



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: December 13, 2011

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 10-004 (Beach and Ellis Mixed Use Project)

APPLICANT: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

PROPERTY

OWNER: Morrie Golcheh, Progressive Property Management, 10537 Santa Monica Blvd., Ste. 350, Los Angeles, CA 90025

LOCATION: The project site is 2.74-acres, located at the southeast corner of Beach Boulevard and Ellis Avenue.

STATEMENT OF ISSUE:

- ◆ Environmental Impact Report (EIR) No. 10-004:
 - Analyzes the environmental impacts associated with the development of the Beach and Ellis Mixed Use Project, which consists of 105 dwelling units, 37,000 square feet of commercial area, 1,850 square feet of public open space including 10,500 square feet of residential open space area on the 2.74 acre project site;
 - Documents potential impacts to aesthetics, biological resources, geology and soils, hydrology and water quality, air quality, cultural resources, land use and planning, noise, population and housing, public services, recreation, transportation/traffic, utilities and service systems, hazards and hazardous materials, and climate change;
 - Evaluates three alternatives to the proposed project; and
 - Concludes that potential impacts can be mitigated to less than significant levels for the project with the exception of impacts to air quality (project specific) and transportation/traffic, which would remain significant and unavoidable.

- ◆ Staff's Recommendation:
 - Certify EIR No. 10-004 because it adequately analyzes the potential environmental impacts associated with the proposed project, identifies project alternatives, provides mitigation measures to lessen the project's impacts consistent with the Beach and Edinger Corridors Specific Plan (BECSP) Program EIR and General Plan policies, and has been prepared in accordance with the California Environmental Quality Act (CEQA).

RECOMMENDATION:

Motion to: "Certify EIR No. 10-004 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1657 (Attachment No. 1)."

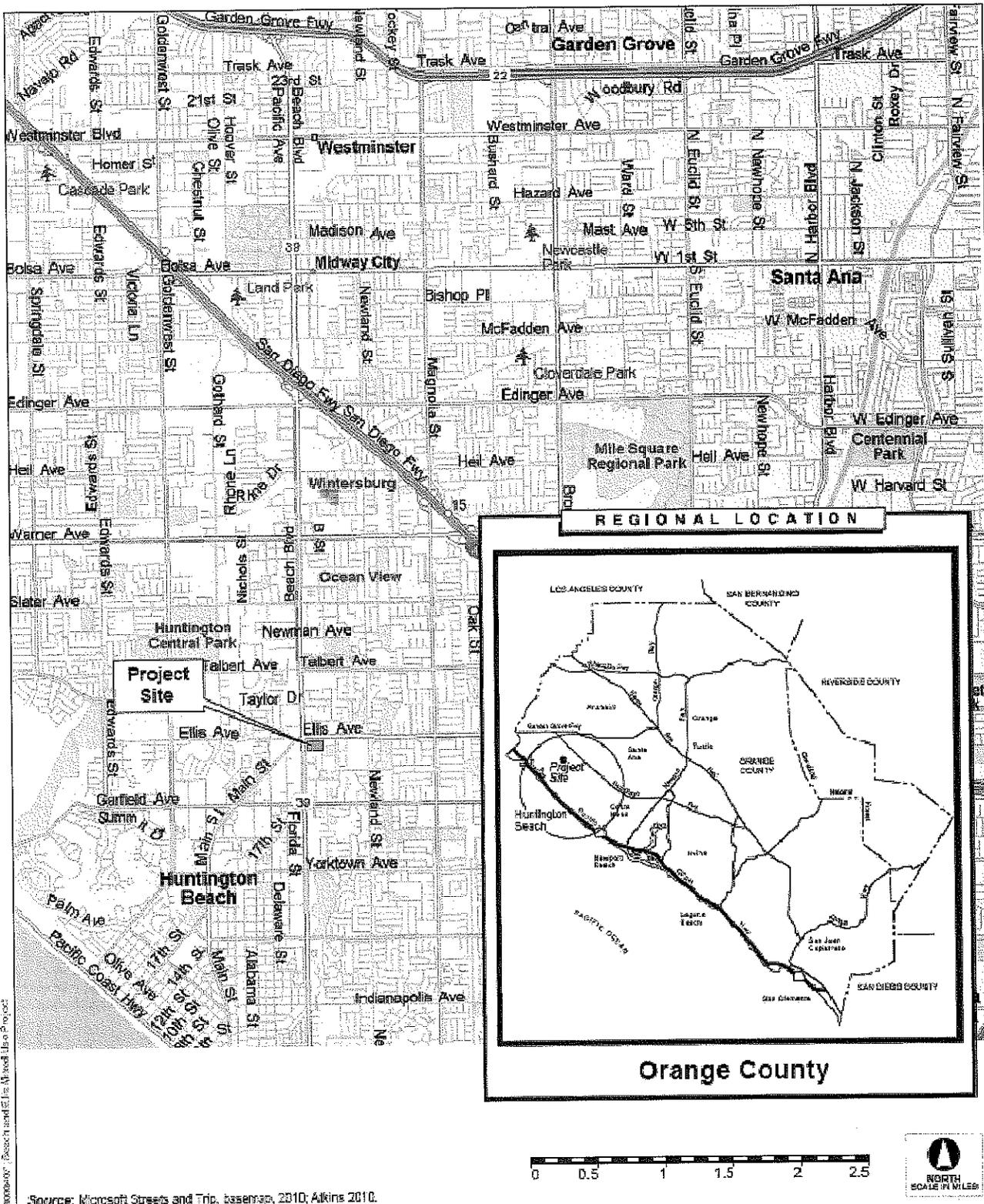


Figure 3-1
Project Vicinity and Regional Location Map

ATKINS

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Continue certification of EIR No. 10-004 and direct staff accordingly."
- B. "Deny certification of EIR No. 10-004 with findings for denial."

PROJECT PROPOSAL:

EIR No. 10-004 analyzes development of up to 105 residential units, 37,000 square feet of retail space, 483 parking spaces including 1,850 square feet of public open space, and 10,500 square feet of private open space on 2.74 acres located at the southeast corner of Beach Boulevard and Ellis Avenue.

The project improvements include the development of a six-story mixed use project with an internal parking structure allowing for retail along Beach Boulevard and Ellis Avenue at both the ground and second level with residential units above. Levels four through six accommodate the residential units and the residential open space. The ground-level public open space is provided at the corner of Beach Blvd and Ellis Ave. Under the proposed project the existing service station, restaurant and retail uses would be demolished.

The environmental impact report discusses potential adverse impacts in the areas of aesthetics, biological resources, geology and soils, hydrology and water quality, air quality, cultural resources, land use and planning, noise, population and housing, public services, recreation, transportation/traffic, utilities and service systems, hazards and hazardous materials, and climate change. The direct, indirect and cumulative impacts of the proposed project are addressed, as are the impacts of project alternatives.

The EIR consists of three volumes. Volumes I and II are the Draft EIR and Appendices that were circulated for a minimum 45-day public review period. Volume III is the Final EIR, which includes the comments received during the public review period, responses to those comments and text changes to the Draft EIR to clarify or correct information in response to comments or as identified as necessary by staff. These volumes are referenced as Attachment No. 2.

Background:

The proposed project is located within the Beach and Edinger Corridors Specific Plan (BECSP), adopted in March 2010. Development of the project site was included in the Notice of Preparation for the BECSP EIR and analyzed as part of the larger scope of development contemplated for the BECSP EIR (Program EIR No. 08-008), which anticipated approximately 120 dwelling units, 71,000 square feet of retail commercial area and a two-level health club on the project site. As such, the analysis in Draft EIR No. 10-004 is tiered from the BECSP Program EIR where appropriate.

ISSUES:

Subject Property Land Use, Zoning, and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP – 14 (Beach and Edinger Corridors Specific Plan/Town Center Neighborhood District)	General Commercial Uses
North of Subject Property (across Ellis):	M-sp-d, General Commercial, Residential Medium High Density	SP -14 (BECSP), Residential Medium Density (RM)	General Commercial Uses, Vacant Land, Multiple Family Residential
East of Subject Property	Commercial General	Commercial General (CG)	Single Room Occupancy (SRO)
South of Subject Property	M-sp-d	SP – 14	General Commercial Uses
West of Subject Property (across Beach):	M-sp-d	SP – 14	General Commercial Uses

The project site consists of approximately 2.74 acres located on the southeast corner of Beach Blvd. and Ellis Avenue. The project site consists of two parcels. One is developed with a gas station and a building with two service bays totaling 1,678 square feet. The other is developed with 22,080 square feet of retail and restaurant uses and 4,026 square feet of office space, which includes a two story building.

General Plan Conformance:

The EIR is consistent with the goals, policies and objectives of the City’s General Plan as follows:

A. Air Quality Element

Goal AQ 1: Improve regional air quality by a) decreasing reliance on single occupancy vehicular trips, b) increasing efficiency of transit, c) shortening vehicle trips through a more efficient jobs-housing balance and a more efficient land use pattern, and d) increasing energy efficiency.

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

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

Policy AQ 1.9: Minimize sensitive uses (residential, hospitals, schools, etc) exposure to toxic emissions.

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

The EIR analysis focuses on the nature and magnitude of the change in the air quality environment due to implementation of the proposed project. Air pollutant emissions associated with the proposed project would result from construction activities, operation of the commercial and residential uses and project-related traffic volumes. Mitigation Measures MM4.2-1 through MM4.2-15 would be implemented to reduce these emissions and minimize impacts to sensitive uses surrounding the project site, such as existing residential and quasi-residential developments to the east and north to the extent feasible. The EIR discusses requirements for all projects to comply with South Coast Air Quality Management District (SCAQMD) Rule 403, which would also reduce short-term/construction emissions. The analysis in the climate change section of the EIR proposes mitigation measures that are consistent with strategies recommended by the California Climate Action Team and California Air Pollution Control Officers Association for reducing climate change emissions. The EIR also notes that the BECSP requires use of sustainable practices to increase the proposed project's energy efficiency.

C. Circulation Element

Goal CE 2: Provide a circulation system which supports existing, approved and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

Policy CE 2.1.1: Maintain a city-wide level of service (LOS) not to exceed LOS "D" for intersections during the peak hours.

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

Objective CE 2.3: Ensure that the location, intensity and timing of new development is consistent with the provision of adequate transportation infrastructure and standards as defined in the Land Use Element.

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

The EIR analyzes the potential for adverse impacts on existing transportation and traffic conditions resulting from implementation of the proposed project. A traffic study was conducted by Austin-Foust Associates and analyzed potential adverse traffic impacts on the intersections surrounding the project site including Beach Blvd and Ellis Avenue, Main Street and Ellis Avenue, and Beach Blvd and Talbert Avenue as well as the BECSP study area. The EIR documents that the project would not result in significant impacts to the level of service at the two closest intersections. Mitigation Measures MM4.13-1 through MM4.13-18 require mitigation of the project's contribution to the intersections and freeway ramp determined to be significantly impacted as a result of implementation of the BECSP through payment of fees that would provide the project's fair share toward improving the roadway system. The EIR also analyzes the project's potential to create adverse impacts from inadequate parking capacity, alternative transportation policies, pedestrian and bicyclist safety and emergency access. With implementation of existing code requirements, mitigation measures adopted for the BECSP and proposed project-specific mitigation measures, impacts would be mitigated to a less than significant level.

D. Environmental Hazards Element

Goal EH 1: Ensure that the number of deaths and injuries, levels of property damage, levels of economic and social disruption and interruption of vital services resulting from seismic activity and geologic hazards shall be within acceptable levels of risk.

Objective EH 1.1: Ensure that land use planning in the City accounts for seismic and geologic risk, including groundshaking, liquefaction, subsidence, soil and slope stability and water table levels.

Objective EH 1.2: Ensure that new structures are designed to minimize damage resulting from seismic hazards, ensure that existing unsafe structures are retrofitted to reduce hazards and mitigate other existing unsafe conditions.

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

Goal EH 3: Ensure the safety of the City's businesses and residents from methane hazards.

Objective EH 3.2: Minimize methane hazards in the identified Methane Overlay District, and other areas outside the Methane Overlay Districts as may later be defined, through the regulation of construction and adherence to the City's Methane Hazard Mitigation Plan.

Policy EH 3.2.2: Establish, enforce, and periodically update testing requirements for sites proposed for new construction within the identified Methane Overlay District.

The EIR analyzes the existing physical setting of the project site as it relates to hazards and hazardous materials and its potential impact on human health resulting from implementation of the proposed project. Mitigation Measures MM4.6-1 through MM4.6-4 ensure that all impacts related to hazards and hazardous materials would be less than significant. To ensure that the proposed project is designed to minimize damage resulting from seismic hazards and that new structures are engineered to withstand groundshaking and liquefaction, Mitigation Measure 4.5-1 would be implemented requiring a final soils and geotechnical report, which would recommend design measures to be implemented in the final project design.

E. Environmental Resources/Conservation Element

Policy ERC 2.1.10: Conduct construction activities to minimize adverse impacts on existing wildlife resources.

Mitigation Measure 4.3-1 requires that prior to construction or any vegetation removal that appropriate surveys shall be conducted to ensure that no nesting habitats are disturbed, including impact-avoidance measures.

F. Growth Management Element

Goal GM 1: Provide adequate police services to meet the needs of the City's population.

Goal GM 1.1.3: Continue to provide a 5-minute response time for Priority 1 calls for service at least 85% of the time. Calls are considered Priority 1 where there is a threat to life or property.

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

Goal GM 2: Provide adequate fire and paramedic services to meet the needs of the City's population.

Policy GM 2.1.2: Provide a 5-minute response time for emergency fire services at least 80 percent of the time.

Policy GM 2.1.3: Provide a 5-minute response time for paramedic services at least 80 percent of the time.

The EIR evaluates the effects of the proposed project on public services by identifying anticipated demands on existing and planned service availability. The analysis concludes that the proposed project would not require new or physically altered fire or police facilities to maintain adequate response times and staffing. However, in order to ensure that an adequate level of service is provided through the build-out of the specific plan, a mitigation measure is recommended, which would ensure that funding is available to maintain acceptable response times and staffing levels for Police and Fire.

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

Policy GM 2.1.4: Ensure that new development site design incorporates measures to maximize fire safety and prevention.

The provisions of the BECSP require Fire Department review and approval of the proposed project to ensure that adequate circulation is provided to enable emergency access to the site and meet Fire code standards for circulation aisle widths. Mitigation Measure 4.6-4 would require adequate access for emergency vehicles during project construction.

G. Hazardous Materials Element

Goal HM 1: Reduce, to the greatest degree possible, the potential for harm to life, property, and the environment from hazardous materials and hazardous waste.

Objective HM 1.1: Promote the proper handling, treatment and disposal of hazardous materials and hazardous waste.

Mitigation Measures 4.6-1 through 4.6-3 ensure remediation of contaminated soils containing hazardous materials prior to development of the proposed project and by providing supplemental procedures in the event of unanticipated discoveries of contaminants during construction. As described in the EIR some site remediation has already occurred and is ongoing with regulatory protocols in place. If unknown contamination is encountered, a Risk Management Plan shall be prepared and implemented that identifies the contaminants of concern and the potential risk posed to human health.

H. Historic and Cultural Resources Element

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

The impact analysis for cultural resources is based on the findings of the cultural records search and site survey conducted for the proposed project. No evidence of previously undiscovered archeological resources on the project site was encountered during the survey and record search. Although no cultural resources have been recorded on the project site, Mitigation Measures MM4.4-2 (b) and MM4.4-3 (b) would ensure that impacts from the discovery of resources during project construction would be less than significant. Due to the age of the structures on the site, MM4.4-1 would also be required to further evaluate the structures prior to demolition.

I. Housing Element

Goal H 2: Provide adequate housing sites to accommodate regional housing needs.

The EIR includes an analysis of the project's impacts on population and housing and is based on the BECSP Program EIR, which included analysis of the City's Regional Housing Needs Assessment (RHNA) future housing need as determined by SCAG population projections. The BECSP anticipates 4,500 residential units during the life of the Plan, which would provide needed housing for the City and the region, contributing to the City's progress towards meeting its RHNA numbers. The allocated housing is divided between the two corridors permitting a maximum of 2,755 units on Beach Blvd and 1,745 units on Edinger Ave. The proposed project represents approximately 2.3 percent of the total dwelling units approved under the BECSP.

J. Land Use Element

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

Policy LU 2.1.2 Require that the type, amount, and location of development be correlated with the provision of adequate supporting infrastructure and services (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

Policy LU 2.1.3 Limit the type, location, and/or timing of development where there is inadequate public infrastructure and/or services to support land use development.

Policy LU 7.1.5 Accommodate the development of a balance of land uses that maintain the City's fiscal viability and integrity of environmental resources.

The EIR mitigation measures require that infrastructure is provided or upgraded during project construction to adequately provide service for the project commensurate with the project's demand for services and impacts on existing infrastructure. In addition, the EIR describes the existing site conditions and the characteristics of the proposed mixed use project and identifies the BECSP district that governs the project site. The EIR discusses that the project was designed to respond to issues facing the Beach Boulevard Corridor as well as achieve the stated community objectives of the project that are identified in the EIR. Through conformance to the BECSP Development Code, the EIR states that the project

would provide a mix of uses that support the City's image and enhance the quality of life and the environment and meet the objectives of the Specific Plan to revitalize the Corridors.

K. Noise Element

Goal N 1: Ensure that all necessary and appropriate actions are taken to protect Huntington Beach residents, employees, visitors, and noise sensitive uses from the adverse impacts created by excessive noise levels from stationary and ambient sources.

Objective N 1.2: Prevent and mitigate the adverse impacts of excessive noise exposure on the residents, employees, visitors, and noise sensitive uses of Huntington Beach.

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

Policy N 1.2.3: Require development, in all areas where the ambient noise level exceeds an L_{dn} of 60 dB(A), to conduct an acoustical analysis and incorporate special design measures in their construction, thereby, reducing interior noise levels to the 45 dB(A) L_{dn} level.

The EIR includes a noise analysis consistent with CEQA requirements. The EIR mitigation measures require an acoustical analysis before issuance of building permits to ensure that interior noise levels for new residential units would not exceed established standards of the City's Noise Ordinance. Mitigation Measures MM4.9-4 and MM4.9-5 would be required to attenuate noise from HVAC systems and implement design measures to ensure that noise levels in new residential units do not exceed the standards set forth in Section 8.40.070 and Section 8.40.080 of the Huntington Beach Municipal Code.

Objective N 1.6: Minimize the impacts of construction noise on adjacent uses.

Policy N 1.6.1: Ensure that construction activities be regulated to establish hours of operation, to prevent and/or mitigate the generation of excessive or adverse noise impacts through the implementation of the existing Noise Ordinance and/or any future revisions to the Noise Ordinance.

Under the City's Municipal Code, construction activities can only occur between the hours of 7:00 AM and 8:00 PM from Monday through Saturday. Mitigation Measures MM4.9-1 through 4.9-3 would further restrict construction hours for the highest noise producing activities and ensure that impacts associated with construction activities are minimized to the maximum extent feasible. As such, impacts would be less than significant.

L. Public Facilities and Services Element

Objective PF 1.1: Provide adequate police facilities and personnel to correspond with population and service demands, and provide protection for the community from illicit activities and crime.

Policy PF 1.3.2: Ensure that new development and land use proposals are analyzed to determine the impact on their operators, occupants, visitors, or customers may have on the safety and welfare of the community.

Goal PF 2: Ensure adequate protection from fire and medical emergencies for Huntington Beach residents and property owners.

Policy PF 2.3.1: Continue to require all structures to follow all State and nationally recognized fire codes.

The EIR includes an analysis of impacts to police and fire facilities and services. Implementation of the proposed project would not significantly impact the level of service delivery for the project area and would not require any new or physically altered police and fire facilities to maintain adequate response times and staffing. However, to further ensure the safety of residents of the proposed project as build-out of the specific plan area occurs, Mitigation Measure MM 4.11-1 is recommending that the City provide sufficient funding to maintain the City's standard and average level of service through the use of General Fund monies. Additionally, the EIR analyzes the public services emergency response needs in relationship to adding population resulting from the built environment. Compliance with the regulations of the California Fire Code pertaining to fire protection systems and equipment, general safety precautions, and many other general and specialized fire-safety requirements for new and existing structures reduce potential impacts.

Policy PF 4.2.3: Ensure that development shall not occur without providing for adequate school facilities.

The EIR includes an analysis of potential impacts to schools. The EIR documents that direct population growth resulting from the proposed project would not have an adverse impact on the capacity of schools within the school districts serving the project site. With the implementation of Code Requirements 4.11-1 and 4.11-3, fees collected would offset any additional increase in educational demand at the elementary school, middle school, and high school levels serving the proposed project.

Objective PF 5.1: Provide adequate library service that responds to the needs of the community.

The EIR includes an analysis of potential impacts to library services. The existing library facilities are adequate to accommodate the increase in users from the proposed project. However, implementation of Code Requirement 4.11-4, payment of library and community enrichment impact fees, would ensure that the additional residents as a result of the proposed project would not significantly affect library services.

M. Recreation and Community Services Element

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

The EIR documents that project effects are not found to be significant with respect to recreation. The EIR analysis evaluates that the increased use of existing parks is determined based on the ability for the project to provide parkland onsite at a ratio of 5 acres per 1,000 new residents, or equivalent payment of park fees. The project would be consistent with the BECSP Development Standards for the Town Center Neighborhood designation. BECSP Section 2.6.1 requires the provision of public open spaces that are accessible to the public and include seating, lighting and landscaping, at rate of 50 sf for every 1,000 sf of retail (including restaurant) use and 50 sf per residential dwelling unit. Based on the proposed square footage of uses, the project is required to provide a minimum of 7,100 square feet of public open space

and designed in one of the public open space types as required to satisfy the requirements of the BECSP Section 2.6.1 (Provision of Public Open Space). Under the site plan review process, the proposed development plan will be evaluated for compliance with the standards for public and private open space pursuant to BECSP development standards. Additionally, the City's General Plan park and population ratio would not be significantly affect by the project.

N. Urban Design Element

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

Objective UD 1.3: Strengthen the visual character of the City's street hierarchy in order to clarify the City's structure and improve Citywide identity.

Policy UD 1.1.3: Require a consistent design theme and/or landscape design character along the community's corridors that reflects the unique qualities of each district. Ensure that streetscape standards for the major commercial corridors, the residential corridors, and primary and secondary image corridors provide each corridor with its own identity while promoting visual continuity throughout the City.

The EIR provides a description of the existing site conditions and analyzes the extent to which the visual character of the project site would change and additional sources of light and glare as a result of the proposed project would occur. Consistent with the BECSP Program EIR, a mitigation measure is recommended to require that the project maximize use of non-reflective façade treatments. In addition, a shade and shadow analysis was conducted, as required by the BECSP Program EIR, to examine the effects of shade and shadow on light dependent uses. The EIR states that the project's adherence to the standards and guidelines of the BECSP would reflect the design and landscape themes that were adopted for the project area. The EIR states that the site plan/conditional use permit review process would ensure conformance to the standards and references the required findings for approval.

O. Utilities Element

Objective U 1.2: Ensure that existing and new development does not degrade the City's surface waters and groundwater basins.

Policy U 1.2.1: Require that existing and new developments contain safeguards and mitigation measures preventing degradation.

The EIR includes an analysis of the project's impacts on hydrology and water quality. The analysis is based on the analysis included in the BECSP Program EIR and site-specific conditions. The recommended mitigation measures require compliance with the current National Pollution Discharge Elimination System (NPDES) requirements in place at the time of construction and include site design BMPs incorporating Low Impact Development (LID) principles as defined in the Municipal NPDES Permit such as porous concrete and green roofs. The recommended mitigation measures also require that a final hydrology and hydraulic study as well as a groundwater hydrology study be prepared to ensure that the specific hydrologic conditions of the project site are reflected in project design. Implementation of modified measures BECSP MM4.7-3 and BECSP MM4.7-4 is required to assess the contribution of a project to potential system capacity constraints and provide for construction of necessary upgrades to

storm drain system capacities to mitigate hydrology and water quality impacts to a less than significant level.

Objective U 1.3: Minimize water consumption rates through site design, use of efficient systems, and other techniques.

Policy U 1.1.1: Monitor the demands on the water system, manage the development to mitigate impacts and/or facilitate improvements to the water supply and distribution system, and maintain and expand water supply and distribution facilities.

Policy U 1.3.2: Continue to require the incorporation of water conservation features in the design of all new and existing uses such as the use of native plants, low flow toilets and water efficient appliances.

Objective U 1.4: Ensure the costs of improvements to the water supply, transmission, distribution, storage and treatment systems are borne by those who benefit.

Policy U 1.4.1: Require the cost of improvements to the existing water supply and distribution facilities necessitated by the new development be borne by the new development benefiting from the improvements, either through the payment of fees, or the actual construction of the improvements in accordance with State Nexus Legislation.

The EIR states that the City has demonstrated significant water conservation over the last 10 years. The EIR concludes that the City's consistent conservation program and existing code requirements for water efficient landscaping in conjunction with Mitigation Measure MM4.14-1 requiring additional water conservation practices would ensure that the project's impact on water supplies would be less than significant. In addition, Project Code Requirement CR4.14-5 provides that all applicable impact fees for wastewater and utilities be paid by the developer to provide for the project's fair share toward the cost of planned future utilities.

Policy U 1.2.2: Require new developments to connect to the sewer system.

Policy U 2.1.5: Maintain, upgrade, and expand existing wastewater collection and treatment facilities.

Policy U 2.1.6: Require that sewer capacity is available before building permits are issued for new development.

Objective U.2.2: Ensure the costs of wastewater infrastructure improvements are borne by those that benefit.

Policy U.2.2.1: Require the costs of improvements to the existing wastewater collection facilities, which are necessitated by new development, to be borne by the new development benefiting from the improvements; either through the payment of fees, or by the actual construction of the improvements in accordance with State Nexus Legislation.

The EIR discloses that implementation of the proposed project could require new sewer connections and that the project would be required to pay a fee for connection to the Orange County Sanitation District,

based on the increase in anticipated use of the sewage system. The fee ensures that the project would pay its share of any necessary expansion of the system, including expansion of wastewater treatment facilities. Implementation of CR4.14-3 and CR4.14-4 would ensure that capacity constraints at the time of development are accurately identified through a required sewer study, which would specify necessary upgrades required for the project. Project Code Requirement CR4.14-5 provides that all applicable impact fees for wastewater and utilities be paid by the developer to provide for the project's fair share toward the cost of planned future utilities.

Objective U 3.3: Ensure that storm drain facilities (channels and outputs) do not generate significant adverse impacts on the environment in which the facilities traverse or empty.

The EIR concludes that Mitigation Measures 4.7-1 through 4.7-4 would ensure that an adequate stormwater conveyance system would be implemented for the proposed project through implementation of existing codes and regulations. Mitigation Measure 4.7-1 would ensure a reduction in potential pollutant loads and ensure that appropriate construction and operation of stormwater treatment control Best Management Practices (BMPs) are used. The EIR concludes that conformance to existing regulatory requirements in conjunction with the proposed mitigation measures would ensure that construction of stormwater drainage facilities would not result in substantial environmental effects and potential impacts would be less than significant.

Objective U 5.1: Ensure that adequate natural gas, telecommunication, and electrical systems are provided.

An adequate supply of electricity is anticipated to be available to serve the proposed project. Development of the proposed project would comply with the provisions of Title 24 and the Cal Green Building Code. The EIR analysis demonstrates that both electricity and natural gas will experience a less than significant impact as a result of the project.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

In accordance with the California Environmental Quality Act (CEQA), EIR No. 10-004 was prepared by Atkins to analyze the potential environmental impacts associated with implementation of the proposed project as well as identify appropriate mitigations measures. The proposed project is located within the BECSP, adopted in March 2010. Development on this project site was included in the Notice of Preparation for the BECSP EIR (Program EIR No. 2008-008), which anticipated a total of 120 residential units and 71,000 square feet of retail commercial and a two-level health club for the subject property.

The 45-day review of EIR No. 10-004 began on Friday, September 9, 2011 and closed on Monday, October 24, 2011. The Final Draft EIR, including the Responses to Comments and any text changes as a result of the public comment period, was distributed to the Planning Commission and posted on the City's website November.

The required CEQA procedure that was followed is outlined below:

<u>July 2009</u>	Staff conducted an initial study and determined that an EIR would be required.
<u>July 31, 2009</u>	A Notice of Preparation was filed with the State Clearinghouse to notify public of intent to prepare an EIR.
<u>July 31, 2009 to August 31, 2009</u>	Initial Study/Notice of Preparation available for 30 day public review and comment period.
<u>August 21, 2009</u>	A Public Scoping Meeting was held to solicit comments and issue areas to be studied in the EIR.
<u>September 2, 2011</u>	Notice of Completion was filed with the State Clearinghouse.
<u>September 9, 2011 to October 24, 2011</u>	Draft EIR available for public review and comment for forty-five days.
<u>October 6, 2011</u>	A Public Comment Meeting was held to solicit comments on the adequacy of the Draft EIR.
<u>December 13, 2011</u>	Public hearing is scheduled before the Planning Commission to Certify Final EIR No. 10-004

Through the use of appropriate mitigation measures identified in the EIR, the majority of the potentially adverse impacts associated with the project can be mitigated to a less-than-significant level. However, there are one project-specific and three cumulative significant adverse environmental impacts anticipated from the proposed project that cannot be completely eliminated through mitigation measures. The significant adverse environmental impacts are as follows:

Air Quality

- > Project Specific and Cumulative—Construction of the proposed project would violate an air quality standard as it would result in emissions that exceed the SCAQMD threshold of significance for VOCs.

Transportation/Traffic

- > Cumulative—Under 2030 conditions, operation of the proposed project would cumulatively contribute to an unacceptable Level of Service at two City intersections.
- > Cumulative—Under 2030 conditions, operation of proposed project would cumulatively contribute to an increase in delay at two Caltrans intersections and would increase traffic to the I-405 northbound loop ramp, which is currently deficient.

Environmental Board:

The City's Environmental Board reviewed the EIR and provided a comment letter during the DEIR process. The Environmental Board comments refer mainly to open space design, mobility and traffic levels of service. As discussed in the DEIR, there are mitigation measures and code requirements already

in place to regulate development as well as the development code requirements of the Specific Plan. The Environmental Board comment letter and responses to the letter are provided in Attachment No. 3.

Coastal Status: Not applicable.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The EIR was circulated to other Departments for review and comment. All Department comments and recommendations are incorporated into the EIR and its mitigation measures. Compliance with mitigation measures will be enforced through the Mitigation Monitoring and Reporting Program (Refer to Attachment No. 1, Exhibit A).

Public Notification:

Legal notice was published in the Huntington Beach Independent on Thursday, December 1, 2001, and notices were sent to property owners of record and occupants within a 1,000 ft. radius of the project site, interested parties, and individuals/organizations that commented on the environmental document. As of December 6, 2011, no communications on the draft EIR, other than letters included in the Final EIR/Response to Comments and additional Errata, have been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
Draft EIR: May 25, 2011

MANDATORY PROCESSING DATE(S):
Within 1 year of complete application May 25, 2012

ANALYSIS:

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

EIR Overview

The EIR provides a detailed analysis of potential impacts associated with the proposed project. It is intended to serve as an informational document for decision makers. This EIR identifies significant or potentially significant environmental effects, as well as ways in which those impacts can be reduced to less than significant levels, whether through the imposition of code requirements (CRs), mitigation measures (MMs), or through the implementation of alternatives to the project. In a practical sense, EIRs function as a technique for fact-finding, allowing future applicants, concerned citizens, and staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure.

◆ *Scope of EIR Analysis*

As the analysis in EIR No. 10-004 is tiered from the BECSP Program EIR, the environmental impacts for certain issue areas of the project are substantially consistent with the analysis in the BECSP Program EIR and did not require substantial additional analysis. Based on a preliminary environmental analysis and a review of the BECSP Program EIR, the following issue areas did not require substantial additional analysis in EIR No. 10-004:

- Biological Resources
- Geology and Soils
- Hydrology and Water Quality
- Population and Housing
- Climate Change
- Cultural Resources
- Hazards and Hazardous Materials
- Land Use and Planning

The following issue areas were determined to require additional project-specific analysis, based on the particulars of the project or changes in the recommended air quality model since the Program EIR was certified:

- Aesthetics/Visual Quality
- Noise
- Recreation
- Utilities and Service Systems
- Air Quality
- Public Services
- Transportation/Traffic

No impacts to Agricultural Resources and Mineral Resources were determined; as such, no analysis is provided in the draft EIR. A complete listing of the recommended mitigation measures is provided in the Mitigation Monitoring Program provided in Attachment No. 1.

◆ *Aesthetics*

Implementation of the project will change the visual character of the project and add new sources of light and glare. However, the EIR acknowledges that the project is proposed in an existing urban environment in which building glare and a significant amount of ambient nighttime lighting already exists. Development standards relating to the visual quality and character of proposed development include regulations for building scale; frontage and building placement; streets; open space; architecture; and signage. The proposed project would be designed in compliance with the standards of the BECSP. Permitted heights in this segment are allowed from two to six stories. Substantial deviations from the development regulations in the BECSP would require approval of a discretionary permit. The EIR also documents that there would not be significant impacts with respect to shade and shadows. Based on the analysis, impacts would be less than significant.

◆ *Air Quality*

The EIR analysis focuses on the nature and magnitude of the change in the air quality environment due to the implementation of the proposed project. Air pollutant emissions associated with the proposed project would result from construction activities, operation of uses allowed under the proposed Specific Plan, and project-related traffic volumes. Air quality modeling was completed consistent with South Coast Air Quality Management District (SCAQMD) recommendations.

Construction Emissions-Short Term Impacts: Construction activities conducted as part of implementation of the proposed project would exceed SCAQMD significance thresholds for VOCs during architectural coating associated with Phase 1 and 2 of project construction. Mitigation measures MM 4.2-1 through MM 4.2-15 would be implemented to reduce emissions. However, they may not reduce construction emissions for VOCs to levels below the SCAQMD thresholds. Therefore, short-term air quality impacts would be significant and unavoidable during project construction.

Operational Emissions-Long Term Impacts: Operational emissions generated by both stationary and mobile sources would result from normal day-to-day operations upon development and completion of project construction. Although the proposed project would reduce vehicle trips in comparison to vehicle trips estimated in the existing General Plan for the BECSP Program EIR, the proposed project would increase vehicle trips in the area above existing conditions. The analysis of the daily operational emissions from the proposed project was prepared utilizing the computer model recommended by the SCAQMD. The proposed project would not generate emissions that exceed the thresholds of significance recommended by the SCAQMD; therefore, the impacts would be less than significant.

The EIR examined if localized CO concentrations at nearby intersections would be increased beyond state and national standards as a result of increased vehicle traffic. The EIR analysis determined that the proposed project will not cause localized CO concentrations at nearby intersections to exceed national or state ambient air quality standards. Therefore, "hot spots" are not anticipated to occur at local intersections as a result of project implementation.

◆ Biological Resources

The EIR evaluates the potential for implementation of the Specific Plan to have substantial adverse impacts on biological resources. The project is predominantly developed and consists of office, retail and restaurant uses and on grade parking and is approximately 95 percent covered with buildings and paved surfaces. Urban landscape is intermixed with the developed uses on the project site. The EIR includes a standard mitigation measure to ensure that the project would not result in impacts to sensitive or protected migratory avian species during construction. The EIR concluded that the project would have no impacts on federally protected wetlands, habitat conservation plans or special status species. Therefore, the EIR analysis concluded that impacts will be less than significant.

◆ Cultural and Paleontological Resources

The project site is almost entirely paved and existing buildings on the site were constructed in the mid-1965. According to the historic resources study prepared for the BECSP area, of which this project is a part, there are no recorded historic resources on this project site or in the immediate vicinity, however, the BECSP mitigation measure that requires a qualified professional to conduct a site-specific historical survey and record search when a structure is at least 45 years old is applicable at this project site. The impact analysis for cultural resources is based on the findings of a cultural records search and site survey conducted for the proposed project. Although, based on surrounding development and existing development, it is not thought that archeological resources exist in the immediate area, mitigation measure BECSP MM4.4-2(b) would be required to prevent significant adverse impacts to archeological resources, if any, and incorporation of this mitigation measure reduces impacts to less than significant.

◆ Geology and Soils

The EIR includes an analysis of potential adverse impacts on existing geologic and soils conditions on the project site from the BECSP Program EIR and a site-specific geotechnical investigation. The EIR analyzed geologic hazards and potential seismic hazards in the project area giving consideration to the geologic constraints such as fault rupture, groundshaking and liquefaction. The EIR concludes that code requirements and Mitigation Measure MM4.5-1 would be required to ensure a less than significant impact.

◆ Hazards and Hazardous Materials

The EIR analyzes the existing physical setting of the project site as it relates to hazards and hazardous materials and its potential impact on human health resulting from implementation of the proposed project. Local as well as state agencies have the authority to implement site remediation of any hazardous materials and regulate the transportation of any hazardous materials removed from sites. The EIR documents that in January 2007, the gas station and dry cleaning facility were identified to be of potential environmental concern for the proposed project site. The EIR discusses that the active gas station is a Leaking Underground Storage Tanks (LUST) site with on-going remediation of soil and quarterly groundwater monitoring under the oversight of the Santa Ana Regional Water Quality Control Board (SARWQCB) and Orange County Health Care Agency (OCHCA). Various work plans have been submitted to and were approved by OCHCA to remediate any existing conditions. Therefore, remediation efforts remain active at the project site and will be ongoing with implementation of the proposed project. The dry cleaner's facility remediation was completed in 2010. The EIR concludes that with implementation of existing code requirements and Mitigation Measures MM4.6-1 through MM4.6-4 all impacts would be less than significant.

At the November 22, 2011 Planning Commission Study Session, Commissioner Bixby asked if staff knew of any residential projects that had been built with on-going remediation and if the wording of the mitigation measures was problematic in terms of occupancy being granted if remediation is on-going. The Fire Department is not aware of any such residential projects. To provide clarification, additional wording has been provided to MM4.6-1 in the Errata.

◆ Hydrology and Water Quality

Pursuant to mitigation measures, the project is required to prepare a Water Quality Management Plan (WQMP) and complete a hydrology study prior to the issuance of Precise Grading or Building permits to identify measures to reduce runoff to a level consistent with the maximum extent practicable and treatment control BMPs. The entire project site is located within an urbanized area and would ultimately discharge to Sully Miller Lake. Preliminary studies indicate on-site attenuation and detention and implementation of BMPS will minimize impacts. Mitigation measures also require compliance with the current National Pollution Discharge Elimination System (NPDES) requirements in place at the time of construction. Other mitigation measures include site design BMPs incorporating LID principals as defined in the Municipal NPDES Permit. The EIR concludes that impacts to hydrology and water quality would be less than significant.

◆ Land Use and Planning

The proposed project is subject to the Town Center - Neighborhood development standards of the adopted BECSP. The general uses proposed and analyzed in the EIR are permitted uses for this district. Compliance with the development standards, regulations and guidelines of the BECSP would be reviewed through the project approval process. Within this district, development is permitted to a height of six stories. Aspects of the project design do not fully comply with the height restrictions, which would necessitate a possible variance or redesign. The EIR concludes impacts to land use and planning would be less than significant.

In response to a question from Commissioner Bixby at the Study Session, the attached Errata includes a correction to page 4.8-4. Commissioner Bixby also inquired about the residential parking in terms of spaces per unit for the proposed project and increased residential Alternative 3. The proposed project is conceptual and estimates building 105 units. Staff analyzed the parking demand for 2 bedroom units. Therefore, a total of 158 parking stalls is required including 21 stalls for guest parking. The project proposes 263 stalls allocated for the residential component of the project. Alternative 3 includes 274 units: 25 studio units, 117 one-bedroom units, 125 two-bedroom units and 7 live-work units. Total required parking is 365 stalls; 463 spaces are provided. Commissioner Farley requested the square footage for the residential portion of the conceptual proposal. A total of 235,000 square feet is allocated to the residential portion, which anticipates units of approximately 1,200 square feet and the remainder of the square footage divided between unit access areas, private and common open space.

◆ Noise

Potential noise impacts related to short-term construction activities and long-term changes in ambient conditions primarily related to increases in traffic were analyzed in the EIR. Analysis was based on noise measurements conducted as part of the BECSP Program EIR. Ambient noise level measurements at locations near the project site and roadway noise levels were calculated using data from the traffic study.

Construction-related groundborne noise and vibration may result in human annoyance and/or potentially damage the foundations and exteriors of other structures. Implementation of mitigation measures MM4.9-1 through MM4.9-3 would help to reduce this impact to less than significant levels. Long term noise generated by implementation of the proposed project would include new stationary sources such as rooftop heating, ventilation, and air conditioning systems for the residential and commercial uses, which is addressed by MM4.9-4. The proposed project would also introduce new activity and noise to the area as residences are included and people are attracted to the new mix of uses that would develop as part of the proposed project. The noise monitoring studies show that existing noise levels at various points in the Specific Plan area currently exceed the City noise standards for residential uses, especially along Beach Boulevard. Development of new residences in areas where existing noise levels currently exceed the City standard would constitute a significant impact. Mitigation measure MM4.9-5 shall be implemented for all residential development within the Specific Plan area where the existing noise levels exceed the City standards as set forth in Section 8.40.070 and Section 8.40.080 of the Huntington Beach Municipal Code. The EIR concludes that long term impacts would be less than significant.

At the Planning Commission Study Session, Commissioner Bixby asked three questions related to the noise analysis. In response to the question regarding a loading dock area for Alternative 3, none is required nor proposed. A question was asked about how mixed use development is treated for regulation by the Noise Ordinance, which lists residential, commercial and office as discreet uses. The City has

required the residential component of mixed use projects to meet the requirements of the residential noise zone standards. The Noise Ordinance allows temporary spikes in noise; thus, increases in noise due to commercial operations, e.g. deliveries, can be accommodated within the allowable standards. At the project approval stage, the City would recommend conditions of approval that have been used on other mixed use projects in the City to address noise transmission between the residential and commercial components of the development. Finally, a question was asked regarding potential impacts of idling diesel trucks on the SRO. The SRO is considered a commercial use per the Noise Ordinance because it is supposed to be for transient use (monthly tenancies only per the ZSO). At the SRO location potential noise associated with idling would be approximately 66-68 dbA, comparable with what it is today with existing truck deliveries.

◆ Population and Housing

This section of the EIR analyzes the potential for the project to induce population and employment growth beyond current growth projections and as analyzed and adopted in the Beach and Edinger Corridors Specific Plan and Program EIR. This project represents approximately 2.3 percent of the permitted units in the BECSP and is within the maximum amount of new development (MAND) specified within the BECSP. Residential development on the project site was accounted for in the overall population growth analysis performed in the BECSP EIR, which assumed a maximum residential build out of 4,500 new dwelling units in the BECSP. The City's Zoning Code and the BECSP Section 2.2.3 (Affordable Housing Requirements) will regulate construction of affordable units within the development project to meet the needs of the community, consistent with Policies 2.2 and 3.1 of the City's General Plan Housing Element. The proposed project would not conflict with any of the applicable General Plan polices and is consistent with the BECSP EIR; therefore, the project related impacts are considered less than significant.

The proposed project would not displace any housing or residents as the entire site is developed with commercial uses. Therefore, the impacts related to population and housing would be less than significant.

◆ Public Services

The EIR evaluates the effects of the proposed project on public services (fire, police, schools and libraries) by identifying anticipated demands on existing and planned service availability. The analysis concludes that the proposed project would not require new or physically altered fire or police facilities to maintain adequate response times and service ratios. The Growth Management Element of the General Plan establishes the population to service ratios. The addition of the proposed project is not expected to notably affect service responses. The EIR also identifies standard code requirements, which require payment of development impact fees to address a project's impact on public services and facilities such as schools and libraries, and concludes that impacts will be less than significant.

In response to questions at the Planning Commission Study Session, the additional Errata to the EIR (Attachment No. 3) includes updated library staffing information. In addition, Commissioner Bixby inquired about enrollment trends at Dwyer Middle School. Data available from the California Department of Education indicate the school's enrollment has been increasing. Finally, there was a question regarding Fire Department response times and the related mitigation measure. As far back as 2007 the Fire Department response time has been within approximately 5 minutes 59% of the time. Methods to reduce response time continue to be utilized such as automatic aid with surrounding fire agencies (closest unit, responds regardless of city boundaries), efficient computer aided dispatch, and traffic signal preempted (Opticom). Other dispatch methods to reduce response time are also being

explored such as automotive vehicle locator (AVL) and move up module software (MUM), which strategically positions response units closer to emergency calls. The mitigation measure reflects the fact that the City continues to evaluate how best to provide fire service on an annual basis subject to the budgetary process, which is deemed adequate because there were no significant project specific impacts identified.

◆ Recreation

The EIR analyzes the potential for adverse impacts on existing recreational facilities and opportunities and the expansion of recreational facilities resulting from implementation of the proposed project. The City's parkland ratio could be affected by increased demands for recreational areas due to the increase in residential development. The impact to the ratio of parkland to population of 5 acres per 1,000 persons is considered to be less than significant with payment of required park fees pursuant to Project CR4.12-1.

◆ Transportation/Traffic

The EIR analyzes the potential for adverse impacts on existing transportation and traffic conditions resulting from implementation of the proposed project. The traffic study was conducted by Austin-Foust Associates and analyzed potential adverse traffic impacts on the immediate area surrounding the project site and the intersections of Beach Boulevard and Ellis Avenue, Main Street and Ellis Avenue, and Beach Blvd and Talbert Avenue as well as the BECSP study area. Intersections will operate at acceptable levels of service with implementation of the BECSP mitigation measures including those within the immediate vicinity of the project site. However, the project will contribute to the cumulative impacts identified within the BECSP Program EIR.

Due to the nature of transportation and traffic issues, the project study area as it relates to this EIR section is larger than the project site. As part of the environmental analysis of the BECSP, intersection capacity utilization (ICU) analysis was performed at intersections throughout the overall BECSP area. ICU values are used to determine levels of service at study area intersection locations and provide a means to quantitatively estimate incremental traffic impacts. The proposed project would result in a 30 percent decrease in the AM peak hours, 37 percent decrease in the PM peak hours, and an overall 43 percent trip reduction for average daily trips (ADT) compared to the land uses approved under the BECSP, which can be contributed to the reduced commercial square footage. Compared to existing conditions, the project would result in a less than significant increase in ADT. Mitigation Measures MM4.13-1 through MM4.13-18 require mitigation of the project's contribution to intersections and freeway ramp determined to be significantly impacted as a result of implementation of the BECSP through payment of fees that would provide the project's fair share toward improving those intersections.

Although traffic impacts as a result of the proposed project would be less than significant, cumulative impacts would be significant and unavoidable for two BECSP study area intersections, including Caltrans intersections and one I-405 freeway ramp. The proposed project may contribute traffic to these intersections, the effects of which would result in a cumulatively significant impact when combined with development anticipated within the BECSP and surrounding areas. However, the proposed project's impacts on those intersections and freeway ramp determined to be deficient can be minimized through payment of fees that would contribute the project's fair share to improving those intersections. The EIR also analyzes the project's potential to create adverse impacts from inadequate parking capacity, alternative transportation policies and emergency access and determined these impacts to be less than significant.

◆ Utilities

The EIR analyzes potential impacts to water, wastewater, solid waste and other utility systems. The water lines associated with future development permitted under the proposed project are required to be sized appropriately for the anticipated design average day demand and appropriate peaking factors. It is anticipated that the increase in water demand would not result in necessary upgrades to the water treatment plants. The Water Supply Assessment concluded that under the worst case scenario to meet demand from projected population growth up to the year 2030, aggressive water conservation of up to 13.4 percent could balance supply and demand. Although the City has demonstrated significant water conservation over the last 10 years at approximately 8.6 percent, MM4.14-1 requires that projects include water conservation practices, until such time that additional savings from water conservation can be demonstrated or the water supply situation improves. The proposed project would have less than significant impacts.

Implementation of the proposed project would require new sewer connections and construction of new or expanded wastewater conveyance systems pursuant to MM4.14-2. Construction or expansion of wastewater treatment facilities is not anticipated to be necessary to serve the proposed project's needs. The OCSD has adequate treatment capacity available over the long term to serve the proposed BECSP, including the proposed project.

Alternatives to the Proposed Project

CEQA guidelines require that an EIR describe a range of reasonable Alternatives to the project or the location of the project that could meet the objectives of the project and potentially reduce significant impacts of the project. Of note is that every conceivable Alternative scenario is not required but rather a range of feasible Alternatives must be included in the EIR so that the project can be adequately evaluated. An EIR need not consider an alternative whose effects could not be reasonably identified, and whose implementation is remote or speculative. The Alternatives are evaluated to see how well they can achieve the project objectives. Three Alternatives were evaluated in the Draft EIR and described below:

Alternative 1: No Project/No Development Alternative - This alternative would serve as the "no development" alternative with the site remaining in its existing condition. Under this alternative all existing development and uses would remain.

Alternative 2: All Commercial Alternative - Alternative 2 assumes that the site would be developed with 77,300 sf of commercial uses and a three-story parking structure. Commercial development would front Beach Boulevard and Ellis Avenue. Development would include a one-story, 22,500 sf market at the corner of Beach Boulevard and Ellis Avenue, as well as a one-story, 5,000 sf restaurant on Beach Boulevard in the location of the existing restaurant. Two, three-story buildings consisting of approximately 16,600 sf of ground-floor retail uses and 33,200 sf of office uses on the upper two levels would be constructed along Ellis Avenue. A total of 7,700 sf of public open space would be provided on site in the form of an internal plaza area. Parking would be provided in a three-story, four-level (one level below grade, one level at grade, and two levels above grade), 240-space parking structure and a 48-space surface parking lot located along the southern boundary of the site. A total of 288 parking spaces would be provided on the site.

Alternative 3 Increased Residential Mixed Use Alternative: Alternative 3 includes development of a mixed use project consisting of two building comprised of 274 apartment

dwelling units and 8,500 sf of commercial uses, as well as a 463-space, parking garage. Development along Beach Boulevard would be four stories in height, the remainder of the site would have development six stories in height. Residential development would include 7 live-work units, accessed directly from Ellis Avenue, as well as 25 studio units, 117 one-bedroom units, and 125 two-bedroom units located on the upper levels of the development and accessed from the interior of the proposed building. Most of the residential dwelling units would be oriented around a courtyard located on the podium level (Level Two). Commercial uses would be located on the ground floor fronting Beach Boulevard. Parking would be provided in a 463-space parking garage located on the ground floor and on one subterranean level. Alternative 3 would include 16,000 sf of public open space in the form of an internal plaza area associated with the commercial uses, a courtyard on the podium level, and 16,020 sf of private open space, including dwelling unit balconies and patios.

Other alternatives such as alternative locations and an all commercial development alternative were considered but rejected as infeasible because they would not achieve the project objectives and/or would not lessen significant impacts identified for the proposed project.

Alternative Projects Impacts

Overall, the No Project Alternative would result in the fewest number of impacts, and would eliminate significant and unavoidable impacts identified for the proposed project, but would not achieve any of the project objectives. Alternative 2 results in a significant and unavoidable impact for greenhouse gas emissions and doesn't meet objectives for a mixed use project. Because Alternative 3 would result in the development of an additional 169 residential units compared to the proposed project, increased demands associated with the increased residential population, including demands for public services, recreation as well as utilities would occur. These impacts would remain less than significant, but would be greater than the proposed project. Alternative 3 would not exceed anticipated daily traffic volumes identified for the BECSP under 2030 conditions but would generate a greater number of vehicle trips than the proposed project. Overall, the Greenhouse Gas (GHG) emissions are greater for Alternative 3 than the proposed project, but on a per service population basis, the impacts to GHG emissions are less than the proposed project. Based on the analysis, the environmentally superior alternative would be Alternative 3.

At the Study Session, Commissioner Bixby asked how Alternative 3 could be the environmentally superior alternative when all the impacts except Greenhouse Gas are greater than or equal to the proposed project. Alternative 3 was selected because it achieves the project objectives, does not result in any new significant impacts, and on a per service population basis, GHG emissions would be less than the proposed project. While Alternative 2 would have reduced less than significant impacts for many issue areas, it would not eliminate the significant and unavoidable impacts identified for the proposed project, would not serve to achieve the City's vision for the site and results in a new significant and unavoidable impact for GHG.

Certification of Final EIR

The role of the Planning Commission is to certify the adequacy of the Beach and Ellis Mixed Use Project Environmental Impact Report. A development project is not before the Planning Commission for consideration at this time, but once submitted, the project will be evaluated against the certified EIR pursuant to CEQA Guidelines.

Public Comments on the Draft EIR and Errata Changes

The City of Huntington Beach received a total of eight comment letters: four from state agencies, one from a private organization, two from individuals and one from the City's Environmental Board. Five verbal comments were received at the public meeting held during the comment period. In response to the comments received, the Final EIR and additional Errata includes text changes for the purpose of clarification or correction and additional analyses. The Errata do not change the overall conclusions of the EIR analysis. All of the other comments are adequately addressed in the Response to Comments.

The Final EIR was distributed to the commenting agencies more than 10 days prior to the Planning Commission meeting. Any written communication received subsequent to the preparation of this staff report will be forwarded to the Planning Commission under separate cover.

SUMMARY:

Environmental Impact Report No. 10-004 serves as an informational document with the sole purpose of identifying potential environmental impacts associated with the Beach and Ellis Mixed Use Project, consider alternatives that minimize those impacts, and provide the appropriate mitigation measures. Staff recommends that the Planning Commission certify EIR No. 10-004 because:

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

ATTACHMENTS:

1. Planning Commission Resolution No. 1657 – Certifying Final EIR No. 10-004
2. Final EIR No. 10-004, includes Draft EIR, EIR Appendices, Response To Comments and Text Changes (**Not Attached - Available for Public Review at the Planning and Zoning Counter – 3rd Floor, City Hall**)
3. Additional Errata to the final EIR No. 10-004

SH:MBB:rm

RESOLUTION NO. 1657

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HUNTINGTON BEACH CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT (SCH#2011091022)
FOR THE BEACH AND ELLIS MIXED USE PROJECT**

WHEREAS, Environmental Impact Report No. 10-004, State Clearinghouse #2011091022 (“EIR”) was prepared by the City of Huntington Beach (“City”) to address the environmental implications of the Beach and Ellis Mixed Use Project (the “Project”); and

- On July 31, 2009, a Notice of Preparation/Initial Study for the Project was prepared in conjunction with the Beach and Edinger Corridors Specific Plan (“BECSP”) Program EIR and distributed to the State Clearinghouse, other responsible agencies, trustee agencies and interested parties; and
- After obtaining comments received in response to the Notice of Preparation, and comments received at the public scoping meeting held on August 21, 2009, the City completed preparation of the BECSP Program EIR, which was adopted on December 8, 2009; and
- As development on the project site was included in the Notice of Preparation for the BECSP EIR and analyzed as part of the larger scope of development contemplated in the BECSP EIR (Program EIR No. 08-008), which anticipated approximately 120 dwelling units and 71,000 square feet of commercial area on the project site, Draft EIR No. 10-004 is tiered from the BECSP Program EIR; and
- The City filed a Notice of Completion with the State Clearinghouse on September 2, 2011, and the Draft EIR was circulated for public review and comment from September 9, 2011 to October 24, 2011, and was available for review at several locations including City Hall Planning and Building Department, City Clerk’s Office, Central Library and the City’s website; and

WHEREAS, Public comments have been received on the Draft EIR, and responses to those comments have been prepared and provided to the Planning Commission as a section within a separately bound document entitled “Beach and Ellis Mixed Use Project Environmental Impact Report Final EIR” (the “Responses to Comments”), dated November 2011; and

WHEREAS, Public Resources Code 21092.5(a) requires that the City of Huntington Beach provide a written proposed response to any public agency that commented on the Environmental Impact Report, and the Response to Comments included in the Final Environmental Impact Report satisfies this provision; and

WHEREAS, the Planning Commission held a public meeting on the EIR on December 13, 2011 and received and considered public testimony.

NOW, THEREFORE, the Planning Commission of the City of Huntington Beach

ATTACHMENT NO. 1.1

DOES HEREBY RESOLVE as follows:

SECTION 1. Consistent with CEQA Guidelines Section 15132, the Final EIR for the Project is comprised of the Draft EIR and Appendices, the comments received on the Draft EIR, the Responses to Comments (including a list of persons, organizations, and public agencies commenting on the Draft EIR), the Text Changes to the Draft EIR (bound together with the Responses to Comments) and all Planning and Building Department Staff Reports to the Planning Commission, including all minutes, transcripts, attachments and references. All of the above information has been and will be on file with the City of Huntington Beach Department of Planning and Building, 2000 Main Street, Huntington Beach, California 92648.

SECTION 2. The Planning Commission finds and certifies that the Final EIR is complete and adequate in that it has identified all significant environmental effects of the Project and that there are no known potential environmental impacts not addressed in the Final EIR.

SECTION 3. The Planning Commission finds that all significant effects of the Project are set forth in the Final EIR.

SECTION 4. The Planning Commission finds that although the Final EIR identifies certain significant environmental effects that will result if the Project is approved, all significant effects which can feasibly be mitigated or avoided have been mitigated or avoided by the incorporation of standard conditions and requirements, and by the imposition of mitigation measures on the approved Project. All mitigation measures are included in the "Mitigation Monitoring and Reporting Checklist" (also referred to as the "Mitigation Monitoring Program") attached as Exhibit "A" to this Resolution and incorporated herein by this reference.

SECTION 5. The Planning Commission finds that the Final EIR has described reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project (including the "No Project" Alternative), even when these alternatives might impede the attainment of Project objectives. Further, the Planning Commission finds that a good faith effort was made to incorporate alternatives in the preparation of the Draft EIR and that a reasonable range of alternatives was considered in the review process of the Final EIR and ultimate decisions on the Project.

SECTION 6. The Planning Commission finds that no "substantial evidence" (as that term is defined pursuant to CEQA Guidelines Section 15384) has been presented that would call to question the facts and conclusions in the EIR.

SECTION 7. The Planning Commission finds that no "significant new information" (as that term is defined pursuant to CEQA Guidelines Section 15088.5) has been added to the Final EIR after circulation of the Draft EIR. The Planning Commission finds that the refinements that have been made in the Project as a result of clarifications in the mitigation measures and EIR text do not amount to significant new information concerning the Project, nor has any significant new information concerning the Project become known to the Planning Commission through the public hearings held on the Project, or through the comments on the Draft EIR and Responses to Comments.

SECTION 8. The Planning Commission finds that the Mitigation Monitoring Program establishes a mechanism and procedures for implementing and verifying the mitigations pursuant to Public Resources Code 2108.6 and hereby adopts the Mitigation Monitoring Program. The mitigation measures shall be incorporated into the Project prior to or concurrent with Project implementation as defined in each mitigation measure.

SECTION 9. The Planning Commission finds that the Final EIR reflects the independent review and judgment of the City of Huntington Beach Planning Commission, that the Final EIR was presented to the Planning Commission, and that the Planning Commission reviewed and considered the information contained in the Final EIR prior to approving a project located on the subject property.

SECTION 10. The Planning Commission finds that the Final EIR serves as adequate and appropriate environmental documentation for the Project. The Planning Commission certifies that the Final EIR prepared for the Project is complete, and that it has been prepared in compliance with the requirements of the California Environmental Quality Act and CEQA Guidelines.

PASSED AND ADOPTED by the Planning Commission of the City of Huntington Beach at a regular meeting thereof held on the Thirteenth day of December, 2011.

AYES: Shier Burnett, Peterson, Mantini, Delgleize, Farley, Bixby, Ryan
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

Scott Hess, Secretary

Chairperson, Planning Commission

Exhibit A: Mitigation Monitoring and Reporting Program

ATTACHMENT NO. 1.3

CHAPTER 2 Summary

2.1 PURPOSE OF THE SUMMARY

This section summarizes the characteristics of the proposed Beach and Ellis project (proposed project), the environmental impacts, mitigation measures, and residual impacts with the proposed project.

2.2 INTRODUCTION

This EIR is intended to provide decision-makers and the public with information that enables them to intelligently consider the environmental consequences of the proposed action. This EIR identifies significant or potentially significant environmental effects, as well as ways in which those impacts can be reduced to less than significant levels, through the imposition of mitigation measures (MMs), or through the implementation of alternatives to the project.

2.3 SUMMARY OF PROPOSED PROJECT

The proposed project would result in a six-story mixed-use development consisting of retail and residential uses. Levels one and two of the proposed project would house the commercial component, including an approximately 30,000 square feet (sf) of market use, approximately 7,000 sf of retail shops, and retail parking. At the corner of Beach Boulevard and Ellis Avenue approximately 1,850 sf of public open space would be provided at street level. Levels four through six would include 105 condominium residential units and 10,500 sf of open space for residential use.

Parking for both retail and residential uses would be provided in an internal parking structure. Level one would provide 109 retail parking spaces and Level two would provide 111 retail parking spaces. Level three would provide 263 residential parking spaces. Vehicular access to the project site would be available from one driveway on Beach Boulevard, one driveway on Ellis Avenue, and the existing private alleyway that bounds the east side of the project site, accessed from Ellis Avenue, all leading directly into the proposed parking structure.

Overall, the proposed project would result in the construction of approximately 37,000 sf of retail uses, 105 residential units, and 483 parking spaces (220 retail and 263 residential parking spaces).

2.4 CLASSIFICATION OF ENVIRONMENTAL IMPACTS AND DISCUSSION OF MITIGATION MEASURES

Potential environmental impacts have been classified in the following categories:

- **Less Than Significant (LTS)**—Results in no substantial adverse change to existing environmental conditions

- **Potentially Significant (PS)**—Constitutes a substantial adverse change to existing environmental conditions that can be mitigated to less than significant levels by implementation of feasible mitigation measures or by the selection of an environmentally superior project alternative
- **Significant and Unavoidable (SU)**—Constitutes a substantial adverse change to existing environmental conditions that cannot be fully mitigated by implementation of all feasible mitigation measures or by the selection of an environmentally superior project alternative

Cumulative impacts are also analyzed in this environmental document. Cumulative impacts refer to two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts.

Where significant impacts are identified, CEQA requires that feasible mitigation measures are discussed to avoid or reduce to the extent feasible, significant effects. As described in CEQA Guidelines Section 15370, there are generally five categories of mitigation measures, which include the following:

- Avoiding the impact altogether by not taking a certain action or parts of an action
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation
- Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action
- Compensating for the impact by replacing or providing substitute resources or environments

In addition to project-specific mitigation measures, the proposed project is required to implement applicable mitigation measures of the BECSP Program EIR intended to mitigate potentially significant impacts associated with future development within the BECSP area.

The City of Huntington Beach imposes standard code requirements (CRs) for the purpose of controlling or reducing potential environmental and/or safety issues associated with a proposed project. These CRs may include, but are not necessarily limited to, development standards, the payment of impact fees, infrastructure improvements, and/or operational requirements. In this EIR, standard CRs that are relevant to the environmental analysis are identified along with the discussion of mitigation measures in each resource-specific discussion provided in Chapter 4 of this document. CRs often have the effect of reducing an environmental impact, and as such, take the place of mitigation measures that would otherwise be required to address impacts. CRs identified in this document are not inclusive of all code requirements that would be imposed on the proposed project; only those CRs relevant to the environmental analysis and identified impact are included.

2.5 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The following significant, unavoidable impacts would result from future developments as permitted under the proposed project. A detailed discussion of these impacts can be found in Section 4.2 (Air Quality) of this document.

- **Air Quality**

- > **Project Specific and Cumulative**—Construction of the proposed project would violate an air quality standard as it would result in emissions that exceed the SCAQMD threshold of significance for VOCs.

- **Transportation/Traffic**

- > **Cumulative**—Operation of the proposed project would cumulatively contribute to an unacceptable Level of Service at two City intersections.
- > **Cumulative**—Operation of the proposed project would cumulatively contribute to an increase in delay at two Caltrans intersections and would increase traffic to the I-405 northbound loop ramp, which is currently deficient.

2.6 ALTERNATIVES

As required by CEQA Guidelines Section 15126.6(a) and recent court cases, an EIR must:

Describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

Further, CEQA Guidelines Section 15126.6(b) states:

The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

Alternatives evaluated in this EIR include the following:

- Alternative 1: No Project/No Build
- Alternative 2: All Commercial
- Alternative 3: Residential Mixed-Use

2.7 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Pursuant to CEQA Guidelines Section 15123(b)(1), Table 2-1 (Summary of Environmental Effects and Code Requirements/Mitigation Measures) contains a summary of environmental impacts associated with the proposed project, mitigation measures that would reduce or avoid those effects, and the level of significance of the impacts following the implementation of mitigation measures.

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
Aesthetics			
Impact 4.1-1 Implementation of the proposed project would not have an adverse effect on a scenic vista. This impact is considered <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.1-2 Implementation of the proposed project would not degrade the existing visual character or quality of the site and its surroundings. This impact is considered <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.1-3 Implementation of the proposed project would introduce new sources of light and glare into the project vicinity. However, these sources would not adversely affect day or nighttime views in the area. This impact is considered <i>less than significant</i> .	LTS	BECSP MM4.1-2 Proposed new structures shall be designed to maximize the use of nonreflective facade treatments, such as matte paint or glass coatings. Prior to issuance of building permits for the proposed project, the Applicant shall indicate provision of these materials on the building plans.	LTS
Air Quality			
Impact 4.2-1 Implementation of the proposed project would not conflict with or obstruct implementation of the applicable air quality plan. This would be a <i>less than significant</i> impact.	LTS	No mitigation is required.	LTS
Impact 4.2-2 Construction activities associated with the proposed project could violate an air quality standard or contribute substantially to an existing or projected air quality violation. This would be a potentially significant impact. Implementation of mitigation measures BECSP MM4.2-1 through BECSP MM4.2-14 would reduce this impact, but not to a less than significant level. Therefore, this would be a <i>significant and unavoidable</i> impact.	PS	BECSP MM4.2-1 Project applicants shall require by contract specifications that all diesel-powered equipment used will be retrofitted with after-treatment products (e.g., engine catalysts). Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit. BECSP MM4.2-2 Project applicants shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site use low-NOx diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California Air Resources Board diesel) in the South Coast Air Basin (this does not apply to diesel-powered trucks traveling to and from the project site). Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit. BECSP MM4.2-3 Project applicants shall require by contract specifications that construction equipment engines be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior	SU

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>to issuance of a grading permit.</p> <p>BECSP MM4.2-4 Project applicants shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.</p> <p>BECSP MM4.2-5 As required by South Coast Air Quality Management District Rule 403—Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of project development to reduce the amount of particulate matter entrained in the ambient air. These measures include the following:</p> <ul style="list-style-type: none"> ■ Application of soil stabilizers to inactive construction areas ■ Quick replacement of ground cover in disturbed areas ■ Watering of exposed surfaces three times daily ■ Watering of all unpaved haul roads three times daily ■ Covering all stock piles with tarp ■ Reduction of vehicle speed on unpaved roads ■ Post signs on-site limiting traffic to 15 miles per hour or less ■ Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads ■ Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas ■ Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip <p>BECSP MM4.2-6 Project applicants shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than 5 minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.2-7 Project applicants shall require by contract specifications that construction parking be configured to minimize traffic interference during the construction period and,</p>	

ATTACHMENT NO. 1.8

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>therefore, reduce idling of traffic. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.2-8 Project applicants shall require by contract specifications that temporary traffic controls are provided, such as a flag person, during all phases of construction to facilitate smooth traffic flow. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.2-9 Project applicants shall require by contract specifications that construction activities that would affect traffic flow on the arterial system be scheduled to off-peak hours (10:00 AM to 4:00 PM). Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.2-10 Project applicants shall require by contract specifications that dedicated on-site and off-site left-turn lanes on truck hauling routes be utilized for movement of construction trucks and equipment on site and off site to the extent feasible during construction activities. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.2-11 Upon issuance of building or grading permits, whichever is issued earlier, notification shall be mailed to owners and occupants of all developed land uses within 300 feet of a project site within the Specific Plan providing a schedule for major construction activities that will occur through the duration of the construction period. In addition, the notification will include the identification and contact number for a community liaison and designated construction manager that would be available on site to monitor construction activities. The construction manager shall be responsible for complying with all project requirements related to PM₁₀ generation. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contract information for the community liaison and construction manager will be located at the construction office, City Hall, the police department, and a sign on site.</p> <p>BECSP MM4.2-12 Project applicants shall require by contract specifications that the architectural coating (paint and primer) products used would have a VOC rating of 125 grams per liter or less. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Huntington Beach.</p> <p>BECSP MM4.2-13 Project applicants shall require by contract specifications that materials that do not require painting be used during construction to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Huntington Beach.</p> <p>BECSP MM4.2-14 Project applicants shall require by contract specifications that pre-painted construction materials be used to the extent feasible. Contract specifications shall be included</p>	

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.2-3 Operation activities associated with the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This would be a <i>less than significant</i> impact.</p>	LTS	<p>in the proposed project construction documents, which shall be reviewed and approved by the City of Huntington Beach.</p> <p>No mitigation is required.</p>	LTS
<p>Impact 4.2-4 Construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations. This would be a potentially significant impact. However, implementation of mitigation measure Project MM4.2-15, in addition to mitigation measures BECSP MM4.2-1 through BECSP MM4.2-11 would ensure that emissions would not exceed SCAQMD thresholds at sensitive receptor locations. This impact is considered <i>less than significant</i>.</p>	PS	<p>BECSP MM4.2-1 through BECSP MM4.2-11 would also apply.</p> <p>Project MM4.2-15 Project applicants shall require by contract specifications that all paving be completed as soon as possible to reduce fugitive dust emissions.</p>	LTS
<p>Impact 4.2-5 Operation of the proposed project would increase local traffic volumes above existing conditions, but would not expose sensitive receptors to substantial localized carbon monoxide (CO) concentrations. This impact is considered <i>less than significant</i>.</p>	LTS	<p>No mitigation is required.</p>	LTS
<p>Impact 4.2-6 Construction and operation of the proposed project would not create objectionable odors affecting a substantial number of people. This impact is considered <i>less than significant</i>.</p>	LTS	<p>No mitigation is required.</p>	LTS
<p>Biological Resources</p>			
<p>Impact 4.3 Construction of the proposed project could have a substantial adverse effect, either directly or through habitat modifications, on birds protected under the <i>Migratory Bird Treaty Act</i>. However, with mitigation measures, this impact is considered <i>less than significant</i>.</p>	LTS	<p>BECSP MM4.3-1 Nesting avian species protected by the MBTA:</p> <p>a. Prior to any construction or vegetation removal between February 15 and August 31, a nesting bird survey shall be conducted by a qualified biologist of all habitats within 250 feet of the construction area. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities and surveys will be conducted in accordance with CDFG protocol as applicable. If no active nests are identified on or within 250 feet of the construction site, no further mitigation is necessary. A copy of the pre-construction survey shall be submitted to the City of Huntington Beach.</p>	LTS

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>If an active nest of a MBTA protected species is identified on site (per established thresholds) a 100-foot no-work buffer shall be maintained between the nest and construction activity. This buffer can be reduced in consultation with CDFG and/or USFWS. Completion of the nesting cycle shall be determined by qualified ornithologist or biologist.</p> <p>b. Completion of the nesting cycle shall be determined by qualified ornithologist or biologist.</p>	
Cultural and Paleontological Resources			
<p>Impact 4.4 Implementation of the proposed project could cause a substantial adverse change in the significance of a historic resource due to the age of existing buildings on the project. However, with mitigation, this impact is considered less than significant.</p>	PS	<p>BECSP MM4.4-1 Prior to development activities that would demolish or otherwise physically affect buildings or structures 45 years old or older or affect their historic setting, the project applicant shall retain a cultural resource professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History to determine if the project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines. The investigation shall include, as determined appropriate by the cultural resource professional and the City of Huntington Beach, the appropriate archival research, including, if necessary, an updated records search of the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System and a pedestrian survey of the proposed development area to determine if any significant historic-period resources would be adversely affected by the proposed development. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any historical resources within the development area and includes recommendations and methods for eliminating or reducing impacts on historical resources. The technical report or memorandum shall be submitted to the City of Huntington Beach for approval. As determined necessary by the City, environmental documentation (e.g., CEQA documentation) prepared for future development within the project site shall reference or incorporate the findings and recommendations of the technical report or memorandum. The project applicant shall be responsible for implementing methods for eliminating or reducing impacts on historical resources identified in the technical report or memorandum.</p>	LTS
<p>Impact 4.4 Construction activities associated with implementation of the proposed project could cause a substantial adverse change to an archeological resource pursuant to Section 15064.5 of the CEQA Guidelines. However, with mitigation, this impact is considered less than significant.</p>	LTS	<p>BECSP MM4.4-2(b) If evidence of an archaeological site or other suspected historical resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during any project-related earth-disturbing activities (including projects that would not encounter undisturbed soils), all earth-disturbing activity within 100 feet of the find shall be halted and the City of Huntington Beach shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards</p>	LTS

APPENDIX NO. 1.11

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.4 Construction activities associated with implementation of the proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. However, with mitigation measures, this impact is considered <i>less than significant</i>.</p>	<p>LTS</p>	<p>for Archeology to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less than significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the appropriate information Center.</p> <p>BECSP MM4.4-3(b) Should paleontological resources (i.e., fossil remains) be identified at a particular site during project construction, the construction foreman shall cease construction within 100 feet of the find until a qualified professional can provide an evaluation. Mitigation of resource impacts shall be implemented and funded by the project applicant and shall be conducted as follows:</p> <ol style="list-style-type: none"> 1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high 2. Assess effects on identified sites 3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are stated to be impacted 4. Obtain comments from the researchers 5. Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible <p>In considering any suggested mitigation proposed by the consulting paleontologist, the City of Huntington Beach staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, applicable policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.</p>	<p>LTS</p>

ATTACHMENT NO. 1.12

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Geology and Soils</p> <p>Impact 4.5 Development of the proposed project could expose people and/or structures to potentially substantial adverse effects, including the risk of loss, injury, or death, involving strong seismic groundshaking and/or seismic-related ground failure, including liquefaction. Although seismic groundshaking would occur during major earthquakes, with compliance with applicable State and City regulations and implementation of mitigation measures, this impact is considered <i>less than significant</i>.</p>	LTS	<p>BECSP MM4.5-1 Future development in the Beach Boulevard and Edinger Avenue Corridors Specific Plan area shall prepare a grading plan to contain the recommendations of the final soils and geotechnical report. These recommendations shall be implemented in the design of the project, including but not limited to measures associated with site preparation, fill placement, temporary shoring and permanent dewatering, groundwater seismic design features, excavation stability, foundations, soil stabilization, establishment of deep foundations, concrete slabs and pavements, surface drainage, cement type and corrosion measures, erosion control, shoring and internal bracing, and plan review.</p>	LTS
<p>Impact 4.5 Construction and operation of the proposed project could result in substantial soil erosion, loss of top soil, changes in topography or unstable soil conditions. However, with compliance with slope stability, soil stability, and seismic-resistant design standards for structures proposed for human occupancy required by the City of Huntington Beach General Plan, Building Code, and Grading and Excavation Code and implementation of code requirements and mitigation measures, this impact is considered <i>less than significant</i>.</p>	LTS	<p>BECSP MM4.5-1 would also apply. BECSP CR4.5-1 A California-licensed Civil Engineer (Geotechnical) shall prepare and submit to the City a detailed soils and geotechnical analysis with the first submittal of a grading plan for future development. This analysis shall include Phase II Environmental soil sampling and laboratory testing of materials to provide detailed recommendations for grading, chemical and fill properties, liquefaction, and landscaping.</p>	LTS
<p>Impact 4.5 The proposed project could be located on expansive soil. However, with compliance with soil stability standards required by the City of Huntington Beach General Plan, Building Code, and Grading and Excavation Code, and implementation of code requirements and mitigation measures, this impact is considered <i>less than significant</i>.</p>	LTS	<p>BECSP CR4.5-1 and BECSP MM4.5-1 would also apply.</p>	LTS
<p>Hazards and Hazardous Materials</p> <p>Impact 4.6 Implementation of the proposed project could create a potential significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, with implementation of mitigation, this impact is considered <i>less</i></p>	LTS	<p>BECSP MM4.6-1 Prior to the issuance of grading permits on any project site, the site developer(s) shall:</p> <ul style="list-style-type: none"> Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a preliminary environmental site assessment (ESA), which shall be submitted to the City for review. If contamination is found the report shall characterize the site according to the nature and 	LTS

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>than significant.</p>		<p>extent of contamination that is present before development activities precede at that site.</p> <ul style="list-style-type: none"> ■ If contamination is determined to be on site, the City, in accordance with appropriate regulatory agencies, shall determine the need for further investigation and/or remediation of the soils conditions on the contaminated site. If further investigation or remediation is required, it shall be the responsibility of the site developer(s) to complete such investigation and/or remediation prior to construction of the project. ■ If remediation is required as identified by the local oversight agency, it shall be accomplished in a manner that reduces risk to below applicable standards and shall be completed prior to issuance of any occupancy permits. ■ Closure reports or other reports acceptable to the Huntington Beach Fire Department that document the successful completion of required remediation activities, if any, for contaminated soils, in accordance with City Specification 431-92, shall be submitted and approved by the Huntington Beach Fire Department prior to the issuance of grading permits for site development. No construction shall occur in the affected area until reports have been accepted by the City. <p>BECSP MM4.6-2 In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction of the proposed project, construction activities in the immediate vicinity of the contamination shall cease immediately. If contamination is encountered, a Risk Management Plan shall be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., City of Huntington Beach Fire Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.</p> <p>BECSP MM4.6-3 Prior to the issuance of grading permits, future development in the Specific Plan shall comply with HBFD City Specification No. 429, Methane District Building Permit Requirements. A plan for the testing of soils for the presence of methane gas shall be prepared and submitted by the Applicant to the HBFD for review and approval, prior to the commencement of sampling. If significant levels of methane gas are discovered in the soil on the future development project site, the Applicant's grading, building and methane plans shall</p>	

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>reference that a subslab methane barrier and vent system will be installed at the project site per City Specification No. 429, prior to plan approval. If required by the HBFD, additional methane mitigation measures to reduce the level of methane gas to acceptable levels shall be implemented.</p> <p>BECSP MM4.6-4 To ensure adequate access for emergency vehicles when construction activities would result in temporary lane or roadway closures, the developer shall consult with the City of Huntington Beach Police and Fire Departments to disclose temporary lane or roadway closures and alternative travel routes. The developer shall be required to keep a minimum of one lane in each direction free from encumbrances at all times on perimeter streets accessing the project site. At any time only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions. If construction activities require the complete closure of a roadway segment, the developer shall coordinate with the City of Huntington Beach Police and Fire Departments to designate proper detour routes and signage indicating alternative routes.</p>	
<p>Hydrology and Water Quality</p> <p>Impact 4.7 Construction and operation of the proposed project could increase stormwater runoff and alter existing land use such that stormwater pollutant loads or concentrations, including erosion and sediment, are increased. These processes could result in a violation of waste discharge requirements or water quality standards and provide substantial additional sources of polluted runoff. Additionally, increases in stormwater runoff could potentially exceed the capacity of existing or planned stormwater drainage systems, and cause on- or off-site flooding. However, with implementation of mitigation measures, this impact is considered <i>less than significant</i>.</p>	LTS	<p>BECSP MM4.7-1 City of Huntington Beach shall require Applicants for new development and significant redevelopment projects within the Specific Plan area, including the proposed project, to prepare a project Water Quality Management Plan (WQMP) in accordance with the DAMP requirements and measures described below and with all current adopted permits. The WQMP shall be prepared by a Licensed Civil Engineer and submitted for review and acceptance prior to issuance of a Precise Grading or Building permit.</p> <p>BMPs in the WQMP shall be designed in accordance with the Municipal NPDES Permit, Model WQMP, Technical Guidance Documents, DAMP, and City of Huntington Beach LIP. As noted in the Specific Plan, all development projects shall include site design and source control BMPs in the project WQMP. Additionally, new development or significant redevelopment projects and priority projects shall include LID principles to reduce runoff to a level consistent with the maximum extent practicable and treatment control BMPs in the WQMP.</p> <p>If permanent dewatering is required and allowed by the City, the developer shall submit an application to RWQCB and follow the procedures as stated in Order No R8-2009-0003. The Applicant shall include a description of the dewatering technique, discharge location, discharge quantities, chemical characteristics of discharged water, operations and maintenance plan, and WDID number for proof of coverage under the De Minimus Threat General Permit or copy of the individual WDR in the WQMP. Additionally, the WQMP shall</p>	LTS

ATTACHMENT NO. 1.15

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>The WQMP shall include the following additional requirements:</p> <p><u>Project and Site Characterization Requirements</u></p> <ul style="list-style-type: none"> ■ Entitlement Application numbers and site address shall be included on the title sheet of the WQMP ■ In the project description section, explain whether proposed use includes on-site food preparation, eating areas (if not please state), outdoor activities to be expected, vehicle maintenance, service, washing cleaning (if prohibited on site, please state) ■ All potential pollutants of concern for the proposed project land use type as per Table 7.11-1 of the Orange County Model Water Quality Management Plan shall be identified ■ A narrative describing how all potential pollutants of concern will be addressed through the implementation of BMPs and describing how site design BMP concepts will be considered and incorporated into the project design shall be included ■ Existing soil types and estimated percentages of perviousness for existing and proposed conditions shall be identified ■ In Section I of the WQMP, state verbatim the Development Requirements from the Planning Department's letter to the Applicant ■ A site plan showing the location of the selected treatment control BMPs and drainage areas shall be included in the WQMP ■ A Geotechnical Report shall be submitted to address site conditions for determination of infiltration limitations and other pertinent characteristics. <p><u>Project-Based Treatment Control BMPs</u></p> <ul style="list-style-type: none"> ■ Infiltration-type BMPs shall not be used unless the Geotechnical Report states otherwise. Depth to seasonal high groundwater is determined to provide at least a 10-foot clearance between the bottom of the BMP and top of the water table. ■ Wet swales and grassed channels shall not be used because of the slow infiltration rates of project site soils, the potentially shallow depth to groundwater, and water conservation needs ■ If proprietary Structural Treatment Control devices are used, they shall be sited and designed in compliance with the manufacturers design criteria ■ Surface exposed treatment control BMPs shall be selected such that standing water drains or evaporates within 24 hours or as required by the County's vector control ■ Excess stormwater runoff shall bypass the treatment control BMPs unless they are 	

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>designed to handle the flow rate or volume from a 100-year storm event without reducing effectiveness. Effectiveness of any treatment control BMP for removing the pollutants of concern shall be documented via analytical models or existing studies on effectiveness.</p> <ul style="list-style-type: none"> ■ The project WQMP shall incorporate water efficient landscaping using drought tolerant, native plants in accordance with Landscape and Irrigation Plans as set forth by the Applicant (see below) ■ Pet waste stations (stations that provide waste pick-up bags and a convenient disposal container protected from precipitation) shall be provided and maintained ■ Building materials shall minimize exposure of bare metals to stormwater. Copper or Zinc roofing materials, including downspouts, shall be prohibited. Bare metal surfaces shall be painted with non-lead-containing paint <p>The following BMPs shall not be used because they have not been shown to be effective in many situations. Therefore, unless sufficient objective studies and review are available and supplied with the WQMP to correctly size devices and to document expected pollutant removal rates the WQMP shall not include:</p> <ul style="list-style-type: none"> ■ Hydrodynamic separator type devices as a BMP for removing any pollutant except trash and gross particulates ■ Oil and Grit separators <p>Any Applicant proposing development in the Specific Plan Area is encouraged to consider the following BMPs:</p> <ul style="list-style-type: none"> ■ Sand filters or other filters (including media filters) for rooftop runoff ■ Dry swales. A dry swale treatment system could be used if sufficient area, slope gradient, and length of swale could be incorporated into the project design. Dry swales could remove substantial amounts of nutrients, suspended solids, metals, and petroleum hydrocarbons ■ Other proprietary treatment devices (if supporting documentation is provided) <p><u>Nonstructural BMPs</u></p> <p>The WQMP shall include the following operations and maintenance BMPs under the management of an applicant or property manager, where applicable. The Applicant shall fund and implement an operational and maintenance program that includes the following:</p> <ul style="list-style-type: none"> ■ The Applicant shall dictate minimum landscape maintenance standards and tree trimming requirements for the total project site. Landscape maintenance shall be performed by a qualified landscape maintenance company or individual in accordance with a Chemical Management Plan detailing chemical application methods, chemical handling procedures, 	

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>and worker training. Pesticide application shall be performed by a certified applicator. No chemicals shall be stored on-site unless in a covered and contained area and in accordance with an approved Materials Management Plan. Application rates shall not exceed labeled rates for pesticides, and shall not exceed soil test rates for nutrients. Slow release fertilizers shall be used to prevent excessive nutrients in stormwater or irrigation runoff.</p> <ul style="list-style-type: none"> ■ The Applicant or property manager shall have the power and duty to establish, oversee, guide, and require proper maintenance and tree trimming procedures per the ANSI A-300 Standards as established by the International Society of Arborist. The Applicant or property manager shall require that all trees be trimmed by or under the direct observation/direction of a licensed/certified Arborist for the entire area. The Applicant shall establish minimum standards for maintenance for the total community, and establish enforcement thereof for the total community. The property manager shall rectify problems arising from incorrect tree trimming, chemical applications, and other maintenance within the total community. ■ Landscape irrigation shall be performed in accordance with an Irrigation Management Plan to minimize excess irrigation contributing to dry- and wet-weather runoff. Automated sprinklers shall be used and be inspected at least quarterly and adjusted yearly to minimize potential excess irrigation flows. Landscape irrigation maintenance shall be performed in accordance with the approved irrigation plans, the City Water Ordinance and per the City Arboricultural and Landscape Standards and Specifications. ■ Proprietary stormwater treatment systems maintenance shall be in accordance with the manufacturer's recommendations. If a nonproprietary treatment system is used, maintenance shall be in accordance with standard practices as identified in the current CASQA (2003) handbooks, operations and maintenance procedures outlined in the approved WQMP, City BMP guidelines, or other City-accepted guidance. ■ Signage, enforcement of pet waste controls, and public education would improve use and compliance, and therefore, effectiveness of the program, and reduce the potential for hazardous materials and other pollution in stormwater runoff. The Applicant shall prepare and install appropriate signage, disseminate information to residents and retail businesses, and include pet waste controls (e.g., requirements for pet waste cleanup, pet activity area restrictions, pet waste disposal restrictions) in the any agreement, tenant lease (regarding rental property) or Conditions, Covenants, and Restrictions (regarding for-sale property). ■ Street sweeping shall be performed at an adequate frequency to prevent build up of pollutants (see http://www.fhwa.dot.gov/environment/ultraurban/ubmp3p7.htm / for street 	

ATTACHMENT NO. 1.18

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>sweeping effectiveness).</p> <ul style="list-style-type: none"> ■ The Applicant shall develop a maintenance plan for BMPs and facilities identifying responsible parties and maintenance schedules and appropriate BMPs to minimize discharges of contaminants to storm drain systems during maintenance operations. ■ Reporting requirements: the Applicant or property manager shall prepare an annual report and submit the annual report to the City of Huntington Beach documenting the BMPs operations and maintenance conducted that year. The annual report shall also address the potential system deficiencies and corrective actions taken or planned. <p><u>Site Design BMPs</u></p> <p>Any Applicant proposing development in the Specific Plan Area is required to incorporate LID principles as defined in the Municipal NPDES Permit and is encouraged to consider the following BMPs, if allowed in accordance with the Geotechnical Report and limitations on infiltration BMPs:</p> <ul style="list-style-type: none"> ■ Use of porous concrete or asphalt (if acceptable to the Geotechnical Engineer and where infiltration will not adversely affect groundwater) or other pervious pavement for driveways, paths, sidewalks, and courtyards/open space areas, to the maximum extent practicable, would reduce pollutants in stormwater runoff as well as provide some detention within the material void¹ space. If porous paver blocks are used, they shall be adequately maintained to provide continued porosity (effectiveness) ■ Incorporation of rain gardens or cisterns to reuse runoff for landscape irrigation ■ Green roofs to reduce runoff and treat roof pollutants ■ Site design and landscape planning to group water use requirements for efficient irrigation <p>BECSP MM4.7-2 The City of Huntington Beach shall require that any Applicant prepare a Groundwater Hydrology Study to determine the lateral transmissivity of area soils and a safe pumping yield such that dewatering activities do not interfere with nearby water supplies. The Groundwater Hydrology Study shall make recommendations on whether permanent groundwater dewatering is feasible within the constraints of a safe pumping level. The Applicant's engineer of record shall incorporate the Hydrology Study designs and recommendations into project plans. If groundwater dewatering is determined allowable by the City, the Applicant shall submit an application to the RWQCB for dewatering purposes, per the De Minimus Permit Number R8-2009-0003. If safe groundwater dewatering is determined to not be feasible, permanent groundwater dewatering shall not be implemented. The City Director of Public Works, OCWD, and other regulatory agencies shall approve or disapprove</p>	

¹ Void space is the empty space between individual particles.

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>any permanent groundwater dewatering based on the Groundwater Hydrology Study and qualified Engineers' recommendations.</p> <p><i>Mitigation measure BECSP MM4.7-3 has been modified to reflect the existing and proposed site characteristics, as well as the specific hydrologic conditions of the proposed project site and the Huntington Beach Channel.</i></p> <p>BECSP MM4.7-3 The City of Huntington Beach shall require that the Applicant's Licensed Civil Engineer for each site-specific development prepare a Hydrology and Hydraulic Study to identify the effects of potential stormwater runoff from the specific development on the existing storm drain flows for the 10-, 25-, and 100-year design storm events. The drainage improvements shall be designed and constructed as required by the Department of Public Works to mitigate impact of increased runoff due to development, or deficient, downstream systems. Design of all necessary drainage improvements shall provide mitigation for all rainfall event frequencies up to a 100-year frequency. The Applicant shall design site drainage and document that the proposed development would not increase peak storm event flows over pre-1986 Qs, which must be established by the hydrology study. If the analyses shows that the City's current drainage system cannot meet the volume needs of the project runoff, the applicant shall be required to attenuate site runoff to an amount not to exceed the 25-year storm as determined using pre-1986 criteria. As an option, the applicant may choose to explore low-flow design alternatives, downstream attenuation or detention, or upgrade the City's stormwater system to accommodate the impacts of the new development, at no cost to the City. The Hydrology and Hydraulic Study shall also incorporate all current adopted Municipal NPDES Permit and City requirements for stormwater flow calculations and retention/detention features in effect at the time of review.</p> <p>BECSP MM4.7-4 The City of Huntington Beach shall require that adequate capacity in the storm drain system is demonstrated from the specific development site discharge location to the nearest main channel to accommodate discharges from the specific development. If capacity is demonstrated as adequate, no upgrades will be required. If capacity is not adequate, the City of Huntington Beach shall identify corrective action(s) required by the specific development Applicant to ensure adequate capacity. Corrective action could include, but is not limited to:</p> <ul style="list-style-type: none"> ■ Construction of new storm drains, as identified in the MPD or based on the Hydrology and Hydraulic Study, if the Hydrology and Hydraulic Study identifies greater impacts than the MPD ■ Improvement of existing storm drains, as identified in the MPD or based on the Hydrology and Hydraulic Study, if the Hydrology and Hydraulic Study identifies greater impacts than the MPD 	

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ■ In-lieu fees to implement systemwide storm drain infrastructure improvements ■ Other mechanisms as determined by the City Department of Public Works ■ For nonresidential areas, if redevelopment would result in an impervious fraction of less than 0.9 and does not increase the directly connected impervious area compared to existing conditions, runoff is expected to remain the same or less than as assessed in the MPD and only MPD improvements would be required <p>Because some storm drain system constraints may be located far downgradient from the actual development site, several properties may serve to contribute to system capacity constraints. Therefore, the City Department of Public Works shall assess each site development and system characteristics to identify the best method for achieving adequate capacity in the storm drain system. Drainage assessment fees/districts to improve/implement storm drains at downstream locations or where contributing areas are large are enforced through Municipal Code (Section 14.20).</p> <p>The City Department of Public Works shall review the Hydrology and Hydraulic Study and determine required corrective action(s) or if a waiver of corrective action is applicable. The site-specific development Applicant shall incorporate required corrective actions into their project design and/or plan. Prior to receiving a Certificate of Occupancy or final inspection, the City Department of Public Works shall ensure that required corrective action has been implemented.</p>	LTS
<p>Impact 4.7 Implementation of the proposed project could result in substantial groundwater dewatering or deplete groundwater supplies. However, with implementation of code requirements and mitigation measures, this impact is considered less than significant.</p>	LTS	<p>BECSP MM4.7-2 would apply.</p>	LTS

ATTACHMENT NO. 1.21

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Land Use and Planning</p> <p>Impact 4.8 The proposed project is consistent with the City's land use policies that generally encourage projects to provide a mix of uses that are compatible and harmonious with surrounding development, and amenities that enhance the image and quality of life and the environment. The proposed project is also consistent with General Plan policies that are designed to address the image of the community, promote compatibility between land uses, and support the City's image as a regional activity center that would provide the community and region with economic and service benefits. This impact is considered <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Noise</p> <p>Impact 4.9-1 Implementation of the proposed project could result in 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. This would be a potentially significant impact. Implementation of mitigation measures would reduce this impact to a <i>less than significant</i> level.</p>	PS	<p>BECSF MM4.9-1 Project applicants shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:</p> <ul style="list-style-type: none"> ■ Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 300 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period ■ Ensure that construction equipment is properly muffled according to industry standards and be in good working condition ■ Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible ■ Schedule high-noise-producing activities between the hours of 8:00 AM and 5:00 PM to minimize disruption on sensitive uses, Monday through Saturday; schedule pile-driving activities between the hours of 8:00 AM and 4:00 PM on Mondays through Fridays only ■ Implement noise attenuation measures, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources ■ Use electric air compressors and similar power tools rather than diesel equipment, where feasible ■ Construction-related equipment, including heavy-duty equipment, motor vehicles, and 	LTS

ATTACHMENT NO. 1.22

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.9-2 Implementation of the proposed project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. This would be a less than significant impact.</p>	<p>LTS</p>	<p>portable equipment, shall be turned off when not in use for more than 10 minutes</p> <ul style="list-style-type: none"> Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent; if the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party <p>Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p> <p>BECSP MM4.9-2 Project applicants shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment within the project area would be located as far away from vibration and noise sensitive sites as possible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p> <p>BECSP MM4.9-3 Project applicants shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p> <p>BECSP MM4.9-4 Project applicants shall provide proper shielding for all new HVAC systems used by the proposed residential and mixed-use buildings to achieve a noise attenuation of 15 dBA at 50 feet from the equipment.</p> <p>BECSP MM4.9-5 Prior to issuance of building permits, project applicants shall submit an acoustical study for each development, prepared by a certified acoustical engineer. Should the results of the acoustical study indicate that that exterior (e.g., patios and balconies) and interior noise levels would exceed the standards set forth in the City of Huntington Beach Municipal Code Sections 8.40.050 through 8.40.070, the project applicant shall include design measures that may include acoustical paneling or walls to ensure that noise levels do not exceed City standards. Final project design shall incorporate special design measures in the construction of the residential units, if necessary.</p> <p>BECSP MM4.9-1 through BECSP MM4.9-3 would also apply.</p>	<p>LTS</p>

ATTACHMENT NO. 1.23

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.9-3 Implementation of the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. This would be a <i>less than significant</i> impact.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.9-4 Increased human activity associated with the operation of the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. This would be a <i>less than significant</i> impact.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.9-5 Implementation of the proposed project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. This would be a <i>less than significant</i> impact.</p>	LTS	BECSP MM4.9-1 through BECSP MM4.9-3 would also apply.	LTS
Population and Housing			
<p>Impact 4.10 Implementation of the proposed project would not displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere. This impact is considered <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.10 Implementation of the proposed project would accommodate projected future housing, but would not induce substantial population growth beyond that already forecasted in the General Plan or by SCAG. This impact is considered <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
Public Services			
<p>Impact 4.11-1 Implementation of the proposed project could increase the demand for fire protection services, but would not require the construction of new or physically altered facilities to accommodate the increased demand and maintain acceptable fire flows and the impact would be <i>less than significant</i>.</p>	LTS	BECSP MM4.11-1 Subject to the City's annual budgetary process, which considers available funding and the staffing levels needed to provide acceptable response time for fire and police services, the City shall provide sufficient funding to maintain the City's standard, average level of service through the use of General Fund monies.	LTS

ATTACHMENT NO. 1.24

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.11-2 Implementation of the proposed project would not result in the need for new or physically altered police facilities in order to maintain acceptable service ratios and the impact would be <i>less than significant</i>.</p>	LTS	<p>BECSP MM4.11-1 would also apply.</p>	LTS
<p>Impact 4.11-3 Implementation of the proposed project would not require new or physically altered facilities to accommodate additional students and would be <i>less than significant</i>.</p>	LTS	<p>BECSP CR4.11-1 The project Applicant shall pay all applicable development impact fees in effect at the time of building permit issuance to the Ocean View School District to cover additional school services required by the new development. These fees are currently \$1.37 per square foot (sf) of accessible interior space for any new residential unit and \$0.22 per sf of covered floor space for new commercial/retail development.</p> <p>BECSP CR4.11-2 The Applicant shall pay all applicable development impact fees in effect at the time of building permit issuance to the Huntington Beach Union High School District to cover additional school services required by the new development. These fees are currently \$2.97 per square foot (sf) of accessible interior space for any new residential unit and \$0.47 per sf of covered floor space for new commercial/retail development.</p>	LTS
<p>Impact 4.11-4 Implementation of the proposed project would not result in the need for new or physically altered library facilities in order to maintain acceptable service ratios, and the impact would be <i>less than significant</i>.</p>	LTS	<p>BECSP CR4.11-4 The Applicant of future individual development projects shall pay required library and community enrichment impact fees per Chapter 17.66 of the City's Municipal Code (Library Development Fee), prior to issuance of building permits.</p>	LTS
<p>Recreation</p>			
<p>Impact 4.12-1 Implementation of the proposed project could increase the use of existing neighborhood and regional parks or other recreational facilities. However, substantial physical deterioration of recreational facilities would not occur or be accelerated. This would be a <i>less than significant</i> impact.</p>	LTS	<p>BECSP CR4.12-1 Prior to the issuance of building permits, the Applicant shall demonstrate compliance with City parkland requirements identified in Chapter 254.08 of the City of Huntington Beach Zoning Ordinance, either through the dedication of onsite parkland or through payment of applicable fees. Any on-site park provided in compliance with this section shall be improved prior to final inspection (occupancy) of the first residential unit (other than the model homes).</p>	LTS
<p>Impact 4.12-2 Implementation of the proposed project would include recreational facilities the construction of which might have an adverse physical effect on the environment. This would be a potentially significant impact. Implementation of code requirements would reduce this impact to a <i>less-than significant</i> level.</p>	PS	<p>Project CR4.12-1 would also apply.</p>	LTS

ATTACHMENT NO. 1.25

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Transportation/Traffic</p> <p>Impact 4.13-1 Under Year 2030 conditions, implementation of the proposed project could conflict with the City's acceptable LOS standard of D or better identified in Policy CE 2.1.1 of the General Plan for the performance of the project area roadway system. However, with the incorporation of BECSP mitigation, this would be a less than significant impact.</p>	<p>PS</p>	<p>BECSP MM4.13-1 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate westbound right-turn lane to the intersection of Beach Boulevard at Warner Avenue. Implementation of this improvement would require Caltrans approval.</p> <p>BECSP MM4.13-2 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of dual northbound and southbound left-turn lanes to the intersection of Beach Boulevard at Garfield Avenue. Implementation of this improvement would require Caltrans approval.</p> <p>BECSP MM4.13-3 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth northbound through lane to the intersection of Brookhurst Street at Adams Avenue.</p> <p>BECSP MM4.13-4 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate northbound right-turn lane to the intersection of Brookhurst Street at Adams Avenue.</p> <p>BECSP MM4.13-5 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth southbound through lane to the intersection of Brookhurst Street at Adams Avenue.</p> <p>BECSP MM4.13-6 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth eastbound through lane to the intersection of Brookhurst Street at Adams Avenue.</p> <p>BECSP MM4.13-7 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth westbound through lane to the intersection of Brookhurst Street at Adams Avenue.</p> <p>BECSP MM4.13-8 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution to allow a right-turn overlap for a westbound right turn at the intersection of Brookhurst Street at Adams Avenue.</p> <p>BECSP MM4.13-9 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution to allow a right-turn overlap for a northbound right turn at the intersection of Brookhurst Street at Adams Avenue.</p> <p>BECSP MM4.13-10 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth northbound through lane to the intersection of Beach Boulevard at Edinger Avenue. Implementation of this improvement would require Caltrans approval.</p>	<p>LTS</p>

ATTACHMENT NO. 1.26

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>BECSP MM4.13-11 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a third westbound through lane to the intersection of Beach Boulevard at Edinger Avenue. Implementation of this improvement would require Caltrans approval.</p> <p>BECSP MM4.13-12 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate southbound right-turn lane to the intersection of Beach Boulevard at Bolsa Avenue. Implementation of this improvement would require Caltrans approval.</p> <p>BECSP MM4.13-13 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a second westbound left turn lane to the intersection of Beach Boulevard at Talbert Avenue. Implementation of this improvement would require Caltrans approval.</p> <p>BECSP MM4.13-14 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a de facto westbound right turn lane to the intersection of Beach Boulevard at Talbert Avenue. Implementation of this improvement would require Caltrans approval.</p> <p>BECSP MM4.13-15 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the conversion of a separate westbound right-turn lane to a de facto right-turn lane at the intersection of Newland Street at Warner Avenue.</p> <p>BECSP MM4.13-16 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a third westbound through lane to the intersection of Newland Street at Warner Avenue.</p> <p>BECSP MM4.13-17 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate southbound right turn lane to the intersection of Beach Boulevard at McFadden Avenue. Implementation of this improvement would require Caltrans and City of Westminster approvals.</p> <p>BECSP MM4.13-18 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate northbound right turn lane to the intersection of Beach Boulevard at McFadden Avenue. Implementation of this improvement would require Caltrans and City of Westminster approvals.</p>	

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.13-2 Under Existing plus Project conditions, implementation of the proposed project would not conflict with the City's acceptable LOS standard of D or better identified in Policy CE 2.1.1 of the General Plan for the performance of the project area roadway system. This impact is considered <i>less than significant</i>.</p>	LTS	None required.	LTS
<p>Impact 4.13-3 Construction of the proposed would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. This impact is considered <i>less than significant</i>.</p>	LTS	BECSP MM4.2-8 through BECSP MM4.2-10 would also apply.	LTS
<p>Impact 4.13-4 Implementation of the proposed project would not 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. This would be a <i>less than significant</i> impact.</p>	LTS	None required.	LTS
<p>Impact 4.13-5 Implementation of the proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) with the implementation of code requirements. This would be a <i>less than significant</i> impact.</p>	LTS	None required.	LTS
<p>Impact 4.13-6 Implementation of the proposed project would not result in inadequate emergency access. This would be a <i>less than significant</i> impact.</p>	LTS	None required.	LTS
<p>Impact 4.13-7 Implementation of the proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This would be a <i>less than significant</i> impact.</p>	LTS	None required.	LTS

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Utilities and Service Systems</p> <p>Impact 4.14-1 Implementation of the proposed project could require new water connections or expanded conveyance systems. However, the project would not require or result in the construction of new or expanded water treatment facilities, the construction of which could cause significant environmental effects. This impact is considered <i>less than significant</i>.</p>	LTS	<p>BECSP CR4.14-1 A hydraulic water capacity analysis is required to determine the water improvements necessary to adequately protect the property per the Fire Department requirements. The developer shall be required to upgrade/improve the City's water system to meet the water demands to the property and/or otherwise mitigate the impacts of the project at no cost to the City. The developer shall coordinate this effort with the Public Works and Fire Departments and shall be responsible to pay the City for all related fees required to perform the analysis using the City's hydraulic water model.</p>	LTS
<p>Impact 4.14-2 Implementation of the proposed project would generate an additional demand for water, but would not require water supplies in excess of existing entitlements and resources, or result in the need for new or expanded entitlements. This impact is <i>less than significant</i>.</p>	LTS	<p>BECSP MM4.14-1 The components of future projects in the Specific Plan area shall incorporate the following measures to ensure that conservation and efficient water use practices are implemented per project. Project proponents, as applicable, shall:</p> <ul style="list-style-type: none"> ■ Require employees to report leaks and water losses immediately and shall provide information and training as required to allow for efficient reporting and follow up ■ Educate employees about the importance and benefits of water conservation ■ Create water conservation suggestion boxes, and place them in prominent areas ■ Install signs in restrooms and cafeterias that encourage water conservation ■ Assign an employee to evaluate water conservation opportunities and effectiveness ■ Develop and implement a water management plan for its facilities that includes methods for reducing overall water use ■ Conduct a water use survey to update current water use needs (processes and equipment are constantly upgrading, thus changing the need for water in some areas) ■ Repair leaks; check the water supply system for leaks and turn off unnecessary flows ■ Utilize water-efficient irrigation systems and drought tolerant plant palette and insure that sprinklers are directing water to landscape areas, and not to parking lots, sidewalks or other paved areas ■ Adjust the irrigation schedule for seasonal changes ■ Install low-flow or waterless fixtures in public and employee restrooms ■ Instruct cleaning crews to use water efficiently for mopping ■ Use brooms, squeegees, and wet/dry vacuums to clean surfaces before washing with water; do not use hoses as brooms; sweep or blow paved areas to clean, rather than hosing off (applies outside, not inside) ■ Avoid washing building exteriors or other outside structures 	LTS

ATTACHMENT NO. 1.29

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.14-3 implementation of development of the proposed project would not exceed wastewater treatment requirements of the Santa Ana Regional Water Quality Control Board. This impact would be less than significant.</p>	<p>LTS</p>	<ul style="list-style-type: none"> ■ Sweep and vacuum parking lots/sidewalks/window surfaces rather than washing with water ■ Switch from "wet" carpet cleaning methods, such as steam, to "dry," powder methods; change window-cleaning schedule from "periodic" to "as required" ■ Set automatic optic sensors on icemakers to minimum fill levels to provide lowest possible daily requirement; ensure units are air-cooled and not water-cooled ■ Control the flow of water to the garbage disposal ■ Install and maintain spray rinsers for pot washing and reduce flow of spray rinsers for prewash ■ Turn off dishwashers when not in use—wash only full loads ■ Scrape rather than rinse dishes before washing ■ Operate steam tables to minimize excess water use ■ Discontinue use of water softening systems where possible ■ Ensure water pressure and flows to dishwashers are set a minimum required setting ■ Install electric eye sensors for conveyor dishwashers ■ Install flushometer (tankless) toilets with water-saving diaphragms and coordinate automatic systems with work hours so that they don't run continuously ■ Use a shut-off nozzle on all hoses that can be adjusted down to a fine spray so that water flows only when needed ■ Install automatic rain shutoff device on sprinkler systems <p>BECSP CR4.14-2 Prior to the issuance of a building permit for this proposed project, the Applicant shall demonstrate compliance with the City's Water Efficient Landscape Ordinance (Municipal Code 14.52) in a manner approved by the City Departments of Planning and Public Works.</p> <p>No mitigation is required.</p>	<p>LTS</p>

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.14-4 Implementation of the proposed project would require new sewer connections, and could require or result in the construction of new or expanded wastewater conveyance systems. With implementation of code requirements BECSP CR4.14-3, BECSP CR4.14-4, and Project CR4.14-5, this impact would be reduced to a less than significant level.</p>	PS	<p>BECSP CR4.14-3 Prior to issuance of a Precise Grading or Building Permit, the Applicants shall prepare a sewer analysis and submit it to the Department of Public Works for review and approval. Data from a 14-day or longer flow test shall be included in the analysis. This analysis shall specifically identify constraints and system deficiencies, including requirements for new connections or upgrades to existing stubout connections, associated with development of the proposed project. In addition, OCSD shall confirm that there is capacity in the existing main and trunk sewer lines serving the proposed project.</p> <p>Further, this analysis shall identify whether or not the existing system is deficient in proximity to the proposed project. If the proposed project triggers a deficiency in the overall sewer system, the proposed project will be required to upgrade the system per the recommendations of the BECSP, the Department of Public Works requirements, and the project-specific study.</p> <p>If the sewer study for the proposed project shows no immediate deficiency (i.e., the system has adequate capacity for the proposed project), the applicant may be required to pay a fair share to the party responsible for installation of necessary system upgrades in the future, as it will, at a minimum contribute to the future systemwide deficiency identified in the BECSP EIR.</p> <p>BECSP CR4.14-4 For each individual project, the OCSD shall confirm that there is capacity in the existing main and trunk sewer lines serving the individual projects that may be developed in accordance with the proposed Specific Plan.</p> <p>Project CR4.14-5 The project developer(s) shall pay all applicable impact fees for wastewater and other utilities as established by the City of Huntington Beach.</p>	LTS
<p>Impact 4.14-5 Implementation of the proposed project would not increase wastewater generation such that treatment facilities would be inadequate to serve the project's projected demand in addition to the provider's existing commitments. This impact is considered less than significant.</p>	LTS	<p>No mitigation is required.</p>	LTS
<p>Impact 4.14-6 Implementation of the proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. The proposed project would result in a less than significant impact.</p>	LTS	<p>No mitigation is required.</p>	LTS

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.14-7 Implementation of the proposed project would not require or result in the construction of new energy production or transmission facilities, or expansion of existing facilities, the construction of which could cause a significant environmental impact. This would be a <i>less than significant</i> impact.</p>	LTS	No mitigation is required.	LTS
<p>Climate Change</p>			
<p>Impact 4.15-1 Implementation of the proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. This is considered a potentially significant impact; however, implementation of mitigation would reduce this impact to a <i>less-than-significant</i> level.</p>	PS	<p>Project MM4.2-15 would also apply.</p> <p>BECSP MM4.15-1 The City shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts and other technologies available at the time construction commences) to the extent that they are readily available and cost effective when construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.15-2 The City shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent feasible at the time construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.15-3 The City shall require that developers within the project site use locally available building materials, such as concrete, stucco, and interior finishes, for construction of the project and associated infrastructure.</p> <p>BECSP MM4.15-4 The City shall require developers within the project site to establish a construction management plan with Rainbow Disposal to divert a target of 50 percent of construction, demolition, and site clearing waste.</p> <p>BECSP MM4.15-5 The City shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.15-6 The City shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than five minutes. Contract specifications shall be included in the</p>	LTS

ATTACHMENT NO. 1.32

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
<p>Impact 4.15-2 Implementation of the proposed project would potentially conflict with the goals and policies of the AB 32 Scoping Plan; however, implementation of mitigation would reduce this impact to a <i>less than significant</i> level.</p>	<p>PS</p>	<p>proposed project construction documents, which shall be approved by the City of Huntington Beach.</p> <p>BECSP MM4.15-7 The City shall require that any new development within the Specific Plan area provide signs within loading dock areas clearly visible to truck drivers. These signs shall state that trucks cannot idle in excess of five minutes per trip.</p> <p>BECSP MM4.15-8 The City shall require by contract specifications that electrical outlets are included in the building design of future loading docks to allow use by refrigerated delivery trucks. Future project-specific Applicants shall require that all delivery trucks do not idle for more than five minutes. If loading and/or unloading of perishable goods would occur for more than five minutes, and continual refrigeration is required, all refrigerated delivery trucks shall use the electrical outlets to continue powering the truck refrigeration units when the delivery truck engine is turned off.</p> <p>BECSP MM4.15-9 The City shall require that any new development within the project site provide a bulletin board or kiosk in the lobby of each proposed structure that identifies the locations and schedules of nearby transit opportunities.</p> <p>BECSP MM4.2-1 through MM4.2-14, Project MM4.2-15, and BECSP MM4.15-1 through MM4.15-9 would also apply.</p>	<p>LTS</p>

LTS = Less Than Significant PS = Potentially Significant SU = Significant and Unavoidable

**BEACH AND ELLIS MIXED USE
FINAL ENVIRONMENTAL IMPACT
REPORT, EIR NO. 10-004**

Document Not Attached

Available for review at

City of Huntington Beach Planning and
Building Department, 3rd fl., 2000 Main
Street, Huntington Beach, CA and

<http://www.huntingtonbeachca.gov/government/departments/Planning/major/BeachEllis.cfm>

CITY OF HUNTINGTON BEACH
**BEACH AND ELLIS
MIXED-USE PROJECT**

Errata to the Environmental Impact Report

EIR No. 10-004

Prepared for
City of Huntington Beach
Planning and Building Department
2000 Main Street, Third Floor
Huntington Beach, California 92648

Prepared by
Atkins
12301 Wilshire Boulevard, Suite 430
Los Angeles, California 90025

December 2011

ATTACHMENT NO. 3.1

Preface

The Project Environmental Impact Report (EIR) for the Beach and Ellis Mixed-Use Project was circulated for review and comment by the public, agencies, and organizations for a 45-day public review period that began on September 9, 2011, and concluded on October 24, 2011. A public information meeting to receive comments on the adequacy of the DEIR was held on October 6, 2011. In addition to five verbal comments from individuals that were received at the public meeting, seven comment letters were received during the review period from four state departments, one private organization, and two individuals. Consistent with CEQA Guidelines, a Final EIR was prepared for the proposed project, responding to each of the comments received on the Draft EIR (DEIR). This was provided to staff and the City Planning Commission. On November 22, 2011, a Planning Commission Study Session was held to discuss the EIR (both Draft and Final). At that time, comments were received from the Planning Commission on the DEIR. Additionally, shortly after this meeting, it was noted that a comment letter from the City of Huntington Beach Environmental Board had been omitted accidentally. This Errata document has been prepared to address necessary changes to the DEIR as a result of the Planning Commission's comments, to correct typographical errors, and to include response to the Environmental Board's comment letter submitted on the DEIR. No new significant impacts were identified during preparation of this Errata as a result of the additional information and comment letter.

Changes to the Draft EIR

INTRODUCTION

Text changes are intended to clarify or correct information in the DEIR in response to comments received on the document, or as initiated by Lead Agency staff. Revisions are shown in Section 8.2 (Text Changes) below as excerpts from the DEIR text, with a ~~line through~~ deleted text and a double underline beneath inserted text. In order to indicate the location in the DEIR where text has been changed, the reader is referred to the page number of the DEIR.

RESPONSES AND/OR TEXT CHANGES

This section includes responses to requests for additional information or clarification and/or revisions to text that were initiated as a response to comments received by the Planning Commission.

Page 2-11, Table 2-1 (Summary of Environmental Effects and Code Requirements/Mitigation Measures)

Per the request for additional information and clarification on page 4.6-8, the following text change has been made to mitigation MM4.6-1 to clarify.

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
Hazards and Hazardous Materials			
Impact 4.6 Implementation of the proposed project could create a potential significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, with implementation of mitigation, this impact is considered <i>less than significant</i> .	LTS	BECSP MM4.6-1 Prior to the issuance of grading permits on any project site, the site developer(s) shall: <ul style="list-style-type: none"> ■ Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a preliminary environmental site assessment (ESA), which shall be submitted to the City for review. If contamination is found the report shall characterize the site according to the nature and extent of contamination that is present before development activities precede at that site. ■ If contamination is determined to be on site, the City, in accordance with appropriate regulatory agencies, shall determine the need for further investigation and/or remediation of the soils 	LTS

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		<p>conditions on the contaminated site. If further investigation or remediation is required, it shall be the responsibility of the site developer(s) to complete such investigation and/or remediation prior to construction of the project.</p> <ul style="list-style-type: none"> ■ If remediation is required as identified by the local oversight agency, it shall be accomplished in a manner that reduces risk to below applicable standards and shall be completed prior to issuance of any occupancy permits. <u>Approval of a Human Health Risk Assessment performed by the project proponent may be required to ensure occupancy could occur safely.</u> ■ Closure reports or other reports acceptable to the Huntington Beach Fire Department that document the successful completion of required remediation activities, <u>if any, or an approved active on site remediation system that has been approved by Orange County Environmental Health Care Agency,</u> for contaminated soils, in accordance with City Specification 431-92, shall be submitted and approved by the Huntington Beach Fire Department prior to the issuance of grading permits for site development. No construction shall occur in the affected area until reports have been accepted by the City. <p>...</p>	

Page 2-22, Table 2-1 (Summary of Environmental Effects and Code Requirements/Mitigation Measures)

Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
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Public Services

<p>Impact 4.11-3 Implementation of the proposed project would not require new or physically altered facilities to accommodate additional students and would be <i>less than significant</i>.</p>	<p>LTS</p>	<p>BECSP CR4.11-1 The project Applicant shall pay all applicable development impact fees in effect at the time of building permit issuance to the Ocean View School District to cover additional school services required by the new development. These fees are currently \$1.37 per square foot (sf) of accessible interior space for any new residential unit and \$0.22 per sf of covered floor space for new</p>	<p>LTS</p>
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Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Code Requirements	Level of Significance After Mitigation
		commercial/retail development. BECSP CR4.11-23 The Applicant shall pay all applicable development impact fees in effect at the time of building permit issuance to the Huntington Beach Union High School District to cover additional school services required by the new development. These fees are currently \$2.97 per square foot (sf) of accessible interior space for any new residential unit and \$0.47 per sf of covered floor space for new commercial/retail development.	

...

Page 4.6-12, mitigation measure BECSP MM4.6-1

The following additional language has been added to mitigation measure MM4.6-1 to clarify.

- BECSP MM4.6-1 Prior to the issuance of grading permits on any project site, the site developer(s) shall:*
- *Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a preliminary environmental site assessment (ESA), which shall be submitted to the City for review. If contamination is found the report shall characterize the site according to the nature and extent of contamination that is present before development activities precede at that site.*
 - *If contamination is determined to be on site, the City, in accordance with appropriate regulatory agencies, shall determine the need for further investigation and/or remediation of the soils conditions on the contaminated site. If further investigation or remediation is required, it shall be the responsibility of the site developer(s) to complete such investigation and/or remediation prior to construction of the project.*
 - *If remediation is required as identified by the local oversight agency, it shall be accomplished in a manner that reduces risk to below applicable standards and shall be completed prior to issuance of any occupancy permits. Approval of a Human Health Risk Assessment performed by the project proponent may be required to ensure occupancy could occur safely.*
 - *Closure reports or other reports acceptable to the Huntington Beach Fire Department that document the successful completion of required remediation activities, if any, or an approved active on site remediation system that has been approved by Orange County Environmental Health Care Agency, for contaminated soils, in accordance with City Specification 431-92, shall be submitted and approved by the Huntington Beach Fire Department prior to the issuance of grading permits for site development. No construction shall occur in the affected area until reports have been accepted by the City.*

Page 4.8-4, "Building Height" section, third paragraph

Although inconsistencies between the height of buildings and the BECSP Development Code have been identified, during the site plan review process revisions to the design of the proposed project would likely be required in an effort to achieve consistency with the BECSP, as is the case for all development occurring in the BECSP area. As such, site plan review approval would ensure that the proposed project would not conflict with the BECSP.

Pages 4.11-18 and 4.11-19, last paragraph

The Huntington Beach Public Library system currently has a full-time staff of 3726 (with potential to fill up to three existing vacancies) and approximately 100 part-time staff members (volunteers).⁸³ The City does not have a library service ratio standard and uses the state's standard to determine the level of service for libraries. According to the State of California, there should be an average service ratio of approximately 0.00036 full-time employees per resident.^{83a} This equates to ~~(or 73 full-time library staff members in the Huntington Beach Public Library system based on resident population)~~.⁸⁴ As part-time staff members work on a volunteer basis, there is no full-time employee equivalent to their hours spent, and the approximate, 100 part-time staff members are not considered when determining the need for full-time library staff members. Therefore, to currently meet the state standard of 73 full-time library staff members, the City of Huntington Beach would need to hire an additional 3647 full-time employees to serve the current population of 203,484. Implementation of the proposed project ~~would add~~ could result in 280 additional residents to the City increasing the population to 203,764. This would not change the employee to staff ratio or the current need to hire additional 3647 full-time employees to meet the state standards.

⁸³ City of Huntington Beach, Section 4.11 (Public Services), Beach and Edinger Corridors Specific Plan Environmental Impact Report (August 2009); Stephanie Beverage, written communication from Library Services Director (January 31, 2011).

^{83a} California Libraries. Based on average service ratios of ten cities in California.

⁸⁴ California Libraries. Based on average service ratios of ten cities in California. Full-time employees required for total population: 0.00036 full-time staff/resident x 203,484 residents = 73 full-time staff required. Based on 2010 California Department of Finance population estimate of 203,484 for the City of Huntington Beach. Full-time employees required for total population: 0.00036 full-time staff/resident x 203,484 residents = 73 full-time staff required.

Page 4.11-20, first paragraph following Impact 4.11-4

The closest library to the project site is the Oak View Branch Library approximately 1.25 miles northwest from the site. The Central Library and Cultural Center is located 1.5 miles northwest of the project site. The two libraries have an extensive collection which can meet the demands of future residents of the proposed project. Additionally, the project site, like all areas of the City, is served by all five branches of the Huntington Beach Public Library system. Combined, these libraries have a collection of 431,304 items. According to California Library Statistics, there should be an average service ratio of about 0.00036 full-time employees per resident. The Huntington Beach Public Library currently has a staff of 3726, which does not meet this ratio. Based on the City's ~~current 2010~~ population of 203,484 residents, an additional 3647 full-time staff members would need to be hired in order to meet to this standard. The

proposed project would increase the population of Huntington Beach by ~~a maximum of~~ approximately 280 residents. This increase in population would not result in any additional need for the current need for ~~3647~~ full-time staff members.

Page 4.13-17, first paragraph

The amount of parking provided on the project site would be designed to comply with the Parking Regulations established in BECSP Section 2.1.4 for the Town Center Neighborhood designation. This requirement includes 1 parking space per 1-bedroom unit, 1.5 parking spaces per 2-bedroom unit (or greater), 2 guest parking spaces per 10 dwelling units, and a maximum of 5 parking spaces/1,000 sf of commercial uses. All parking is proposed in a parking structure internal to the site, accessible from driveways on Beach Boulevard, Warner-Ellis Avenue and the existing private alleyway, as described above. Based on the proposed project breakdown (54 1-bedroom units, 36 2-bedroom units, 15 3-bedroom units, and 37,000 sf of retail/commercial uses), the proposed project would be required to provide 152 residential parking spaces and 185 commercial spaces for a total of 337 parking spaces. Level one would provide 109 retail parking spaces, Level two would provide 111 retail parking spaces, and Level three would provide 263 residential parking spaces for a total of 483 parking spaces. Pedestrian and vehicular circulation would be provided throughout the parking structure to the retail and residential uses.

Page 6-41, before the last paragraph of the Transportation analysis

As is the case for the proposed project, Alternative 3 would not substantially increase hazards due to design features or incompatible uses nor would Alternative 3 result in inadequate emergency access. ... As such, impacts related to design hazards and emergency access have been determined to be **less than significant** with compliance of existing regulations, consistent with the proposed project.

The amount of parking provided on the project site would be designed to comply with the Parking Regulations established in BECSP Section 2.1.4 for the Town Center Neighborhood designation. This requirement includes 1 parking space per live work unit, 1 parking space per studio unit, 1 parking space per 1 bedroom unit, 1.5 parking spaces per 2 bedroom unit, 2 guest parking space per 10 dwelling units, and a maximum of 5 parking spaces/1,000 sf of commercial uses. Based on the breakdown of Alternative 3 (7 live work units, 25 studio units, 117 1-bedroom units, 125 2-bedroom units, and 8,500 sf of retail/commercial uses), Alternative 3 would be required to provide 434 parking spaces. Alternative 3 would include a 463-space internal parking garage which would meet the parking requirements established by the BECSP.

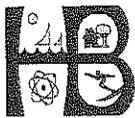
As Alternative 3 would be located on the same site as the proposed project which is located in close proximity to public transportation, is easily walkable to the Five Points shopping center, and is subject to the same design requirements included in the BECSP, Alternative 3 would promote and allows for the use of alternative transportation modes. Accordingly, Alternative 3 is compatible with adopted policies, plans and programs regarding alternative transportation; and this impact would be **less than significant**, similar to the proposed project.

Responses to Comments

COMMENTS ON THE DEIR

■ City of Huntington Beach Environmental Board (EB), October 25, 2011

EB



CITY OF HUNTINGTON BEACH

ENVIRONMENTAL BOARD

October 24, 2011

Rosemary Medel, Associate Planner
City of Huntington Beach
Department of Planning and Building
2000 Main St
Huntington Beach, CA 92648

Subject: Beach and Ellis Mixed Use Draft EIR No. 10-004

Dear Ms. Medel;

At the October 6, 2011 Environmental Board meeting, the members reviewed the draft EIR No. 10-0004. The Board offers the following comments for your consideration.

General:

We are pleased to see the City reposition this disinvested corridor property to capture value in the marketplace. The proposed project, in conjunction with the other proposed projects contained in the Beach and Edinger Corridors Specific Plan (BECSP), will begin the transformation of Beach Boulevard into an iconic gateway to and from the beach; it is sorely needed. The primary challenge for this particular project is transportation and mobility. We agree that this property is in need of redevelopment, however, without site-specific transportation and mobility mitigations the City may be faced with a situation similar to Triangle Square in Costa Mesa. Our specific comments on these and other challenges are found below. Additionally, we took notice that one of the Applicant's objectives is to incorporate Green Building practices into the project. While we applaud that objective, the subject document provides no details as to what specific practices will be included in the project. We would like to see the Applicant list and describe what particular Green Building measures will be incorporated into the project design.

EB-1
EB-2

Recreation:

According to BECSP Section 2.6.1 (Provision of Open Space), the proposed project is to provide a minimum of 7,100 square feet (sf) of public open space onsite. Public open space is defined as outdoor spaces that are accessible to the public and include seating, lighting, and landscaping. The proposed project sets aside only 1,850 sf of public open space that is located on the corner of Beach and Ellis. The remaining 5,250 sf must be satisfied by the Applicant buying land off site or paying an in-lieu payment of the cost to construct the required amount of open space off site.

EB-3

The proposed public open space has several issues - its location and proposed mitigations. The 1,850 sf of public open space is situated directly on the corner of Beach and Ellis - a

location that is near a 5-point intersection subject to high noise levels and vehicle emissions. The location will not induce the public to utilize that open space and is therefore not suitable as a partial mitigation. Perhaps the public open space area could instead be public art rather than consider it public open space.

EB-3
Cont.

Traffic:

Mitigations - Under Year 2030 conditions, implementation of the proposed project could conflict with the City's acceptable level of service standard of D or better. The EIR states that with the Applicant's fair share contributions toward future improvements in the area's roads, this would reduce project impacts to less than significant. The reality is that the fair share contributions will mitigate traffic intersections other than Beach and Ellis. To be effective, mitigations should be constructed at or very near the proposed project and not somewhere else. We saw no discussions of improvements to the Beach and Ellis intersection in the document. As stated in the beginning of the letter, we do not want to see this project fail due to illusory and misdirected traffic mitigations.

EB-4

Ingress and Egress - It appears from the EIR's plans and specifications that ingress northbound from Beach into the parking area will create more traffic. One cannot see the angle at which a vehicle will turn and how wide it the ingress will be. Where will fire vehicles enter?

EB-5

Mobility - The proposed project location is situated very close to numerous senior living facilities in the Five Points area. These facilities provide transportation for seniors to the nearby shopping center and will likely take them to the proposed project's upscale market. Looking at the plans and specifications, we do not see any loading/unloading curb cut-outs for those facility vehicles to pull in and drop-off the seniors. This could lead to back-ups at the Beach and Ellis intersection which is already impacted by increased traffic.

EB-6

We appreciate the opportunity of reviewing this project. Please contact us with any questions or concerns.

Sincerely,



Susan Gordon, Chair
Huntington Beach Environmental Board

RESPONSES TO COMMENTS ON THE DEIR

■ City of Huntington Beach Environmental Board (EB), October 25, 2011

- EB-1 The comment expresses that the project and transformation of Beach Boulevard is needed and that the primary challenge of the proposed project is transportation and mobility, stating that site-specific transportation and mobility mitigations are necessary. Please refer to responses to specific comments and recommendations below. No further response is required.
- EB-2 This comment requests that a list and description of green building practices to be incorporated into project design be provided in the DEIR. The proposed project would be subject to BECSP Section 2.8.2-3 (Sustainability Requirements), which requires that all proposed new structures and/or site improvements incorporate sustainable building practices. In addition to these requirements, application of “Green Building” techniques such as those found in, but not limited to, the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, the National Association of Homebuilders Model Green Home Building Guidelines and future “green building” ordinances and guidelines may be used. Specific green building practices that would be incorporated into project design are unknown at this time but will be established during the project’s site plan review process undertaken by the City when compliance with the BECSP is ensured. As such, a list and description of green building practices has not been provided. Further, no reduction in project impacts was analyzed based on some level of green building technique provided. Finally, the request for this additional information is not a CEQA-specific issue, nor is it a comment on the adequacy of the analysis provided in the DEIR. No further response is required.
- EB-3 The comment states that the location of the proposed 1,850 square feet (sf) of public open space located at the corner of Beach Boulevard and Ellis Avenue would not induce the public to utilize the open space due to high noise levels and vehicle emissions associated with that intersection. The commenter concludes that the provision of on-site public open space is not suitable as partial mitigation to satisfy the open space requirements established by BECSP Section 2.6.1 and requests that the open space provided be public art instead.

As stated on DEIR page 4.12-8:

BECSP Section 2.6.1 (Provision of Public Open Space) requires the proposed project to provide public open space, defined as outdoor spaces that are accessible to the public and include seating, lighting and landscaping, at a rate of 50 sf for every 1,000 sf of retail use and for each residential dwelling unit...Based on the proposed square footage of retail use and the number of dwelling units, the proposed project is required to provide a minimum of 7,100 sf of public open space on site. The proposed project includes 1,850 sf of public open space located at the corner of Beach Boulevard and Ellis Avenue. As such, an additional 5,250 sf of public open space would be required to satisfy the requirements of BECSP

Section 2.6.1. The remaining public open space may be provided off-site, as permitted by BECSP Section 2.6.1(2)(v) or satisfied through an in-lieu payment of the cost to construct the required amount of open space off site, as permitted by BECSP Section 2.6.1(2)(iv). Proposed public open space would be designed in conformance with BECSP Section 2.6.4 (Public Open Space Types), which identifies guidelines for design of the various types of public open space.

BECSP Section 2.6.4 allows for various types of public open space within the Town Center Neighborhood district, including a plaza. BECSP Section 2.6.4(4) defines a plaza as a public open space that is open to a public street on at least one side and should be located at the intersection of primary pedestrian routes. As such, public open space as proposed meets the definition of a plaza and is a suitable type of public open space on the project site. Additionally, the location of the proposed public open space would achieve the City's project objective to provide catalysts to the development of a network of pedestrian-oriented streets, promenades, and other public open spaces that encourage walking and ultimately, walking in combination with the transit ridership. As such, public open space provided on the project site as proposed is suitable to partially satisfy the BECSP requirement for public open space. The remaining 5,250 sf of public open space required would be provided off-site, as permitted by BECSP Section 2.6.1(2)(v) or satisfied through an in-lieu payment of the cost to construct the required amount of open space off site, as permitted by BECSP Section 2.6.1(2)(iv). Therefore, no additional mitigation is necessary to meet BECSP public open space requirements for the project site and public art would not be provided at this time in-lieu of open space. No further response is required.

EB-4

The comment states that the project applicant's fair share contribution toward future traffic improvements would not mitigate traffic impacts at Beach and Ellis and for mitigation to be effective, traffic improvements should be constructed at or near the proposed project, not somewhere else.

As discussed on DEIR page 4.13-6, at build-out of the BECSP in 2030 the intersections of Beach Boulevard and Ellis Avenue and Main Street and Ellis Avenue would operate at an acceptable level of service (LOS). Because the proposed project would result in a reduction of vehicle trips compared to land uses contemplated for the project site under the BECSP, the proposed project would not make worse intersection impacts identified in the BECSP EIR and traffic study, as explained beginning on DEIR page 4.13-10. Accordingly, no mitigation requiring improvements to the intersection of Beach Boulevard and Ellis Avenue has been provided in this DEIR because this intersection and other nearby intersections are projected to operate at an acceptable LOS under Future (Year 2030) with project conditions without mitigation.

EB-5

The comment expresses concerns that proposed ingress from northbound Beach Boulevard will create more traffic and questions where fire vehicles will access the project site.

Proposed access to the project site is shown in DEIR Figure 4.13-2. With implementation of the proposed project, access to the project site would be consolidated to one driveway on Beach Boulevard, one driveway on Ellis Avenue, and the existing private alleyway, all leading directly into the proposed internal parking structure. Although the number of access points to the project site would be reduced, as stated on DEIR page 4.13-16, "turning movements from Beach Boulevard and Ellis Avenue would remain substantially the same."

As part of the proposed project, the private alleyway (referred to in this comment) located along the east side of the project site would be improved to serve as a shared access driveway/fire lane. These improvements would ensure that fire vehicles would be able to maneuver safely. Additionally, design of the access points and the alley will be formally approved during the site plan review process undertaken by the City to ensure that unsafe conditions would not occur.

EB-6

The comment states that the project plans and specifications do not identify loading/unloading curb cut-outs to accommodate pick-up and drop-off for seniors. The absence of these curb cuts could lead to backups at the intersection of Beach Boulevard and Ellis Avenue which is already impacted by traffic.

A loading area that could accommodate seniors and individuals with handicaps would be provided on the project site within the proposed parking structure, consistent with BECSP Section 2.7.3(1)(a) which requires access to parking facilities and loading areas to be provided from alleys or adjacent parking lots wherever possible. Loading areas would not be provided on adjacent streets. As such, backups at the Beach Boulevard and Ellis Avenue intersection would not occur as a result of loading and unloading areas on adjacent roadways. Design of this loading area will be formally approved during the site plan review process undertaken by the City to ensure that unsafe conditions would not occur.