



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Tess Nguyen, Associate Planner *TN*
DATE: September 23, 2008

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 07-004 (THE RIPCURL)

APPLICANT/ Andrew Nelson/Alex Wong, Amstar/Red Oak Huntington Beach, LLC, 2101 Business
PROPERTY Center Drive # 230, Irvine CA 92612
OWNER:

LOCATION: 7302-7400 Center Avenue (southeast corner of Gothard Street and Center Avenue)

STATEMENT OF ISSUE:

- ◆ Environmental Impact Report No. 07-004 (EIR No. 07-004):
 - Analyzes proposed Zoning Text Amendment to the HBZSO by adding Chapter 218 that establishes the Mixed-Use Transit Center District zoning and development standards.
 - Analyzes proposed General Plan Amendment from Commercial General to Mixed-Use for the subject property.
 - Analyzes proposed Zoning Map Amendment from Commercial General to Mixed-Use Transit Center District for the subject property.
 - Analyzes proposed construction of a mixed-use development consisting of 440 residential units (including 11 live/work units), 10,000 sq. ft. of commercial uses, outdoor and indoor amenities, and associated infrastructure.
 - Documents potential impacts to aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, recreation, and utilities and service systems.
 - Evaluates four alternatives to the proposed project.
 - Concludes that potential impacts can be mitigated to less than significant levels for the project with the exception of impacts to population and housing and transportation/traffic, which would remain significant and unavoidable.

- ◆ Staff's Recommendation:
 - Certify EIR No. 07-004 because it adequately analyzes the potential environmental impacts associated with the project, identifies project alternatives and mitigation measures to lessen the project's impacts consistent with General Plan policies and has been prepared in accordance with the California Environmental Quality Act (CEQA).

RECOMMENDATION:

Motion to: “Certify EIR No. 07-004 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1624 (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny certification of EIR No. 07-004 with findings for denial.”
- B. “Continue certification of EIR No. 07-004 and direct staff accordingly.”

PROJECT PROPOSAL:

Environmental Impact Report No. 07-004 represents an analysis of potential environmental impacts associated with proposed Zoning Text Amendment No. 07-004 (ZTA), General Plan Amendment No. 07-003 (GPA), Zoning Map Amendment No. 07-001 (ZMA), and construction of a mixed-use development consisting of 440 residential units and 10,000 sq. ft. of commercial uses on an approximate 3.8 acre site and associated infrastructure via Conditional Use Permit No. 07-043 (CUP). The project is proposed to be six stories in height consisting of four levels of housing above two levels of above ground parking and one level of subterranean parking. The commercial component is proposed on the ground level adjacent to two levels of above grade parking. Outdoor amenities for the residential uses include a pool and spa area, fire pit and movie projection area. Indoor amenities include a fitness center, business center, conference room, and clubhouse. The GPA and ZMA would amend the General Plan and Zoning designations from commercial to mixed-use for the subject property. The ZTA establishes the Mixed Use-Transit Center District zoning and development standards.

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

The EIR consists of three volumes. Volumes 1 and 2 are the Draft EIR and Appendices that were circulated for a minimum 45-day public review period. Volume 3 is titled the Final EIR and includes the comments received during the public review period, responses to those comments and text changes to the Draft EIR (Volumes 1 and 2) to clarify or correct information in response to comments or as identified as necessary by staff. These volumes are referenced as Attachment No. 2 to this staff report.

An analysis of the ZTA, GPA, ZMA and CUP is presented in two companion reports that will be considered by the Planning Commission after action on the EIR. The first companion report reviews the application for Zoning Text Amendment No. 07-004. The second companion report reviews applications for General Plan Amendment No. 07-003, Zoning Map Amendment No. 07-001, and Conditional Use Permit No. 07-043.

Background and Site History:

Historical records indicate that the project site was first utilized for agricultural purposes sometime prior to 1938 and the site continued to be utilized for agricultural purposes until at least 1953. As early as 1969, the site appeared to lay empty. The project site was cleared and developed as a shopping center in 1979. The project site is currently developed with a shopping center known as the College Country Center. The shopping center contains approximately 60,000 sq. ft. of commercial and office spaces located in four one-story retail buildings and one two-story office building. The shopping center is approximately 80 percent leased with 45 tenants. Existing tenants include Ruby Nail & Spa, Taste of France French Bistro, Dinner's Ready Home Cooking, Kathy May Coffeehouse, College Books, Allied Hearing Services, Heritage House Center, Cloud Mover Day Spa, an antique store, a liquor store & market, a tanning salon, a hair salon, and various office tenants. Del Taco fast food restaurant and the United States Post Office anchor the shopping center.

ISSUES:

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

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	CG-F1-d (Commercial General—0.35 Max. Floor Area Ratio—Design Overlay)	CG (Commercial General)	Commercial Shopping Center—College Country Center
North of Subject Property (across Center Avenue)	MV-F8-d (Mixed Use Vertical Integration of Housing—1.5 Max. Floor Area Ratio—Design Overlay)	CG-H (Commercial General—Highrise Overlay)	Golden West Transportation Center
South of the Subject Property	CR-F2-d (Commercial Regional—0.50 Max. Floor Area Ratio—Design Overlay)	CG (Commercial General)	Vacant Retail Building (former Levitz Furniture Store)
East of Subject Property	CG-F1-d (Commercial General—0.35 Max. Floor Area Ratio—Design Overlay); CR-F2-sp-mu (F9) (Commercial Regional—0.50 Floor Area Ratio—Specific Plan Overlay—Mixed Use Overlay—(1.5 Max. Floor Area Ratio (Mixed Use)/0.5 Max. Floor Area Ratio (Commercial)/25 du/ac))	CG (Commercial General); SP 13 (Crossings (Huntington Center) Specific Plan)	Southern California Edison transmission towers; Bella Terra Mall (across the Union Pacific Railroad right-of-way)
West of Subject Property (across Gothard Street)	P (RL) (Public—Low Density Residential)	PS (Public—Semipublic)	Golden West College

General Plan Conformance:

The current General Plan Land Use Map designation on the subject property is CG-F1-d (Commercial General – 0.35 Maximum Floor Area Ratio – Design Overlay). In addition, the project is located within Subarea 5E (Student Center) of the General Plan. The proposed project includes General Plan and Zoning Amendments that would change the land use and zoning designations of the project site from “Commercial General” to “Mixed-Use” and “Mixed-Use Transit Center District,” respectively. Upon project implementation, the uses on the proposed project site would be consistent with the characteristics for “Mixed-Use Transit Center District” described in the General Plan and Zoning Code. Because the General Plan and Zoning designation would change, the project site would no longer be designated as subarea 5E (Student Center), and the subarea figure (LU-6) in the General Plan Land Use Element would be changed to reflect this.

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.

Objective 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 includes discussion of standard City Code Requirements (CR) 4.2-1 through 4.2-5 that address means by which air emissions impacts will be minimized, primarily by complying with the SCAQMD Rule 403 regarding fugitive dust. Code Requirements CR 4.2-1 through 4.2-5 ensure that criteria pollutants will not exceed SCAQMD established thresholds for sensitive uses. The EIR also includes two mitigation measures designed to minimize air quality impacts related to construction. In addition, as a mixed use development, the project provides a more diverse and sizable population for supporting viable alternatives to driving such as walking, biking, and public transit.

The EIR concluded that construction and operation of the proposed project would contribute to greenhouse gas emissions, particularly from mobile sources such as motor vehicles traveling to and from the site and stationary sources such as natural gas combustion for heating and electricity consumption. This impact is considered to be less than significant due to the type and size of the proposed project and the incorporation of design features and greenhouse gas emission reduction

measures into the project. The project's compliance with Title 24 and the project's green features may include energy conservation measures.

B. 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.

The EIR includes a detailed traffic analysis of the proposed project and cumulative development. Mitigation Measure 4.13-1 requires signal operation to be changed to provide right turn overlap for westbound right turns at the intersection of I-405 southbound ramp at Center Avenue to achieve the PM peak hour LOS of C.

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.

Policy CE 2.3.2: Limit driveway access points and require adequate driveway widths onto arterial roadways and require driveways be located to ensure the smooth and efficient flow of vehicles, bicycles, and pedestrians.

The EIR studied the potential design hazards of the project and found none. The project would not introduce design features incompatible with current circulation patterns. To ensure safe construction of project intersections, Code Requirements CR 4.13-1 and 4.13-2 require new intersections to be designed to provide adequate sight distance and intersection traffic control in order to minimize potential hazards.

C. 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.

Policy EH 1.1.4: Evaluate the levels of risk based on the nature of the hazards and assess acceptable risk based on the human, property and social structure damage compared to the cost of corrective measures to mitigate or prevent damage.

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.

The EIR analyzed potential impacts related to environmental hazards. Development of the proposed project would not expose people and/or structures to potentially adverse effects from seismic activity, groundshaking, or liquefaction. Adherence to CR 4.5-1 and Mitigation Measure 4.5-1 require that the grading plan contain the recommendations of the final soils and geotechnical analysis and would reduce the project's impact from seismically induced groundshaking and related ground failure to less than significant.

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.

Although the project site is not located within a designated methane gas overlay district, the potential presence of methane gas is a concern due to the proposed below-grade construction. Mitigation Measure 4.6-2 reduces any impacts associated with methane gas by ensuring that appropriate testing and methods of gas detection are implemented at the project site.

D. Environmental Resources/Conservation Element

Goal ERC 2: Protect and preserve significant habitats of plant and wildlife species, including wetlands, for their intrinsic values.

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

Mitigation Measure 4.3-1 requires nesting surveys for migratory avian-protected species prior to the onset of ground disturbance activities, including impact-avoidance measures, to ensure that the substantial loss of these species will not occur.

E. Growth Management Element

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

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.

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

The EIR includes an analysis of potential impacts related to police and fire services and both departments were consulted in the preparation of the EIR. Implementation of the proposed project would not require any new or physically altered fire or police facilities to maintain adequate response time and staffing. To maximize policing safety and security, Mitigation Measure MM 4.11-1 requires the installation of radio antenna receivers in all underground parking structures to allow emergency responders to use their radio systems.

F. 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 Measure 4.6-1 ensures remediation of contaminated soils containing hazardous materials, if any, prior to development of the proposed project and by providing supplemental procedures in the event of unanticipated discoveries of contaminants.

G. 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 EIR documents all recorded archaeological sites in the vicinity of the project. There are no known cultural resources on or in the vicinity of the project site. As a conservative measure, the EIR recommends Mitigation Measures 4.4-1 through 4.4-3 to reduce impacts to a less than significant level should resources be uncovered during site work.

H. Housing Element

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

Goal H 3: Assist in development of affordable housing.

The EIR includes an analysis of the City's Regional Housing Needs Assessment (RHNA) future housing need as determined by SCAG population projections. The proposed project site, though currently designated for commercial uses, is identified as a residential inventory site by the City's Housing Element. The project would provide needed housing for the City and the region, contributing to the City's progress towards meeting its RHNA numbers. Code Requirement CR 4.10-1, requiring the project to comply with the City's affordable housing requirements, ensures the development of affordable housing.

I. 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 2.1.6: Monitor the capacities of other infrastructure (water, sewer, and other) and services and establish appropriate limits on development should their utilization and demands for service exceed acceptable levels of service.

The EIR analyzes the proposed project's impact on supporting infrastructure and services and found that the demand of the project would be less than significant through implementation of code requirements and mitigation measures, with the exception of certain impacts related to transportation. CR 4.14-1 requires the preparation of a sewer study, prior to issuance of grading permit, to determine if existing sewer lines need to be upgraded to accommodate the project sewer's flow. CR 4.7-1 requires the preparation of a Final WQMP prior to issuance of a precise grading plan to ensure adequate treatment of stormwater runoff. Mitigation Measure 4.7-1 ensures that storm drain capacity is not exceeded and no environmental hazards will be associated with implementation of stormwater detention and dewatering. CR 4.14-2 and CR 4.14-3 ensure the protection of receiving water quality from short- and long-term impacts of new developments. The EIR also includes mitigation measures to minimize transportation impacts, though not all impacts can be reduced to a less than significant level.

J. 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.

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 use of HVAC systems and other mechanical equipment associated with the operation of the proposed project would be required to comply with State Building Code requirements and City regulations requiring adequate buffering to mitigate potential increase in ambient noise levels. In addition, the project would be required to minimize noise transmission between commercial and residential uses through the use of building materials to mitigate sound transmission or configuration of interior spaces to minimize sound amplification. With these requirements, the impact on ambient noise levels would be less than significant.

Policy N 1.2.5: Require development that generates increased traffic and subsequent increases in the ambient noise levels adjacent to noise sensitive land uses to provide for appropriate mitigation measures in accordance with the acceptable limits of the City noise ordinance.

Operation of the proposed project would generate local traffic as a result of residents, employees, and patrons entering and exiting the site. The increase in traffic could increase the ambient noise levels at off-site locations. The changes in the roadway-generated noise levels would be imperceptible when existing noise levels were compared to future ones. There would be less than significant impacts on the residential and other “noise sensitive” uses.

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. The applicant will be required to adhere to these requirements in order to mitigate excessive or adverse noise sources associated with construction activities. Mitigation Measures 4.9-1 and 4.9-2 ensure that impacts associated with construction activities resulting from implementation of the proposed project will be less than significant.

K. 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.

The EIR includes an analysis of impacts to police 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 facilities to maintain adequate response times and staffing. However, to ensure the safety of residents in the proposed building, Mitigation Measure MM 4.11-1 is recommended requiring radio antenna receivers to be installed in all underground parking structures.

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 related to Fire department response. 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 fire facilities to maintain adequate response times and staffing.

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 impact on the capacity of schools within the schools serving the project site. With the implementation of code requirements CR 4.11-1 and CR 4.11-2, fees collected would offset any additional increase in educational demand at the elementary school, middle school, and high school levels serving the project site.

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 service. The existing library facilities are reasonably adequate to accommodate the increase in users from the proposed project. However, implementation of code requirement CR 4.11-3, payment of library and community enrichment impact fees would ensure that the increased growth would be adequately planned for in advance of project development.

L. 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 examines how the project can comply with the City's park requirements. CR 4.12-1 ensures that applicable open space and park fees are paid to acquire, develop, improve, and expand the City's open space and parklands inventory.

M. Urban Design Element

Goal UD 1.1: Enhance the visual image of the City of Huntington Beach

Implementation of the project will change the visual character of the area and introduce new sources of light and glare. The EIR analyzes the potential impacts associated with these changes, including an analysis of impacts to scenic resources and vistas, and the effects of shade and shadow on adjacent uses.

The EIR concludes that impacts associated with light and glare from building facades could be potentially significant and recommends Mitigation Measure MM 4.1-1, which restricts the use of reflective materials. In terms of potential impacts associated with light and glare from nighttime lighting, the EIR concludes that impacts will be less than significant. The EIR documents that potential impacts related to scenic resources, views, and shadows will be less than significant and do not warrant mitigation.

N. Utilities Element

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.

The EIR includes an analysis of the project's impact on water supply. Implementation of the proposed project would result in an increase in water demand. To minimize the amount of water required to serve the proposed development, consistent with the City's conservation programs and statewide efforts, a Condition of Approval has been identified. Implementation of the Condition of Approval would reduce the impact of water supply to less than significant.

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

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

Implementation of the proposed project could require new sewer connections and construction of new or expanded wastewater conveyance systems. 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 all users pay their share of any necessary expansion of the system, including expansion to wastewater treatment facilities. These fees are considered full mitigation for potential impacts resulting from project development. CR 4.14-1 requires the preparation of a sewer study, prior to issuance of grading permit, to determine if existing sewer lines need to be upgraded to accommodate the project sewer's flow. This would ensure that the construction of new or expanded wastewater conveyance systems would not cause significant environmental effects.

Policy U 3.1.6: During development review, determine if any structures meant for human habitation are constructed within the 100-year flood plain. If necessary, evaluate the structures' flood safety, and require remedial actions.

CR 4.7-2, Mitigation Measure 4.7-2, and Condition of Approval 4.7-1 reduce the potential for on-site flooding of underground structures and on-site flood impacts.

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.

Implementation of the proposed project would require the construction of the new off-site storm drain pipe along Gothard Street, as required by project Condition of Approval CoA 4.7-1. Code Requirement CR 4.7-1 would also be required to ensure that the project runoffs are treated prior to discharge into the City storm drain system. Implementation of existing regulations along with CR 4.7-1 and CoA 4.7-1 would reduce potential pollutant loads and ensure that appropriate construction and operation of stormwater treatment control Best Management Practices (BMPs) are used. Existing regulatory requirements would ensure that construction of this new off-site stormwater drainage facility would not result in substantial environmental effects and potential impacts would be less than significant.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

In accordance with the California Environmental Quality Act (CEQA), EIR No. 07-004 was prepared by PBS&J to analyze the potential environmental impacts associated with implementation of the proposed project as well as identify appropriate mitigation measures. The Draft EIR was distributed to the Planning Commission for review at the start of the 45-day public comment period on July 8, 2008. The Final Draft EIR, including the Response to Comments and all text changes, was distributed to the Planning Commission on September 12, 2008 and posted on the City's website on September 15, 2008.

The document must be adopted and certified by the Planning Commission prior to any action on General Plan Amendment No. 07-003, Zoning Map Amendment No. 07-001, Zoning Text Amendment No. 07-004 and Conditional Use Permit No. 07-043. The procedure that was followed during the preparation of EIR No. 07-004 is outlined below:

<u>June 2007</u>	Staff conducted an initial study and determined that an EIR would be required.
<u>January 18, 2008</u>	A Notice of Preparation was filed with the State Clearinghouse to notify public of intent to prepare an EIR.
<u>January 22, 2008 to February 20, 2008</u>	Initial Study/Notice of Preparation available for 30 day public review and comment period.

<u>February 7, 2008</u>	A Public Scoping Meeting was held to solicit comments and issue areas to be studied in the EIR.
<u>July 8, 2008</u>	A Notice of Completion was filed with the State Clearinghouse.
<u>July 8, 2008 to August 21, 2008</u>	Draft EIR available for public review and comment for forty-five days.
<u>July 23, 2008</u>	A Public Comment Meeting was held to solicit comments on the adequacy of the Draft EIR.
<u>August 26, 2008</u>	Planning Commission Study Session on EIR process.
<u>September 12, 2008</u>	Final EIR (including Response to Comments on Draft EIR, Text Changes to Draft EIR and Comments) made available for public information and sent to Responsible Agencies. (CEQA requires Response to Comments be sent to Responsible Agencies 10 days prior to certification hearing.)
<u>September 23, 2008</u>	Public hearing is scheduled before Planning Commission to Certify EIR No. 07-004.

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 level of insignificance. There are, however, four adverse environmental impacts anticipated from the proposed project that cannot be completely eliminated through mitigation measures. The adverse environmental impacts are as follows:

Population and Housing

- The project would have a considerable contribution to the cumulative population growth, exceeding the SCAG population projections for the City for 2015. Because of this substantial increase, the cumulative impact is considered significant and unavoidable.

Traffic

- The project would have a significant contribution to the deficiency of the I-405 northbound loop ramp from Beach Boulevard in both the AM and PM peak hours in 2014.
- The project would have a long-range significant impact, at the project level, at the intersection of the I-405 southbound ramps at Center Avenue during the PM peak hour in 2030. In addition, the project contributes traffic to deficiencies on I-405 in 2030.
- The project would have a long-range significant and unavoidable impact, at the cumulative level, at the intersection of the I-405 southbound ramps and Center Avenue during the PM peak hour in 2030.

Environmental impacts associated with implementation of a project may not always be mitigated to a level considered less than significant. In such cases, a Statement of Overriding Considerations (SOC) must be prepared prior to approval of the project. The SOC would describe the specific reasons for approving the

project, based on information contained within the Final EIR, as well as any other information in the public record. The SOC for The Ripcurl project is part of the Conditional Use Permit staff report.

Environmental Board:

The City’s Environmental Board reviewed the EIR and provided a comment letter during the public review period. The letter has been responded to in the Response to Comments. In summary, the Board commented on the following: traffic, green building, parking, crime, open space, zone change, and health concerns related to the SCE Towers.

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. As development of the proposed project occurs, compliance with mitigation measures will be enforced through the Mitigation Monitoring and Reporting Program.

Public Notification:

Legal notice was published in the Huntington Beach Independent on September 11, 2008, and notices were sent to property owners of record and occupants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department’s Notification Matrix), applicant, interested parties, and individuals/organizations that commented on the environmental document. As of September 15, 2008, no communication supporting or opposing the request, other than letters included in the Final EIR/Response to Comments have been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

Draft EIR: July 8, 2008
General Plan Amendment: Not Applicable
Zoning Map Amendment: Not Applicable
Zoning Text Amendment: Not Applicable
Conditional Use Permit: August 5, 2008

MANDATORY PROCESSING DATE(S):

Within 1 year of complete application or by July 8, 2009
Not Applicable
Not Applicable
Not Applicable
Within 180 days from EIR Certification

ANALYSIS:

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

EIR Overview

The EIR provides a detailed analysis of potential impacts associated with the proposed project. It is intended to serve as an informational document for decisions to be made by the City and responsible agencies regarding the project. The issues discussed in the EIR are those that have been identified in the course of extensive review of all potentially significant environmental impacts associated with the project. The EIR discusses potential adverse impacts in 14 issue areas. The direct, indirect and cumulative impacts of the project are addressed, as are the impacts of project alternatives. A summary of key issues and mitigation measures as a result of the environmental impact report process is provided below. A complete listing of the recommended mitigation measures is provided in the Mitigation Monitoring Program provided as Attachment No. 3.

◆ Aesthetics

Implementation of the project will change the visual character of the area and introduce new sources of light and glare. The EIR analyzes the potential impacts associated with these changes, including an analysis of impacts to scenic resources and vistas, and the effects of shadows on adjacent uses.

The EIR concludes that impacts associated with light and glare from building facades could be potentially significant and recommends Mitigation Measure MM 4.1-1, which restricts the use of reflective materials. In terms of potential impacts associated with light and glare from nighttime lighting, the EIR concludes that impacts will be less than significant. The EIR documents that potential impacts related to scenic resources, views, and shadows will be less than significant and do not warrant mitigation.

◆ Air Quality

Air quality modeling was completed by PBS&J to assess potential impacts related to construction and operation of the project. Consistent with the South Coast Air Quality Management District's (SCAQMD) recommendations, the EIR analyzed the following emissions: Ozone (O₃), Carbon Monoxide (CO), Respirable Particulate Matter (PM₁₀) and Fine Particulate Matter (PM_{2.5}), Nitrogen Dioxide (NO₂), Sulfur Dioxide (SO₂), Lead (Pb), and Toxic Air Contaminants (TACs). In addition, the EIR examined if localized CO concentrations at nearby intersections would be increased beyond state and national standards as a result of increased vehicle traffic.

The EIR concludes that construction of the proposed project will have less than significant air quality impacts with compliance with standard requirements such as SCAQMD's Rule 403 related to fugitive dust during construction. The EIR discusses five standard City requirements to improve air quality emissions. CR 4.21-1 through 4.2-5 would require signage of contact information of the contractor's superintendent, noticing of grading activity to all property owners and tenants, a grading/erosion control plan, minimizing construction disturbance, and installation of wind barriers. The EIR also recommends two mitigation measures to further reduce air quality impacts. MM 4.2-1 would require all construction equipment be turned off when not in use and MM 4.2-2 would require the use of low VOC paints on all

exterior surfaces at the proposed project site. The operation of the project will not generate daily emissions that exceed the thresholds of significance, resulting in a less than significant impact. In addition, the proposed project will not cause localized CO concentrations at nearby intersections to exceed national or state ambient air quality standards.

The EIR concludes that construction and operation of the proposed project would contribute to greenhouse gas emissions, particularly from mobile sources such as motor vehicles traveling to and from the site and stationary sources such as natural gas combustion for heating and electricity consumption. This impact is considered to be less than significant due to the type and size of the proposed project and the incorporation of design features and greenhouse gas emission reduction measures into the project. The project's adherence to California Air Pollution Control Officers Association's measures for reducing climate change emissions would ensure that construction and operational impacts from the project remain less than significant with respect to climate change.

◆ Biological Resources

The EIR includes an analysis of potential impacts to plant and wildlife. Although the EIR concludes no significant impacts to biological resources, a mitigation measure is recommended to address potential impacts to migratory avian species that may use portions of the site or the large trees adjacent to the site for nesting during breeding season. Mitigation Measure MM 4.3-1 entails nesting surveys, avoidance measures, and appropriate agency consultation for sensitive species.

◆ Cultural Resources

According to the cultural resources records check completed for the project, five previous cultural resources investigations have been conducted within a half-mile radius of the project site, one of which (OR1) was located within the project site. The investigation on the project site, OR1, was performed in 1973. The existing commercial shopping center was constructed after this study was performed (in 1979). The EIR concludes that because the project site and vicinity are known to be archaeologically sensitive, the potential exists for unanticipated finds of archaeological resources during ground-disturbing activities associated with project implementation, even though portions of the site near the ground surface have previously been disturbed. The EIR recommends three mitigation measures to reduce impacts to these resources, if found, to less than significant, including on-site monitors during grading, trenching and other excavation activities. MM 4.4-1 would require a qualified professional archaeological and paleontological to be present during all project-related ground-disturbing activities. MM 4.4-2 would require all construction activities to cease until the archaeologist/paleontologist evaluates the significance of the resource. MM 4.4-3 would require the halting of excavation or grading activities if a burial, human bone, or suspected human bone is discovered.

◆ Geology and Soils

The EIR includes an analysis of existing geology, seismicity and soil conditions that would be conducive to geological constraints such as liquefaction or expansive soils. The analysis is based on the preliminary geotechnical study completed for the project, which determined that the project is feasible from a geotechnical perspective. The EIR concludes that implementation of the project will require the submittal of a detailed soils and geotechnical analysis and compliance with Mitigation Measure 4.5-1 to minimize

potential impacts to less than significant levels. The mitigation measure requires compliance with the recommendations of all soils and geotechnical studies.

◆ Hazards and Hazardous Materials

The EIR analyzes the potential for adverse impacts associated with hazardous materials on human health and the environment resulting from project implementation. The proposed project site was in agricultural use beginning sometime prior to 1938. In 1979, the project site was cleared and developed as a shopping center, which is its current use. No above-ground storage tanks or underground storage tanks were reported on the project site. Based on the date of building construction (1979), there is a potential for asbestos-containing materials and lead-based paint to be present on site.

The EIR identifies two mitigation measures to reduce potential impacts to a level of insignificance. MM 4.6-1 would require a Risk Management Plan to be prepared and implemented if contaminants are encountered during construction and MM 4.6-2 would require appropriate testing and methods of methane gas detection to be implemented at the project site.

◆ Hydrology and Water Quality

Construction and operation of the proposed project would increase stormwater pollutant loads which could result in a violation of waste water discharge requirements or water quality standards. All construction activities would be subject to existing regulations, which are considered protective of water quality and would therefore prevent violation of water quality standards during construction activities. In addition, implementation of the proposed project would alter the project site runoff characteristics that could result in more on-site erosion and off-site siltation. Code requirement CR 4.7-1 requires that a Final WQMP be prepared in order to ensure that pollutants in stormwater runoff are reduced to the maximum extent practicable. In addition, Condition of Approval (CoA) 4.7-1 requires the project developer to construct an underground storm drain pipe along the east side of Gothard Street to connect to the existing, underground Edinger Avenue storm drain pipe. Implementation of the existing regulations along with code requirement CR 4.7-1 and project conditions of approval CoA 4.7-1 would reduce potential pollutant loads and ensure that appropriate Best Management Practices are used.

The existing project site exceeds the capacity of the existing storm drain system, and the project would contribute to that exceedance. Implementation of mitigation measure MM 4.7-1 would require the Applicant to prepare a Hydrology and Hydraulics Report and Drainage Plan that incorporates stormwater attenuation to reduce project site runoff to meet City design standards for stormflow in Gothard Street. This would ensure that storm drain system capacity is not exceeded and there would be no human health or environmental hazards associated with implementation of stormwater detention and dewatering. Project condition of approval CoA 4.7-2 requires the Applicant to prepare a site Grading and Drainage Plan containing the recommendations of the final Soils and Geotechnical Reports analysis for temporary and permanent groundwater dewatering as well as for surface drainage. This would serve to minimize potential effects of temporary or permanent groundwater dewatering.

Because development would occur within a FEMA-defined flood hazard area Zone A and City Floodplain Overlay F2 designated area, Code Requirement CR 4.7-2 requires that the Applicant design and implement the proposed project in accordance with the requirements in the HBZSO as it pertains to floodproofing. In addition, Mitigation Measure MM 4.7-2 requires the applicant to design and implement

project site drainage features to minimize stormwater runoff and flood waters from entering into below-ground structures or otherwise contribute to flood hazards. Implementation of existing code requirements CR 4.7-2 and mitigation measures MM 4.7-1 and MM 4.7-2, along with project conditions of approval CoA 4.7-1, would reduce the potential for on-site flooding of underground structures and other areas.

◆ Land Use

The proposed project includes a mixed-use residential and commercial development. Implementation of the proposed project would require amendments to the General Plan and Zoning land use designations to change the existing Commercial designations to Mixed Use designations. In addition, the proposed project would require an amendment to the HBZSO to establish the Mixed Use Transit Center District zoning and development standards.

The EIR analyzes the General Plan and Zoning redesignation of the project site from Commercial General to Mixed Use and the proposed Zoning Text Amendment. Since the project area and surrounding vicinity is targeted for revitalization activities, including high-density mixed use developments, the change in land use designation is consistent with the vision for the area and the policies encouraging mix of uses that are compatible and harmonious with surrounding development. The EIR concludes that the proposed project would represent a new land use on the site and in the immediate area but would not in itself result in environmental impacts related to land use and planning. The project would be consistent with the applicable goals, objectives, and policies of the General Plan. As such, there will not be any significant land use impacts as a result of the project.

◆ Noise

Potential noise impacts relate to short-term construction activities and long-term changes in ambient conditions related to an increase in traffic. Ambient noise levels were measured at five locations around the project site and roadway noise levels were calculated using data from the traffic study. In terms of the short-term noise impacts from construction, the City's noise ordinance exempts noise associated with construction provided the construction takes place between the hours of 7:00 A.M. and 8:00 P.M. Monday through Saturday. Despite this exemption, to further reduce less-than-significant impacts the EIR recommends Mitigation Measure MM 4.9-1 to implement noise attenuation measures that may include the use of noise barriers or noise blankets. The EIR also identifies the potential for construction-related noise impacts to noise-sensitive sites such as Golden West College. Mitigation Measure MM 4.9-2 is recommended to require the construction staging areas and earthmoving equipment be located as far away from noise and vibration-sensitive land uses as possible to reduce these impacts. The EIR also examined the potential for noise impacts associated with traffic related noise on other street segments in the project vicinity and concluded that no significant impacts would occur.

◆ Population and Housing

This section of the EIR analyzes the potential for the project to induce population and employment growth beyond current growth projections and the impacts on housing. As the proposed project site is currently designated for commercial uses, increased population on the site has not been anticipated in the General Plan. However, the project would provide needed housing to the City and the region, contributing to the City's progress towards meeting its Regional Housing Needs Assessment (RHNA) numbers. Further, with a projected population increase of 1,060 persons, the project would represent only a 0.52 percent increase

in population compared to current 2008 conditions. Thus, these project impacts are insignificant. The EIR documents that the project does not yet have a fully defined or approved affordable housing plan. Code Requirement CR 4.10-1, describing the need to comply with the Zoning Code Affordable Housing provisions, is included to ensure that impacts relative to the provision of affordable housing are less than significant.

The proposed project would develop uses that, in combination with cumulative development anticipated in the Beach-Edinger Specific Plan area, would increase population and housing opportunities in Huntington Beach and in neighboring cities. This growth would serve the existing population and help to meet anticipated housing demand in the City and County. However, because all cumulative residential development would contribute to the substantial exceedance of SCAG population projections for the City in the 2015 timeframe, the proposed project would have a considerable contribution to the cumulative impact. Therefore, this cumulative impact is considered significant and unavoidable.

◆ 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. Both the Fire and Police Departments concluded that they have adequate staffing to serve the project. Mitigation Measure MM 4.11-1 requiring radio antenna receivers to be installed in all underground parking structures is recommended to facilitate police response and service in the proposed building. The existing library facilities are reasonably adequate to accommodate the increase in users from the proposed project. However, implementation of code requirement CR 4.11-3, payment of library and community enrichment impact fees, would ensure that the increased growth would be adequately planned for in advance of project development. Direct population growth resulting from the proposed project would not have an adverse impact on the capacity of schools within the schools serving the project site as they are below capacity. With the implementation of code requirements CR 4.11-1 and CR 4.11-2, fees collected would offset any additional increase in educational demand at the elementary school, middle school, and high school serving the project site.

◆ Recreation

The City requires that new residential projects dedicate parkland, improve parkland, pay park in-lieu fees, or some combination thereof, to ensure that adequate recreation facilities are available. The proposed project does not include dedicated open space or parklands nor is it required to provide dedication per the HBZSO. With the implementation of code requirement CR 4.12-1, payment of applicable open space and park fees would help acquire, develop, improve, and expand the City's open space and parkland inventory. With implementation of this code requirement, no significant impacts to recreation opportunities are expected.

◆ Transportation/Traffic

The EIR examines the potential impacts related to traffic generation, parking demand and access. A project specific traffic study was completed that includes an analysis of traffic conditions in Year 2014 and Year 2030 to assess potential impacts at project buildout and the long-term effect of the project in conjunction with other growth within the city.

The EIR documents that the project would result in a deficiency of the I-405 northbound loop ramp from Beach Boulevard in both the AM and PM peak hours in the Year 2014. Since traffic would be added to an existing deficiency (LOS E), impacts are considered significant and unavoidable. The proposed project would also result in a significant impact (from LOS D to LOS E) at the intersection of the I-405 southbound ramps at Center Avenue during the PM peak hour in the Year 2030. Implementation of mitigation measure MM 4.13-1 would improve conditions significantly, resulting in a PM peak hour LOS of C. The impacted intersection is owned by Caltrans and implementation of the proposed mitigation measure would be dependent on factors outside the control of both the City of Huntington Beach and the project applicant. The EIR documents that if the General Plan Amendment for The Village at Bella Terra is approved, the project's contribution to the cumulative impact on the intersection of the I-405 Freeway Southbound ramps at Center Avenue during the PM peak hours in Year 2030 would be less than significant.

The project would provide a total of 705 parking spaces. Based on the parking requirements of the HBZSO, 798 parking spaces would be required. Based on the proposed Mixed-Use Transit Center District, 622 parking spaces would be required. Depending on whether the City approves the proposed new zoning, the proposed parking spaces may or may not comply with parking standards. The proposed project would ultimately be required to comply with the parking standards whatever the standards may be.

The proposed project would have three access locations. To ensure safe construction of project intersections, code requirements CR 4.13-1 and CR 4.13-2 would require adequate sight distance and intersection traffic control in order to minimize potential hazards.

◆ Utilities and Service Systems

This section of the EIR analyzes potential impacts to water, wastewater and solid waste services. Implementation of the proposed project would result in an increase in water demand. To ensure that the City has a sufficient supply of water available to serve the proposed development consistent with the City's conservation programs and statewide efforts, a Condition of Approval has been identified. Implementation of the proposed project could require new sewer connections and construction of new or expanded wastewater conveyance systems. Code requirement CR 4.14-1, requiring a sewer study to determine if existing sewer lines need to be upgraded to accommodate the project's sewer flow, would ensure that the construction of new or expanded wastewater conveyance systems would not cause significant environmental effects. The proposed project would involve the construction and operation of stormwater treatment control Best Management Practices (BMPs) that would be identified in a Water Quality Management Plan (WQMP). The City has general/standard conditions of approval to protect receiving water quality from short- and long-term impacts of new development which include code requirements CR 4.14-2 and CR 4.14-3 relating to submittal of storm drain plans and specifications. The EIR concludes impacts related to solid waste and energy would be less than significant.

Alternatives to the Proposed Project

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

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

- Alternative 1: No Project/No Development Alternative – Maintains the project site in its current state.
- Alternative 2: No Project/Continuation of Uses Allowed by Existing General Plan Alternative – Assumes the site would remain as commercial general as identified in the existing General Plan. Growth could occur through existing permitted development or increased tenant use.
- Alternative 3: Reduced Project Alternative – Option 1 – Analyzes a reduced intensity of the proposed project: development of 440 residential units and elimination of 10,000 sq. ft. of retail use.
- Alternative 4: Reduced Project Alternative – Option 2 – Analyzes a reduced intensity of the proposed project: development of 385 residential units and 8,500 sq. ft. of retail use.

Alternative 1 would result in no new environmental effects but would not meet the identified project objectives. Alternative 2 would not result in any new environmental effects but would not meet the identified project objectives. Alternative 3 would result in similar impacts as the proposed project in all areas except for the areas of traffic, air quality and noise where the impacts are slightly less. Traffic would be reduced seven percent but would remain significant. While this Alternative may result in a slight reduction of most environmental impacts, it would not necessarily reduce the significance of the impacts below the proposed project. Alternative 3 would satisfy some, but not all of the identified project objectives related to the development of dense residential uses within close proximity to transit, schools, and regional activities. However, objectives related to the creation of a mixed-use development with retail uses would not be met.

Alternative 4 would result in similar impacts as the proposed project in the areas of aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, recreation, and utilities and services systems (except for water demand). Alternative 4 would result in impacts that are slightly less than the proposed project in areas of air quality, noise, population and housing, and public services. In the area of transportation/traffic, Alternative 4 would result in impacts that are less than the proposed project. Implementation of this Alternative would reduce the significant and unavoidable traffic impact caused by the proposed project to a less-than-significant level. Alternative 4 would satisfy all of the identified project objectives related to developing dense residential uses within close proximity to transit, schools, and regional activities as well as retail opportunities. The Draft EIR identifies Alternative 4 as the environmentally superior alternative.

Statement of Overriding Considerations

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

Public Comments on the Draft EIR and Errata Changes

During the public review period, the City of Huntington Beach received a total of 14 comment letters from three state agencies, two regional agencies, two organizations, and seven individuals, as well as some verbal comments at the public meeting held during the comment period. The most frequent verbal and written comments relate to traffic congestion, density, parking provision, and population increase. The comments resulted in the need for one minor change to the EIR document itself to add clarifying language regarding the floodplain in response to a comment from the County of Orange; however, the changes do not change the conclusions of the EIR analysis. All of the other comments are adequately addressed in the Response to Comments, including a response regarding the bikeway comment from the County.

The Final EIR includes a number of other revised text sections as a result of needed corrections as identified by staff or the applicant and in response to comments from the Planning Commission at the August 26th Study Session. Notably, the discussion of height and parking has been updated and corrected. As explained in the Response to Comments, the height of the building had been shown as measured by the Uniform Building Code. The EIR has been corrected to reflect the height as measured by the HBZSO; as a consequence, the measurement has increased. Staff has also corrected the information on the amount of parking included in the EIR. The Draft EIR had only discussed the number of parking spaces provided for the units and did not include the spaces that were provided for guests, although these were included on the plans included in the Draft EIR. The Final EIR includes an updated analysis of parking for the project.

In response to the Planning Commission's comments at the Study Session, the following information has been added to the EIR regarding:

- clarification of the 10,000 square feet of commercial space,
- the square footage range of the proposed residential units,
- a description of the Transit Center District,
- additional context language regarding green house gas emissions analysis,
- additional analysis related to electromagnetic fields,
- language indicating the City of Westminster's historic opposition to the Hoover Gothard connection,
- a summary table regarding SCAG and City of Huntington Beach General Plan projections,
- clarifying language regarding the City's LOS standard and local capture trip methodology,
- discussion related to potential traffic hazards due to the curve in Center Avenue, and
- additional analysis regarding water supply and water conservation measures.

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. 07-004 serves as an informational document with the sole purpose of identifying potential environmental impacts associated with The Ripcurl project, alternatives that minimize those impacts, and appropriate mitigation measures.

Staff recommends that the Planning Commission certify EIR No. 07-004 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 General Plan policies.

ATTACHMENTS:

1. Resolution No. 1624
2. Final EIR No. 07-004, includes Draft EIR, EIR Appendices, Response To Comments and Text Changes
3. Mitigation Monitoring and Reporting Program

SH:HF:MBB:TN:lw

RESOLUTION NO. 1624

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HUNTINGTON BEACH, CALIFORNIA, CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT (SCH# 2008011069)
FOR THE RIPCURL PROJECT**

WHEREAS, Environmental Impact Report No. 07-004, State Clearinghouse # 2008011069, (“EIR”) was prepared by the City of Huntington Beach (“City”) to address the environmental implications of The Ripcurl Project (the “Project”).

- On January 18, 2008, a Notice of Preparation/Initial Study for the Project was prepared and distributed to the State Clearinghouse, other responsible agencies, trustee agencies and interested parties.
- After obtaining comments received in response to the Notice of Preparation, and comments received at the public scoping meeting held on February 7, 2008, the City completed preparation of the Draft EIR and filed a Notice of Completion with the State Clearinghouse on July 8, 2008.
- The Draft EIR was circulated for public review and comment from July 8, 2008 to August 21, 2008 and was available for review at several locations including City Hall, the Huntington Beach Public 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 “Final Environmental Impact Report The Ripcurl Project” (the “Responses to Comments”), dated September 2008; 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 September 23, 2008, and received and considered public testimony.

NOW, THEREFORE, the Planning Commission of the City of Huntington Beach, California, **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 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, 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 Project design features, 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 and might be more costly. 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 which would call into 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 EIR after circulation of the Draft EIR. The Planning Commission finds that the minor refinements that have been made in the Project as a result of clarifications in the mitigation measures 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 21081.6 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 General Plan Amendment No. 07-003, Zoning Map Amendment No. 07-001, Zoning Text Amendment No. 07-004, and Conditional Use Permit No. 07-043.

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, APPROVED, and ADOPTED, this _____ day of _____ 2008 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Scott Hess, Secretary

Chairperson, Planning Commission

EXHIBIT A
OF RESOLUTION NO. 1624

REFER TO ATTACHMENT NO. 3 OF
ENVIRONMENTAL IMPACT REPORT NO. 07-004
STAFF REPORT DATED SEPTEMBER 23, 2008

ATTACHMENT NO. 2

**DRAFT EIR, FINAL EIR including RESPONSE TO COMMENTS
AND TEXT CHANGES CAN BE REVIEWED AT:**

**DEPARTMENT OF PLANNING
2000 MAIN STREET, HUNTINGTON BEACH
CITY HALL – 3RD FLOOR**

&

ON THE CITY'S WEBSITE:

**[http://www.surfcity-
hb.org/Government/Departments/Planning/major/Ripcurl.cfm](http://www.surfcity-hb.org/Government/Departments/Planning/major/Ripcurl.cfm)**

City of Huntington Beach

The Ripcurl Project

Final Environmental Impact Report:
SCH No. 2008011069

Mitigation Monitoring and Reporting Program

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

Prepared by
PBS&J
12301 Wilshire Boulevard, Suite 430
Los Angeles, California 90025

September 2008

ATTACHMENT NO. 3.1

Mitigation Monitoring Program

A. INTRODUCTION

The Final Environmental Impact Report for The Ripcurl Project (State Clearinghouse #2008011069) identified mitigation measures to reduce the adverse effects of the project in the areas of: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, and transportation/traffic.

The California Environmental Quality Act (CEQA) requires that agencies adopting environmental impact reports ascertain that feasible mitigation measures are implemented, subsequent to project approval. Specifically, the lead or responsible agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during applicable project timing, e.g. design, construction, or operation (Public Resource Code §21081.6). Code Requirements (CRs) that were identified in the Draft EIR are required to be implemented as a result of existing City code and are not considered mitigation measures. Therefore, CRs would be implemented for The Ripcurl Project but these do not require monitoring activity, and are not included in this Mitigation Monitoring and Reporting Program (MMRP).

The MMRP shall be used by the City of Huntington Beach staff responsible for ensuring compliance with mitigation measures associated with The Ripcurl Project. Monitoring shall consist of review of appropriate documentation, such as plans or reports prepared by the party responsible for implementation or by field observation of the mitigation measure during implementation.

The following table identifies the mitigation measures by resource area. The table also provides the specific mitigation monitoring requirements, including implementation documentation, monitoring activity, timing and responsible monitoring party. Verification of compliance with each measure is to be indicated by signature of the mitigation monitor, together with date of verification.

The Project Applicant and the Applicant's Contractor shall be responsible for implementation of all mitigation measures, unless otherwise noted in the table.

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
Aesthetics						
MM4.1-1 To the extent feasible, the Applicant shall use non-reflective façade 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.	Project building plans	Review and approve building plans for inclusion of features	Plan check prior to issuance of building permit	Planning		
Air Quality						
MM4.2-1 During construction, operators of any gas or diesel fueled equipment, including vehicles, shall be encouraged to turn off equipment if not in use or left idle for more than five minutes.	Contract language and notes on grading and building plans	Review and approve contract specifications, grading and building plans for inclusion	Plan check prior to issuance of a grading permit Perform periodic field check during construction to ensure compliance	Planning		
MM4.2-2 The Applicant shall require by contract specifications that the architectural coating (paint and primer) products used would have a low VOC rating. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a building permit.	Contract language and notes on building plans	Review and approve contract specifications and building plans for inclusion	Plan check prior to issuance of a building permit	Planning		
Biological Resources						
MM4.3-1 Nesting habitat for protected or sensitive avian species: 1. Vegetation removal and construction shall occur between September 1 and January 31 whenever feasible. 2. Prior to any construction or vegetation removal between February 15 and August 31, a nesting survey shall be conducted by a qualified biologist of all habitats within 500 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	Developer shall submit construction schedule (including grading activities) as evidence of construction overlap with breeding season. If construction occurs during relevant breeding, developer shall present a survey	Review schedule and field survey report, and as necessary, review and approve plans indicating construction limits Perform periodic field check to	Plan check prior to issuance of a grading permit During construction	Planning Planning		

Mitigation Monitoring and Reporting Program

<i>Mitigation Measure</i>	<i>Implementation Documentation</i>	<i>Monitoring Activity</i>	<i>Timing</i>	<i>Responsible Monitor</i>	<i>Compliance Verification Signature</i>	<i>Date</i>
<p>will be conducted in accordance with CDFG protocol as applicable. If no active nests are identified on or within 500 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. If an active nest of a MBTA protected species is identified onsite (per established thresholds) a 250-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.</p> <p>3. Completion of the nesting cycle shall be determined by qualified ornithologist or biologist.</p>	<p>report (prepared by a consultant approved by the City) to the City prior to issuance of a grading permit. If nests are found, developer shall submit plans identifying nest locations and limits of construction activities.</p>	<p>ensure compliance</p>				
<p>Cultural Resources</p>						
<p>MM4.4-1 The Applicant shall arrange for a qualified professional archaeological and paleontological monitor to be present during all project-related ground-disturbing activities. In addition, all construction personnel shall be informed of the need to stop work on the project site in the event of a potential find, until a qualified archaeologist or paleontologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel will also be informed that unauthorized collection of cultural resources is prohibited.</p>	<p>Proof of retention of archaeological and paleontological monitor</p>	<p>Verify retention of qualified monitors</p> <p>Periodic field check to ensure monitors are present</p>	<p>Plan check prior to issuance of grading permit</p> <p>Throughout ground-disturbing activities</p>	<p>Planning</p> <p>Planning</p>		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>MM4.4-2 If archaeological or paleontological resources are discovered during ground-disturbing activities, all construction activities within 50 feet of the find shall cease until the archaeologist/paleontologist evaluates the significance of the resource. In the absence of a determination, all archaeological and paleontological resources shall be considered significant. If the resource is determined to be significant, the archaeologist or paleontologist, as appropriate, shall prepare a research design for recovery of the resources in consultation with the State Office of Historic Preservation that satisfies the requirements of Section 21083.2 of CEQA. The archaeologist or paleontologist shall complete a report of the excavations and findings, and shall submit the report for peer review by three County-certified archaeologists or paleontologists, as appropriate. Upon approval of the report, the City shall submit the report to the South Central Coastal Information Center at California State University, Fullerton, and keep the report on file at the City of Huntington Beach.</p>	<p>Notes on grading plans</p> <p>Research design and recovery plan, if required</p>	<p>Review and approve grading plans for inclusion</p> <p>Review and approve research design and recovery plan</p>	<p>Plan check prior to issuance of grading permit</p> <p>Throughout ground-disturbing activities</p>	<p>Planning</p> <p>Peer review by three County-certified professionals</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>MM4.4-3 In the event of the discovery of a burial, human bone, or suspected human bone, all excavation or grading in the vicinity of the find shall halt immediately, the area of the find shall be protected, and the Applicant shall immediately notify the City and the Orange County Coroner of the find and comply with the provisions of P.R.C. Section 5097. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 24 hours of notification, and may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials.</p>	<p>Notes on grading plans</p>	<p>Review and approve grading plans for inclusion</p>	<p>Plan check prior to issuance of grading permit</p> <p>Throughout ground-disturbing activities</p>	<p>Orange County Coroner & Planning</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>Geology and Soils</p>						
<p>MM4.5-1 The grading plan prepared for the proposed project shall 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</p>	<p>Notes on grading plan and building plans</p>	<p>Review and approve grading and building plans for inclusion of</p>	<p>Plan check prior to issuance of a grading permit</p>	<p>Public Works</p>	<p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p>

Mitigation Monitoring and Reporting Program

<i>Mitigation Measure</i>	<i>Implementation Documentation</i>	<i>Monitoring Activity</i>	<i>Timing</i>	<i>Responsible Monitor</i>	<i>Compliance Verification Signature</i>	<i>Date</i>
<p>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>		<p>final soils and geotechnical recommendations</p>		<p>Building and Safety</p>		
<p>Hazardous Materials</p>						
<p>MM4.6-1 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 in the project area, 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., 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>Risk Management Plan & Site Health and Safety Plan</p>	<p>Review and approve any grading plans for inclusion</p>	<p>Plan check prior to issuance of any grading permit</p>	<p>Fire</p>		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
MM4.6-2 Prior to the issuance of grading permits, the project shall comply with HBFD City Specification #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 project site, the Applicant's grading, building and methane plans shall reference that a sub-slab methane barrier and vent system will be installed at the project site per City Specification #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.	Methane Testing Plan Notes on building and methane plans	Review and approval of testing plan Review and approve building and methane gas plans for appropriate documentation	Prior to commencement of sampling Prior to issuance of any grading permit and during construction	Fire Fire		

Hydrology and Water Quality

CoA4.7-1 The project developer shall construct an underground storm drain pipe along the east side of Gothard Street from Center Avenue to Edinger Avenue to connect to the existing, underground Edinger Avenue storm drain pipe. Based on a Final Hydrology and Hydraulics Report, the new Gothard Street underground storm drain facility sizing and design shall be targeted to convey the highest storm event exceedance flow rates along Gothard Street at full build-out of the General Plan, including contributions from any permanent groundwater dewatering system. The proposed project onsite storm drainage system shall be designed to convey all water quality treated flow directly into the new underground storm drain pipe along Gothard Street.	Improvement Plans	Review and approval of improvement plans	Plan check prior to issuance of grading permit	Public Works		
MM4.7-1 The Applicant shall prepare a Hydrology and Hydraulics Report and Drainage Plan that incorporates stormwater attenuation to reduce project site runoff to meet City design standards for stormflow in Gothard Street. Prior to receiving a precise grading permit, the Applicant shall prepare an Hydrology and Hydraulics Report detailing proposed project peak runoff rates for the 10-, 25-, 50-, and 100 year design storm events to Gothard Street, including contributions	Hydrology and Hydraulic Report and Drainage Plan Groundwater	Review and approve plan and documentation Review and	Prior to issuance of a precise grading permit Prior to issuance of a grading permit and	Public Works Building & Safety		

Mitigation Monitoring and Reporting Program

<i>Mitigation Measure</i>	<i>Implementation Documentation</i>	<i>Monitoring Activity</i>	<i>Timing</i>	<i>Responsible Monitor</i>	<i>Compliance Verification Signature</i>	<i>Date</i>
<p>from any permanent groundwater dewatering that may be implemented by the proposed project. This Hydrology and Hydraulics Report shall also identify the existing available capacity for flow in Gothard Street for the design storms and evaluate the existing capacity in and potential impacts to the Edinger Avenue system, Murdy Channel, and East Garden Grove-Wintersburg Channel.</p> <p>Based on the Hydrology and Hydraulics Report, the Applicant shall prepare a Drainage Plan that shall incorporate sufficient stormwater attenuation such that the City design standards for flow in Gothard Street are not exceeded. It is expected that this may require underground detention facilities. However, detention in underground parking structures shall not be allowed and surface ponding shall be limited to a maximum depth of 8 inches. Attenuation shall be designed for back to back 24-hour storm design storm events that development of the proposed project would increase peak runoff rates for.</p> <p>If either above-ground or below-ground detention facilities are proposed, the Applicant shall consult with the Department of Public Works and vector control agency to develop a design that will be sufficient for stormwater detention but will not present a human health or environmental hazard.</p> <p>A qualified engineer of the Public Works Department shall approve this Hydrology and Hydraulics Report and Drainage Plan prior to issuance of a precise grading permit. The site Drainage Plan shall be coordinated with the WQMP to maximize efficiency of stormwater runoff detention/retention and water quality treatment.</p> <p>The Building and Safety Department shall evaluate any proposed permanent groundwater dewatering system to ensure that it would function as required. Following construction, the Building and Safety Department shall verify that any groundwater dewatering system has been implemented as required.</p> <p>MM4.7-2 The Applicant shall design and implement project site drainage features to minimize stormwater runoff and flood waters</p>	<p>Dewatering System Plan</p>	<p>approve dewatering system</p>	<p>following completion of construction activities</p>	<p>Public Works</p>	<p>_____</p>	<p>_____</p>

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>from entering into underground parking structures or otherwise contribute to flood hazards and shall incorporate flood-proofing and hydrostatic pressure measures for all below-ground structures.</p> <p>Prior to receiving a precise grading permit, the Applicant shall prepare a site Grading and Drainage Plan identifying design elements to minimize underground structure flooding. The Grading and Drainage plan shall implement design features to minimize flooding of under ground structures such as, but not limited to:</p> <ul style="list-style-type: none"> ■ Grade areas to drain away from the structure entryways. ■ Implement overflow prevention (e.g., berms or dikes, grated inlets, or a combination, thereof) to direct project site runoff and flood flows away from underground structure entryways. ■ Elevate underground structure entryways to two-feet above the existing grade (approximate depth of potential flooding from the East Garden Grove-Wintersburg Channel). ■ Implement sumps and pumps within the underground structures to remove any runoff entering the underground structures (this measure shall also be subject to WQMP and DAMP BMP requirements for discharge treatment and disposal). ■ Additionally, the Applicant shall incorporate flood-proofing measures to prevent seepage flooding. Underground structures materials and design shall be in accordance with FEMA floodplain development requirements and the 2007 California Building Code for structures subject to flooding and hydrostatic pressures. ■ The geotechnical engineer and/or waterproofing specialist shall prepare design requirements for flood-proofing the underground structures and ensuring that structures are built to withstand hydrostatic pressures. ■ Any utilities located in below grade structures shall be protected from ponding water and seepage in accordance with the geotechnical engineer recommendations and 2007 		Grading and Drainage Plan	grading permit			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>California Building Code.</p> <p>The Applicant shall also design on-site runoff to drain away from building foundations and shall not allow for more than 8 inches of ponding at any location on-site.</p> <p>CoA4.7-2 Prior to receiving a precise grading or building permit, the Applicant shall prepare a site Grading and Drainage Plan containing the recommendations of the final Soils and Geotechnical Reports analysis for temporary and permanent groundwater dewatering as well as for surface drainage.</p>	Grading and Drainage Plan	Review and approval of Grading and Drainage Plan	Prior to issuance of a precise grading plan	Public Works	_____	_____
Noise						
<p>MM4.9-1 The Applicant 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"> ■ Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the project site area 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 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, and the police department ■ Ensure that construction equipment is properly muffled according to industry standards ■ Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible <p>Implement noise attenuation measures to the extent feasible.</p>	Contract language and notes on grading and building plans	Review and approve contract specifications, grading and building plans for inclusion	Plan check prior to issuance of a grading permit	Planning	_____	_____

ATTACHMENT NO. 3.10

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

<i>Mitigation Measure</i>	<i>Implementation Documentation</i>	<i>Monitoring Activity</i>	<i>Timing</i>	<i>Responsible Monitor</i>	<i>Compliance Verification Signature</i>	<i>Date</i>
which may include, but are not limited to, noise barriers or noise blankets						
MM4.9-2 The Applicant shall require by contract specifications that construction staging areas, along with the operation of earthmoving equipment within the project site, are 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 and approved by the City.	Contract language and notes on grading plans	Review and approve grading plans for inclusion	Prior to issuance of a grading permit	Planning		
Public Services						
MM4.11-1 Radio antenna receivers (BDA's) shall be installed in all underground parking structures in order to allow emergency responders to use their radio systems.	Final building plans	Review and approval of building plans for inclusion	Prior to issuance of a building permit	Planning		
Transportation/Traffic						
MM4.13-1 At the intersection of I-405 Southbound Ramp at Center Avenue, signal operation shall be changed to provide right turn overlap for westbound right turns (i.e., onto the I-405 southbound on-ramp). This shall include necessary modifications to the traffic signal equipment. If required by the City, the project Applicant shall bond the improvement of the I-405 Southbound Ramp at Center Avenue, so the City may use the payment to either make the improvement at some appropriate time or contribute to the ultimate improvement of this intersection.	Street Improvement Plans Caltrans encroachment permit	Review and approval of Street Improvement Plans Issuance of encroachment permit and completion of work	Prior to Certificate of Occupancy If Caltrans encroachment permit is denied, the impact would remain significant and unavoidable. Denial of permit does not preclude issuance of Certificate of Occupancy.	Public Works Public Works		

SOURCE: PBS&J 2008