Beach except at locations approved by the Public Works Department. (ZSO 230.84A)
5. All vehicular access shall be taken from the alley. Existing curb cuts on 9th Street and Pacific Coast Highway shall be removed and replaced with curb, gutter, and sidewalk per City Standards. (ZSO 230.12, 230.84)
6. A reproducible Mylar copy and a print of the recorded final tract map shall be submitted to the Department of Public Works at the time of recordation.
7. The engineer or surveyor preparing the final map shall comply with Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18 for the following item:
 - a. Tie the boundary of the map into the Horizontal Control System established by the County Surveyor.
 - b. Provide a digital-graphics file of said map to the County of Orange.
8. Provide a digital-graphics file of said map to the City per the following design criteria:
 - a. Design Specification:
 - i. Digital data shall be full size (1:1) and in compliance with the California coordinate system – STATEPLANE Zone 6 (Lambert Conformal Conic projection), NAD 83 datum in accordance with the County of Orange Ordinance 3809.
 - ii. Digital data shall have double precision accuracy (up to fifteen significant digits).
 - iii. Digital data shall have units in US FEET.
 - iv. A separate drawing file shall be submitted for each individual sheet.
 - v. Digital data shall be in compliance with the Huntington Beach Standard Sheets, drawing names, pen color and layering conventions.
 - vi. Feature compilation shall include, but shall not be limited to: Assessor's Parcel Numbers (APN), street addresses and street names with suffix.
 - b. File Format and Media Specification:
 - i. Shall be in compliance with one of the following file formats (AutoCAD DWG format preferred):
 - AutoCAD (version 2000, release 4) drawing file: _____.DWG
 - Drawing Interchange file: _____.DXF
 - ii. Shall be in compliance with the following media type:
 - CD Recordable (CD-R) 650 Megabytes
9. All applicable Public Works fees shall be paid. Fees shall be calculated based on the currently approved rate at the time of payment unless otherwise stated. (ZSO 250.16)



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: SEPTEMBER 8, 2009

PROJECT NAME: MIXED USE BUILDING

ENTITLEMENTS: ~~TTM 09-78~~, EA 09-05, CUP 09-21, CDP 09-05, VAR 09-03, SP 09-01, SP 09-02, DR 09-22

PLNG APPLICATION NO: 2009-0193

DATE OF PLANS: MAY 4, 2009

PROJECT LOCATION: 818 PACIFIC COAST HIGHWAY

PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG

PLAN REVIEWER: BOB MILANI, SENIOR CIVIL ENGINEER *BEM*

TELEPHONE/E-MAIL: 714-374-1735 / BOB.MILANI@SURFCITY-HB.ORG

PROJECT DESCRIPTION: ~~TTM: TO PERMIT CONDOMINIUMS. EA: TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. CUP: TO PERMIT THE CONSTRUCTION OF A 3-STORY, MIXED USE BUILDING WITH COMMERCIAL AT THE GROUND FLOOR AND RESIDENTIAL ON 2ND AND 3RD FLOORS AND SUBTERRANEAN PARKING. DRB: TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT. VAR: TO REQUEST DEVIATION OF MINIMUM SITE FRONTAGE REQUIREMENTS. SP: TO PERMIT A WAIVER OF SIDEYARD SETBACK DEVELOPMENT STANDARDS. SP: TO PERMIT A WAIVER OF COMMON OPEN SPACE DEVELOPMENT STANDARDS.~~

ATTACHED: SITE PLAN & NARRATIVE

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A DEMOLITION PERMIT:**

1. Applicant shall provide a consulting arborist report on all the existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain (if any) shall be protected and how far construction/grading shall be kept from the trunk. (Resolution 4545)
 - a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A GRADING PERMIT:**

1. A Legal Description and Plot Plan of the dedications to City to be prepared by a licensed surveyor or engineer and submitted to Public Works for review and approval. The dedication shall be recorded prior to issuance of a grading permit.
2. The following dedications to the City of Huntington Beach shall be shown on the Precise Grading Plan. (ZSO 230.084A) **
 - a. The applicant shall dedicate right-of-way for pedestrian access and public utilities at the southeast curb return of Pacific Coast Highway and 9th Street. The dedication shall be the area setback from the existing face of curb to the back of sidewalk along the curb return. (ZSO 230.84)
3. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. The existing driveway approach on 9th Street shall be removed and replaced with curb, gutter, and sidewalk per Public Works Standard Plan Nos. 202 and 207. (ZSO 230.84)
 - b. An ADA compliant access ramp shall be installed at the southeast corner of Pacific Coast Highway and 9th Street per Caltrans Standard Plan A88A. (ZSO 230.84, ADA)
 - c. A new sewer lateral shall be installed connecting to the main in the alley. If the new sewer lateral is not constructed at the same location as the existing lateral, then the existing lateral shall be severed and capped at the main or chimney. (ZSO 230.84)
 - d. Each Residential Unit and Retail Development may have a separate domestic water service and meter, installed per Water Division Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC). Alternatively, the building complex or individual floor may be served by a master water service and meter. (MC 14.08.020)

** The Downtown Specific Plan is currently being reviewed and is anticipated to be adopted in the winter of 2009. Based on the requirements of the proposed Downtown Specific Plan, the applicant may be required to dedicate an additional 4 feet of right-of-way along the alley for a total of 14-foot wide alley half-width. The additional right-of-way would also require removal and replacement of the existing alley approach on 9th Street to accommodate the new alley width.

- e. The irrigation water service may be combined with the domestic water service. (ZSO 230.84)
 - f. The existing domestic water service currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Water Inspector. If the property owner elects to utilize the existing water service, any non-conforming water service, meter, and backflow protection device(s) shall be upgraded to conform to the current Water Division Standards. Alternatively, a new separate domestic water service(s), meter(s) and backflow protection device(s) may be installed per Water Division Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC). (ZSO 230.84)
 - g. A separate backflow protection device shall be installed per Water Division Standards for domestic, irrigation, and fire water services. Applies to all Retail Development and only for the Residential Unit services with water fixtures located 20 feet or greater above the top of street curb. (Resolution 5921 and Title 17)
 - h. The existing domestic water service and meter if not used, shall be abandoned per Water Division Standards. (Title 17)
 - i. A separate dedicated fire service line shall be constructed per Water Division Standards for the fire sprinkler system required by the Fire Department (ZSO 230.84)
4. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)
 - a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).
 - b. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
 - c. Standard landscape code requirements apply. (ZSO 232)
 5. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
 6. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)
 7. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees and the protection measures and locations of existing trees to remain. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. (Resolution-4545)
 8. A Project Water Quality Management Plan (WQMP) conforming to the City of Huntington Beach's Project WQMP Preparation Guidance Manual dated June 2006 and prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance and shall include the following:
 - a. Discusses regional or watershed programs (if applicable).

- b. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
 - c. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan. (DAMP)
 - d. Incorporates Treatment Control BMPs as defined in the DAMP.
 - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
 - h. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs.
 - i. After incorporating plan check comments of Public Works, three final WQMPs (signed by the owner and the Registered Civil Engineer of record) shall be submitted to Public Works for acceptance. After acceptance, two copies of the final report shall be returned to applicant for the production of a single complete electronic copy of the accepted version of the WQMP on CD media that includes:
 - i) The 11" by 17" Site Plan in .TIFF format (400 by 400 dpi minimum).
 - ii) The remainder of the complete WQMP in .PDF format including the signed and stamped title sheet, owner's certification sheet, Inspection/Maintenance Responsibility sheet, appendices, attachments and all educational material.
 - j. The applicant shall return one CD media to Public Works for the project record file.
9. Indicate the type and location of Water Quality Treatment Control Best Management Practices (BMPs) on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach; Project Water Quality Management Plan Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
 10. A suitable location, as approved by the City, shall be depicted on the grading plan for the necessary trash enclosure(s). The area shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, and screened or walled to prevent off-site transport of trash. The trash enclosure area shall be covered or roofed with a solid, impervious material. Connection of trash area drains into the storm drain system is prohibited. If feasible, the trash enclosure area shall be connected into the sanitary sewer. (DAMP)
 11. A detailed soils and geological/seismic analysis shall be prepared by a registered engineer. This analysis shall include on-site soil sampling and laboratory testing of materials to provide detailed recommendations for grading, over excavation, engineered fill, dewatering, settlement, protection of adjacent structures, chemical and fill properties, liquefaction, retaining walls, streets, and utilities. (MC 17.05.150)
 12. The applicant's grading/erosion control plan shall abide by the provisions of AQMD's Rule 403 as related to fugitive dust control. (AQMD Rule 403)
 13. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Planning and Public Works Departments. In addition, clearly visible signs

shall be posted on the perimeter of the site every 250 feet indicating who shall be contacted for information regarding this development and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the conditions herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.

14. The applicant shall notify all property owners and tenants within 300 feet of the perimeter of the property of a tentative grading schedule at least 30 days prior to such grading.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

1. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
2. An Encroachment Permit is required for all work within Caltrans' right-of-way.
3. The developer shall coordinate the development of a truck haul route with the Department of Public Works if the import or export of material in excess of 5000 cubic yards is required. This plan shall include the approximate number of truck trips and the proposed truck haul routes. It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to adjacent residents. These plans must be submitted for approval to the Department of Public Works. (MC 17.05.210)
4. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (California Stormwater BMP Handbook, Construction Wind Erosion WE-1)
5. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
6. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
7. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)
8. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
9. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
10. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
11. Wind barriers shall be installed along the perimeter of the site. (DAMP)
12. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A BUILDING PERMIT:**

1. A Precise Grading Permit shall be issued. (MC 17.05)
2. A drainage fee for the subject development shall be paid at the rate applicable at the time of Building Permit issuance. The current rate of \$13,270 per gross acre is subject to periodic adjustments. This project consists of 0.562 gross acres (including its tributary area portions along the half street frontages) for a total required drainage fee of \$7,457.74. City records indicate the previous use on this property never paid this required fee. Per provisions of the City Municipal Code, this one time fee shall be paid for all subdivisions or development of land. (MC 14.48)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF AN ENCROACHMENT PERMIT:**

1. Traffic Control Plans, prepared by a Licensed Civil or Traffic Engineer, shall be prepared in accordance with the latest edition of the City of Huntington Beach Construction Traffic Control Plan Preparation Guidelines and submitted for review and approval by the Public Works Department. (Construction Traffic Control Plan Preparation Guidelines)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL
INSPECTION OR OCCUPANCY:**

1. Complete all improvements as shown on the approved grading, and landscape and improvement plans. (MC 17.05)
2. All new utilities shall be undergrounded. (MC 17.64)
3. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)
4. The current tree code requirements shall apply to this site. (ZSO 232)
 - a. Existing trees to remain on site shall not be disfigured or mutilated, (ZSO 232.04E) and,
 - b. General tree requirements, regarding quantities and sizes. (ZSO 232.08B and C)
5. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. (ZSO 232.04D)
6. Applicant shall provide City with CD media TIFF images (in City format) and CD (AutoCAD only) copy of complete City Approved landscape construction drawings as stamped "Permanent File Copy" prior to starting landscape work. Copies shall be given to the City Landscape Architect for permanent City record.
7. The Water Ordinance #14.52, the "Water Efficient Landscape Requirements" apply for projects with 2500 square feet of landscaping and larger. (MC 14.52)
8. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:

- a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
- b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
- c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
- d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.



CITY OF HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 25, 2008

PROJECT NAME: 110 9TH STREET

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 09-021; COASTAL DEVELOPMENT PERMIT NO. 09-005; VARIANCE NO. 09-003; TENTATIVE PARCEL MAP NO. 09-078; ENVIRONMENTAL ASSESSMENT NO 09-005; SPECIAL PERMIT NO. 09-001; SPECIAL PERMIT NO. 09-002; DESIGN REVIEW NO. 09-022

PROJECT LOCATION: 110 9TH STREET, HUNTINGTON BEACH, CA

PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561/ ETHAN.EDWARDS@SURFCITY-HB.ORG

PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST

TELEPHONE/E-MAIL: (714) 536-5531/ DMARESH@SURFCITY-HB.ORG

PROJECT DESCRIPTION: TO PERMIT NEW CONSTRUCTION OF A MIXED-USE, 3 STORY, BUILDING WITH RETAIL AT GROUND LEVEL AND FOUR RESIDENTIAL UNITS ON UPPER FLOORS AND ONE SUBFLOOR FOR PARKING.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated November 17, 2008. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Environmental

Environmental – Oil well on property.

Methane Mitigation District Requirements. The proposed construction is within the City of Huntington Beach Methane Mitigation District.

The following City Specifications are applicable and compliance needs to be referenced in the grading, building, and methane plans:

- City Specification # 422, Oil Well Abandonment Permit Process.
- City Specification # 429, Methane District Building Permit Requirements.
- City Specification # 431-92 Soil Clean-Up Standards.

NOTE: An abandoned oil well is located on the proposed construction property.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. **DOGGR "CONSTRUCTION SITE REVIEW" is required.** A California Division of Oil, Gas & Geothermal Resources (DOGGR – 714-816-6847), *Site Plan Review* is required for this project. (See included application).

Identify the well name and well API number. Show the location of the abandoned oil well in question. Accurately locate with "x" and "y" parameters delineated. A completed DOGGR *Site Plan Review* must be on-file with the Fire Department prior to plan approval.

Wells identified in the Site Review not meeting current DOGGR requirements may require re-abandonment. If required, the following permits shall be obtained and submitted:

- From the Division of Oil, Gas & Geothermal Resources (DOGGR – (714) 816-6847), provide a *Permit to Conduct Well Operations* for all on-site active/abandoned oil wells.
- Obtain a Huntington Beach Fire Department *Permit to Abandon Oil Well* and follow the requirements of *City Specification #422, Oil Well Abandonment Permit Process*. Reference compliance with *City Specification #422, Oil Well Abandonment Permit Process* in the plan notes.

(Location of the well is not certain, waiting on DOGGR Site Review to determine the requirements based on location to the project)

DEPENDING ON THE LOCATION OF THE ABANDONED WELL(S) TO THE PROPOSED CONSTRUCTION, THE FOLLOWING CONDITIONS MAY BE REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

2. **"OIL WELL HISTORY DISPOSITION REPORT" is required.** A California licensed third-party petroleum engineer or geologist compiles a disposition report for submittal to the Fire Department – Development Section. (see *City Specification # 429, section 3.2*)
3. **"CITY CONSULTANT - OIL WELL HISTORY REVIEW" is required.** The city consultant reviews the submitted *OIL WELL HISTORY DISPOSITION REPORT* for completeness,

well integrity, and recommended safety measures. (see *City Specification # 429, section 3.3*)

4. **“SOIL TESTING” is required.** Based on site characteristics, suspected soil contamination, proximity to a producing or abandoned oil well, Phase I,II, or III Site Audit, soil testing is required. Soil testing plan must be approved by the Fire Department. (See *City Specification # 429, section 3.4* and *City Specification #431-92 Soil Clean-Up Standards*).

SOIL SAMPLING SCHEDULES

Minimum sampling location and depth requirements for former oil well sites:

- One (1) sample, located on the front third of the pad, 1', 5', 10', and 15' depths.
- One (1) sample location adjacent to any producing or abandoned oil well, 1', 5', 10', and 15' depths.
- One (1) sample location in the center of any above-ground tank footprint, 1', 5', 10', and 15' depths.
- One (1) sample location in the center of any clarifier footprint, 1', 5', 10', and 15' depths.
- One (1) sample location in the center of any sump footprint, 1', 5', 10', and 15' depths.

Total minimum locations: Five (5) locations. See attached sheet for details.

Imported soil:

- 1 sample per 1000 cubic yards of imported fill (prior to import).

Minimum sampling standards for 25' single lots:

- Well on property
 - One (1) sample location at center of pad, 1', 5', 10', and 15' depths.
 - One (1) sample location adjacent to the well, 1', 5', 10', and 15' depths.

Note: Grading Plans must be approved by the Fire Department prior to issuance of a Public Works grading permit. Standard Fire Department notes are required to be on the plans on oil industry impacted sites. Additional requirements will be necessary for the development of former oilfield property.

Soil testing results must be submitted, and approved by the Fire Department prior to issuance of a building permit.

5. **"REMEDIATION ACTION PLAN"** If contamination is identified, provide a Fire Department approved Remediation Action Plan (RAP) based on requirements found in Huntington Beach *City Specification #431-92, Soil Cleanup Standard*. Upon remediation action plan approval, a rough grading permit may be issued.
6. **"METHANE SAFETY MEASURES"** are required. *City Specification # 429, Methane District Building Permit Requirements*.

Methane safety measures shall be detailed on a separate sheet titled "METHANE PLAN" and three copies submitted to the Fire Department Development Section for approval. Requirements include:

- **Abandoned Well Gas Test.**
- **Well Vent System.**
- **Sub-Slab Collection System.**
- **Sub-Grade Collection System.**
- **Methane Barrier and Sub-Slab Collection System.**
- **Methane Detection/Alarm System**

Reference compliance with *City Specification #429* in the plan notes.

Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly. Reference that all soils shall be in compliance with *City Specification #431-92 Soil Clean-Up Standards*, in the plan notes.

Fire Apparatus Access

Fire Access Roads shall be provided and maintained in compliance with *City Specification # 401, Minimum Standards for Fire Apparatus Access*. Driving area shall be capable of supporting a fire apparatus (75,000 lbs and 12,000 lb point load). Minimum fire access road width is twenty-four feet (24') wide, with thirteen feet six inches (13' 6") vertical clearance. Fire access roads fronting commercial buildings shall be a minimum width of twenty-six feet (26') wide, with thirteen feet six inches (13' 6") vertical clearance. For Fire Department approval, reference and demonstrate compliance with *City Specification # 401 Minimum Standards for Fire Apparatus Access* on the plans. (FD)

Fire Lanes, as determined by the Fire Department, shall be posted, marked, and maintained per *City Specification #415, Fire Lanes Signage and Markings on Private, Residential, Commercial and Industrial Properties*. The site plan shall clearly identify all red fire lane curbs, both in location and length of run. The location of fire lane signs shall be depicted. No parking shall be allowed in the designated 24 foot wide fire apparatus access road or supplemental fire access per *City Specification # 415*. For Fire Department approval, reference and demonstrate compliance with *City Specification # 401 Minimum Standards for Fire Apparatus Access* on the plans. (FD)

Fire Hydrants and Water Systems

Fire Hydrants are required. Hydrants must be portrayed on the site plan. Hydrants shall be installed and in service **before** combustible construction begins. Installation of hydrants and service mains shall meet NFPA 13 and 24, 2002 Edition, Huntington Beach Fire Code Appendix B and C, and City Specification # 407 Fire Hydrant Installation Standards requirements. Maximum allowed velocity of fire flow in supply piping is 12 fps. Plans shall be submitted to Public Works and approved by the Public Works and Fire Departments. For Fire Department approval, portray the fire hydrants and reference compliance with NFPA 13 and 24, 2002 Edition, Huntington Beach Fire Code Appendix B and C, and City Specification #407 Fire Hydrant Installation Standards in the plan notes. (FD)

Fire Suppression Systems

Fire Alarms

Fire Alarm System is required. For Fire Department approval, shop drawings shall be submitted to the Fire Department as separate plans for permits and approval. For Fire Department approval, reference and demonstrate compliance with *UBC 305.9* on the plans. A C-10 electrical contractor, certified in fire alarm systems, must certify the system is operational annually. (FD)

Fire Sprinklers

Automatic Fire Sprinklers are required. NFPA13 Automatic fire sprinkler systems are required per Huntington Beach Fire Code for new buildings with "fire areas" 5000 square feet or more or for buildings 10,000 square feet or more. An addition of square footage to an existing building also triggers this requirement.

Separate plans (three sets) shall be submitted to the Fire Department for permits and approval. The system shall provide water flow, tamper and trouble alarms, manual pull stations, interior and exterior horns and strobes, and 24-hour central station monitoring.

Automatic fire sprinkler systems must be maintained operational at all times, with maintenance inspections performed quarterly and the system serviced every five years by a state licensed C-16 Fire Protection Contractor.

For Fire Department approval, reference that a fire sprinkler system will be installed in compliance with the Huntington Beach Fire Code, NFPA 13, and City Specification # 420 - *Automatic Fire Sprinkler Systems* in the plan notes.

NOTE: When buildings under construction are more than one (1) story in height and required to have automatic fire sprinklers, the fire sprinkler system shall be installed and

operational to protect all floors lower than the floor currently under construction. Fire sprinkler systems for the current floor under construction shall be installed, in-service, inspected and approved prior to beginning construction on the next floor above. (FD)

NFPA 13R Multi-Family Residential Automatic Fire Sprinklers are required. NFPA 13R automatic fire sprinkler systems are required per Huntington Beach Fire Code for new residential buildings with "fire areas" 5000 square feet or more or for residential buildings 10,000 square feet or more. Additions of square footage to an existing building also triggers this requirement.

Separate plans (three sets) shall be submitted to the Fire Department for permits and approval.

Automatic fire sprinkler systems must be maintained operational at all times.

For Fire Department approval, reference that a fire sprinkler system will be installed in compliance with the Huntington Beach Fire Code, NFPA 13, and City Specification # 420 - *Automatic Fire Sprinkler Systems* in the plan notes.

NOTE: When buildings under construction are more than one (1) story in height and required to have automatic fire sprinklers, the fire sprinkler system shall be installed and operational to protect all floors lower than the floor currently under construction. Fire sprinkler systems for the current floor under construction shall be installed, in-service, inspected and approved prior to beginning construction on the next floor above. (FD)

Fire Department Connections (FDC) to the automatic fire sprinkler systems shall be located to the front of the building, at least 25 feet from and no farther than 150 feet of a properly rated fire hydrant. (FD)

Class 1 Standpipes (2 ½" NFH connections) are required at each stairway. The standpipe system in stairwells cannot protrude into, impede, or compromise the H.B.B.C. "Exit Width" requirements. For Fire Department approval, reference and portray Class 1 standpipes at each stairway in the plan notes. (FD)

Fire Protection Systems

Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in *City Specification #424*. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. (FD)

Fire Personnel Access

Main Secured Building Entries shall utilize a KNOX[®] Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. Please contact the Huntington Beach Fire Department

Administrative Office at (714) 536-5411 for information. Reference compliance with City Specification #403 - KNOX® Fire Department Access in the building plan notes. (FD)

Fire Sprinkler System Controls access shall be provided, utilizing a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. The approximate location of the system controls shall be noted on the plans. Reference compliance in the plan notes. (FD)

Elevators shall be sized to accommodate an ambulance gurney. Minimum interior dimensions are 7 feet (84") wide by 4 feet 3 inches (51") deep. Minimum door opening dimensions are 3 feet 6 inches (42") wide right or left side opening. Center opening doors require a 4 feet 6 inches (54") width. For Fire Department approval, reference and demonstrate compliance on the building plans. HBBC 3002.4 (FD)

Subterranean Parking Garage - Ventilation Systems must have emergency smoke evacuation capability. A zoned, mechanical smoke and combustible products removal system, with manual controls for firefighters located in the fire control room shall be provided. This shall include an emergency power source. System shall also comply with Building Code and be adequate to exhaust carbon monoxide (CO). (FD)

Enhanced Communication Systems are required for Fire Department and Police Department communications in Subterranean Parking Garages. Repeater type radio systems as specified by the Fire and Police Departments shall provide adequate communication inside the parking garages, from inside the garages to the exterior, and to/from the fire control rooms. **Above-grade areas or floors found to have with poor radio reception may also require repeating systems.** (FD)

Addressing and Street Names

Structure or Building Address Assignments. The Planning and Building Department shall review and make address assignments. The individual dwelling units shall be identified with numbers per City Specification # 409 Street Naming and Address Assignment Process. For Fire Department approval, reference compliance with City Specification #409 Street Naming and Address Assignment Process in the plan notes. (FD)

GIS Mapping Information

- a. **GIS Mapping Information** shall be provided to the Fire Department in compliance with GIS Department CAD Submittal Guideline requirements. Minimum submittals shall include the following:
 - Site plot plan showing the building footprint.
 - Specify the type of use for the building

- Location of electrical, gas, water, sprinkler system shut-offs.
- Fire Sprinkler Connections (FDC) if any.
- Knox Access locations for doors, gates, and vehicle access.
- Street name and address.

Final site plot plan shall be submitted in the following digital format and shall include the following:

- Submittal media shall be via CD rom to the Fire Department.
- Shall be in accordance with County of Orange Ordinance 3809.
- File format shall be in .shp, AutoCAD, AUTOCAD MAP (latest possible release) drawing file - .DWG (preferred) or Drawing Interchange File - .DXF.
- Data should be in NAD83 State Plane, Zone 6, Feet Lambert Conformal Conic Projection.
- Separate drawing file for each individual sheet.
In compliance with Huntington Beach Standard Sheets, drawing names, pen colors, and layering convention. and conform to *City of Huntington Beach Specification # 409 – Street Naming and Addressing*.

For specific GIS technical requirements, contact the Huntington Beach GIS Department at (714) 536-5574.

For Fire Department approval, reference compliance with *GIS Mapping Information* in the building plan notes. (FD)

Building Construction

Exit Signs And Exit Path Markings will be provided in compliance with the Huntington Beach Fire Code and Title 24 of the California Administrative Code. Reference compliance in the plan notes. (FD)

Egress Illumination/Emergency Exit Lighting with emergency back-up power is required. Provide means of egress illumination per HBFC 1211.1 and UBC 1003.2.9. (FD)

Exit Ways and Aisles Plan is required for this project. HBFC section 2501.14.Plans shall be submitted indicating the seating arrangement, location and width of exit ways and aisles for approval and an approved copy of the plan shall be kept on display on the premises. (FD)

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. (FD)

- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

OTHER:

- a. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

**CITY OF HUNTINGTON BEACH
PLANNING & BUILDING DEPARTMENT
DRAFT MITIGATED NEGATIVE DECLARATION NO. 09-003**

- 1. PROJECT TITLE:** Garguis Mixed Use Development
- Concurrent Entitlements:** Coastal Development Permit No. 2009-005, Conditional Use Permit No. 2009-021, Variance No. 2009-003, Special Permit No. 2009-001, Special Permit No. 2009-002, Tentative Parcel Map No. 2009-078, Design Review No. 2009-002
- 2. LEAD AGENCY:** City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
- Contact:** Andrew Gonzales, Associate Planner
Phone: (714) 536-5271
- 3. PROJECT LOCATION:** 110 9th Street, Huntington Beach, CA 92648 (northeast corner of Pacific Coast Highway and 9th Street)
- 4. PROJECT PROPONENT:** Otis Architecture
16871 Sea Witch Lane
Huntington Beach, CA 92649
- Contact Person:** Karen Otis
Phone: (714) 846-0177
- 5. GENERAL PLAN DESIGNATION:** MV-F8-d-sp (Mixed Use Vertical – Maximum Floor Area Ratio 1.5 – Design Overlay – Specific Plan)
- 6. ZONING:** SP5-O-CZ (Downtown Specific Plan – District One – Oil Overlay – Coastal Zone Overlay)
- 7. PROJECT DESCRIPTION:**
The project proposes to construct a three-story, 35 foot tall, approximately 8,972 square foot mixed-use, visitor serving/residential development. The proposed uses within the project will include a single commercial retail space measuring approximately 2,399 square feet (sq. ft.) located entirely within the ground floor with a total of four residential units consisting of 3,062 sq. ft. on the second floor (two units) and 3,287 sq. ft. on the third floor (two units). The units range in size from 1,420 square feet to 1,781 square feet and each have two bedrooms. The project includes a variance request to allow for the development of a site with a street frontage width of 75 feet in lieu of the minimum 100 feet required. In addition, the project includes a special permit request to allow deviations from required setbacks and parking structure transition ramps as follows:

- A 10 ft. street side yard setback in lieu of the minimum 15 ft. landscaped setback,
- A 5 ft. interior side yard setback in lieu of the minimum required 7 ft. setback,
- A 3 ft. 6 in. average upper-story setback in lieu of 10 ft. along Pacific Coast Highway, and
- A slope of 9.91% in lieu of 5% for a parking garage transition ramp serving as back-up for parking stalls, and 15% in lieu of the maximum allowed slope of 10% for a parking garage transition ramp with no adjacent parking spaces.

Parking will be provided in a semi-subterranean parking garage and include nine surface level spaces and 14 subterranean spaces. All onsite parking will be accessible from the rear of the building along the alley. Residential parking (10 spaces) will be separated from commercial parking (14 spaces) through a vehicular access gate located within the subterranean portion of the parking garage.

An approximately 4 feet 6 inch alley dedication is required to provide a width of 14 feet from the project parcels to the alley centerline. In addition, right-of-way dedication shall be provided along the southwest corner of the property to provide a 25-foot radius. After dedication, the subject property will measure approximately 11,528 square feet of net lot area. The project will consolidate three existing lots into one parcel along with a condominium subdivision of four units for residential purposes.

Site development is anticipated for a period of approximately five months, which includes demolition, site preparation, grading, building construction, paving, and architectural coating. The first phase will remove the existing 1,600 square foot drive-thru restaurant building currently sited on the property along with the associated parking lot, landscaping, and various utilities. This phase is anticipated to take approximately ten days with site preparation and grading anticipated to take three days. These phases will result in the export of approximately 3,655 cubic yards of native soil, with approximately 12 feet of excavation, and import of approximately 1,300 cubic yards of compacted fill soils. Overall building construction is anticipated for a period of 100 days. The final stages of development, which includes paving and architectural coating, may take up to a total of 13 days to complete. Overall site construction is anticipated to employ the usage of such equipment as concrete/industrial saws, excavators, rubber tired dozers, tractors/loaders/backhoes, cement and mortar mixers, cranes, forklifts, welders, and aircompressors throughout the various development phases.

8. SURROUNDING LAND USES AND SETTING:

The project site is located at the northeast corner of Pacific Coast Highway and 9th Street. The project site is currently developed with a 1,600 square foot vacant drive-thru restaurant (formerly Taco Bell). The site is comprised of three lots measuring approximately 25 feet wide and 157 feet 6 inch deep with a total gross lot area of approximately 11,866 square feet.

Multi-family residential uses exist to the north (across alley) and west (across 9th Street), hotel to the east, and the beach to the south (across Pacific Coast Highway).

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):

Encroachment Permit is required from Cal Trans.

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.

- Land Use / Planning
- Transportation / Traffic
- Public Services
- Population / Housing
- Biological Resources
- Utilities / Service Systems
- Geology / Soils
- Mineral Resources
- Aesthetics
- Hydrology / Water Quality
- Hazards and Hazardous Materials
- Cultural Resources
- Air Quality
- Noise
- Recreation
- Agriculture Resources
- Greenhouse Gas Emissions
- 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.**

Jennifer Villaseñor for Andrew Gomez
Signature

5/25/11
Date

Jennifer Villaseñor for AG.
Printed Name

Senior 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 Conditions of Approval - The City imposes standard conditions of approval 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. For the readers' information, a list of applicable standard conditions identified in the discussions has been provided as Attachment No. 7.

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<i>Would the proposal result in or expose people to potential impacts involving:</i>				
<i>Landslides? (Sources: 1, 6)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>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).</i>				

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, 2)

Discussion: The proposed uses will not conflict with any land use plan in the City of Huntington Beach, including the Municipal Code, the Downtown Specific Plan (DTSP), Local Coastal Program and the General Plan. The project proposal is permitted within District One (Visitor Serving Commercial) of the DTSP subject to the approval of a conditional use permit by the Planning Commission.

While the use complies with the base zoning district and all applicable land use plans, the project requests a variance and special permits to allow for deviations from zoning code requirements. The project includes a request for a variance to permit development of a site with a street frontage width less than 100 feet at 75 feet. The 25-foot deficiency from the minimum street frontage requirements results in encroachments along the exterior street yard and interior yard setback areas. The project is also subject to a 15-foot street side yard setback, 7-foot interior side yard setback, and an average upper-story setback of 10 feet along Pacific Coast Highway. The project proposes a minimum 10-foot street side yard setback, a 5-foot interior side yard setback, and an average upper-story setback of 3 feet 6 inches. The proposed project would not, therefore, comply with the setback requirements of the Specific Plan. Although the building will encroach into portions of the required setbacks, the proposed encroachments will not result in any significant impacts to surrounding properties or the adjoining right-of-ways. The siting of the building toward the street corner and encroachment into the 15-foot street side yard setback will foster greater pedestrian activity within and around the development including along the public right-of-ways. The location of the building will not impair vehicular/pedestrian visibility or access along Pacific Coast Highway and 9th Street and minimum sidewalk widths will not be impacted. Furthermore, the interior side yard setback of five feet will not impact adjoining properties as the adjacent site contains an oil production facility containing no permanent buildings. The proposal to deviate from the upper-story setback requirement will not result in the development being disproportionate to the size and scale of surrounding developments due to various architectural features that are proposed which will aid to visually break up the facades of the building. These deviations from the minimum development standards will not result in significant environmental impacts such as increased noise, traffic, and lighting. As discussed in the various impact sections (II-XVIII) the project scope and design would ensure that environmental impacts are minimized to a less than significant impact.

Furthermore, the project is consistent with the following goals and policies of the General Plan:

Goal LU 4: Achieve a diversity of land uses that sustain the City’s economic viability, while maintaining the City’s environmental resources and scale and character.

The design of the project promotes development of a mixed use building that conveys a unified, high-quality visual image and character, with integrated landscaping, that is intended to expand the existing development pattern of Downtown Huntington Beach. The City’s Design Review Board has reviewed the proposed architecture, colors and materials and recommends approval of the design concept with modifications to further ensure compatibility with the surrounding area. The building will be oriented toward the intersection

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

of Pacific Coast Highway and Ninth Street. Additionally, public areas and open space included with the project incorporate enhanced hardscape and landscape materials. The proposed project would, therefore, be consistent with this policy of the Land Use Element. The project will improve an under utilized vacant drive-thru restaurant with a development that fully utilizes the development potential established by the DTSP and is consistent with the development patterns along Pacific Coast Highway. As discussed within the various impact sections (II-XVIII) the project scope will not result in significant impacts to the City's environmental resources.

Goal LU 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City's neighborhoods, corridor, and centers.

The proposed project utilizes mixed-vertical uses in accordance with the patterns and distribution of use and density within the Land Use Map of the City of Huntington Beach General Plan. Commercial uses such as retail establishments will be located within the first story, while two-bedroom residential units will occupy the second and third floors. The project will be consistent with this policy.

Policy C 1.1.1: With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such area are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individual or cumulative, on coastal resources.

The proposed project would develop a mix of commercial and residential uses on parcels contiguous to similar uses in an established, urban, downtown core area. Public services are currently available to the project site, as well as the surrounding parcels, and the project includes improvements to existing infrastructure to ensure adequate service after project implementation, as described in Utilities Section. Additionally, as will be discussed in Aesthetics the proposed project would not have a significant effect on public views of coastal resources. Therefore the proposed project would be consistent with Policy C 1.1.1.

Policy HE 2.1.2: Facilitate the development of mixed-use projects containing residential and non-residential uses which can take advantage of shared land costs to reduce the costs of land for residential uses through General Plan designation and the Specific Plan process.

Policy HE 2.1.4: Plan for residential land uses which accommodate anticipated growth from new employment opportunities.

The 2008-2014 Housing Element update indicates the majority of household growth in the City is due to increases in single-person households and married couples without children. These growth trends support the need for smaller, higher density and mixed use units close to transportation and services. The proposed development is consistent with the types of development identified in the Housing Element update necessary to satisfy the City's housing needs. The project is consistent with the policies of the General Plan Land Use Element which encourage the provision of housing and commercial opportunity within the City.

As discussed above, the proposed project would be consistent with applicable Goals and Policies of the Huntington Beach General Plan, and is consistent with the uses and type of development permitted within the Downtown Specific Plan. Also, the uses proposed are consistent with the General Plan Land Use designation for the project site. The proposed project would, therefore, result in a less than significant land use impact.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources:1)

Discussion: The project site is not located within an area designated as a wildlife habitat area. The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan as none exists in the City. No impacts are anticipated.

- c) Physically divide an established community? (Sources:3,4)

Discussion: The proposed project would not disrupt or physically divide an established community. The subject site is located at the southeast corner of Pacific Coast Highway and 9th Street and is located within an established urban area; therefore, it will not divide any established communities. The project would not impact access to surrounding development. No impacts are anticipated.

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:1,4)

Discussion: The requested entitlements will provide for the construction of a mixed use development with four multi-family dwellings on 0.26 net acres of land. The proposed housing density of 15 units per net acre is less than the maximum 25 units per net acre permitted on the site, based on the site's Mixed Use Vertical General Plan land use designation. Based on the City of Huntington Beach 2008-2014 Housing Element average persons per household data for existing multi-family residential developments in the vicinity and Citywide, the proposed development is expected to house approximately 11 residents, which would not be considered a substantial increase. The resulting potential population increase represents less than 0.1 percent of the City's current population. The project is subject to the City's Affordable Housing Ordinance, which requires that affordable housing units be provided at a ratio of one unit per 10 constructed or payment of an in-lieu fee for projects proposing 3-30 dwelling units. The applicant proposes to pay an in lieu fee for one affordable unit to satisfy City's Affordable Housing requirement. Less than significant impacts would occur.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources:4)

Discussion: The project site currently contains a vacant drive-thru restaurant. No residential uses exist on the subject site. Therefore, the proposed project will not displace existing housing. No impacts are anticipated.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources:4)

Discussion: The project site does not support any housing. Therefore, the project will not displace existing

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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people or housing. No impacts 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:1,13)

Discussion: The project site is not known to be traversed by an active fault and is not located within the Alquist-Priolo Earthquake Fault Zone for surface fault rupture hazards. The nearest active fault is the Newport-Inglewood fault located approximately 1.5 miles northeast of the project site. Less than significant impacts are anticipated.

ii) Strong seismic ground shaking? (Sources:1,13)

Discussion: The project site is located in a seismically active region of South California. Therefore, the site could be subjected to strong ground shaking in the event of an earthquake. Structures built in Huntington Beach are required to comply with standards set forth in the California Building Code (CBC) and standard City codes, policies, and procedures which require submittal of a detailed soils analysis prepared by a Licensed Soil Engineer. Conformance with CBC requirements and standard City code requirements will ensure potential impacts from seismic ground shaking are less than significant.

iii) Seismic-related ground failure, including liquefaction? (Sources:1,13,15)

Discussion: Although the site is located within an area identified by the City's General Plan as having a very high potential for liquefaction, the project is not located within a liquefaction zone, according to Seismic Hazard Zones maps of California Division of Mines and Geology (CDMG). Additionally, the site is underlain by dense marine deposits with a historic high groundwater depth in excess of 30 feet below existing grade, which makes the potential for liquefaction of the subsurface soils at the site low. Construction of the project in conformance with the CBC would provide mitigation of seismic ground shaking hazards. Therefore, liquefaction impacts associated with seismic related ground failure to people and structures on-site would be less than significant.

iv) Landslides? (Sources:1,6)

Discussion: According to the City of Huntington Beach General Plan, the site is not in an area susceptible to slope instability. The project site is located on a flat parcel of land and no slopes or other landforms susceptible to landslides exist in the vicinity of the property. Moreover, the California Division of Mines and Geology has not mapped any earthquake-induced landslides at, or in the vicinity of, the site that would be

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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indicative of the potential for slope instability at or in the vicinity of the site. No impacts from landslides 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:1,6,15)

Discussion: The project site and vicinity are urbanized and have relatively flat topography. Construction of the proposed project would require grading of the entire site which could potentially result in erosion of soils. Erosion will be minimized by compliance with standard City requirements for submittal of an erosion control plan prior to issuance of building permit, for review and approval by the Department of Public Works. Implementation of the proposed project would not require significant alteration of the existing topography of the project site. In addition, grading for the proposed subterranean parking structure is expected to be substantial and may result in erosion during construction. In the event that unstable soil conditions occur on the project site due to grading, or placement of fill materials, these conditions would be remedied pursuant to the recommendations in the required soils investigation study prepared by NorCal Engineering in December 2009. A less than significant impact is 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:1,6)

Discussion: Refer to Responses III (a) (iii) and III (a) (iv) for discussion of liquefaction and landslides, respectively. Subsidence is large-scale settlement of the ground surface generally caused by withdrawal of groundwater or oil in sufficient quantities such that the surrounding ground surface sinks over a broad area. The project site has not been identified as an area with potential for subsidence. In addition, withdrawal of groundwater, oil, or other mineral resources would not occur as part of the proposed project and, therefore, subsidence is not anticipated to occur. However, in the event of an earthquake in the Huntington Beach area, the site may be subject to ground shaking. The CBC and associated code requirements address lateral spreading and subsidence. Less than 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:1,6,15)

Discussion: Based upon the Geotechnical Engineering Report prepared by NorCal Engineering, the soil at the site has a moderate expansion potential. Existing fill soils that are not compacted properly could result in unstable foundations. Furthermore, differential settlement of soils could occur on site and affect the foundation materials. Unstable soils could create substantial risks to life and property. Although preparation of a grading plan for the proposed project is a City code requirement, these soil impacts could still occur with project development. Therefore, impacts related to soil expansion potential, unstable soils, and settlement would be potentially significant unless mitigated. Implementation of Mitigation Measure GEO1 would reduce these impacts to less than significant level.

GEO 1 The grading plan prepared for the proposed project shall contain the recommendations included in

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

the Geotechnical Engineering Report for the site prepared by NorCal Engineering dated December 2009. These recommendations shall be implemented in the design of the project and include measures associated with site preparation, fill placement and compaction, seismic design features, excavation and shoring requirements, foundation design, concrete slabs and pavement, cement type, surface drainage, trench backfill, and geotechnical observation.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater (Sources:1)

Discussion: The project site is located in an urbanized area in which waste water infrastructure is currently in place. Therefore, the capability of the soils to support septic tanks or alternative waste water systems is not relevant to the proposed project. No impact would occur related to septic tanks or alternative water disposal systems.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

- a) Violate any water quality standards or waste discharge requirements? (Sources:1,16,17)

Discussion: Water quality standards and waste discharge requirements will be addressed in the project design and development phase pursuant to the City's standard erosion control measures and Water Quality Management Plan (WQMP), prepared by a Licensed Civil or Environmental Engineer in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations and approved by the City of Huntington Beach Department of Public Works. The standard erosion control measures and WQMP will establish Best Management Practices (BMPs) for construction and post-construction operation of the facility, including site, source and treatment controls to be installed and maintained at the site. The WQMP and standard erosion control measures are requirements for development in the City of Huntington Beach, and with implementation will ensure compliance with water quality standards and waste discharge requirements, which will reduce project impacts to a level that is less than significant.

- 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:1,15,16)

Discussion: In 2005, the Huntington Beach Public Works Department prepared an Urban Water Management Plan (UWMP), which analyzed the City's past and future water pipeline infrastructure, sources, supplies, reliability and availability. Per a soils analysis prepared by NorCal Engineering, the project will not interfere with groundwater supplies as groundwater is located at an approximate depth of 30 feet, which is well below the 12-foot depth of excavation required to construct the project. Furthermore, based on the number of units and size of the commercial component, the water demand required for the project would not result in a

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

significant increase in water demand consumption that was not previously planned for in the Water Master Plan and UWMP and would not substantially deplete groundwater supplies. Therefore, this project would not present a substantial impact to ground water supply and table.

The project is subject to compliance with the City's Water Ordinance, including the Water Efficiency Landscape Requirements, as well as Title 24 conservation measures such as low flow fixtures, which will ensure that water consumption is minimized. Less than significant impacts are anticipated.

- 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:1,16,17)

Discussion: The site is a flat developed property with existing drainage flow toward the west and north onto 9th Street. Development of the project will result in stormwater runoff flow to maintain similar preexisting drainage conditions, with a majority of the storm water flow to be redirected to a sump pump within the subterranean parking lot which will assist in the prevention of flooding. The flow will then be pumped into a detention basin/gravel filter located to the east of the proposed building with overflow to drain onto 9th Street. The detention basin/gravel filter will fill as stormwater runoff enters the facility and remove suspended sediments/silt, trash and debris, oil, grease, and other pollutants from the drainage flow. Improvement of the site will result in a 10% reduction in impervious surfaces to approximately 80%, with overall drainage flow output to remain at current levels. Less than significant impacts area anticipated.

- 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 or surface runoff in a manner which would result in flooding on or off-site? (Sources:1,16,17)

Discussion: See discussion under section IV (c).

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources:1,16,17)

Discussion: The project will reduce overall impermeable surfaces on the project site from 90% to 80%, with no change in the overall runoff coefficient. The project will be designed such that runoff for the proposed development shall not exceed the pre-development condition. The site is a flat developed property that drains toward a detention basin/gravel filter located to the east of the site with overflow to drain onto 9th Street. Overall drainage flow output will remain at current levels. Although the existing drainage pattern is expected to be altered during the construction phase, erosion and siltation during construction will be minimized to a less than significant level by employing Best Management Practices (BMPs) for erosion control, pursuant to City approved standard erosion control measures. The standard erosion control measures and WQMP, to be submitted in accordance with City of Huntington Beach standard development requirements, will identify BMPs for ensuring a less than significant impact associated with polluted runoff during and after construction.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) Otherwise substantially degrade water quality?
(Sources:1,16,17)

Discussion: The Public Works Department requires a Water Quality Management Plan (WQMP) to be prepared in accordance with 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 WQMP shall be submitted to the Public Works Department for review and approval prior to issuance of a precise grading permit for the project. Also, refer to Section IV (c). Therefore, less than significant impacts are anticipated.

- 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:1,7)

Discussion: The proposed project is a mixed use development consisting of visitor serving commercial and residential uses. The subject site is designated as Flood Zone X, a 500-year flood hazard area, on the Flood Insurance Rate Map (FIRM), which is not subject to federal flood development restrictions. Therefore, no impacts are anticipated.

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
(Sources:1,7)

Discussion: The proposed project site is designated as Flood Zone X on the Flood Insurance Rate Map (FIRM), which is not subject to federal flood development restrictions. The project site is not situated within the 100-year flood hazard area as mapped in the FIRM. 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:1,7)

Discussion: The project site is not located within a flood hazard zone. In addition, the site is not in the immediate vicinity of a levee or dam. Therefore, no impacts are anticipated.

- j) Inundation by seiche, tsunami, or mudflow?
(Sources:1)

Discussion: According to the Moderate Tsunami Run-up Area map in the City of Huntington Beach General Plan, the project site is not located in an identified moderate tsunami run-up area. Due to the lack of land-locked bodies of water (i.e., ponds or lakes) in proximity to the project site, the potential for seiches is considered to be non-existent. The project site and vicinity are urbanized and have relatively flat topography. The project site and vicinity are not identified as areas with the potential for mudflows. Therefore, no impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
k) Potentially impact stormwater runoff from construction activities? (Sources:1,16,17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: Refer to discussion under item IV (a) above.				
l) Potentially impact stormwater runoff from post-construction activities? (Sources: 1,16,17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: Refer to discussion under item IV (a), (c), and (d) above.				
m) Result in a potential for discharge of stormwater 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:1,4,16,17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: The proposed project will not include any of the activities described above. Commercial developments with less than 20,000 sq. ft. of gross floor area are not required by the HBZSO to provide delivery areas and/or loading docks. The development does not propose any loading area. Therefore, no impacts are anticipated.				
During the construction phase, erosion and siltation during construction will be minimized to a less than significant level by employing Best Management Practices (BMPs) for discharge of storm water pollutants, pursuant to the City's standard erosion control measures. The standard erosion control measures and WQMP, to be submitted in accordance with City of Huntington Beach development requirements, will identify BMPs for ensuring a less than significant impact associated with the discharge of stormwater pollutants.				
n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? (Sources: 1,4,16,17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under Sections IV (a) and IV (e).				
o) Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm? (Sources: 1,16,17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under Section IV (e).				
p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources:1,6,15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See discussion under Section III (b).				

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. **AIR QUALITY.** The City has identified the significance criteria established by the applicable air quality management district as appropriate to make the following determinations. Would the project:

a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources:9,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

b) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 9,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

c) Create objectionable odors affecting a substantial number of people? (Sources: 9,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

d) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 9,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

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: 9,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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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Discussion: a) – e) The proposed project consists of the construction of a three-story, 35-foot tall, approximately 8,972 square foot mixed-use, visitor serving commercial/residential development. The City of Huntington Beach is located within the South Coast Air Basin, which is regulated by the South Coast Air Quality Management District (SCAQMD). The entire Basin is designated as a national-level nonattainment area for Ozone, Carbon Monoxide (CO), respirable particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}). The Basin is also a State-level nonattainment area for Ozone, PM₁₀ and PM_{2.5}. Sensitive receptors in the area include residents in nearby developments to the north (across alley) and west (across 9th Street). The nearest sensitive receptors would be residents of the multi-family residential area north of the project site approximately 22 feet from the project site boundary.

Impacts from objectionable odors could potentially occur during construction of the project. However, impacts would be intermittent and short-term and would not persist once construction was completed. The proposed mix of onsite uses (i.e., residential and commercial retail) are not sources of objectionable odors. Potential odors would be limited to typical household and commercial refuse containers which will be removed from the site on a weekly basis. As such, impacts from odors would be less than significant.

The 2007 Air Quality Management Plan (AQMP) is the region’s applicable air quality plan prepared to accommodate growth, to reduce the high levels of pollutants within the areas under jurisdiction of the SCAQMD, to return clean air to the region, and minimize the impact on the economy. Projects that are considered to be consistent with the General Plan are considered to be consistent with the AQMP. The growth in population size and number of housing units as a result of the project is consistent with the growth accounted for in the General Plan (refer to discussion under Section II. Population and Housing). Therefore, the proposed project would not conflict with the AQMP and impacts would be less than significant.

Short-term (Construction): Construction of the project may result in short-term pollutant emissions from the following activities: demolition of all onsite structures including landscaping and utilities, the commute of workers to and from the project site, grading activities including the transport of any necessary soil import and/or export, delivery and hauling of construction materials and supplies to and from the project site; fuel combustion by onsite construction equipment; and dust generating activities from soil disturbance, paving activities, and potential emissions associated with the installation of interior and exterior architectural coating onto the building. Emissions during construction were calculated using the California Emissions Estimator Model (CalEEMod). The allotment of equipment to be utilized during each phase was based on defaults in the CalEEMod program and was modified as needed to represent the specifics of the proposed project. In addition, the emissions estimate assumes that the appropriate dust control measures would be implemented during each phase as required by SCAQMD Rule 403 – Fugitive Dust and that all other appropriate mitigation such as, but not limited to, routine equipment maintenance, frequent water of the site and use of low VOC coatings has been used. The amount of soil excavation (3,655 cubic yards) and the truck trips necessary to haul the excavated native soils and import of compacted fill soil (1,300 cubic yards) results in 461 vehicle trips. The default level of detail was used to calculate fugitive dust emissions from activity on the approximately 11,528 square-foot site.

The CalEEMod model calculates total emissions, onsite and offsite, resulting from each construction activity, which are compared to the South Coast Air Quality Management District (SCAQMD) Regional Thresholds. A comparison of the project’s total emissions with the regional thresholds is provided below. A project with daily construction emission rates below these thresholds is considered to have a less than significant effect on regional air quality.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact Potentially Significant Impact Potentially Significant Impact Less Than Significant Impact No Impact

Daily Construction Emission Rates						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NOx	PM ₁₀	PM _{2.5}	SO ₂
Estimated Construction Emissions for proposed project	1.11	1.43	2.59	0.15	0.13	0
Significance Threshold	550	75	100	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

Based on the table above, construction of the project would not exceed the required significance thresholds nor would it expose sensitive receptors to substantial pollutant concentrations. Therefore, a less than significant impact is anticipated.

Long-term: Post construction emissions were also calculated using the CalEEMod program. The program was set to calculate emissions for the proposed project. The default CalEEMod variables were used for the calculations.

Daily Post-Construction Emission Rates						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NOx	PM ₁₀	PM _{2.5}	SO ₂
Estimated Operational Emissions for proposed project	1.65	1.43	0.40	0.21	0.02	0.00
Significance Threshold	550	55	50	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

Based on the above table, post-construction emissions from the proposed project would not exceed the regional thresholds nor would it expose sensitive receptors to substantial pollutant concentrations. Therefore, a less than significant impact is anticipated.

In addition, the project does not come close to exceeding established thresholds for any pollutant including the identified nonattainment pollutants (Ozone, CO, PM₁₀, and PM_{2.5}) and ozone precursors (NOx and VOC) both for construction and post-construction and therefore, would not contribute a cumulatively considerable increase in these pollutants.

VI. TRANSPORTATION/TRAFFIC. Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways,

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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pedestrian and bicycle paths, and mass transit?
(Sources: 1,10)

Discussion: Access to the project exists via 9th street and along an alley located to the rear of the property parallel to Pacific Coast Highway, which is designated as a Primary Arterial on the Circulation Plan of Arterial Streets and Highways in the General Plan (1996). The existing PCH arterial roadway segment fronting the project is currently designated as operating at Level of Service (LOS) of E, which according to the City's Traffic Division, is an acceptable LOS for this segment. As a result of the site's vacant condition, the proposed development is projected to result in a total of 131 new vehicle trips/day onto the existing street network, which equates to 95 new retail vehicle trips and 36 new residential vehicle trips. During peak AM and PM traffic periods the project will contribute 6 new AM peak hour trips (3 retail, 3 residential) and 13 new PM peak hour trips (9 retail, 4 residential). However, the total number of vehicle trips generated is less than the previous drive-thru restaurant use which generated 101 AM and 71 PM peak period vehicle trips for an estimated total of 1,015 daily vehicle trips. The City's Traffic Division has confirmed that no change would occur in the existing LOS at the intersection of Pacific Coast Highway and 9th Street. The traffic generation associated with the project is anticipated to have a less than significant impact to LOS in the area due to the nominal increase in vehicle trips generated from the site's existing vacant condition.

Construction traffic resulting from development of the project may result in short-term interruptions to traffic circulation, including pedestrian and bicycle flow. The project is anticipated to result in a total of 461 haul trips during the demolition, site preparation, and grading phases in the span of 13 days. Based on the scope of project construction, short-term interruptions to traffic are not considered to be significant. In addition, short-term construction impacts may be reduced through implementation of code requirements requiring the approval of a construction vehicle control plan by the Department of Public Works.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
(Sources: 1,10)

Discussion: Refer to discussion under item VI (a) above. A nominal increase in trip generation from long-term operation of the project is anticipated. PCH is categorized as a Congestion Management Program Highway System (CMPHS) by the Orange County Transit Authority (OCTA) 2009 CMPHS, but the project site is not within close proximity to a recognized Congestion Management Program (CMP) Intersection. The closest CMP Intersection (i.e., Beach Boulevard and PCH) is located approximately 1.25 miles away from the project site. Therefore, short- and long-term project traffic will not exceed LOS standards at designated Orange County CMP intersections in the project vicinity. Less than significant impacts are anticipated.

- 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: 10,11)

Discussion: The project site is not located within two miles of a public or private airstrip and does not propose any structures of substantial height to interfere with existing airspace or flight patterns.

- d) Substantially increase hazards due to a design feature

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
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(e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources:1,4)

Discussion: The project site is located along Pacific Coast Highway, a Primary Arterial street. Access to the project exists via 9th Street and along an alley located to the rear of the property parallel to Pacific Coast Highway. Project access will be provided via the alley along the rear of property. The project is subject to compliance with City standards for vision clearance at street/driveway intersections, minimum drive aisle widths and truck turning radii designed to ensure hazards are minimized. The project requests deviations to the transition ramp standards for parking areas. The Public Works Traffic Division has evaluated the requested transition percentages and concludes that the deviations will not result in any unsafe traffic hazards. Therefore, less than significant impacts are anticipated.

e) Result in inadequate emergency access? (Sources:1,19)

Discussion: Emergency access to and within the project site would be designed to meet City of Huntington Beach Police Department and City of Huntington Beach Fire Department requirements, as well as the City's general emergency access requirements. The Fire and Police Departments have reviewed the proposed plans and determined that emergency access is adequate. Furthermore, the City of Huntington Beach Public Works Department will require the preparation of a traffic control plan for project construction; this would ensure adequate emergency access would be maintained during construction. Therefore, less than significant impacts would occur after compliance with existing regulations, and future project traffic would not impede emergency access to and from adjacent and surrounding roadways.

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

Discussion: A total of 22 parking spaces are required for the project (12 spaces for retail and 10 spaces for residential). A total of 23 parking spaces will be provided on the site in compliance with the HBZSO. The proposed project has been designed according to City parking regulations and provides sufficient onsite parking spaces.

g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Sources:2)

Discussion: The project will provide bicycle racks onsite, in accordance with the requirements of the HBZSO Section 231.20 – *Bicycle Parking*. No impacts are anticipated.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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:1,9)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project site is currently developed with a vacant drive-thru restaurant. The project site does not support any unique, sensitive, or endangered species, is not shown in the General Plan as a generalized habitat area, and is not in the vicinity of any sensitive habitat. 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:1,9)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site 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:1,9)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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:1,9)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project area is surrounded by similar mixed use, commercial and residential developments. The site does not support any fish or wildlife and would not interfere with the movement of any fish or wildlife species nor impede the use of native wildlife nursery sites. No impacts are anticipated.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources:1,9)
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

Discussion: The site is currently developed and does not contain any mature trees, or rare and unique plant species. Construction of the project will be subject to standard City requirements for the submittal of a landscape plan. The project would be required to provide approximately five trees on site in accordance with standard Huntington Beach Zoning & Subdivision requirements. No impacts are anticipated.

- 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:1,9)

Discussion: As discussed, the project site is currently developed. It does not support any unique or endangered plant or animal species and is not a part of 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:1,9)

Discussion: See discussion under item b).

- 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:1,9)

Discussion: a) – b) The project site is not designated as an important mineral resource recovery site in the General Plan or any other land use plan. An abandoned oil well exists onsite and will be re-abandoned in accordance with the requirements set forth by the City’s Fire Department. No current onsite oil drilling or extraction operations presently exist or is proposed for the project site. Development of the project is not anticipated to have any impact on any other mineral resources. No impacts to mineral resources are anticipated.

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:1,9)

Discussion: The proposed mixed use development will not involve the routine transport, use or disposal of hazardous materials other than use of typical household and commercial cleaning products which would not pose a significant threat to public or environmental health. The project will not provide on-site fuel dispensing, underground or outdoor storage of hazardous materials. Less than significant impacts regarding the disposal of hazardous materials are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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:1,9,20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The proposed project site includes an abandoned oil well that may have affected some proximate soils on the project site. The oil well was abandoned at the time the site was developed with the former drive-thru restaurant (Taco Bell). Construction activities such as grading and excavation for the proposed underground parking structure could expose workers to contaminated soils and other hazards associated with an abandoned oil well. However, the standard conditions of approval for the City include compliance with all applicable State and local regulations pertaining to re-abandonment of an oil well and remediation of associated hazards. Local requirements include City Specification 422, which requires in addition to all conditions therein, compliance with all applicable regulations and permit conditions of the Division of Oil, Gas, and Geothermal Resources (DOGGR) with regard to the re-abandonment of an oil well; City Specification 429, which specifies requirements for permits for construction within methane districts, including the provision of methane barriers for structures; and City Specification 431-92, which articulates soil cleanup standards. Furthermore, a Phase One Environmental Site Assessment was prepared by Soil Pacifica Inc. for the project site and revealed the absence of soil contamination. Therefore, compliance with all applicable State and local regulations and permit conditions would render this impact less than significant.

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:1,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The proposed mixed use development is not intending to operate the site in a way that would generate hazardous materials. Activities conducted within the commercial component of the development will consist of visitor serving commercial uses intended to serve visitors to the City and State Beaches. These types of uses are retail and or service-oriented in nature and are not likely to involve hazardous materials on a daily basis. In addition, the nearest school is approximately 1/2 mile from the project site. 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:1,9,20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The location of the proposed mixed use development is not listed on the State's Hazardous Waste and Substance Site List. No impacts would occur.

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:1,9)	<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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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.

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| 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:1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project site is not near any private airstrips. No impacts are anticipated.

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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources:11,19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project will not impede access to the surrounding area and impact implementation or physically interfere with any adopted emergency response plan or evacuation plan. No impacts would occur.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Sources:1) | <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 wildlands. 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:1,2) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: During 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 hours of construction to reduce noise impacts to 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 uses, which are compatible with the character of the area and will not result in any significant noise impact.

The CBC, Title 24 (California Building Code Standards) establishes minimum noise insulation performance standards for new multi-family dwellings including apartments and condominiums. Interior noise levels may not exceed a Community Noise Equivalent Level (CNEL) of 45 in dwelling units. Walls and floor/ceilings must achieve a minimum rating Sound Transmission Class (IIC) of 50. The required noise insulation performance standards will attenuate potential noise impacts directed toward the residential units from onsite

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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and nearby commercial uses as well as vehicles traveling along PCH. Less than significant short- and long-term noise impacts resulting from the new development project are anticipated.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources:1,2)

Discussion: Although there may be some temporary groundborne vibration or groundborne noise levels due to onsite construction activities, these would occur infrequently and would be short-term. These activities are anticipated to occur during the construction of the subterranean parking garage due to site excavation and sheet pile installation associated with shoring. All groundborne vibration and noise levels associated with these two activities are anticipated to take approximately 14 days. Furthermore, these activities will be required to comply with the City Noise Ordinance, which exempts noise construction activity between the hours of 7AM and 8PM, Monday through Saturday. Given the short duration of time, construction related vibration and noise impacts are anticipated to be less than significant.

The proposed mixed use development on the project site will not result in the generation of significant groundborne vibration or groundborne noise during long-term operation. Implementation of the proposed project would not result in the exposure of people to or the generation of excessive groundborne vibration or groundborne noise levels. Less than significant impacts are anticipated.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources:1,2)

Discussion: The type of noise to be generated by the project in the long term will be similar to that generated by other commercial and residential uses in the area and is not anticipated to increase the ambient noise levels significantly.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources:1,2)

Discussion: The project is anticipated to generate short-term noise impacts during construction. These would occur infrequently and would be short-term. These activities are anticipated to occur predominantly during the construction of the subterranean parking garage during excavation and shoring activities. However, periodically during various stages of construction there may be moderate spikes in the levels of ambient noise. These infrequent spikes will be required to comply with the City Noise Ordinance, which regulates hours of construction. Therefore, a less than significant impact is anticipated. No other significant noise impacts are expected after construction due to the nature of the project, which is compatible with other 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:1,9,11)

Discussion: The City of Huntington Beach is included in the Planning Area for the Joint Forces Training

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Center in Los Alamitos. However, the site is located a considerable distance from the Training Center, such that the project would not be impacted by flight activity and noise generation from the Center. No impacts are anticipated.

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| 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:1,11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of 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:

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|---------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fire protection? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See discussion under section XI (b).

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|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Police Protection? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: a)-b) The proposed project has been reviewed by Huntington Beach Fire Department and Police Department staff. The project site is located within approximately 1/2 mile from Lake Fire Station and within 1-1/2 miles of the Main Police Station and approximately 1/4 mile from the Downtown Police Substation. Estimated emergency first response times from the Lake Fire Station are within the 80 percent/ 5 minute response time objective established in the City's Growth Management Element. Estimated emergency first response times from the Police Main Station are within acceptable service levels. The proposed development can be adequately served by existing Fire and Police protection service levels. The density of development proposed is consistent with the applicable General Plan Land Use designation. Accordingly, the project would not result in significant impacts to public services.

- | | | | | |
|-------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Schools? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The four new residential units located within the proposed project may result in 11 additional residents. The net increase in 11 residents will not noticeably impact school performance and operations. The applicant will be required to pay school district fees for the net increase in the floor area proposed. Based on the minor increase of residents, employees, and the requirements for payment of school fees, less than significant impacts are anticipated.

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| d) Parks? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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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Discussion: See discussion under XI (e) and XV – Recreation.

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

Discussion: The proposed project has been reviewed by responsible City departments, including Public Works, Fire, and Community Services, each of which determined that any potential impacts to public services are adequately addressed via standard conditions of approval. The proposed density of 15 du/ac is within the density permitted for the General Plan land use designation of the project site, which anticipates projects in this area with densities up to 25 du/ac. Furthermore, the project shall be required to pay necessary park and library impact fees. Consequently, no significant impacts are anticipated.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
(Sources:1,17)

Discussion: A Water Quality Management Plan (WQMP) shall be prepared in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations and approved by the City of Huntington Beach Public Works Department. The WQMP will establish Best Management Practices (BMPs) for post-construction operation of the project and its implementation will ensure compliance with water quality standards and water discharge requirements. Less than significant impacts are anticipated.

- 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:1,4,17)

Discussion: The project would not require the construction of new or significant expansion of existing water or wastewater treatment facilities. There are existing public water pipelines along Pacific Coast Highway and the alley behind the project site that could satisfy the demands of the project. A Utility Plan for new water service connections shall be reviewed and approved by the Public Works Department. All utility connections to the project site will be in accordance with all applicable City standards. Wastewater services for the proposed project will be provided by the City of Huntington Beach. The project is subject to standard code requirements and 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: 1,4,17)

Discussion: The project is not expected to result in the construction of new or significant expansion of existing storm water facilities. The project will not require extensions of public services and utilities to the site. All utility connections to the project will be in accordance with all applicable CBC, City ordinances, and Public Works Utilities Division standards. Therefore, less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources:1,16)
-

Discussion: The project site is currently developed with a vacant drive-thru restaurant. The proposed project would result in an intensification of the project site with the addition of four residential units, which may increase overall water demand. However, the project would not result in a significant increase in water consumption that was not previously planned for the 2005 Water Master Plan and 2005 Urban Water Management Plan as residential uses are permitted on the site. The estimated project demand can be accommodated from the City's water supply and does not represent a significant impact.

- 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)
-

Discussion: The proposed project would generate approximately 1,322 gallons of wastewater per day. Sewage from the proposed project will be delivered from the City feeder lines that connect to the Orange County Sanitation District's trunk sewer lines. The wastewater generated from the proposed project would be treated by the Orange County Sanitation District's Plans No. 1 and No. 2. The two plants have a treatment capacity of 276 million gallons per day (mgd). Average daily flow to both plants combined is 243 mgd. These levels provide an additional capacity of 33 mgd for both Plants No. 1 and No. 2. The proposed project would generate negligible wastewater and would require the use of approximately 0.0004% of the remaining capacity of the OCSD's facilities; therefore, less than significant impacts are anticipated.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources:1)
-

Discussion: Rainbow Disposal is the exclusive hauler of all solid waste for the City of Huntington Beach. Rainbow Disposal operates a Transfer Station, located at 17121 Nichols Street within the City of Huntington Beach, and two Materials Recovery Facilities (MRFs) through which all solid waste is processed. Rainbow Disposal's Transfer Station has a design capacity of 2,800 tons per day, and current utilization ranges between 53 and 71 percent. Assuming a worse-case scenario of 71 percent utilization, the daily solid waste contribution to this transfer station under the proposed project would be less than one percent at approximately 0.000005 percent of its entire design capacity. Utilization of the transfer station would not be noticeably impacted with implementation of the proposed project.

The Orange County Integrated Waste Management Department (IWMD) currently owns and operates three active landfills that serve the Orange County region, including: Frank R. Bowerman Landfill in Irvine; Olinda Alpha Landfill in Brea; and Prima Deschecha Landfill in San Juan Capistrano. All three landfills are permitted as Class III landfills and have a combined design capacity of 20,500 tons per day. Solid waste from the project site would be sent to the Frank R. Bowerman Landfill in Irvine. Permitted capacity for the landfill is limited to 8,500 tons per day. However, if the per day capacity is reached at the Bowerman Landfill, trucks are diverted to one of the other two landfills: Olinda Alpha in Brea (capacity 8,000 tons/day) and Prima Deschecha in San Juan Capistrano (capacity 4,000 tons/day) in the county.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact

Using the solid waste generation factors identified by the California Integrated Waste Management Board (CIWMB), the estimated amount of solid waste generated by the proposed project is shown in the table below.

Land Use	Solid Waste Generation Rates (lbs/unit/day)	Proposed Project	
		Units/S.F.	Waste Generated (lbs/day)
Residential	4 lbs/dwelling unit/day	4 units	16 lbs/day
Retail	0.006 lbs/sf/day	2,399 S.F.	14.34 lbs/day
Total		4 units & 2,399 S.F.	30.34 lbs/day (tons/day) 11,074 lbs/yr (tons/yr)
SOURCE: California Integrated Waste Management Board, Estimated Solid Waste Generation Rates, http://www.ciwmb.ca.gov/wastechar/wastegenrates .			

Based on landfill capacity, the solid waste contribution to any of the three landfills that serve the project site is less than one percent of their allowed daily capacity. With Rainbow Disposal able to accept all commercial and construction waste from the project site and with sufficient current and future landfill capacity, the solid waste impacts resulting from the proposed project would be less than significant.

- g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources:1)

Discussion: AB 939 required a 50 percent diversion of solid waste from Orange County landfills by Year 2000. Based on the most recent available data (2006), the City of Huntington Beach maintains a 71 percent diversion rate. Solid waste from the proposed project would be processed, sorted and recycled at one of two Materials Recovery Facilities operated by Rainbow Disposal. The proposed project will be subject to participation in solid waste reduction programs required to ensure compliance with AB 939 that are presently available in the City. No impacts would occur.

- h) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?) (Sources:1)

Discussion: The project is required to be designed such that water quality from the proposed development shall not exceed the pre-development condition. Storm water treatment will be managed with the installation of a detention basin/gravel filter located onto the easterly portion of the project site. The proposed detention basin/gravel filter will allow water quality to remain at current levels. Its installation is included in the construction scenario for the proposed project and is not anticipated to result in any potentially significant environmental impacts. Therefore, less than significant impacts are anticipated.

XIII. AESTHETICS. Would the project:

- a) Have a substantial adverse effect on a scenic vista? (Sources:1,3,4)

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

Discussion: The project is located on Pacific Coast Highway, a scenic corridor in the City of Huntington Beach General Plan Circulation Element. The setting along PCH is characterized by beach facilities, shoreline, the pier, and recreational amenities on the south side and development on the north side. The architecture of the proposed building consists of a Mediterranean design theme which includes materials such as decorative stone, smooth stucco finish, wood trim and architectural features, and tile roof. The project's design, colors, and materials are consistent with the list of approved colors and materials identified within the City's Urban Design Guidelines (UDG). The proposed building is an improvement to the contribution of the scenic vista in that the project will improve a blighted and underutilized site containing a vacant drive-thru restaurant with a mixed-use development of a size, scale, and design consistent with the development pattern along PCH. The proposed project will be located across PCH, away from nearby scenic vistas (i.e., pier and beach). The project's location will not physically affect public views to these scenic resources and, therefore, less than significant impacts are anticipated.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources:1)

Discussion: The State of California Department of Transportation designates scenic highway corridors. The project site is located within and visible from an eligible state scenic highway, Pacific Coast Highway. The project is designed with quality architecture and material so as to contribute to the character of the area. The project site does not contain rock outcroppings or historic buildings. Less than significant impacts are anticipated.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources:1,9)

Discussion: The proposed project is designed in accordance with the City's UDG. The proposed building will be divided into distinct massing elements and all building facades will be articulated with architectural elements and details. The existing condition of the subject property degrades the visual character of the surrounding area because the site contains a vacant drive-thru restaurant building that is in a condition of disrepair. The project will vastly improve the site with a development that is consistent with the size, scale, design and pattern of development located along PCH. The project was reviewed by the City's Design Review Board (DRB), who is charged with reviewing projects for consistency with community design standards and objectives. The DRB made several recommendations to address the building's size and scale to ensure further compatibility with the surrounding neighborhood. Therefore, less than significant impacts are anticipated.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources:1,3,4)

Discussion: The proposed project is located within a highly urbanized area. Because the project will result in a larger development in terms of building volume, overall height, and site coverage from the previous drive-thru restaurant, implementation of the proposed project may result in additional nighttime lighting and the potential for glare from the building and parking lot. The project will be subject to a standard condition of approval that requires lighting to be shielded and directed so as to prevent glare and spillage onto adjacent properties including neighboring residential uses located to the north. Based upon the total number of vehicle

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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trips between the proposed project and previous drive-thru restaurant, the number of vehicles accessing the proposed project will be less than the number of vehicles which accessed the previous use. Thus, sources of light from vehicle headlights would be less than the previous use on the site and less than significant impacts are anticipated.

Furthermore, the project proposes to incorporate building materials into the project design that are consistent with those identified within the UDG. However, the project may introduce new reflective elements which includes glass railings, windows, and paint finishes that may result in a potential of direct glare impacts onto adjoining properties and vehicular traffic along PCH and 9th Street. However, these surfaces are minimal in comparison to the total area utilizing non-reflective/matte exterior surfaces and are consistent with the type and amount of materials utilized on other surrounding developments. Therefore, impacts related to a new source of substantial glare will be less than significant.

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: 1,9)

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

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: 1,9)

Discussion: The project site is not located in an identified archaeological site. Furthermore, the site is presently developed with a vacant drive-thru restaurant. It is not likely that cultural resources are present on the site. Therefore, less than significant impacts are anticipated.

- c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: 1,9)

Discussion: The project site is not designated as having any paleontological resources and does not contain any unique geologic features. No impacts are anticipated.

- d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 1,9)

Discussion: Given that the project site is presently developed and no archeological sites have been previously recorded, the project is not expected to result in the disturbance of human remains. No impacts are anticipated.

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

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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deterioration of the facility would occur or be accelerated? (Sources:1)

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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) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Affect existing recreational opportunities? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: a) – c) The proposed project may increase use of existing recreational opportunities including the beach, which is across Pacific Coast Highway, due to the addition of new dwelling units. Existing General Plan policies have established a City standard of five acres of parkland per 1,000 residents. The potential increase of 11 residents would not noticeably decrease the current park ratio of 4.95 acres per 1,000 residents such that existing recreation opportunities would be significantly affected. In addition, the project will be subject to payment of a park and recreation fee in accordance with the requirements of the HBZSO. The fees are used for acquiring parkland and developing new or rehabilitating existing community and neighborhood parks and recreation facilities. The payment of the fees as required by the HBZSO will be in accordance with the policies, principles and standards for park, open space and recreation facilities contained in the General Plan and will provide the project's fair share contribution toward park and recreation facilities. Based upon the size of the proposed development, the project does not propose or require the construction or expansion of recreational facilities beyond that which is required to be allocated for residential open space. Impacts associated with construction and use of private open space is accounted for in the overall construction scenario and considered in the analysis sections throughout this document. Impacts would be less than significant.

Construction of the proposed project will occur entirely on the subject site. Access along the adjoining right-of-ways (PCH and 9th Street) may be restricted during various phases of site development, specifically with the right-of-way improvements required by the Department of Public Works. However, such disturbances will be temporary and will not impede access to or affect use of adjacent recreational opportunities, specifically those amenities located across PCH. Impacts are anticipated to be less than significant.

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:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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:1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project site does not serve as farmland and does not contain any farming operations.

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

Development of this project will not result in the conversion of any farmland. No impacts would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources:1,9)

Discussion: The subject site is presently zoned SP5 (DTSP), which does not permit agricultural uses. In addition, the project site is not under a Williamson Act contract. Development of the site would not conflict with agricultural uses or zoning. No impacts would occur.

- 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:1,9)

Discussion: The site is currently developed with a vacant drive-thru restaurant and is surrounded by commercial and residential uses. No environmental changes associated with the proposed project would result in the conversion of farmland to non-agricultural uses.

XVII. GREENHOUSE GAS EMISSIONS. Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 8,18)

Discussion: AB 32 codifies the state’s goal to reduce its global warming effects by requiring that the state’s greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020. The 2020 reduction target equates to a decrease of approximately 30 percent below business as usual (BAU) levels. BAU refers to emissions from a proposed project before project design features and other applicable emission reductions are applied. An individual project cannot generate enough GHG emissions to individually influence global climate change. The proposed project’s potential impact would be its incremental contribution combined with the cumulative increase of all other sources of GHGs, which when taken together form global climate change impacts. Therefore, a project’s potential impacts would be evaluated in the context of whether the project would reduce GHG emissions consistent with the reduction targets of AB 32 and the plans, programs, and regulations adopted to implement AB 32. Implementation of the project would generate greenhouse gases through the construction and operation of new residential and commercial uses.

Construction: GHG emissions from construction are estimated to generate approximately 250 metric tons of CO_{2e}. Construction-related GHG emissions are caused by vehicle trips from workers commuting to and from the project site as well as material and supply deliveries. Operation of heavy equipment can also contribute GHG emissions during construction. Construction-related emissions are a temporary and intermittent source of impacts and would not generate a substantial amount of emissions that would have a cumulatively significant effect on global climate change. However, reduction measures consistent with California Air Pollution Control Officers Association (CAPCOA) and California Climate Action Team (CCAT) recommendations would be implemented to reduce the project’s contribution of GHG emissions from construction. These measures include the following: limiting construction equipment/vehicle idling time, use of alternative fuel or electric equipment/vehicles, and implementing a construction traffic control plan to reduce congestion during peak travel times. The project’s small contribution of GHG emissions from construction combined with implementation of reduction measures consistent with measures recommended for

ISSUES (and Supporting Information Sources):

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact

implementation of AB 32 would ensure impacts from constructed-related GHG emissions would be less than significant.

Operational: Greenhouse gas emissions from sources associated with project operation would include direct sources such as motor vehicles, natural gas consumption, solid waste handling/treatment, and indirect sources such as electricity generation. However, the project would incorporate GHG reduction strategies and measures consistent with those recommended by the CCAT and CAPCOA in response to AB 32. These measures include (a) high density project design that improves walkability and destination accessibility, (b) installation of energy efficient appliances, (c) use of low VOC paint, (d) elimination of fireplaces, (e) installation of low flow plumbing fixtures, and (f) institution of recycling services.

GHG emissions from indirect and direct sources as well as the project's reduction in emissions from implementation of GHG reduction measures are estimated and presented in the table below.

<i>Emission Source</i>	<i>MT CO₂e (unmitigated)</i>	<i>MT CO₂e (mitigated)</i>	<i>% Reduction</i>
Vehicular Use	192.66	164.91	14.4%
Electricity	16.20	13.45	16.9%
Natural Gas & other fuels	5.83	4.60	21.1%
Solid Waste	2.27	1.52	33.0%
Water Use	3.25	2.43	25.2%
Total	220.21	186.91	15.2%

The location of the project as an infill project in an established urban area, along with the implementation of state vehicle emission regulations, project design, and GHG reduction measures will result in a 14-33 percent reduction in GHG emissions from BAU levels for the various emission sources and a 15 percent overall reduction. In light of the project's characteristics and design features, the project would result in a less than significant impact on greenhouse gas emissions and would comply with the goals and policies established by AB 32 and the strategies adopted for implementation.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 8,18)

Discussion: Refer to discussion under item XVII (a), above.

XVIII. 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 rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources:1,3,4)

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 site is currently developed with a vacant drive-thru restaurant. 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 XVII 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:1,2,9)
-

Discussion: As discussed above in Sections I to XVII, the project with implementation of standard code requirements and mitigation measures is anticipated to have less than significant impacts due to the small scale of the project and would not result in any cumulatively considerable impacts.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources:1,2,9)
-

Discussion: As discussed in Sections I to XVII, the project as proposed, with implementation of the recommended Mitigation Measure GEO-1, code requirements and conditions of approval, will have a less than significant impact or less than significant with mitigation impact on human beings, either directly or indirectly.

XIX. EARLIER ANALYSIS/ SOURCE LIST

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	City of Huntington Beach Planning & Building Dept., Planning/Zoning Information Counter, 2000 Main St., 3rd Floor, Huntington Beach, and at www.huntingtonbeachca.gov/Government/Departments/Planning/gp
2	City of Huntington Beach Zoning and Subdivision Ordinance	City of Huntington Beach City Clerk's Office, 2000 Main St., 2 nd Floor, Huntington Beach, and at www.huntingtonbeachca.gov/government/charter_codes
3	Project Vicinity Map	See Attachment #1
4	Preliminary Site Plan, Floor Plans, Elevations, Section Elevations, Tentative Parcel Map	See Attachment #2
5	Project Narrative	See Attachment #3
6	City of Huntington Beach Geotechnical Inputs Report	City of Huntington Beach Planning & Building Dept. (see #1)
7	FEMA Flood Insurance Rate Map (December 3, 2009)	"
8	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	"
9	City of Huntington Beach CEQA Procedure Handbook	"
10	Trip Generation Handbook, 7 th Edition, Institute of Traffic Engineers	"
11	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	"
12	State Seismic Hazard Zones Map	City of Huntington Beach Planning & Building Dept. (see #1)
13	City of Huntington Beach Municipal Code	City of Huntington Beach City Clerk's Office (see #2)

14	Soils Investigation Prepared by NorCal Engineering (December 2009)	Attachment #4
15	2005 Urban Water Management Plan	City of Huntington Beach Planning & Building Dept. (see #1)
16	Preliminary Water Quality Management Plan Prepared by Nick Kazemi, Inc. (November 2010)	"
17	CalEEMod Version: CalEEMod.2011.1 (May 2011)	Attachment # 5
18	City of Huntington Beach Emergency Management Plan	City of Huntington Beach Planning & Building Dept. (see #1)
19	Phase 1 Environmental Site Assessment Soil Pacifica Inc. (July 2009)	"
20	Project Implementation Code Requirements	Attachment # 6
21	Summary of Mitigation Measures	Attachment # 7

SOILS INVESTIGATION
Proposed Mixed-Use Development
110 9th Street
Huntington Beach, California

Juan Solá
Asset Manager
SCHAEFER FUNDS, LLC
14250 Ventura Boulevard, 2nd Floor
Sherman Oaks, California 91423

Project Number 15039-09
December 3, 2009

NorCal Engineering ATTACHMENT NO. 6.30

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NorCal Engineering
SOILS AND GEOTECHNICAL CONSULTANTS
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December 3, 2009

Project Number 15039-09

Juan Solá
Asset Manager
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14250 Ventura Boulevard, 2nd Floor
Sherman Oaks, California 91423

RE: **SOILS INVESTIGATION** – Proposed Mixed-Use Development –
Located at 110 9th Street, in the City of Huntington Beach, California

Dear Mr. Sola:

Pursuant to your request, this firm has performed a Soils Investigation for the above referenced project. The purpose of this investigation is to evaluate the geotechnical conditions of the subject site and to provide recommendations for the proposed development. This geotechnical engineering report presents the findings of our study along with conclusions and recommendations for development.

1.0 STRUCTURAL CONSIDERATIONS

1.1 Proposed Development

It is proposed to construct a new three story over subterranean parking mixed-use building on the site. Excavations of approximately 12 feet in depth are expected. Pavement areas and some landscaping are also proposed.

Final building plans shall be reviewed by this firm prior to submittal for city approval to determine the need for any additional study and revised recommendations pertinent to the proposed development, if necessary.

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2.0 SITE DESCRIPTION

2.1 Location: The property is situated at the northeasterly corner of Pacific Coast Highway and 9th Street in the City of Huntington Beach. An alleyway borders to the north and an active oil well and above-ground storage tank are located to the east.

2.2 Existing Conditions: The site is occupied by a former Taco Bell restaurant building and associated asphaltic and concrete pavement areas.

Drainage of the relatively level site appears to sheetflow toward adjacent roadways.

3.0 FIELD INVESTIGATION

3.1 Site Exploration

The investigation consisted of the placement of four subsurface exploratory excavations by hollow-stem auger drill rig and hand auger to a maximum depth of 26 feet below current ground elevations. The borings were placed at accessible locations across the site. Existing improvements limited the placement of the borings.

The explorations were visually classified and logged by a field engineer with locations of the subsurface explorations shown on the attached Figure 1. The exploratory excavations revealed the existing earth materials to consist of fill and natural soil zones. A detailed description of the subsurface conditions are listed on the excavation logs in Appendix A. It should be noted that the transition from one soil type to another as shown on the borings logs is approximate and may in fact be a gradual transition. The soils encountered are described as follows:

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Fill: Fill soils classifying as silty SAND with some gravel and minor debris were encountered across the site to depths ranging from 2 to 3 feet. The fill is considered medium dense and variable in moisture content.

Natural: Native, undisturbed soils classifying as silty SAND were encountered beneath the upper fill soils. The native soils as encountered were observed to be medium dense and damp to moist. Clay and silt content generally increased with depth of borings. No caving occurred in the excavations.

3.2 Groundwater

Groundwater was not encountered in any of our borings and is not anticipated to be a factor in the planned development. Plate 1.2 of Department of Conservation, Division of Mines and Geology Seismic Hazard Report 020, indicates historic high groundwater in the site vicinity on the order of 30 feet below grade.

4.0 LABORATORY TESTS

Relatively undisturbed samples of the subsurface soils were obtained to perform laboratory testing and analysis for direct shear, consolidation tests, and to determine in-place moisture/densities. These relatively undisturbed ring samples were obtained by driving a thin-walled steel sampler lined with one-inch long brass rings with an inside diameter of 2.42 inches 12 inches into the undisturbed soils. Blowcounts required to drive the sampler are included on the attached boring logs.

Bulk bag samples were obtained in the upper soils for expansion index tests, maximum density tests and corrosion tests. Wall loadings on the order of 4,000 lbs./lin.ft. and maximum compression loads on the order of 100 kips were utilized for testing and design purposes. All test results are included in Appendix B, unless otherwise noted.

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- 4.1 **Field moisture content** (ASTM:D 2216-05) and the dry density of the ring samples were determined in the laboratory. This data is listed on the logs of explorations.
- 4.2 **Maximum density tests** (ASTM: D-1557-07) were performed on typical samples of the upper soils. Results of these tests are shown on Table I.
- 4.3 **Expansion index tests** (ASTM: D-4829-07) in accordance with the California Building Code Standard were performed on remolded samples of the upper soils to determine the expansive characteristics and to provide any necessary recommendations for reinforcement of the slabs-on-grade and the foundations. Results of these tests are provided on Table II and are discussed later in this report.
- 4.4 **Atterberg Limits** (ASTM: D 4318-05) consisting of liquid limit, plastic limit and plasticity index were performed on selected soil samples. Results are shown on Table III.
- 4.5 **Direct shear tests** (ASTM: D-3080-04) were performed on undisturbed and disturbed samples of the subsurface soils. These tests were performed to determine parameters for the calculation of the safe bearing capacity. The test is performed under saturated conditions at loads of 1,000 lbs./sq.ft., 2,000 lbs./sq.ft., and 3,000 lbs./sq.ft. with results shown on Plates A and B.
- 4.6 **Consolidation tests** (ASTM: D-2435-04) were performed on undisturbed samples to determine the differential and total settlement which may be anticipated based upon the proposed loads. Water was added to the samples at a surcharge of one KSF and the settlement curves are plotted on Plates C and D.
- 4.7 **Soluble sulfate, pH, Resistivity and Chloride tests** to determine potential corrosive effects of soils on concrete and metal structures were performed in the laboratory. Test results are given in Tables IV – VII and are discussed later within this report.

5.0 SEISMICITY EVALUATION

The proposed development lies outside of any Alquist Priolo Special Studies Zone and the potential for damage due to direct fault rupture is considered unlikely.

The following site seismic information may be used for design considerations.

Seismic Design Criteria

Site Location – Region 1	Latitude	33.6602°
	Longitude	-118.0056°
Seismic Use Group		II
Site Class		D
Seismic Design Category		D
Maximum Spectral Response Acceleration	S _S	1.657g
	S ₁	0.616g
Site Coefficients	F _a	1.0
	F _v	1.5
Adjusted Maximum Acceleration	S _{MS}	1.657g
	S _{M1}	0.924g
Design Spectral Response Acceleration Parameters	S _{DS}	1.104g
	S _{D1}	0.616g

A Magnitude 6.9 earthquake along the Newport-Inglewood fault zone, which is located within 2 kilometers from the subject property, is possible.

Ground shaking originating from earthquakes along other active faults in the region is expected to induce lower horizontal accelerations due to smaller anticipated earthquakes and/or greater distances to other faults.

6.0 LIQUEFACTION AND LANDSLIDE EVALUATION

The site lies outside of areas mapped as potentially liquefiable susceptible to earthquake induced landslides by the State of California Seismic Hazards Mapping Act. In addition, the site is underlain by dense marine deposits with a historic high groundwater depth in excess of 30 feet below existing grade. Thus, the design of the proposed construction in conformance with the latest Building Code provisions for earthquake design is expected to provide mitigation of ground shaking hazards that are typical to Southern California.

7.0 CONCLUSIONS AND RECOMMENDATIONS

Based upon our evaluations, the proposed development is acceptable from a geotechnical engineering standpoint. By following the recommendations and guidelines set forth in our report, the structures and grading will be safe from excessive settlements under the anticipated design loadings and conditions. The proposed development shall meet all requirements of the City Building Ordinance and will not impose any adverse effect on existing adjacent land or structures.

The following recommendations are based upon soil conditions encountered in our field investigation; these near-surface soil conditions could vary across the site. Variations in the soil conditions may not become evident until the commencement of grading operations for the proposed development and revised recommendations from the soils engineer may be necessary based upon the conditions encountered.

7.1 Site Grading Recommendations

It is recommended that site inspections be performed by a representative of this firm during all grading and construction of the development to verify the findings and recommendations documented in this report. Any unusual conditions which may be encountered in the course of the project development may require the need for additional study and revised recommendations.

Any vegetation shall be removed and hauled from proposed grading areas prior to the start of grading operations. Existing vegetation shall not be mixed or disced into the soils. Any removed soils may be reutilized as compacted fill once any deleterious material or oversized materials (in excess of eight inches) is removed. Grading operations shall be performed in accordance with the attached *Specifications for Placement of Compacted Fill*.

7.1.1 Removal and Recompaction Recommendations

Prior to placement of any additional compacted fill soils, pavement and slabs, the upper 2 to 3 feet of existing fill soils and any low density soils remaining after subterranean excavations are made shall be removed to competent native ground, the exposed soils scarified to a depth of 8 inches, brought to within 2% of optimum moisture content and compacted to a minimum of 90% of the laboratory standard (ASTM: D-1557-07). Grading shall extend a minimum of 5 horizontal feet outside the edges of foundations or equidistant to the depth of fill placed, whichever is greater, where possible.

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Care should be taken to provide or maintain adequate lateral support for all adjacent improvements and structures at all times during the grading operations and construction phase. Adequate drainage away from the structures, pavement and slopes should be provided at all times.

It is possible that other isolated areas of low density soils in excess of that encountered in our test borings and not described in this report are present on site. If found, these areas should be treated as discussed earlier. A diligent search shall also be conducted during grading operations in an effort to uncover any underground structures, irrigation or utility lines. If encountered, these structures and lines shall be either removed or properly abandoned prior to the proposed construction.

If placement of slabs-on-grade and pavement is not completed immediately upon completion of grading operations, additional testing and grading of the areas may be necessary prior to continuation of construction operations. Likewise, if adverse weather conditions occur which may damage the subgrade soils, additional assessment by the soils engineer as to the suitability of the supporting soils may be needed.

7.1.2 Fill Blanket Recommendations

Due to the potential for differential settlement of structures supported on both native and compacted fill materials, it is recommended that all foundations be underlain by a uniform compacted fill blanket at least 2 feet in thickness. This fill blanket shall extend a minimum of 5 horizontal feet outside the edges of foundations or equidistant to the depth of fill placed, whichever is greater.

In lieu of placing the compacted fill blanket beneath foundations, all footings may be extended through any fill soils and into competent native ground as described in Section 7.3 of this report.

7.2 Temporary Excavation and Shoring Design

Temporary unshored excavations less than 4 feet in height may be made at vertical inclinations. Excavations from 4 to 10 feet in height in the existing site materials may be trimmed at a 1 to 1 (horizontal to vertical) gradient. Excavations in excess of 10 should be further evaluated by this firm. In areas where soils with little or no binder are encountered, where adverse geological conditions are exposed, or where excavations are adjacent to existing structures, shoring, slot-cutting, or flatter excavations may be required. Analysis of possible excavations along the property lines will be made when building plans have been provided for review.

The temporary cut slope gradients given above do not preclude local raveling and sloughing. All excavations shall be made in accordance with the requirements of the soils engineer, CAL-OSHA and other public agencies having jurisdiction.

Temporary shoring design may utilize an active earth pressure of 25 pcf without any surcharge due to adjacent traffic, equipment or structures. The passive fluid pressures of 250 pcf may be doubled to 500 pcf for temporary design. The final shoring structural calculations and drawings should be reviewed by this firm prior to installation.

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7.3 Foundation Design

All new foundations may be designed utilizing the following allowable soil bearing capacities for an embedded depth of 30 inches with the corresponding widths. Footings shall be embedded into either compacted fill or native soils due to the potential for differential settlement of structures.

Allowable Soil Bearing Capacity (psf)

<u>Width (ft)</u>	<u>Continuous Foundation</u>	<u>Isolated Foundation</u>
1.5	2000	2500
2.0	2075	2575
4.0	2375	2875
6.0	2675	3175

A one-third increase may be used when considering short term loading from wind and seismic forces. A minimum of two #4 bars top and two bottom shall be incorporated in the design for all continuous foundations. Reinforcement of pad foundations is at the discretion of the structural engineer. An increase in steel reinforcement due to soil expansion or proposed loadings may be necessary and shall be determined by the project engineers and/or architect. A representative of this firm shall observe foundation excavations prior placement of concrete.

7.4 Settlement Analysis

Resultant pressure curves for the consolidation tests are shown on Plates C-D. Computations utilizing these curves and the recommended allowable soil bearing capacities reveal that the foundations will experience normal settlements on the order of 3/4 inch and differential settlements of less than 1/4 inch. Results of the tests also indicate that the potential for hydro-consolidation is low.

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7.5 Lateral Resistance

The following values may be utilized in resisting lateral loads imposed on the structure. Requirements of the California Building Code should be adhered to when the coefficient of friction and passive pressures are combined.

Coefficient of Friction - 0.35
Equivalent Passive Fluid Pressure = 200 lbs./cu.ft.
Maximum Passive Pressure = 2,000 lbs./cu.ft.

The passive pressure recommendations are valid only for approved compacted fill soils.

7.6 Retaining Wall Design Parameters

Active earth pressures against retaining walls will be equal to the pressures developed by the following fluid densities. These values are for fill material placed behind the walls at various ground slopes above the walls.

Surface Slope of Retained Materials (Horizontal to Vertical)	Equivalent Fluid Density (lb./cu.ft.) <u>Imported Granular Soils</u>
Level	30
5 to 1	35
4 to 1	38
3 to 1	40
2 to 1	45

Any applicable short-term construction surcharges and seismic forces should be added to the above lateral pressure values.

The backfill zone of free draining material shall consist of a wedge beginning a minimum of one horizontal foot from the base of the wall extending upward at an inclination of no less than 3/4 to 1 (horizontal to vertical) as shown on the attached Figure 6. All walls shall be waterproofed as needed and protected from hydrostatic pressure by a reliable permanent subdrain system.

When required by the local building department and building code, the following seismic loadings should be incorporated into the design calculations for retaining walls. During a local Magnitude 6.9 earthquake along the Newport-Inglewood fault zone, additional lateral pressures will occur along the back of the wall. The seismic-induced lateral soil pressure may be computed using a triangular pressure distribution with the maximum value at the top of the wall. The maximum lateral pressure of $(20 \text{ pcf})H$ where H is the height of the retained soils above the wall footing should be used in final design of retaining walls. Sliding resistance values and passive fluid pressure values given in our previous report may be increased by 1/3 during short term wind and seismic loading conditions.

7.7 Slab-On-Grade Design

Floor slabs-on-grade shall be a minimum of 5 inches in thickness and may be placed upon fill soils compacted to a minimum of 90% relative compaction and pre-moistened to 3% above optimum levels to a depth of 18 inches as verified by the soil engineer. Exterior flatwork may be 4 inches in thickness. An effective plasticity index of 29 may be used in slab design.

Slabs shall be minimally reinforced with #4 bars at 16 inches on-center, both directions, positioned mid-height in the slab. Additional reinforcement requirements and an increase in thickness of the slabs-on-grade may be necessary based upon soils expansion potential and proposed loading conditions in the structures and should be evaluated further by the project engineers and/or architect.

A vapor retarder should be utilized in areas which would be sensitive to the infiltration of moisture. This retarder shall meet requirements of ASTM E 96, *Water Vapor Transmission of Materials* and ASTM E 1745, *Standard Specification for Water Vapor Retarders used in Contact with Soil or Granular Fill Under Concrete Slabs*. The vapor retarder shall be installed in accordance with procedures stated in ASTM E 1643, *Standard practice for Installation of Water Vapor Retarders used in Contact with Earth or Granular Fill Under Concrete Slabs*.

The moisture retarder may be placed directly upon compacted subgrade, although 2 inches of sand beneath the membrane is desirable. The subgrade upon which the retarder is placed shall be smooth and free of rocks, gravel or other protrusions which may damage the retarder. Use of sand above the retarder is under the purview of the structural engineer; if sand is used over the retarder, it should be placed in a dry condition.

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7.8 Expansive Soil

The soils at the site are "moderate" in expansion potential (Expansion potential = 51-90). Sites with expansive on site soils (Expansion potential >20) require special attention during project design and maintenance. The attached *Expansive Soil Guidelines* should be reviewed by the engineers, architects, owner, maintenance personnel and other interested parties and considered during the design of the project and future property maintenance.

7.9 Utility Trench and Excavation Backfill

Trenches from installation of utility lines and other excavations may be backfilled with on-site soils or approved imported soils compacted to a minimum of 90% relative compaction. All utility lines shall be properly bedded and shaded with clean sand having a sand equivalency rating of 30 or more. These materials shall be thoroughly water jetted or otherwise compacted around the pipe structure prior to placement of compacted backfill soils.

7.10 Corrosion Design Criteria

Representative samples of the surficial soils revealed negligible sulfate concentrations and no special concrete design recommendations are deemed necessary at this time. It is recommended that additional sulfate tests be performed at the completion of rough grading to assure that the as graded conditions are consistent with the recommendations stated in this design. Sulfate test results may be found on the attached Table IV.

Tests were also conducted on a random representative sample of soils to determine the potential corrosive effects on buried metallic structures. Tests for pH, resistivity and chloride are included on Tables IV – VI. Soil pH indicates a slightly acidic condition. Resistivity is indicative of a condition which may be considered moderately corrosive to metallic structures. Chloride content is considered low. Additional corrosion tests may need to be completed at conclusion of site grading.

8.0 CLOSURE

The recommendations and conclusions contained in this report are based upon the soil conditions uncovered in our test excavations. No warranty of the soil condition between our excavations is implied. NorCal Engineering should be notified for possible further recommendations if unexpected to unfavorable conditions are encountered during construction phase. It is the responsibility of the owner to ensure that all information within this report is submitted to the Architect and appropriate Engineers for the project.

This firm should have the opportunity to review (72 hours required) the final plans to verify that all our recommendations are incorporated. This report and all conclusions are subject to the review of the controlling authorities for the project.

A preconstruction conference should be held between the developer, general contractor, grading contractor, city inspector, architect, and soil engineer to clarify any questions relating to the grading operations and subsequent construction. Our representative should be present during the grading operations and construction phase to certify that such recommendations are complied within the field.

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This geotechnical investigation has been conducted in a manner consistent with the level of care and skill exercised by members of our profession currently practicing under similar conditions in the Southern California area. No other warranty, expressed or implied is made.

We appreciate this opportunity to be of service to you. If you have any further questions, please do not hesitate to contact the undersigned.

Respectfully submitted,
NORCAL ENGINEERING

Keith D. Tucker
Keith D. Tucker
Project Engineer
R.G.E. 841



Mark A. Burkholder
Mark A. Burkholder
Project Manager

SPECIFICATIONS FOR PLACEMENT OF COMPACTED FILL

Excavation

Any existing low density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90% relative compaction (in accordance with ASTM: D-1557-07).

In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure. Verification of elevations necessary to achieve the required compacted fill blanket are the responsibility of the owner or his representative.

Material For Fill

The on-site soils or approved import soils may be utilized for the compacted fill provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 72 hours prior to importation of site.

Placement of Compacted Fill Soils

The approved fill soils shall be placed in layers not excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2% of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90% relative compaction (in accordance with ASTM: D-1557-07) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every 2 feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

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Grading Observations

The controlling governmental agencies should be notified prior to commencement of any grading operations. This firm recommends that the grading operations be conducted under the observation of a Soils Engineering firm as deemed necessary. A 24 hour notice must be provided to this firm prior to the time of our initial inspection.

Observation shall include the clearing and grubbing operations to assure that all unsuitable materials have been properly removed; approve the exposed subgrade in areas to receive fill and in areas where excavation has resulted in the desired finished grade and designate areas of overexcavation; and perform field compaction tests to determine relative compaction achieved during fill placement. It is the responsibility of the owner or his representative(s) to assure that correct elevations are achieved during overexcavation procedures and at the conclusion of grading operations. Our field representative cannot determine elevations during any grading procedures.

In addition, all foundation excavations shall be observed by the Soils Engineering firm to confirm that appropriate bearing materials are present at the design grades and recommend any modifications to construct footings.

EXPANSIVE SOIL GUIDELINES

The following expansive soil guidelines are provided for your project. The intent of these guidelines is to inform you, the client, of the importance of proper design and maintenance of projects supported on expansive soils. ***You, as the owner or other interested party, should be warned that you have a duty to provide the information contained in the soil report including these guidelines to your design engineers, architects, landscapers and other design parties in order to enable them to provide a design that takes into consideration expansive soils.***

In addition, you should provide the soil report with these guidelines to any property manager, lessee, property purchaser or other interested party that will have or assume the responsibility of maintaining the development in the future.

Expansive soils are fine-grained silts and clays which are subject to swelling and contracting. The amount of this swelling and contracting is subject to the amount of fine-grained clay materials present in the soils and the amount of moisture either introduced or extracted from the soils. Expansive soils are divided into five categories ranging from "very low" to "very high". Expansion indices are assigned to each classification and are included in the laboratory testing section of this report. *If the expansion index of the soils on your site, as stated in this report, is 21 or higher, you have expansive soils.* The classifications of expansive soils are as follows:

Classification of Expansive Soil*

Expansion Index	Potential Expansion
0-20	Very Low
21-50	Low
51-90	Medium
91-130	High
Above 130	Very High

*From Table 18A-I-B of California Building Code (1988)

When expansive soils are compacted during site grading operations, care is taken to place the materials at or slightly above optimum moisture levels and perform proper compaction operations. Any subsequent excessive wetting and/or drying of expansive soils will cause the soil materials to expand and/or contract. These actions are likely to cause distress of foundations, structures, slabs-on-grade, sidewalks and pavement over the life of the structure. ***It is therefore imperative that even after construction of improvements, the moisture contents are maintained at relatively constant levels, allowing neither excessive wetting or drying of soils.***

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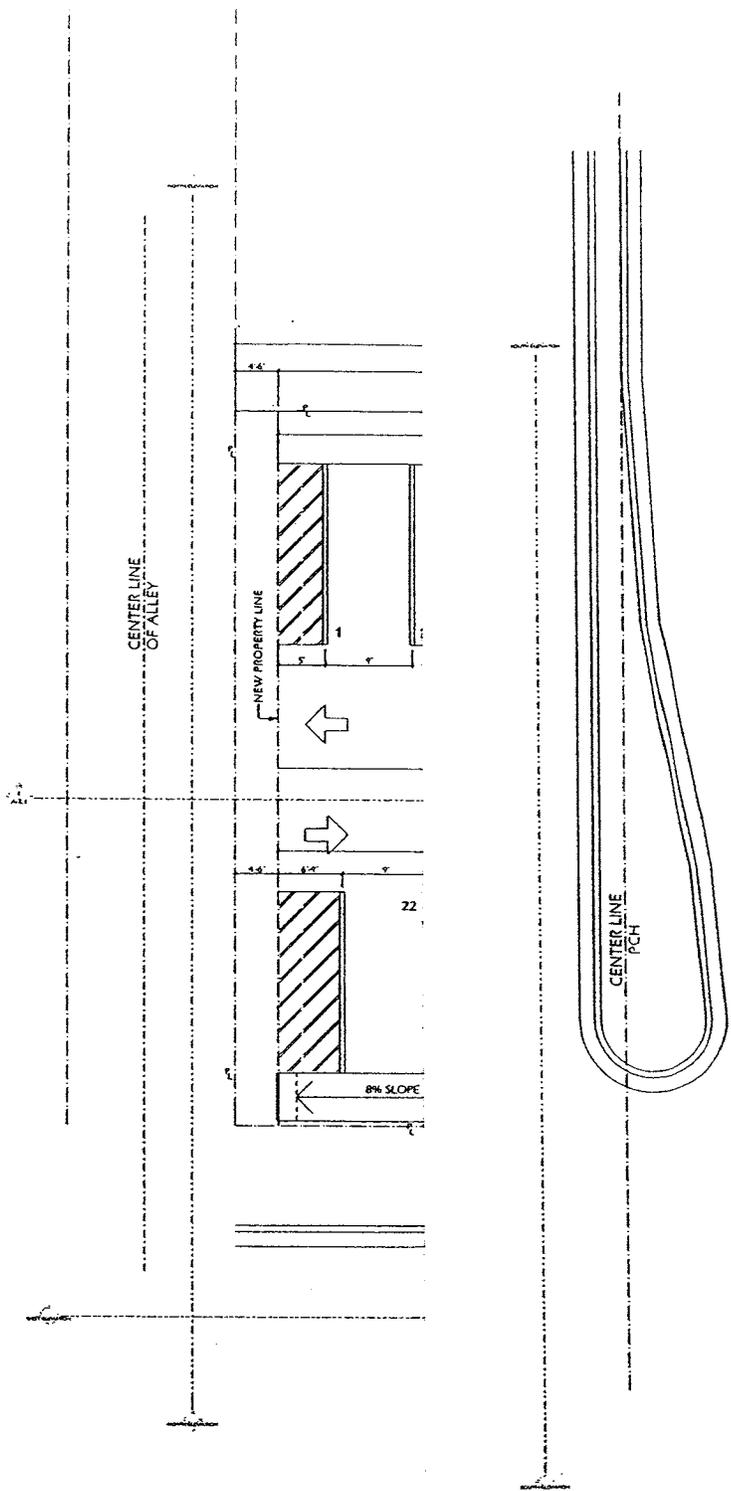
Evidence of excessive wetting of expansive soils may be seen in concrete slabs, both interior and exterior. Slabs may lift at construction joints producing a trip hazard or may crack from the pressure of soil expansion. Wet clays in foundation areas may result in lifting of the structure causing difficulty in the opening and closing of doors and windows, as well as cracking in exterior and interior wall surfaces. In extreme wetting of soils to depth, settlement of the structure may eventually result. Excessive wetting of soils in landscape areas adjacent to concrete or asphaltic pavement areas may also result in expansion of soils beneath pavement and resultant distress to the pavement surface.

Excessive drying of expansive soils is initially evidenced by cracking in the surface of the soils due to contraction. Settlement of structures and on-grade slabs may also eventually result along with problems in the operation of doors and windows.

Projects located in areas of expansive clay soils will be subject to more movement and "hairline" cracking of walls and slabs than similar projects situated on non-expansive sandy soils. There are, however, measures that developers and property owners may take to reduce the amount of movement over the life the development. The following guidelines are provided to assist you in both design and maintenance of projects on expansive soils:

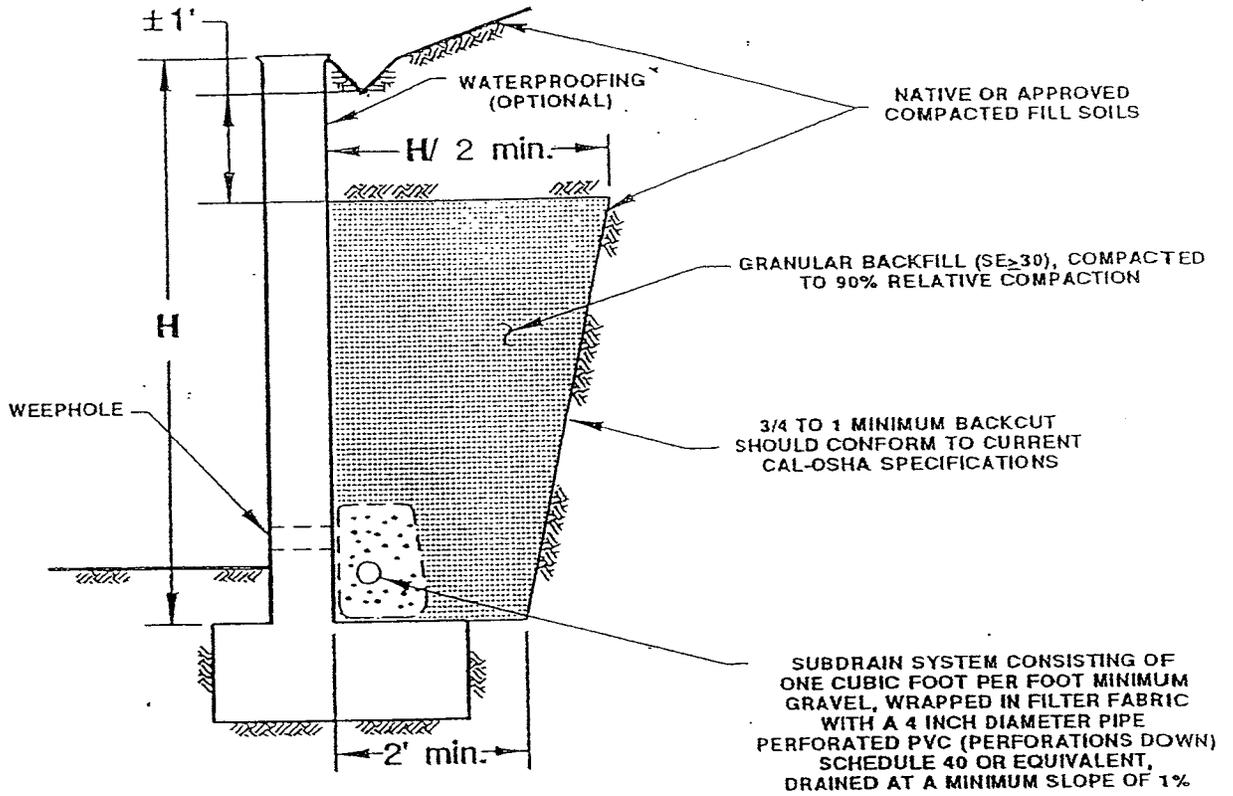
- Drainage away from structures and pavement is essential to prevent excessive wetting of expansive soils. Grades of at least 3% should be designed and maintained to allow flow of irrigation and rain water to approved drainage devices or to the street. Any "ponding" of water adjacent to buildings, slabs and pavement after rains is evidence of poor drainage; the installation of drainage devices or regrading of the area may be required to assure proper drainage. Installation of rain gutters is also recommended to control the introduction of moisture next to buildings. Gutters should discharge into a drainage device or onto pavement which drains to roadways.
- Irrigation should be strictly controlled around building foundations, slabs and pavement and may need to be adjusted depending upon season. This control is essential to maintain a relatively uniform moisture content in the expansive soils and to prevent swelling and contracting. Over-watering adjacent to improvements may result in damage to those improvements. NorCal Engineering makes no specific recommendations regarding landscape irrigation schedules.

- Planting schemes for landscaping around structures and pavement should be analyzed carefully. Plants (including sod) requiring high amounts of water may result in excessive wetting of soils. Trees and large shrubs may actually extract moisture from the expansive soils, thus causing contraction of the fine-grained soils.
- Thickened edges on exterior slabs will assist in keeping excessive moisture from entering directly beneath the concrete. A six-inch thick or greater deepened edge on slabs may be considered. Underlying interior and exterior slabs with 6 to 12 inches or more of non-expansive soils and providing presaturation of the underlying clayey soils as recommended in the soil report will improve the overall performance of on-grade slabs.
- Increase the amount of steel reinforcing in concrete slabs, foundations and other structures to resist the forces of expansive soils. The precise amount of reinforcing should be determined by the appropriate design engineers and/or architects.
- Recommendations of the soil report should always be followed in the development of the project. Any recommendations regarding presaturation of the upper subgrade soils in slab areas should be performed in the field and verified by the Soil Engineer.



APPROXIMATE LOCATIONS OF BORINGS

ATTACHMENT NO. 6.59
 FIGURE 1



INFORMATION DEPICTED ON THIS DETAIL IS FOR TYPICAL CONDITIONS AND ARE SUBJECT TO CHANGE BY THE GEOTECHNICAL CONSULTANT

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SCHAEFER FUNDS

PROJECT 15039-09

DATE DEC. 2009

RETAINING WALL DETAIL

ATTACHMENT NO. 6.60

FIGURE 2

APPENDICES

(In order of appearance)

Appendix A - Logs of Test Explorations

***Logs of Test Borings B-1 to B-4**

Appendix B - Laboratory Analysis

***Table I - Maximum Dry Density Tests**

***Table II - Expansion Index Tests**

***Table III - Atterberg Limits Tests**

***Table IV - Sulfate Tests**

***Table V - pH Tests**

***Table VI - Resistivity Tests**

***Table VII - Chloride Tests**

***Plates A-B - Direct Shear Tests**

***Plates C-D - Consolidation Tests**

APPENDIX A

MAJOR DIVISION			GRAPHIC SYMBOI	LETTER SYMBOI	TYPICAL DESCRIPTIONS		
COARSE GRAINED SOILS	GRAVEL AND GRAVELLY SOILS	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES		
				GP	POORLY-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES		
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GM	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES		
				GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES		
	SAND AND SANDY SOILS	CLEAN SAND (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES		
				SP	POORLY-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES		
		SANDS WITH FINE (APPRECIABLE AMOUNT OF FINES)		SM	SILTY SANDS, SAND-SILT MIXTURES		
				SC	CLAYEY SANDS, SAND-CLAY MIXTURES		
		FINE GRAINED SOILS	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
						CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
	OL				ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY		
SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50			MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS		
			CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS			
			OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS			
HIGHLY ORGANIC SOILS				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS		

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

UNIFIED SOIL CLASSIFICATION SYSTEM

KEY:

- Indicates 2.5-inch Inside Diameter. Ring Sample.
- ☒ Indicates 2-inch OD Split Spoon Sample (SPT).
- ☐ Indicates Shelby Tube Sample.
- ▨ Indicates No Recovery.
- ▩ Indicates SPT with 140# Hammer 30 in. Drop.
- ☑ Indicates Bulk Sample.
- ▧ Indicates Small Bag Sample.
- ▬ Indicates Non-Standard
- ☒ Indicates Core Run.

COMPONENT DEFINITIONS

COMPONENT	SIZE RANGE
Boulders	Larger than 12 in
Cobbles	3 in to 12 in
Gravel	3 in to No 4 (4.5mm)
Coarse gravel	3 in to 3/4 in
Fine gravel	3/4 in to No 4 (4.5mm)
Sand	No. 4 (4.5mm) to No. 200 (0.074mm)
Coarse sand	No. 4 (4.5 mm) to No. 10 (2.0 mm)
Medium sand	No. 10 (2.0 mm) to No. 40 (0.42 mm)
Fine sand	No. 40 (0.42 mm) to No. 200 (0.074 mm)
Silt and Clay	Smaller than No. 200 (0.074 mm)

COMPONENT PROPORTIONS

DESCRIPTIVE TERMS	RANGE OF PROPORTION
Trace	1 - 5%
Few	5 - 10%
Little	10 - 20%
Some	20 - 35%
And	35 - 50%

MOISTURE CONTENT

DRY	Absence of moisture, dusty, dry to the touch.
DAMP	Some perceptible moisture; below optimum
MOIST	No visible water; near optimum moisture content
WET	Visible free water, usually soil is below water table.

RELATIVE DENSITY OR CONSISTENCY VERSUS SPT N -VALUE

COHESIONLESS SOILS		COHESIVE SOILS		
Density	N (blows/ft)	Consistency	N (blows/ft)	Approximate Undrained Shear Strength (psf)
Very Loose	0 to 4	Very Soft	0 to 2	< 250
Loose	4 to 10	Soft	2 to 4	250 - 500
Medium Dense	10 to 30	Medium Stiff	4 to 8	500 - 1000
Dense	30 to 50	Stiff	8 to 15	1000 - 2000
Very Dense	over 50	Very Stiff	15 to 30	2000 - 4000
		Hard	over 30	> 4000

Log of Boring B-1

Project Schaefer / Huntington Beach

Date of Drilling: 11/23/09

Groundwater Depth: None Encountered

Drilling Method: Hollowstem Auger

Hammer Weight: 140 lbs

Drop: 30"

Depth (feet)	Geotechnical Description	Lithology	Samples		Laboratory		
			Type	Blow Counts	Moisture (%)	Dry Density (pcf)	Relative Comp (%)
0	Surface Elevation Not Measured						
0 - 1	4" Asphalt over 8" Gravel Base						
1 - 2	FILL SOILS Silty SAND with occasional minor debris Dark brown, medium dense, moist						
2 - 26	NATURAL SOILS Silty SAND Brown, medium dense, damp to moist Silty sandy CLAY Reddish-brown, stiff, moist Decrease in sand content with depth						
4.5 - 5.5			■	17/20	13.9	115.5	
9.5 - 10.5			▽				
11.5 - 12.5			■	7/16	25.2	103.6	
14.5 - 15.5			■	9/21	27.5	96.5	
19.5 - 20.5	Slightly silty SAND Light brown, dense, damp		■	17/23	3.8	100.8	
24.5 - 25.5			■	20/30	3.9	95.1	
26 - 26'	Boring completed at depth of 26'						

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1

ATTACHMENT NO. 6.65

Log of Boring B-2

Project Schaefer / Huntington Beach	
Date of Drilling: 11/23/09	Groundwater Depth: None Encountered
Drilling Method: Hand Auger	
Hammer Weight:	Drop:

Depth (feet)	Geotechnical Description	Lithology	Samples		Laboratory		
			Type	Blow Counts	Moisture (%)	Dry0.00 Density (pcf)	Relative Comp (%)
Surface Elevation Not Measured							
0	FILL SOILS Silty SAND with gravel, minor debris Dark brown, medium dense, dry to damp		■		5.6	119.3	
	NATURAL SOILS Silty SAND Light brown, medium dense, damp to moist		▽		11.9	116.0	
5	Silty sandy CLAY Reddish-brown, stiff, damp to moist Decrease in sand content with depth		■		12.8	120.9	
10			■		26.7	88.5	
13	Boring completed at depth of 13'						
15							
20							
25							
30							
35							

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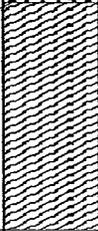
Project No.
15039-09

2

ATTACHMENT NO: 6.66

Log of Boring B-3

Project Schaefer / Huntington Beach	
Date of Drilling: 11/23/09	Groundwater Depth: None Encountered
Drilling Method: Hollowstem Auger	
Hammer Weight: 140 lbs	Drop: 30"

Depth (feet)	Geotechnical Description	Lithology	Samples		Laboratory		
			Type	Blow Counts	Moisture (%)	Dry Density (pcf)	Relative Comp (%)
Surface Elevation Not Measured							
0	FILL SOILS Silty SAND with minor debris Dark brown, medium dense, damp to moist		■	4/5	7.6	103.9	
5	NATURAL SOILS Silty SAND Reddish-brown, dense, moist		■	10/14	11.1	119.7	
10	Silty sandy CLAY Reddish-brown, stiff, damp to moist Decrease in sand content with depth		■	17/22	17.1	105.8	
Boring completed at depth of 11'							

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Project No.
15039-09

3
ATTACHMENT NO. 6.67

Log of Boring B-4

Project Schaefer / Huntington Beach

Date of Drilling: 11/23/09

Groundwater Depth: None Encountered

Drilling Method: Hand Auger

Hammer Weight:

Drop:

Depth (feet)	Geotechnical Description	Lithology	Samples		Laboratory		
			Type	Blow Counts	Moisture (%)	Dry _{0.00} Density (pcf)	Relative Comp (%)
0	Surface Elevation Not Measured						
	FILL SOILS Silty SAND with gravel, minor debris Brown, medium dense, dry to damp						
	NATURAL SOILS Silty SAND Brown, medium dense, damp						
5	Silty sandy CLAY Reddish-brown, stiff, moist Boring completed at depth of 6.5'		█	21/27	8.9	118.9	
10							
15							
20							
25							
30							
35							

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15039-09

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ATTACHMENT NO. 6.68

December 3, 2009

Project Number 15039-09

APPENDIX B

NorCal Engineering

ATTACHMENT NO. 6.69

TABLE I
MAXIMUM DENSITY TESTS
(ASTM: D-1557-07)

<u>Sample</u>	<u>Classification</u>	<u>Optimum Moisture</u>	<u>Maximum Dry Density (lbs./cu.ft.)</u>
B-2 @ 3-4'	silty SAND	10.0	127.5

TABLE II
EXPANSION INDEX TESTS
(ASTM: D-4829-07)

<u>Sample</u>	<u>Classification</u>	<u>Expansion Index</u>
B-1 @ 8-10'	silty, sandy CLAY	74
B-2 @ 3-4'	silty SAND	02

TABLE III
ATTERBERG LIMITS
(ASTM: D-4318-05)

<u>Sample</u>	<u>Liquid Limit</u>	<u>Plastic Limit</u>	<u>Plasticity Index</u>
B-1 @ 3-5'	15	12	3
B-1 @ 10'	49	28	21
B-1 @ 20'	18	16	2

TABLE IV
SOLUBLE SULFATE TESTS
(CT 417)

<u>Sample</u>	<u>Sulfate Concentration (%)</u>
B-2 @ 1-2'	.0072
B-2 @ 12'	.0044

NorCal Engineering

ATTACHMENT NO. 6.70

TABLE V
pH TESTS

<u>Sample</u>	<u>pH</u>
B-2 @ 1-2'	5.8

TABLE VI
RESISTIVITY TESTS
(CT 643)

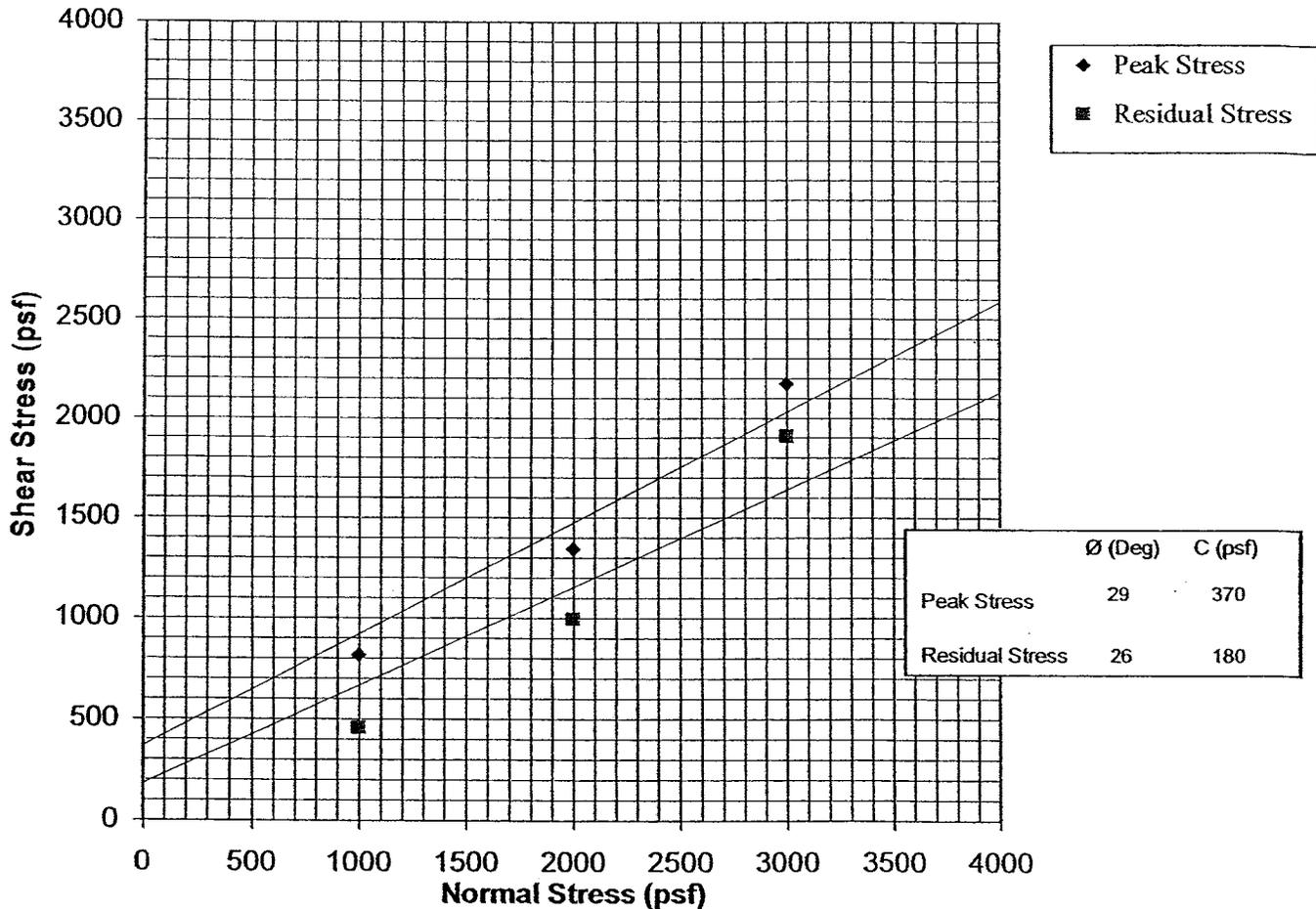
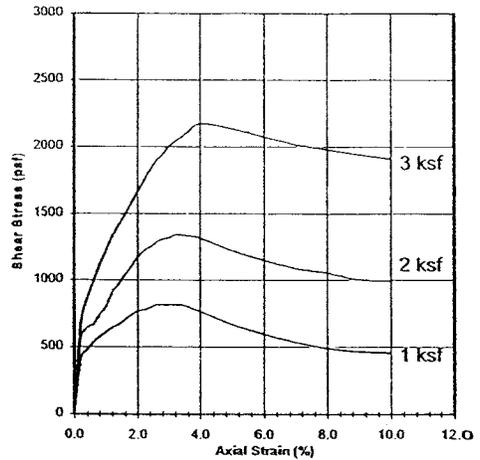
<u>Sample</u>	<u>Resistivity (ohm-cm)</u>
B-2 @ 1-2'	2,449

TABLE VII
CHLORIDE TESTS
(CT 422)

<u>Sample</u>	<u>Concentration (ppm)</u>
B-2 @ 1-2'	410

Sample No. B1@15'
 Sample Type: Undisturbed-Saturated
 Soil Description: Silty Sandy Clay

		1	2	3
Normal Stress	(psf)	1000	2000	3000
Peak Stress	(psf)	816	1344	2172
Displacement	(in.)	0.065	0.080	0.100
Residual Stress	(psf)	456	996	1908
Displacement	(in.)	0.250	0.250	0.250
Initial Dry Density	(pcf)	96.5	96.5	96.5
Initial Water Content	(%)	27.5	27.5	27.5
Strain Rate	(in./min.)	0.020	0.020	0.020



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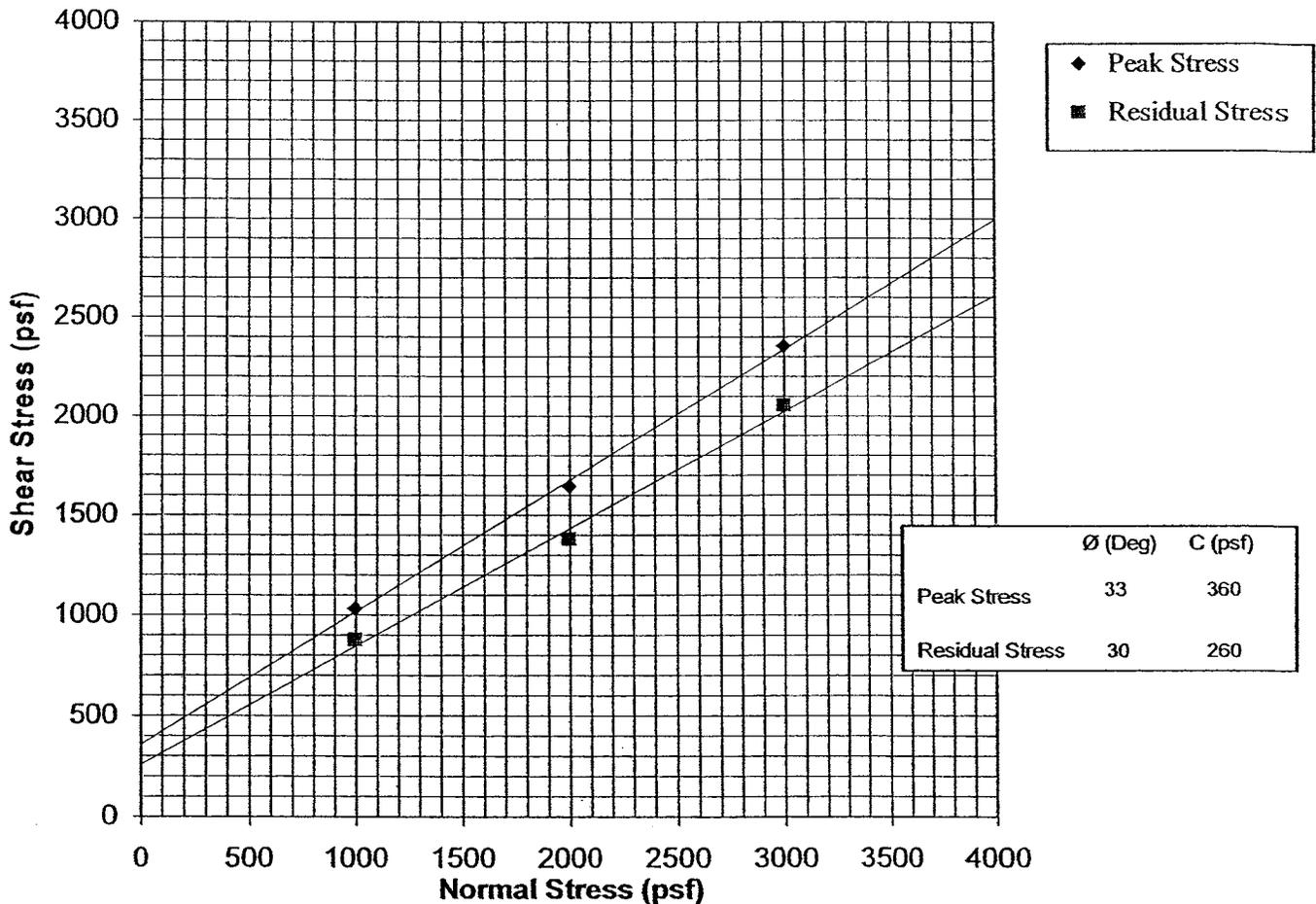
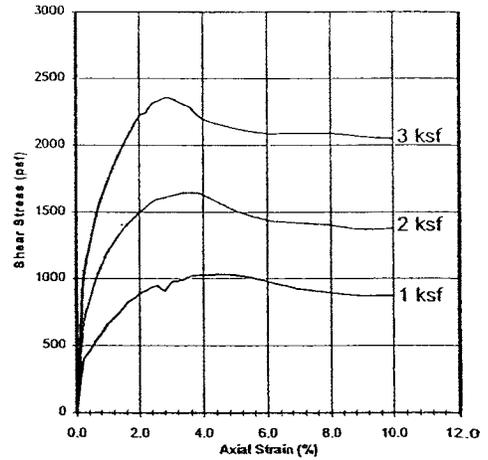
DIRECT SHEAR TEST
 ASTM D3080

Plate A

ATTACHMENT NO. 6.72

Sample No. B2@8'
 Sample Type: Undisturbed-Saturated
 Soil Description: Silty Sandy Clay

		1	2	3
Normal Stress	(psf)	1000	2000	3000
Peak Stress	(psf)	1032	1644	2352
Displacement	(in.)	0.100	0.085	0.070
Residual Stress	(psf)	876	1380	2052
Displacement	(in.)	0.250	0.250	0.250
Initial Dry Density	(pcf)	120.9	120.9	120.9
Initial Water Content	(%)	12.8	12.8	12.8
Strain Rate	(in./min.)	0.020	0.020	0.020



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DATE: 12/1/2009

DIRECT SHEAR TEST
 ASTM D3080

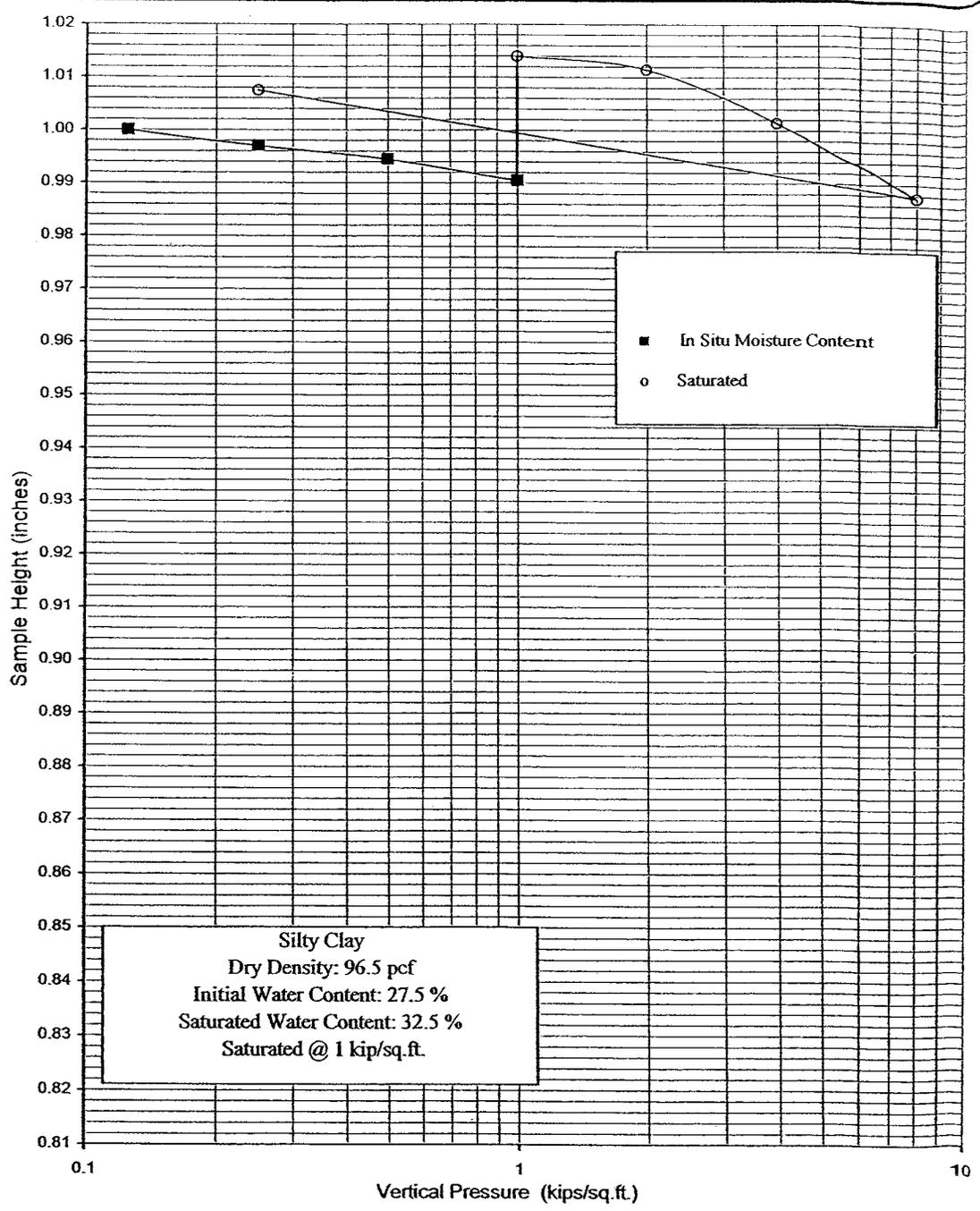
Plate B

ATTACHMENT NO. 6.73

Vertical Pressure (kips/sq. ft.)	Sample Height (inches)	Consolidation (percent)	Saturated	Sample No. B1	Depth 15'	Date 12/1/2009
----------------------------------	------------------------	-------------------------	-----------	---------------	-----------	----------------

0.125	1.0000	0.0
0.25	0.9970	0.3
0.5	0.9945	0.6
1	0.9905	1.0
1	1.0140	-1.4 S
2	1.0115	-1.1
4	1.0015	-0.2
8	0.9875	1.3
0.25	1.0075	-0.7

Date Tested: 11/30/2009
Sample No.: B1
Depth: 15'



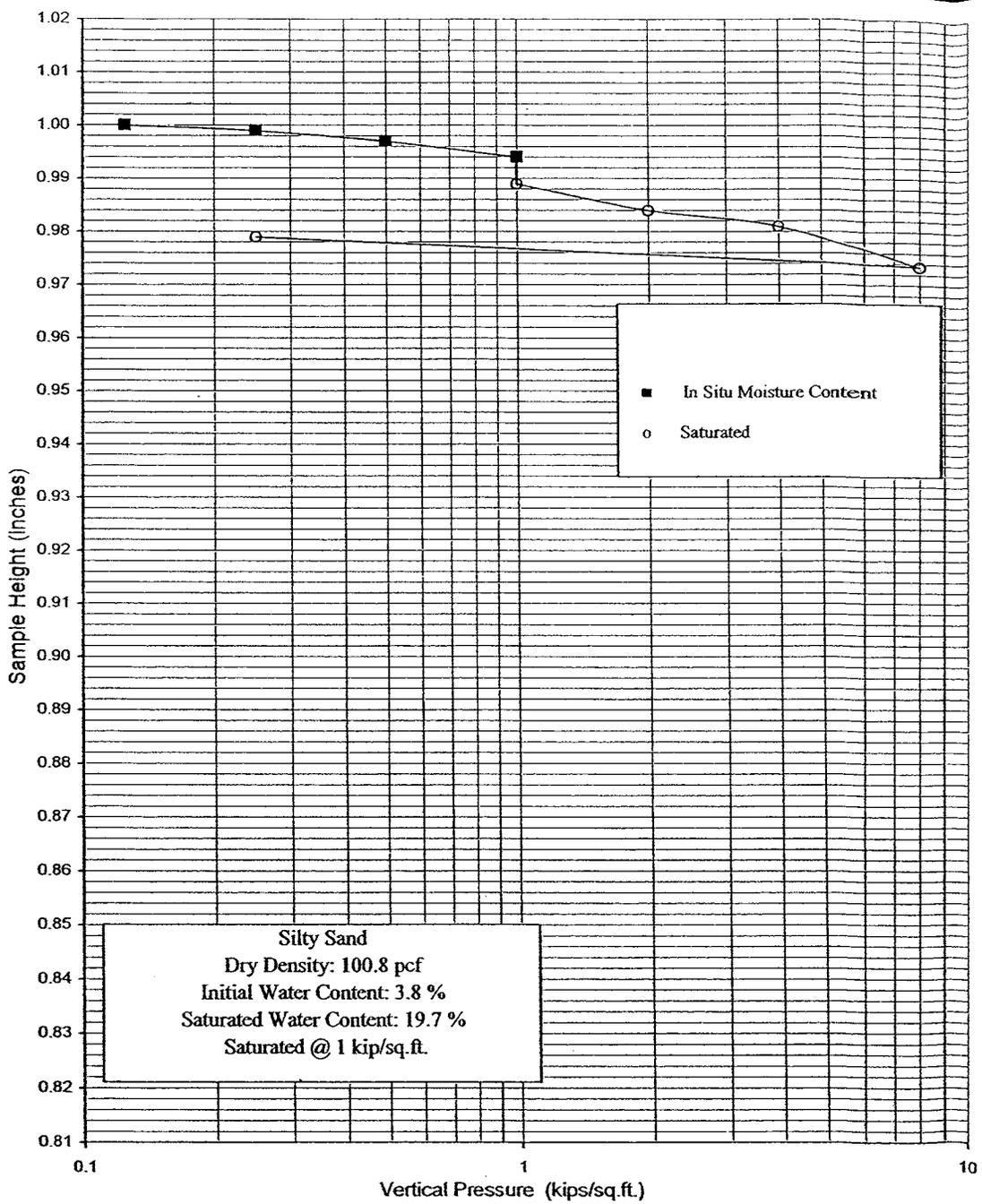
NorCal Engineering		CONSOLIDATION TEST	
SOILS AND GEOTECHNICAL CONSULTANTS		ASTM D2435	
Schaefer Funds		Plate C	
PROJECT NUMBER: 15039-09	DATE: 12/1/2009		

ATTACHMENT NO. 6.74

Vertical Pressure (kips/sq. ft.)	Sample Height (inches)	Consolidation (percent)	Saturated	Sample No. B1	Depth 20'	Date 12/1/2009
----------------------------------	------------------------	-------------------------	-----------	---------------	-----------	----------------

0.125	1.0000	0.0
0.25	0.9990	0.1
0.5	0.9970	0.3
1	0.9940	0.6
1	0.9890	1.1 S
2	0.9840	1.6
4	0.9810	1.9
8	0.9735	2.7
0.25	0.9790	2.1

Date Tested: 11/30/2009
Sample No.: B1
Depth: 20'



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SOILS AND GEOTECHNICAL CONSULTANTS
Schaefer Funds
PROJECT NUMBER: 15039-09 DATE: 12/1/2009

CONSOLIDATION TEST
ASTM D2435
Plate D

Garguis Mixed-Use
 South Coast AQMD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric
Parking Lot	9	Space
Parking Structure	14	Space
Condo/Townhouse	4	Dwelling Unit
Strip Mall	3	1000sqft

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Utility Company	Southern California Edison
Climate Zone	8	Precipitation Freq (Days)	31		

1.3 User Entered Comments

Project Characteristics -
 Land Use - The residential acreage and sq. ft. were modified from the default settings to accurately depict proposed residential component of project.
 Construction Phase - The Architectural Coating phase is altered from default calendar settings to factor construction activities during holiday periods.
 Off-road Equipment -

Off-road Equipment - Cement mixers and welders including in the construction phase to accommodate for the additional activities required to properly construct the mixed-use building with subterranean parking.

Off-road Equipment -

Off-road Equipment - Excavator is incorporated into the grading phase to accommodate for the trenching that will be required to construct the subterranean parking area.

Off-road Equipment -

Off-road Equipment -

Demolition -

Grading -

Land Use Change -

Sequestration -

Construction Off-road Equipment Mitigation - Per the California Environmental Protection Agency, beginning January 1, 2011, engine manufacturers are required to produce engines in 175 bhp and over category that are certified in the Interim Tier 4 level.

Mobile Land Use Mitigation -

Area Mitigation -

Energy Mitigation -

Water Mitigation -

Waste Mitigation -

Mobile Commute Mitigation -

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
2011	0.46	2.59	1.11	0.00	0.02	0.13	0.15	0.00	0.13	0.13	0.00	250.47	250.47	0.02	0.00	250.95
Total	0.46	2.59	1.11	0.00	0.02	0.13	0.15	0.00	0.13	0.13	0.00	250.47	250.47	0.02	0.00	250.95

Mitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
2011	0.33	1.39	1.20	0.00	0.01	0.01	0.03	0.00	0.01	0.01	0.00	250.47	250.47	0.02	0.00	250.95
Total	0.33	1.39	1.20	0.00	0.01	0.01	0.03	0.00	0.01	0.01	0.00	250.47	250.47	0.02	0.00	250.95

2.2 Overall Operational

Unmitigated Operational

Category	Category										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Area	0.10	0.00	0.09	0.00		0.00	0.00		0.00	0.00	0.42	2.55	2.97	0.00	0.00	3.02
Energy	0.00	0.01	0.00	0.00		0.00	0.00		0.00	0.00	0.00	21.89	21.89	0.00	0.00	22.03
Mobile	0.35	0.39	1.56	0.00	0.20	0.01	0.21	0.00	0.01	0.02	0.00	192.43	192.43	0.01	0.00	192.66
Waste						0.00	0.00		0.00	0.00	1.01	0.00	1.01	0.06	0.00	2.27
Water						0.00	0.00		0.00	0.00	0.00	2.81	2.81	0.01	0.00	3.25
Total	0.45	0.40	1.65	0.00	0.20	0.01	0.21	0.00	0.01	0.02	1.43	219.88	221.11	0.08	0.00	223.23

2.2 Overall Operational

Mitigated Operational

Category	tons/yr											Mton/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Biogenic CO2	Total CO2	GHG	N2O	CO2e
Area	0.09	0.00	0.06	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.10	0.10	0.00	0.00	0.10
Energy	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	17.94	17.94	0.00	0.00	18.05
Mobile	0.31	0.35	1.39	0.00	0.17	0.01	0.18	0.00	0.01	0.01	0.00	164.71	164.71	0.01	0.00	164.91
Waste						0.00	0.00	0.00	0.00	0.00	0.68	0.00	0.68	0.04	0.00	1.52
Water						0.00	0.00	0.00	0.00	0.00	0.00	2.10	2.10	0.01	0.00	2.43
Total	0.40	0.35	1.45	0.00	0.17	0.01	0.18	0.00	0.01	0.01	0.68	184.85	185.53	0.06	0.00	187.01

2.3 Vegetation

Vegetation

Category	ROG	NOx	CO	SO2	CO2e
New Trees					3.54
Total					3.54

3.0 Construction Detail

3.1 Mitigation Measures Construction

- Use Cleaner Engines for Construction Equipment
- Use DPF for Construction Equipment
- Use Oxidation Catalyst for Construction Equipment
- Use Soil Stabilizer
- Replace Ground Cover
- Water Exposed Area
- Clean Paved Roads

3.2 Demolition - 2011

Unmitigated Construction On-Site

Category	COG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
t/yr																
Fugitive Dust					0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.01	0.08	0.05	0.00		0.01	0.01		0.01	0.01	0.00	6.69	6.69	0.00	0.00	6.71
Total	0.01	0.08	0.05	0.00	0.00	0.01	0.01	0.00	0.01	0.01	0.00	6.69	6.69	0.00	0.00	6.71

3.2 Demolition - 2011

Unmitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.30	0.30	0.00	0.00	0.30
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.56	0.56	0.00	0.00	0.56
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.86	0.86	0.00	0.00	0.86

Mitigated Construction On-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.02	0.10	0.00		0.00	0.00		0.00	0.00	0.00	6.69	6.69	0.00	0.00	6.71
Total	0.00	0.02	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.69	6.69	0.00	0.00	6.71

3.2 Demolition - 2011

Mitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.30	0.30	0.00	0.00	0.30
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.56	0.56	0.00	0.00	0.56
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.86	0.86	0.00	0.00	0.86

3.3 Site Preparation - 2011

Unmitigated Construction On-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.01	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.64	0.64	0.00	0.00	0.64
Total	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.64	0.64	0.00	0.00	0.64

3.3 Site Preparation - 2011

Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Total CO2	GHG	N2O	CO2e
(t/yr)															
Hauling	0.01	0.05	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.06	0.00	0.00	6.07
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.00	0.03
Total	0.01	0.05	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.09	0.00	0.00	6.10

Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Total CO2	GHG	N2O	CO2e
(t/yr)															
Fugitive Dust					0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-0.00	0.00	0.00
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.64	0.00	0.00	0.64
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.64	0.00	0.00	0.64

3.3 Site Preparation - 2011

Mitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBlc-CO2	Total CO2	CH4	N2O	CO2e
(tons/yr)																
Hauling	0.01	0.05	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.06	6.06	0.00	0.00	6.07
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.03	0.00	0.00	0.03
Total	0.01	0.05	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.09	6.09	0.00	0.00	6.10

3.4 Grading - 2011

Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBlc-CO2	Total CO2	CH4	N2O	CO2e
(tons/yr)																
Fugitive Dust					0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.02	0.01	0.00		0.00	0.00		0.00	0.00	0.00	1.75	1.75	0.00	0.00	1.75
Total	0.00	0.02	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.75	1.75	0.00	0.00	1.75

3.4 Grading - 2011

Unmitigated Construction Off-Site

Category	tons/yr																
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBC CO2	Total CO2	GH4	N2O	CO2e	
Hauling	0.01	0.10	0.05	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	10.89	10.89	0.00	0.00	0.00	10.90
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.15	0.00	0.00	0.00	0.15
Total	0.01	0.10	0.05	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	11.04	11.04	0.00	0.00	0.00	11.05

Mitigated Construction On-Site

Category	tons/yr																
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBC CO2	Total CO2	GH4	N2O	CO2e	
Fugitive Dust					0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.01	0.02	0.00		0.00	0.00		0.00	0.00	0.00	1.75	1.75	0.00	0.00	0.00	1.75
Total	0.00	0.01	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.75	1.75	0.00	0.00	0.00	1.75

3.4 Grading - 2011

Mitigated Construction Off-Site

Category	Category										MTYr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.01	0.10	0.05	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00	10.89	10.89	0.00	0.00	10.90
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.15	0.00	0.00	0.15
Total	0.01	0.10	0.05	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00	11.04	11.04	0.00	0.00	11.05

3.5 Building Construction - 2011

Unmitigated Construction On-Site

Category	Category										MTYr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Off-Road	0.24	2.26	0.88	0.00	0.11	0.11	0.11	0.11	0.11	0.11	0.00	211.78	211.78	0.02	0.00	212.19
Total	0.24	2.26	0.88	0.00	0.11	0.11	0.11	0.11	0.11	0.11	0.00	211.78	211.78	0.02	0.00	212.19

3.5 Building Construction - 2011

Unmitigated Construction Off-Site

Category	tons/yr																
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio. CO2	NEio CO2	Total CO2	GHG	N2O	CO2e	
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.02	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.48	2.48	0.00	0.00	0.00	2.48
Worker	0.01	0.00	0.03	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	4.48	4.48	0.00	0.00	0.00	4.48
Total	0.01	0.02	0.04	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	6.96	6.96	0.00	0.00	0.00	6.97

Mitigated Construction On-Site

Category	tons/yr																
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio. CO2	NEio CO2	Total CO2	GHG	N2O	CO2e	
Off-Road	0.13	1.18	0.91	0.00		0.01	0.01		0.01	0.01	0.00	211.78	211.78	0.02	0.00	0.00	212.19
Total	0.13	1.18	0.91	0.00		0.01	0.01		0.01	0.01	0.00	211.78	211.78	0.02	0.00	0.00	212.19

3.5 Building Construction - 2011

Mitigated Construction Off-Site

Category	CO2e	CO2	CH4	N2O	CO2e	CO2	CH4	N2O	CO2e	CO2	CH4	N2O	CO2e
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.02	0.01	0.00	0.00	0.00	0.00	0.00	0.00	2.48	0.00	0.00	2.48
Worker	0.01	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	4.48	0.00	0.00	4.49
Total	0.01	0.02	0.04	0.00	0.00	0.00	0.00	0.00	0.00	6.96	0.00	0.00	6.97

3.6 Paving - 2011

Unmitigated Construction On-Site

Category	CO2e	CO2	CH4	N2O	CO2e	CO2	CH4	N2O	CO2e	CO2	CH4	N2O	CO2e
Off-Road	0.01	0.04	0.02	0.00	0.00	0.00	0.00	0.00	0.00	3.19	0.00	0.00	3.20
Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.01	0.04	0.02	0.00	0.00	0.00	0.00	0.00	0.00	3.19	0.00	0.00	3.20

3.6 Paving - 2011

Unmitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	Net CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.50	0.00	0.00	0.50
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.50	0.00	0.00	0.50

Mitigated Construction On-Site

Category	tens/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	Net CO2	Total CO2	CH4	N2O	CO2e
Off-Road	0.00	0.01	0.02	0.00		0.00	0.00		0.00	0.00	0.00	3.19	3.19	0.00	0.00	3.20
Paving	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.01	0.02	0.00		0.00	0.00		0.00	0.00	0.00	3.19	3.19	0.00	0.00	3.20

3.6 Paving - 2011

Mitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e	
(tonnes)																	
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.50	0.00	0.00	0.00	0.50
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.50	0.00	0.00	0.00	0.50

3.7 Architectural Coating - 2011

Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e	
(tonnes)																	
Archit. Coating	0.17					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.01	0.01	0.00		0.00	0.00		0.00	0.00	0.00	0.89	0.89	0.00	0.00	0.00	0.90
Total	0.17	0.01	0.01	0.00		0.00	0.00		0.00	0.00	0.00	0.89	0.89	0.00	0.00	0.00	0.90

3.7 Architectural Coating - 2011

Unmitigated Construction Off-Site

Category	tons/yr											MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Biogenic CO2	Total CO2	CH4	N2O	CO2e	
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.08	0.00	0.00	0.00	0.08
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.08	0.00	0.00	0.00	0.08

Mitigated Construction On-Site

Category	tons/yr											MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Biogenic CO2	Total CO2	CH4	N2O	CO2e	
Archit. Coating	0.17					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.00	0.01	0.00		0.00	0.00		0.00	0.00	0.00	0.89	0.89	0.00	0.00	0.00	0.90
Total	0.17	0.00	0.01	0.00		0.00	0.00		0.00	0.00	0.00	0.89	0.89	0.00	0.00	0.00	0.90

3.7 Architectural Coating - 2011

Mitigated Construction Off-Site

Category	Intensity										MTN				
	COG	NOx	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	NBiogenic CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.08	0.08	0.00	0.00	0.08
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.08	0.08	0.00	0.00	0.08

4.0 Mobile Detail

4.1 Mitigation Measures Mobile

- Increase Density
- Improve Walkability Design
- Improve Destination Accessibility
- Increase Transit Accessibility
- Improve Pedestrian Network
- Implement Trip Reduction Program
- Encourage Telecommuting and Alternative Work Schedules

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bic CO2	MBic CO2	Total CO2	GHG	N2O	CO2e
Mitigated	0.31	0.35	1.39	0.00	0.17	0.01	0.18	0.00	0.01	0.01	0.00	164.71	184.71	0.01	0.00	164.91
Unmitigated	0.35	0.39	1.56	0.00	0.20	0.01	0.21	0.00	0.01	0.02	0.00	192.43	192.43	0.01	0.00	192.66
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT		Mitigated Annual VMT	
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT		
Condo/Townhouse	26.36	28.64	24.28	87,889	76,727		
Parking Lot	0.00	0.00	0.00				
Parking Structure	0.00	0.00	0.00				
Strip Mall	132.96	126.12	61.29	279,704	236,151		
Total	159.32	154.76	85.57	367,593	312,879		

4.3 Trip Type Information

Land Use	Miles			Hours		
	FWOICW	HS of CG	HO of CNW	FWOICW	HS of CG	HO of CNW
Condo/Townhouse	12.70	7.00	9.50	40.20	19.20	40.60
Parking Lot	8.90	13.30	7.40	0.00	0.00	0.00

Land Use	Miles			Trip %		
	HW of HW	H.S of C/C	H.O of C-NW	HW of HW	H.S of C/C	H.O of C-NW
Parking Structure	8.90	13.30	7.40	0.00	0.00	0.00
Strip Mall	8.90	13.30	7.40	16.60	64.40	19.00

5.0 Energy Detail

5.1 Mitigation Measures Energy

- Exceed Title 24
- Install High Efficiency Lighting
- Install Energy Efficient Appliances

Category	ton/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NI-CO2	Total CO2	CH4	N2O	CO2e
Electricity Mitigated					0.00	0.00	0.00		0.00	0.00	0.00	13.37	13.37	0.00	0.00	13.45
Electricity Unmitigated					0.00	0.00	0.00		0.00	0.00	0.00	16.10	16.10	0.00	0.00	16.20
Natural Gas Mitigated	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.57	4.57	0.00	0.00	4.60
Natural Gas Unmitigated	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.80	5.80	0.00	0.00	5.83
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

5.2 Energy by Land Use - Natural Gas

Unmitigated

Land Use	Natural Gas Use kBTU	COG	NOX	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	BC CO2	NBC CO2	Total CO2	GHG	N2O	CO2e
(tons/yr)																
Condo/Townhouse	102485	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.47	5.47	0.00	0.00	5.50
Parking Lot	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Parking Structure	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Strip Mall	6150	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.33	0.33	0.00	0.00	0.33
Total		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.80	5.80	0.00	0.00	5.83

Mitigated

Land Use	Natural Gas Use kBTU	COG	NOX	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	BC CO2	NBC CO2	Total CO2	GHG	N2O	CO2e
(tons/yr)																
Condo/Townhouse	80247.6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.28	4.28	0.00	0.00	4.31
Parking Lot	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Parking Structure	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Strip Mall	5400	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.29	0.29	0.00	0.00	0.29
Total		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.57	4.57	0.00	0.00	4.60

5.3 Energy by Land Use - Electricity

Unmitigated

Land Use	GHG Emissions (MTY)									
	Electricity Use (kWh)	CO ₂ e	CO ₂	CH ₄	N ₂ O	Total CO ₂ e	CO ₂	CH ₄	N ₂ O	CO ₂ e
Condo/Townhouse	16934.8	4.93		0.00	0.00	4.93		0.00	0.00	4.93
Parking Lot	0	0.00		0.00	0.00	0.00		0.00	0.00	0.00
Parking Structure	0	0.00		0.00	0.00	0.00		0.00	0.00	0.00
Strip Mall	38400	11.17		0.00	0.00	11.17		0.00	0.00	11.24
Total		16.10		0.00	0.00	16.10		0.00	0.00	16.20

Mitigated

Land Use	GHG Emissions (MTY)									
	Electricity Use (kWh)	CO ₂ e	CO ₂	CH ₄	N ₂ O	Total CO ₂ e	CO ₂	CH ₄	N ₂ O	CO ₂ e
Condo/Townhouse	15053.6	4.38		0.00	0.00	4.38		0.00	0.00	4.41
Parking Lot	0	0.00		0.00	0.00	0.00		0.00	0.00	0.00
Parking Structure	0	0.00		0.00	0.00	0.00		0.00	0.00	0.00
Strip Mall	30900	8.99		0.00	0.00	8.99		0.00	0.00	9.04
Total		13.37		0.00	0.00	13.37		0.00	0.00	13.45

6.0 Area Detail

6.1 Mitigation Measures Area

- Use Low VOC Paint - Residential Interior
- Use Low VOC Paint - Residential Exterior
- Use Low VOC Paint - Non-Residential Interior
- Use Low VOC Paint - Non-Residential Exterior
- No Hearths Installed
- Use Low VOC Cleaning Supplies

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Total CO2	GHG	N2O	CO2e
Mitigated	0.09	0.00	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.10	0.00	0.00	0.10
Unmitigated	0.10	0.00	0.09	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.42	2.55	0.00	0.00	3.02
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

6.2 Area by SubCategory

Unmitigated

Subcategory	COG	NOx	SO2	CO	PM10 Fugitive	PM10 Exhaust	PM10 Total	PM2.5 Fugitive	PM2.5 Exhaust	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Architectural Coating	0.02					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.07					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hearth	0.01	0.00	0.00	0.03		0.00	0.00		0.00	0.00	0.42	2.45	2.87	0.00	0.00	2.92
Landscaping	0.00	0.00	0.00	0.06		0.00	0.00		0.00	0.00	0.00	0.10	0.10	0.00	0.00	0.10
Total	0.10	0.00	0.00	0.09		0.00	0.00		0.00	0.00	0.42	2.55	2.97	0.00	0.00	3.02

Mitigated

Subcategory	COG	NOx	SO2	CO	PM10 Fugitive	PM10 Exhaust	PM10 Total	PM2.5 Fugitive	PM2.5 Exhaust	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Architectural Coating	0.02					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.07					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hearth	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.06		0.00	0.00		0.00	0.00	0.00	0.10	0.10	0.00	0.00	0.10
Total	0.09	0.00	0.00	0.06		0.00	0.00		0.00	0.00	0.00	0.10	0.10	0.00	0.00	0.10

7.0 Water Detail

7.1 Mitigation Measures Water

- Apply Water Conservation Strategy
- Install Low Flow Bathroom Faucet
- Install Low Flow Kitchen Faucet
- Install Low Flow Toilet
- Install Low Flow Shower
- Use Water Efficient Irrigation System
- Use Water Efficient Landscaping

Category	CO2	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Mitigated					2.10	0.01	0.00	2.43
Unmitigated					2.81	0.01	0.00	3.25
Total	NA	NA	NA	NA	NA	NA	NA	NA

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Category/Year

	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
	Mitigation							
Mitigated					0.68	0.04	0.00	1.52
Unmitigated					1.01	0.06	0.00	2.27
Total	NA	NA	NA	NA	NA	NA	NA	NA

8.2 Waste by Land Use

Unmitigated

Land Use	Waste Disposed (tons)	MT/yr							
		TRG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Condo/Townhouse	1.84					0.37	0.02	0.00	0.84
Parking Lot	0					0.00	0.00	0.00	0.00
Parking Structure	0					0.00	0.00	0.00	0.00
Strip Mall	3.15					0.64	0.04	0.00	1.43
Total						1.01	0.06	0.00	2.27

Mitigated

Land Use	Waste Disposed (tons)	MT/yr							
		TRG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Condo/Townhouse	1,2328					0.25	0.01	0.00	0.56
Parking Lot	0					0.00	0.00	0.00	0.00
Parking Structure	0					0.00	0.00	0.00	0.00
Strip Mall	2,1105					0.43	0.03	0.00	0.96
Total						0.68	0.04	0.00	1.52

9.0 Vegetation

Category	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Unmitigated					3.54	0.00	0.00	3.54
Total	NA	NA	NA	NA	NA	NA	NA	NA

9.1 Net New Trees

Species Class

Species Class	Number of Trees	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Miscellaneous	5					3.54	0.00	0.00	3.54
Total						3.54	0.00	0.00	3.54

Gonzales, Andrew

From: Rona Neiman [nei1531@yahoo.com]
Sent: Thursday, May 26, 2011 1:20 PM
To: Gonzales, Andrew
Subject: 110 ninth st. project

This project would be a disaster for everyone who lives on Ninth street. There already is hardly any parking, due to the many apartments right in the area. The congestion and noise would be horrific. Left hand turns into this center would be hard. There will be accidents. PLEASE do not let them ruin our lovely neighborhood like they have ruined so many other neighborhoods. Some of our city should remain the quaint little beach town it used to be. Personally, my view from my roof deck would be wiped out...as would several others on the first block of Ninth!!!!!!

Rona Neiman

DEPARTMENT OF TRANSPORTATION

District 12
3347 Michelson Drive, Suite 100
Irvine, CA 92612-8894
Tel: (949) 724-2241
Fax: (949) 724-2592

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JUN 28 2011

Dept. of Planning
& Outreach

*Flex your power!
Be energy efficient!*

June 20, 2011

Andrew Gonzales, Associate Planner
City of Huntington Beach
200 Main Street
Huntington Beach, California 92648

File: IGR/CEQA
SCH#: 2011051079
Log #: 2725
PCH

Subject: Draft Mitigated Negative Declaration No. 09-003 (Garguis Mixed-Use Development)

Dear Mr. Gonzales,

Thank you for the opportunity to review and comment on the Draft Mitigated Negative Declaration No. 09-003 (Garguis Mixed-Use Development). The proposal is to build a mixed use three story, with approx. 8,972 sf. Mixed use, visitor/residential development.

The Department of Transportation (Department) is a commenting agency on this project and has no comment at this time. However, in the event of any activity in the Department's right-of-way, an encroachment permit will be required.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to contact Ed Khosravi at ed_khosravi@dot.ca.gov or at 949-724-2338.

Sincerely,

A handwritten signature in cursive script that reads "Christopher Herre".

Christopher Herre, Branch Chief
Local Development/Intergovernmental Review

