

CITY OF COSTA MESA

ATTACHMENT 4

INTEROFFICE MEMORANDUM

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT

JUL 12 2006

Date: July 11, 2006
To: Don Lamm, Development Services Director
From: Julie Folcik, City Clerk
Subject: Adopted Resolution

Please find attached a copy of the following resolution that was adopted at the City Council meeting of Wednesday, July 5, 2006:

Resolution 06-58: APPROVING PLANNING APPLICATION PA-05-56 FOR 450 ANTON BOULEVARD.

JF:cl

cc: Mel Lee, Planning ✓

RESOLUTION NO. 06-58

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COSTA MESA, CALIFORNIA, APPROVING PLANNING
APPLICATION PA-05-56 FOR 450 ANTON BOULEVARD**

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by The Irvine Company Apartment Communities, authorized agent for MARJACK, LLC, with respect to the real property located at 450 Anton Boulevard, requesting approval of a master plan to construct an 890-unit, three-story, multiple family rental apartment complex (The Enclave), with a variance from perimeter open space (20 feet required; 10 feet proposed) and a request for a park fee credit in accordance with the terms of the development agreement; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 12, 2006; and

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and an Initial Study/Negative Declaration and a Mitigation Monitoring Program was prepared, which reflect the independent judgment of the City of Costa Mesa, and was available for public review from May 23, 2006, to June 14, 2006, as required by CEQA; and

WHEREAS, a duly noticed public hearing was held by the City Council on July 5, 2006 in accordance with Section 65355 of the Government Code of the State of California, with all persons having been given the opportunity to be heard both for and against said Planning Application PA-05-56; and

WHEREAS, since the adoption of the City's General Plan, the City has taken several actions that have increased the City's potential housing stock, as documented in the Planning Division staff report for PA-05-56; and

BE IT RESOLVED, according to the Initial Study/Negative Declaration, which reflects the independent judgment of the City of Costa Mesa; the proposed project would not have a significant effect on the environment. Additionally, the evidence in the record as a whole indicates that the project will not or cumulatively have an adverse effect on wildlife resources or habitat; and

BE IT RESOLVED, that the Costa Mesa City Council does hereby find and determine that, based on the evidence in the record, the City Council hereby **ADOPTS** the Mitigated Negative Declaration and **APPROVES** PA-05-56 with respect to the property described above.

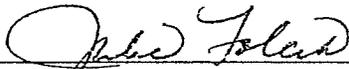
BE IT FURTHER RESOLVED that the approval of PA-05-56 does not affect the future housing inventory in the City's Housing Element, which was used in its certification by the State of California Department of Housing and Community Development in November 2001.

PASSED, APPROVED, AND ADOPTED this 5th day of July, 2006.



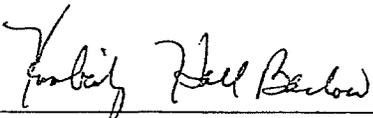
Allan R. Mansoor, Mayor

ATTEST:



Julie Fofcik, City Clerk

APPROVED AS TO FORM:



Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing is the original of Resolution No. 06-58 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 5th day of July, 2006, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: MANSOOR, FOLEY, MONAHAN

NOES: COUNCIL MEMBERS: DIXON

ABSENT: COUNCIL MEMBERS: BEVER

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 6th day of July, 2006.



JULIE FOLCIK, CITY CLERK

(SEAL)

EXHIBIT "A"

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(5) because the master plan meets the broader goals of the General Plan, North Costa Mesa Specific Plan, and the Zoning Code with regard to protection of the integrity of neighboring development. Specifically, the project will be compatible with the uses in the surrounding area, as well as provide a substantial improvement to the subject property through the design and placement of buildings, parking areas, pedestrian walkways, and landscaping. The project is consistent with the goals and objectives of the 2000 General Plan, North Costa Mesa Specific Plan, and Development Agreement DA-99-02.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The proposed development and use is compatible and harmonious with uses on surrounding properties.
 - Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - The proposed project complies with applicable performance standards prescribed in the Zoning Code.
 - The project is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The information presented substantially complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist such as an unusual lot size, lot shape, topography, or similar features to justify granting of the variance from perimeter open space along a portion of Sunflower Avenue. Specifically, the applicant is being required to provide a bus bay turn out due to the site's location next to a heavily traveled street (Sunflower Avenue); this is an unusual circumstance for a residential project. The proposed setback reduction is for the landscaping only; the buildings still comply with required code setbacks. Granting the variance will not allow a use, density, or intensity which is not in accordance with the general plan designation and specific plan of the property.
- D. The information presented complies with Development Agreement DA-99-02 with regard to the park fee credit because private facilities for park and recreational purposes proposed for the development is useful open space and the recreational amenities will be available for use by all residents of the development. The private facilities for park and recreational purposes proposed for the development meets or exceeds the minimum amount of common open space required by code for the development and the proposed amenities are consistent with a development of

this size.

- E. The approval of the project does not affect the future housing inventory in the City's Housing Element, which was used in its certification by the State of California Department of Housing and Community Development in November 2001, because an equivalent increase in density is provided elsewhere in the City (Government Code Section 65863).
- F. An initial study was prepared, pursuant to the California Environmental Quality Act. Although the proposed project could have a significant effect on the environment, according to the Initial Study/Mitigated Negative Declaration, which reflect the independent judgment of the City of Costa Mesa, there will not be a significant effect on the environment because appropriate mitigation measures have been added to the project.
- G. The evidence presented in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on wildlife resources or habitat.
- H. The project, as conditioned, is consistent with Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.
- I. The furthest point of the building(s) are an excessive distance from the public street necessitating fire apparatus access and provisions for on-site fire hydrants.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng.
1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
 2. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 3. The conditions of approval and ordinance or code provisions of Planning Application PA-05-56 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 4. All applicable provisions of Development Agreement DA-99-02 shall be complied with.
 5. Pay park fee prior to issuance of building permits. Applicable fee shall be that fee specified in DA-99-02, minus the park fee credit for private park improvements, as approved by the Development Services Director.
 6. Prior to issuance of building permits, applicant shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 7. Addresses shall be displayed adjacent to the main entrance or front door of each building in a manner visible to the private street. Street address numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
 8. The applicant shall contact Comcast (cable television) at 200 Paularino, Costa Mesa (888) 255-5789 prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 9. Perimeter open space landscape planters shall be mounded, with approved turf and/or ground cover on the street side front half of the planter and shrubbery plantings and trees on the back half. A mixture of 24-inch box, 36-inch box, and 48-inch box trees shall be provided within the street setback landscaping.
 10. If the project is constructed in phases, perimeter walls and fences, landscaping along the frontages, and irrigation shall be installed prior to the release of utilities for the first phase, subject to approval by the Planning Division.
 11. All backflow prevention devices, transformers, and other utility equipment shall be placed behind the perimeter open space, or shall be screened from view in a manner approved by the Planning

Division.

12. Residents shall be required to park within the garages.
 13. Stationary play equipment shall be located on turf, sand, or other treated surface to the satisfaction of the Planning Division. Common outdoor play areas shall include a combination of both soft and hard surfaces.
 14. Prior to building permit issuance, the applicant shall submit a final playground plan for review and approval, which includes detailed playground specifications of manufactured play equipment. The playground plan shall depict safety fall zones, safety surfacing materials and construction specifications, manufacture and model numbers of equipment and equipment deck heights. On a project-specific basis, the Planning Division shall require that the playground plan adequately serve the anticipated number of users and their activities.
 15. Prior to occupancy, the applicant shall submit a letter stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacture's specifications, and that it complies with the minimum playground safety regulations adopted by the State of California (California Code of Regulations, Title 22, Division 4, Chapter 22.
 16. At least one of each type of ground level play equipment in the tot lot shall be handicap accessible.
 17. A minimum of one shaded seating area shall be provided in the tot lot to encourage adult supervision of children.
 18. The project shall comply with the code requirements, standard conditions of approval, and mitigation measures identified in the mitigation monitoring program prepared for the project and attached to this resolution as "Exhibit C".
- Trans.
19. Vehicle security gates shall be set back a minimum of 200' from Sakioka Drive and Anton Boulevard, unless otherwise approved by the City's Transportation Services Manager. Resident access shall be by remote transmitter to avoid delays and congestion at the entrances. Gate design and operation shall be subject to Fire Department approval and shall accommodate emergency egress from Metro Fire Station No. 6.
 20. Revise entrance drive from Anton Boulevard to provide adequate turn-around area for vehicles to execute a u-turn when access at the gated entrance is denied.
 21. Construct median modifications on Anton Boulevard and Sakioka Drive to accommodate left turn movements into the site based upon the traffic study.
 22. Reconstruct the median on Sakioka Drive to remove the northbound left turn pocket serving opposite the project entrance and to provide a new left turn lane into the fire station property.
 23. Install new HPSV street lighting with undergrounding power on

Sunflower Avenue. Maximum spacing 200 feet. Comply with Southern California Edison requirements for underground service and street light design standards.

24. Provide pedestrian openings from the site to Sunflower Avenue at or near the corners of Sakioka Drive and Anton Boulevard to provide convenient access to nearby bus stops and intersection crossings.
25. Revise site plan to show the existing 25-foot landscape and bike trail easement to be modified to 20 feet. Note: Modification of the easement can only be made by the City Council. The staff recommendation does not guarantee the modification will be approved.
26. The median in the on-site Sakioka Drive entrance shall be constructed to accommodate Fire Department access as necessary with appropriate signage to ensure unobstructed access for fire apparatus.
27. Provide details of traffic signal geometrics at main entrance on Anton Boulevard, including left/through/right lane designations and cross traffic alignment with traffic lanes at Experian. Modify the traffic signal as necessary and as directed by the Transportation Services Division. Note: Relocation of traffic signal poles may be necessary to accommodate location.
28. Install a traffic signal at the entrance on Sakioka Drive. Signal design shall incorporate coordination with adjacent fire station operations to provide priority for emergency response from the station.
29. Provide details of traffic lane striping geometrics at entrance on Sakioka Drive, including lane designations and signage/striping for fire access at adjacent fire station.
30. Close the median opening on Anton Boulevard located approximately 650 feet south of Sunflower Avenue by constructing a new median section with full height curb and gutter and landscaping to match surroundings. Also, remove existing PCC pavement section in Anton Boulevard and replace with asphalt concrete material to match existing street pavement.
31. The median nose within each entrance drive shall be setback a minimum of 5 feet from the property line or 5 feet from crosswalk striping whichever is greater.
32. Construct a bus turnout on the north side of Anton Boulevard, west of the signalized entrance to the project site at or near the existing bus stop location. Bus turnout design shall be coordinated with City Transportation Services staff and OCTA.
33. Construct two bus turnouts on the south side of Sunflower Avenue at or near the existing bus stop locations. Bus turnout locations and design shall be coordinated with City Transportation Services staff and OCTA. Note: Relocation of the easterly bus stop to the east of Anton Boulevard may be considered by the City and OCTA.
34. Maintain the public right-of-way in a "wet-down" condition to prevent

Eng.

excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

- * Deletion of any code requirements, standard conditions of approval, and mitigation measures will require a finding by the decision-making body that no significant environmental impacts will be created and the Mitigated Negative Declaration is still valid.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng.
1. Approval of Planning Application PA-05-56 is valid for a period of one (1) year and will expire unless building permits are obtained and construction commences, or the applicant applies for and is granted an extension of time by the Costa Mesa Planning Commission.
 2. Minimum garage door widths shall be 16 feet for two car garages and 8 feet for single car garages.
 3. All garages shall be provided with automatic garage door openers.
 4. A minimum 10-foot by 20-foot clear interior dimension shall be provided for all garages.
 5. The paving under required covered parking spaces shall be Portland Cement Concrete (PCC).
 6. Open parking stalls, except in driveways leading to garages, shall be double-striped in accordance with City Standards.
 7. All landscaped areas shall be separated from paved vehicular areas by 6-inch high continuous Portland Cement Concrete (PCC) curbing except for drainage or water quality purposes.
 8. All on-site utility services shall be installed underground.
 9. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation vault, wall cabinet, or wall box under the direction of the Planning Division.
 10. Five (5) sets of detailed landscape and irrigation plans shall be required as part of the project plan check review and approval process. Three (3) sets shall be provided to the representative water agency and two (2) set shall be submitted to the Planning Division for review. Plans shall be approved by the water agency with two (2) approved sets forwarded by the applicant to the Planning Division for final approval prior to issuance of building permits.
 11. Two (2) sets of landscape and irrigation plans, approved by both the water agency **and** the Planning Division, shall be attached to two of the final building plan sets.
 12. Landscape and irrigation plans shall meet the requirements set forth in Costa Mesa Municipal Code Sections 13-103 through 13-108 as well as irrigation requirements set forth by the water agency. Consult with the representative water agency.
 13. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
 14. In compliance with the City's mitigation monitoring program, the

- applicant shall submit a compliance report to the Planning Division along with plans for plan check, that lists each mitigation measure and states when and how the mitigation measures are to be met.
- Bus. Lic. 15. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and final releases will not be granted until all such licenses have been obtained.
- Bldg. 16. Comply with the requirements of the uniform Building Code as to design and construction and CCR Title 24 pertaining to "Disabled Access Regulations".
- Parks Pkwys. 17. Trees along Anton Boulevard and Sakioka Drive shall be protected in place where appropriate. Removal of trees shall require the approval of the Parks and Recreation Commission and compliance with mitigation measures as determined by the Parks and Recreation Commission to relocate the trees and/or compensate the City for loss of the trees from the public right-of-way. Conditions of the Parks and Recreation Commission shall be incorporated onto the plans prior to plan approval. The approval process may take up to three months, therefore, the applicant/developer is advised to identify all trees affected by the proposed project and make timely application to the Parks and Recreation Commission to avoid possible delays.
- Eng. 18. At the time of development submit for approval an off-site plan to the Engineering Division and grading plan to the Building Division that shows sewer, water, existing parkway improvements and the limits of work on the site, and hydrology calculations, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering permits being issued by the City.
19. A construction access permit and deposit of \$2,685.00 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work.
20. Haul routes must be approved by the Engineering Division, prior to approval of the construction access permit.
21. Submit plans and coordinate with utility companies to underground power poles and utility modifications.
22. Submit for approval to the Engineering Division, street improvement plans, that show modifications to the existing raised medians, traffic signal modifications, striping, any off-site construction and obtain required permits.
23. Submit required cash deposit or surety bond to guarantee construction of offsite street improvements at time of permit per Costa Mesa Municipal Code Section 15-32, and as approved by City Engineer. Cash deposit or surety bond amount to be determined by the City Engineer.

24. Obtain a permit from the Engineering Division, at the time of development and then construct P.C.C. sidewalk per City of Costa Mesa standards as shown on the offsite plan, including four (4) feet clear around obstructions in the sidewalk.
25. Obtain a permit from the Engineering Division at the time of development and then construct P.C.C. driveway approach(es) per City of Costa Mesa standards as shown on the offsite plan. Location and dimensions are subject to the approval of the Transportation Services Manager. A.D.A. compliance is required for all driveway approaches.
26. Obtain a permit from the Engineering Division at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense and reconstruct parkway to suit conditions.
27. Submit legal description for the new areas of dedication, plat of new dedication area, both prepared by a civil engineer, and title report update of subject property.
28. Submit two copies and one duplicate mylar of signed plans to Engineering Division, prior to occupancy.
29. Construct storm drain facilities as per City of Costa Mesa master drainage plan.
30. Private on-site drainage facilities and parkway culverts or drains will not be maintained by the City of Costa Mesa; they shall be maintained by the owner or developer of the property. Private lateral connections to City storm drains will require a hold harmless agreement prior to issuance of permit.
31. The hydrology calculations specified in Code Requirement #19 shall provide modifications to the existing off-site storm drain system specified in Code Requirement #28 or construct an on-site system to manage the storm runoff to the satisfaction of the City Engineer, showing existing and proposed facilities and the method of draining this area and tributary areas without exceeding the capacity of any street or drainage facility on-or off-site.
- Trans. 32. Prior to issuance of building permits, dedicate sufficient land for the construction of an 8-foot wide sidewalk on Sunflower Avenue.
33. Prior to issuance of building permits, dedicate sufficient land for the construction of bus turnouts on Sunflower Avenue at or near the existing bus stops. Precise locations and dimensions shall be coordinated with City Transportation Services staff and OCTA.
34. Prior to issuance of building permits, dedicate sufficient land to accommodate the future construction of an additional westbound left turn lane at the intersection of Sunflower Avenue and Anton Boulevard.
35. Prior to issuance of building permits, dedicate sufficient easements as necessary for traffic signal equipment installation and maintenance at the signalized entrance on Anton Boulevard.

36. Prior to issuance of building permits, dedicate sufficient easements as necessary for crosswalks for pedestrian ADA accessibility across all entrance drives.
37. Construct/reconstruct bike trails within easement area on Anton Boulevard and Sakioka Drive to City/State design standards.
38. Construct 8-foot sidewalk on Anton Boulevard and Sakioka Drive in accordance with Master Plan of Highways requirements or submit alternative design plans incorporating sidewalk and bike trail as joint use trail for consideration by City.
- Fire 39. Provide on-site Class A fire hydrants to be located as indicated by the Fire Department. All hydrants required shall be installed and operable prior to the initiation of combustible construction.
40. Water improvement plans shall be approved by the Fire Department.
41. Access consisting of a minimum 20-foot wide roadway capable of supporting fire apparatus shall be maintained to all fire hydrants from the time that the hydrants are placed into service. Special consideration shall be given to maintaining the integrity of such roadways during periods of inclement weather.
42. Provide "blue dot" reflective markers for all on-site fire hydrants.
43. Provide fire extinguishers with a minimum rating of 2A to be located within 75 feet of travel distance from all areas. Extinguishers may be of a type rated 2A, 10BC as these extinguishers are suitable for all types of fires and are less expensive.
44. Provide approved smoke detectors in each home to be installed in accordance with the 2001 Edition of the Uniform Fire Code.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani. 1. It is recommended that the developer contact the Costa Mesa Sanitary District at (949) 645-8400 to obtain Sanitary District requirements.
- AQMD 2. Applicant should contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by the district.
- School 3. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.
- Fish & Game 4. Applicant shall submit a check to the Planning Division for an environmental handling fee of \$38.00 made payable to the county clerk-recorder within seven (7) days of project approval. **Approval of this project will not be vested or final until the filing fee (required under section 711.4 of the Fish and Game Code) has been paid.[PRC 21089(b)].**

- State
5. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.

EXHIBIT "C"

**STANDARD CONDITIONS OF APPROVAL,
CODE REQUIREMENTS, MITIGATION MEASURES, AND
MITITGATION MONITORING PROGRAM
FOR PA-05-56**

Standard Conditions of Approval, Code Requirements, and Mitigation Measures	Timing	Responsible Party
<p>Aesthetics</p> <ol style="list-style-type: none"> 1. Existing mature vegetation shall be retained wherever possible. Should it be necessary to remove existing vegetation, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed, and shall be replaced on a 1-to-1 basis. This requirement shall be completed under the direction of the Planning Division. 2. Lighting shall comply with all requirements of Costa Mesa Municipal Code Section 13-93(d). Lighting shall be designed to provide adequate illumination of the storage facilities (no dark spots) without creating spill-over light or glare onto adjacent properties. Shielding or other methods necessary to prevent light or glare spill-over shall be incorporated. 	During Construction	Applicant/Developer

Air Quality	During Construction	Applicant/Developer
<p data-bbox="285 260 574 291"><i>Mitigation Measure AQ-1</i></p> <ol style="list-style-type: none"> <li data-bbox="240 338 919 638">1. <u>Comply with SCAQMD Rules 402 and 403.</u> During construction of the proposed project, the project applicant and its contractors shall be required to comply with regional rules set forth by the South Coast Air Quality Management District (SCAQMD), which would assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures. <li data-bbox="240 659 919 926">2. During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventative measures using the following procedures, as specified in SCAQMD Rule 403. These control techniques shall be indicated in project plans and specifications. Compliance with these measures shall be subject to periodic site inspections by the City. <ul style="list-style-type: none"> <li data-bbox="344 947 834 1003">• Limit on-site vehicle speed to 25 miles per hour. <li data-bbox="344 1024 834 1262">• Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. Water excavated soil piles hourly or cover with temporary coverings. <li data-bbox="344 1283 776 1402">• Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust. <li data-bbox="344 1423 834 1570">• Minimize area disturbed by clearing, grading, earth moving, or excavation operations so as to prevent generating excessive amounts of dust. <li data-bbox="344 1591 834 1711">• Prevent visible dust from the project site from emanating beyond the property line, to the maximum extent feasible. <li data-bbox="344 1732 834 1906">• Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping and sprinkling. Wash mud-covered tires and under- 		

carriage of trucks leaving construction sites.

- Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
- Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
- Cease grading during periods when winds exceed 25 miles per hour.

Mitigation Measure AQ-2

Reduction of construction equipment emissions. The following measures shall be implemented when feasible. They shall be included in grading and improvement plans specifications for implementation by contractors. Some additional gains in particulate emission control will also be realized from the implementation of these measures.

- Use low emission mobile construction equipment. "CARB Certified" heavy construction equipment whenever possible. This equipment conforms to the latest off-road CARB emission standards and is the lowest polluting equipment available.
- Maintain construction equipment engines by keeping them tuned.
- Use low sulfur fuel for stationary construction equipment. This is required by SCAQMD Rules 431.1 and 431.2.
- Utilize existing power sources (i.e., power poles) when feasible. This measure would minimize the use of higher polluting gas or diesel generators.
- Configure construction parking to minimize traffic interference.
- Minimize obstruction of through-traffic lanes. When feasible, construction should be planned so that lane closures on existing streets are kept to a minimum.
- Schedule construction operations affecting traffic for off-peak hours.

<ul style="list-style-type: none"> Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service). <p><i>Mitigation Measure AQ-3</i></p> <p><u>Reduce ROG emissions from painting activities.</u> Prior to issuance of the first building permit, the applicant shall provide evidence to the City of Costa Mesa Department of Development Services - Planning Division that the following measures shall be incorporated into project construction to the greatest extent feasible:</p> <ul style="list-style-type: none"> The project shall comply with SCAQMD Rule 1113, which limits the ROG content of architectural coatings used in the Basin or shall allow the averaging of such coatings, as specified, so the actual emissions do not exceed the allowable emissions if all the averaged coatings had complied with the specified limits; and Use high transfer efficiency painting methods such as HVLP (High Volume Low Pressure) sprayers and brushes/rollers where possible. 		
<p>Cultural Resources</p> <ol style="list-style-type: none"> If any archaeological objects are encountered during construction, the contractor shall stop work immediately and notify the City. 	<p>During Construction</p>	<p>Applicant/Developer</p>
<p>Hydrology & Water Quality</p> <ol style="list-style-type: none"> Prior to or concurrent with submittal of plans for building plan check, the developer shall submit a Water Quality Management Plan (WQMP) that identifies the application and incorporation of those routine structural and non-structural Best Management Practices (BMP's) outlined in the Countywide National Pollution Discharge Elimination System (NPDES) Drainage Area Management Plan (DAMP), Appendix G. The WQMP shall detail implementation of BMP's not dependent on specific land uses, for review and approval by the Development Services Department. 	<p>Prior to Issuance of Grading Permits</p>	<p>Applicant/Developer</p>
<p>Noise</p> <p><i>Mitigation Measure N-1</i></p> <p><u>Control of Construction Hours.</u> Construction, grading, material delivery, equipment operation or other noise-generating activity shall be limited to between the</p>	<p>During Construction</p>	<p>Applicant/Developer</p>

hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday; there shall be no construction activity on Sunday and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting or other quiet interior work.

Mitigation Measure N-2

Limitation on Truck Trips. To avoid adverse noise impacts along surrounding roadways, the total truck trips to the site shall not exceed 400 trucks per day (i.e., 200 truck trips to the site plus 200 truck trips from the site). This limitation shall be reflected in the grading permit to be issued for the project.

Mitigation Measure N-3

Compliance with exterior noise standard. Prior to the issuance of grading permits for any residential development along Sunflower Avenue, a detailed acoustical analysis study shall be prepared by a qualified acoustical consultant and submitted to the City. This acoustical analysis report shall describe and quantify the noise sources impacting the area and the measures required to meet the 65CNEL exterior residential noise standard. The final grading plans shall incorporate the noise barriers (wall, berm or combination wall/berm) required by the analysis and the property owner/developer shall install these barriers.

Mitigation Measure N-4

Compliance with interior noise standard. Prior to issuance of building permits for all buildings along the perimeter of the site, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the applicant can show that based on the buildings location relative to the roadway and any intervening topography and structures that it meets the appropriate interior noise standard with open windows.

Mitigation Measure N-5

Preparation of a detailed acoustical study. Prior to issuance of building permits, a detailed acoustical study using architectural plans shall be prepared by a qualified acoustical consultant and submitted to the City for residential structures in the areas shown in Exhibit 7. This report shall describe and quantify the noise sources impacting the building(s), the amount of outdoor-to-indoor noise reduction provided by the design in the architectural plans, and any upgrades required to meet the City's interior noise standards (45 CNEL for residences). The measures described in the report shall be incorporated into the

<p>architectural plans for the buildings and implemented with building construction.</p>		
<p>Traffic</p> <ol style="list-style-type: none"> 1. Fulfill San Joaquin Hills Transportation Corridor Fee Ordinance requirement at the time of issuance of <u>building permit</u> by submitting to the Planning Division the required fee. For the proposed use, the current corridor fee rate is estimated at <u>\$1,597,550.00</u> (\$1,795.00/unit). NOTE: This fee is subject to revision and possible increase effective July 1st of each year (\$1,843.00/unit after 7/1/06). 2. Fulfill mitigation of off-site traffic impacts at the time of issuance of <u>building permit</u> by submitting to the Planning Division the required Traffic Impact Fee pursuant to Development Agreement DA-99-02. At the current rate per trip end, the Traffic Impact Fee is estimated as \$1,055,606.00 (\$181.00/unit). Note: the traffic impact fee will be recalculated at the time of issuance of building permit based upon any changes in the prevailing schedule of charges in effect at that time. 	<p>Prior to Issuance of Building Permits</p>	<p>Applicant/Developer</p>