CITY OF COSTA MESA
125 EAST BAKER STREET APARTMENT PROJECT
Final Environmental Impact Report

SCH No. 2013081051

Volume Ia: Draft EIR Changes, Responses to Comments, and Mitigation Monitoring and Report Program

Prepared for
City of Costa Mesa
Planning Division/Development Services Department
77 Fair Drive
Costa Mesa, California 92628

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

February 2014

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CHAPTER 8 Introduction to the Final EIR

8.1 CEQA REQUIREMENTS

Before approving a project that may cause a significant environmental impact, the California Environmental Quality Act (CEQA) requires the Lead Agency to prepare and certify a Final Environmental Impact Report (Final EIR). The contents of a Final EIR are specified in CEQA Guidelines Section 15132, which states that:

> The Final EIR shall consist of:
>
> (a) The Draft EIR or a revision of the Draft EIR.
>
> (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
>
> (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
>
> (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
>
> (e) Any other information added by the Lead Agency.

The City of Costa Mesa as Lead Agency must also provide each public agency that commented on the Draft EIR with a copy of City's responses to those comments at least 10 days before certifying the Final EIR. In addition, the City may also provide an opportunity for members of the public to review the Final EIR prior to certification, though this is not a requirement of CEQA.

8.2 PUBLIC REVIEW PROCESS

The Draft EIR for the 125 East Baker Street Apartment Project (proposed project) was circulated for review and comment by the public, agencies, and organizations initially for a 45-day public review period that began on November 6, 2013, and concluded on December 20, 2013. In response to the Draft EIR, thirteen written letters were received during the review period. Additionally, the Draft EIR was presented to the City of Costa Mesa Planning Commission during their regularly scheduled meeting on December 9, 2013, and five speakers provided comments on the proposed project during the Planning Commission Meeting.

8.3 CONTENTS AND ORGANIZATION OF THE FINAL EIR

This Final EIR is composed of the following chapters:

- **Chapters 1 to 7 (Draft EIR with Changes)**—These chapters describe the existing environmental conditions in the project area and in the vicinity of the proposed project, and analyze potential impacts on those conditions due to the proposed project; identifies mitigation measures that could avoid or reduce the magnitude of significant impacts; evaluates cumulative impacts that would be caused by the proposed project in combination with other past, present, and future projects or growth that could occur in the region; analyzes growth-inducing impacts; and provides a full evaluation of the alternatives to the proposed project that could eliminate, reduce, or avoid project-related impacts. Text revisions to the Draft EIR resulting from

corrections of minor errors and/or clarification of items are identified in Chapter 9, as described below.

- **Chapter 8 (Introduction to the Final EIR)**—This chapter contains an explanation of the format and content of the Final EIR
- **Chapter 9 (Changes to the Draft EIR)**—This contains all changes to the Draft EIR that were either initiated by Lead Agency staff or in response to public comments on the Draft EIR during the public review process
- **Chapter 10 (Comments and Responses)**—This chapter contains a complete list of all persons, organizations, and public agencies that commented on the Draft EIR; copies of the comment letters received by the City of Costa Mesa on the proposed project; and the Lead Agency's responses to these comments
- **Chapter 11 (Mitigation Monitoring and Reporting Program)**—This chapter contains the Mitigation Monitoring and Reporting Program (MMRP).

8.4 USE OF THE FINAL EIR

Pursuant to CEQA Guidelines Sections 15088(a) and 15088(b), the lead agency must evaluate comments on environmental and CEQA-related issues received from persons who reviewed the Draft EIR and must prepare written responses to each of these comments. The Final EIR allows the public and the City of Costa Mesa an opportunity to review the response to comments, revisions to the Draft EIR, and other components of the EIR, prior to the City's decision on the project. The Final EIR serves as the environmental document to support approval of the proposed project, either in whole or in part.

After completing the Final EIR, and before approving the project, the Lead Agency must make the following three determinations as required by CEQA Guidelines Section 15090:

- That the Final EIR has been completed in compliance with CEQA
- That the Final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information in the Final EIR prior to approving the project
- That the Final EIR reflects the Lead Agency's independent judgment and analysis

Pursuant to CEQA Guidelines Section 15091(a), if an EIR that has been certified for a project identifies one or more significant environmental effects, the lead agency must adopt "Findings of Fact." For each significant impact, the lead agency must make one of the following findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Each finding must be accompanied by a brief explanation of the rationale for the finding. In addition, pursuant to CEQA Guidelines Section 15091(d), the agency must adopt, in conjunction with the findings, a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures. This program is referred to as the MMRP.

Additionally, pursuant to CEQA Guidelines Section 15093(b), when a Lead Agency approves a project that would result in significant, unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing its reasons for supporting the approved action. This document, known as the Statement of Overriding Considerations, is supported by substantial information in the record, which includes this Final EIR. However, as the proposed project does not result in project-specific significant and unavoidable impacts and cumulative significant and unavoidable impacts, a Statement of Overriding Considerations is not required.

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CHAPTER 9 Changes to the Draft EIR

Text changes are intended to clarify or correct information in the Draft EIR in response to comments received on the document, or as initiated by Lead Agency staff. Revisions are shown in Section 9.1 (Text Changes) as excerpts from the Draft EIR text, with a ~~line through~~ deleted text and a double underline beneath inserted text. In order to indicate the location in the Draft EIR where text has been changed, the reader is referred to the page number of the Draft EIR as published on January 12, 2012. None of the corrections or additions constitutes significant new information or substantial project changes as defined by CEQA Guidelines Section 15088.5.

9.1 TEXT CHANGES

This section includes revisions to text, by Draft EIR section, that were initiated either by Lead Agency staff or in response to public comments. All changes appear in order of their location in the Draft EIR.

Page 4.5-3, following third paragraph

As such, any construction or alteration of more than 200 feet in height above the ground level at its site requires filing with the FAA.

The project site is within the John Wayne Airport Safety Zone 6 (Traffic Pattern Zone). Safety Zone 6 designates risk factors and runway proximities as generally having a low likelihood of accident occurrence at most airports. This zone also includes all other portions of regular traffic patterns and pattern entry routes. Zone 6 Safety Designations allow for residential uses and allow most nonresidential uses. Prohibited uses in Safety Zone 6 include outdoor stadiums, and similar uses with very high intensities, as well as children's schools, large day care facilities, hospitals, and nursing homes.

Page 4.5-8, following second paragraph

The proposed project would not exceed 200 feet in height; however the proposed project is located approximately 4,300 feet from runways at John Wayne Airport and would therefore be required to submit Form 7460-1 if implementation of the proposed project results in the construction of buildings that exceed 43 feet in height.

The project site is within the John Wayne Airport Safety Zone 6 (Traffic Pattern Zone), and as such would be subject to potential aircraft over flight. While the proposed project is outside of the 60 dBA CNEL noise contour, residential users may be subjected to annoyances associated with airport operations. In order to ensure that future occupants of the proposed project are notified of the presence of aircraft over flight, the following mitigation measure shall be implemented.

MM4.5-1 *The applicant for the proposed project shall provide a written statement to each residential unit and resident, notifying them of potential annoyances associated with aircraft overflight and proximity to airport operations, including the following, with final form and content to be reviewed and approved by the Economic and Development Services Director and City Attorney:*

"NOTICE OF AIRPORT IN VICINITY:

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances, if any, are associated with the property before your purchase and determine whether they are acceptable to you.

POSTING OF NOTICE OF DISCLOSURE IN EACH RESIDENTIAL UNIT

Prior to offering the first residential unit for purchase, lease, or rent, the property owner or developer shall post a copy of the Notice of Disclosure in every unit in a conspicuous location. Also, a copy of the Notice of Disclosure shall be included in all materials distributed for the project, including but not limited to: the prospectus, informational literature, and residential lease and rental agreements."

Implementation of mitigation measure MM4.5-1 would ensure that the residential occupants of the proposed project would be notified to the presence of any annoyances associated with airport operations. Overall, the City's land use policies generally encourage projects that provide a mix of uses, are compatible and harmonious with surrounding development, and offer pedestrian amenities that enhance the image and quality of life and the environment.

Page 4.5-9, following last paragraph

Orange County Airport Land Use Commission. 2008. *Airport Environs Land Use Plan for John Wayne Airport*, April.

———. 2002a. *California Airport Land Use Planning Handbook*, adopted January 2002.

Page 4.8-29, fifth full paragraph

Standard Conditions

- If a tract map is ~~proposed~~recorded for this project, the Developer shall pay a park impact fee or dedicate parkland to meet the demands of the proposed development. The current park impact fee is calculated at $13,829 per new multi-family dwelling unit.

Therefore, if a tract map is recorded for the proposed project, ~~C~~compliance with CMMC Title 13, Chapter XI, Article 5, would ensure that Project implementation would result in a less than significant impact involving parkland demand. This impact is considered ***less than significant***, and no mitigation is required.

CHAPTER 10 Comments and Responses

10.1 ORGANIZATION OF THE RESPONSES TO COMMENTS

This chapter of the Final Environmental Impact Report (Final EIR) contains all comments received on the Draft Environmental Impact Report (Draft EIR) during the public review period, as well as responses to each of these comments. Reasoned, factual responses have been provided to all comments received, with a particular emphasis on significant environmental and CEQA-related issues. Detailed responses have been provided where a comment raises a specific issue; however, a general response has been provided where the comment is relatively general. Although some letters may raise legal or planning issues, these issues do not always constitute significant environmental issues. Therefore, the comment has been noted, but no response has been provided. Generally, the responses to comments provide explanation or amplification of information contained in the Draft EIR.

In total, twelve comment letters regarding the Draft EIR were received from five public agencies, one organization, and six individuals. Additionally, the Draft EIR was presented to the City of Costa Mesa Planning Commission during their regularly scheduled meeting on December 9, 2013, and five speakers provided comments on the proposed project during the Planning Commission Meeting. Table 10-1 (Comments Received during the Draft EIR Public Review Period) provides a comprehensive list of comment letters and public speakers in the order that they are presented in this section.

Table 10-1 Comments Received during the Draft EIR Public Review Period

No.	Commenter/Organization	Letter Code	Date Comment Received	Page Where Comment Begins	Page Where Response Begins
	PUBLIC AGENCIES				
1	California Department of Transportation	CALTRANS	12/11/2013	10-3	10-5
2	Native American Heritage Commission	NAHC	12/19/2013	10-6	10-10
3	Orange County Public Works	OCPW	12/02/2013	10-11	10-12
4	Juaneno Band of Mission Indians, Acjachemen Nation	JBMI	12/11/2013	10-13	10-14
5	Airport Land Use Commission	ALUC	12/20/2013	10-15	10-16
	ORGANIZATIONS				
6	Citizens Advocating Rational Development	CARD	12/20/2013	10-19	10-22
	INDIVIDUALS				
7	Richard Crawford	RICR	11/06/2013	10-27	10-28
8	Bill Dunlap	BIDU	12/06/2013	10-30	10-31
9	Mike Harrison	MIHA	12/06/2013	10-32	10-33
10	Kim Josephson	KIJO	12/09/2013	10-34	10-35
11	Gary Lukas	GALU	12/12/2013	10-36	10-38
12	Michael Manclark	MIMA	12/12/2013	10-40	10-41
	ORAL COMMENTS				
13	Planning Commission Meeting	PC	12/9/2013	10-42	10-46

10.2 COMMENTS AND RESPONSES ON THE DRAFT EIR

This section contains the original comment letters, which have been bracketed to isolate the individual comments, each followed by responses to the individual, bracketed comments within that letter. As noted above, and stated in CEQA Guidelines Sections 15088(a) and 15088(b), comments that raise significant environmental issues are provided with responses. Comments that are outside of the scope of CEQA review do not merit a response, but are included within this Final EIR and may be considered by the City of Costa Mesa Planning Commission and City Council prior to taking action on this Final EIR and the proposed project. In some cases, a response may refer the reader to a previous response, if that previous response substantively addressed the same issues. To address the issues that were commonly raised in many of the comment letters, master responses have been prepared below.

10.2.1 Public Agencies

■ California Department of Transportation (CALTRANS), 12/11/2013

Comments

CALTRANS

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 12
3347 MICHELSON DRIVE, SUITE 100
IRVINE, CA 92612-8894
PHONE (949) 724-2000
FAX (949) 724-2019
TTY 711
www.dot.ca.gov

Flex your power!
Be energy efficient!

December 2, 2013

Claire Flynn
City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92628-1200

File: IGR/CEQA
SCH#: 2013081051
Log #: 3372C
SR-55

Subject: 125 East Baker Street Apartment Project

Dear Ms. Flynn,

Thank you for the opportunity to review and comment on the **Draft Environmental Impact Report (DEIR) for the 125 East Baker Street Apartment Project.** The project involves the replacing of the existing office building and surface parking areas with a new apartment building and parking structure. The project consists of a five-story 240-unit residential apartment building that wraps around a six-level parking structure with 465 parking spaces in the structure and four outdoor on-grade parking spaces. The required on-site parking for the proposed development per Code is 541 parking spaces; 469 on-site parking spaces are proposed. The nearest State Highway located near the project site is SR-55. CALTRANS-1

The Department of Transportation (Department) is a responsible agency on this project and we have the following comments:

1. Mitigation Measure 4.9-1 will involve the installation of traffic signals on State owned Right of Way at the intersection of Pullman Street/Baker Street. Please coordinate with the Department to meet requirements for any work within or near State right of way. All entities performing work within the State right of way must obtain an Encroachment Permit prior to commencement of work. A fee may apply. If the cost of work within the State right of way is below $1, 000,000, the Encroachment Permit process will be handled by our Permits Branch; otherwise the permit should be authorized through the office of Project Department's Project Development. Allow 2 to 4 weeks for a complete submittal to be reviewed and for a permit to be issued. When applying for Encroachment Permit, please incorporate Environmental Documentation, SWPPP/ WPCP, Hydraulic Calculations, Traffic Control Plans, Geotechnical Analysis, R/W certification and all relevant design details including design exception approvals. For specific details Encroachment Permits procedure, please refer to the Department's Encroachment Permits Manual. The latest edition is available on the web site: http://www.dot.ca.gov/hq/traffops/developserv/permits CALTRANS-2

"Caltrans improves mobility across California"

Ms. Flynn
December 2, 2013
Page 2

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Miya Edmonson at (949) 724-2228. CALTRANS-3

Sincerely,

Maureen El Harake, Branch Chief
Regional-Community-Transit Planning

C: Scott Morgan, Office of Planning and Research

"Caltrans improves mobility across California"

Responses to CALTRANS

Response CALTRANS-1

This comment restates the project description and provides detail on build-out specifications and location of the project. This comment does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response CALTRANS-2

This comment identifies that the traffic signals that would be installed at the intersection of Pullman Street/Baker Street with implementation of mitigation measure MM4.9-1 would be within the State-owned right-of-way, and that all work would need to be coordinated with Caltrans to meet the requirements for any work within or near the State right-of-way. Additionally, the commenter states that all entities performing work at a State right-of-way must obtain an encroachment permit prior to commencement of work, and provides details of the relevant documentation required to obtain the encroachment permit.

Response CALTRANS-3

This comment provides contact information for further follow-up. This comment does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

■ Native American Heritage Commission (NAHC), 12/19/2013

Comments

NAHC

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
e-mail: ds_nahc@pacbell.net

December 16, 2013

Received
City of Costa Mesa
Development Services Department
DEC 19 2013

Mr. Mel Lee, Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

RE: SCH#2013081051; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **"125 East Baker Street Apartment Project;"** located in the City of Costa Mesa; Orange County, California

Dear Mr. Lee:

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document. This project is also subject to California Government Code Section 65040.2, 65352.3 *et seq.*

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine :If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s), The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR). NAHC-1

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the

proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies" and Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f). NAHC-1 cont.

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

Native American Contacts
Orange County California
December 16, 2013

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano CA 92675
chiefdavidbelardes@yahoo.
(949) 493-4933 - home
(949) 293-8522

Juaneno Band of Mission Indians Acjachemen Nation
Teresa Romero, Chairwoman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address Gabrielino Tongva
,
tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-761-6417- fax

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Juaneno Band of Mission Indians
Adolph 'Bud' Sepulveda, Vice Chairperson
P.O. Box 25828 Juaneno
Santa Ana , CA 92799
bsepul@yahoo.net
714-838-3270
714-914-1812 - CELL
bsepul@yahoo.net

Gabrielino /Tongva Nation
Sandonne Goad, Chairperson
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
sgoad@gabrielino-tongva.com
951-845-0443

Juaneño Band of Mission Indians
Sonia Johnston, Tribal Chairperson
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
sonia.johnston@sbcglobal.
714-323-8312
714-998-0721

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

his list s only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2013081051; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the 125 East Baker Street Apartments Project; located in the City of Costa Mesa; Orange County, California.

Native American Contacts
Orange County California
December 16, 2013

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando Juaneno
San Clemente CA 92672
rebrobles1@gmail.com
(949) 573-3138

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina , CA 91723
gabrielenoindians@yahoo.
(626) 926-4131

Gabrielino-Tongva Tribe
Bernie Acuna, Co-Chairperson
P.O. Box 180 Gabrielino
Bonsall , CA 92003
(619) 294-6660-work
(310) 428-5690 - cell
(760) 636-0854- FAX
bacuna1@gabrielinotribe.org

Gabrielino-Tongva Tribe
Conrad Acuna,
P.O. Box 180 Gabrielino
Bonsall , CA 92003

760-636-0854 - FAX

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry, Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine , CA 92612
kaamalam@gmail.com
949-293-8522

Gabrielino /Tongva Nation
Sam Dunlap, Cultural Resorces Director
P.O. Box 86906 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net
909-262-9351

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
P.O. Box 180 Gabrielino
Bonsall , CA 92003
palmsprings9@yahoo.com
626-676-1184- cell
(760) 636-0854 - FAX

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Responses to NAHC

Response NAHC-1

This letter summarizes the responsibilities of the Native American Heritage Commission (NAHC) and its request for consultation with Native American tribes as appropriate. Based on the results of a cultural resources survey,[1] included as Appendix B to the Initial Study for the proposed project, there are no known archaeological resources located on the project site. Additionally, as identified in the Initial Study, the project will implement the City's standard condition requiring the cessation of construction activities in the unanticipated event that archeological materials are encountered during construction activities. Throughout the EIR process the NAHC was advised and copied on all documents. No further response is required.

[1] Atkins, *California Historical Resources Information System (CHRIS) Records Search, Native American Heritage Commission (NAHC) Sacred Lands File (SLF) Database Search, and Information-Scoping Results for the Baker Street Apartments Project, City of Costa Mesa, Orange County, California* (June 30, 2013).

■ Orange County Public Works (OCPW), 12/11/2013

Comments

OCPW

OC PublicWorks
Integrity, Accountability, Service, Trust

Shane L. Silsby, P.E., Director
300 N. Flower Street
Santa Ana, CA 92703

P.O. Box 4048
Santa Ana, CA 92702-4048

Telephone: (714) 667-8800
Fax: (714) 967-0896

NCL 13-042

November 19, 2013

Ms. Mel Lee, AICP, Senior Planner
City of Costa Mesa
Planning Division/Development Services Department
77 Fair Drive
Costa Mesa, California 92628

SUBJECT: Second Notice of Availability of a Draft Environmental Impact Report for 125 East Baker Street Apartment Project

Dear Ms. Lee:

The County of Orange has reviewed the Second Notice of Availability of a Draft Environmental Impact Report for 124 East Baker Apartment Project located in City of Costa Mesa and has no comments at this time. We would like to be advised of any further developments on the project. Please continue to keep us on the distribution list for future notifications related to this project. OCPW-1

Sincerely,

Polin Modanlou, Manager
Strategic Land Planning Division
OC Public Works/OC Planning Services
300 North Flower Street
Santa Ana, California 92702-4048
Polin.modanlou@ocpw.ocgov.com

Received
City of Costa Mesa
Development Services Department
NOV 21 2013

PM/yj

Responses to OCPW

Response OCPW-1

This comment states the County of Orange Public Works Department has reviewed the Draft EIR for the proposed project and has no comments at this time. No further response is necessary.

■ Juaneño Band of Mission Indians (JBMI), 12/11/2013

Comments

JMBI

Juaneño Band of Mission Indians
Acjachemen Nation
Tribal Council
Teresa M. Romero - Chairwoman
Kim Olivares Leone-Secretary/Treasurer
Heidi Harper Price - Member at Large / Eurlac Ann "Cookie" Stuffel - Member at Large

November 23, 2013

Mel Lee
AICP, Senior Planner
City of Costa Mesa, Planning Division/Development Services Department

Re: Proposed 125 East Baker Street Apartment EIR Project

Thank you for the opportunity to comment on125 East Baker Street Apartment EIR regarding Draft Environmental Impact Report.

We are concerned that the Project area is culturally sensitive. Site evaluations and mitigation measures should take into consideration the impacts upon and/or destruction of archaeological sites, Native American traditional cultural sites, and traditional cultural landscapes with associated traditional Native American values. **JMBI-1**

State and Federal guidelines, including California Environmental Quality Act (CEQA) Guidelines, provide that with respect to archaeological sites, preservation through avoidance is the preferred treatment. Archaeology is a destructive process and mitigation through data recovery excavations not only result in the destruction of an important part of our cultural patrimony, but it is also labor intensive and expensive. Most importantly, site evaluations and mitigation measures do not take into consideration the destruction of Native American traditional cultural sites and landscapes. The discovery of archaeological sites only in the planning process allows archaeological sites to be preserved through avoidance and incorporation into open space areas. **JMBI-2**

We request that you continue to keep us informed about the Project. We look forward to the results of archaeological and cultural investigations and to further participation in the environmental review process. To that end, we reserve our right to comment further in the future. **JMBI-3**

Sincerely,

Richard C. Vaughn
Director of Cultural Resources

Received
City of Costa Mesa
Development Services Department
DEC 0 2 2013

[illegible] Street [illegible] CA 92675-2673 Phone [illegible] Fax [illegible]
www.juaneno.com

Responses to JBMI

Response JBMI-1

The comment expresses concern that the project area is culturally sensitive. The comment states that site elevations and mitigation measures should take into consideration the impacts of the proposed project on potential archeological sites. Based on the results of a cultural resources survey,[2] included as Appendix B to the Initial Study for the proposed project, there are no known archaeological resources located on the project site. Additionally, as identified in the Initial Study, the project will implement the City's standard condition requiring the cessation of construction activities in the unanticipated event that archeological materials are encountered during construction activities.

Response JBMI-2

This comment restates the CEQA guidelines referring to archeological sites. Refer to Response JBMI-1. No further response is necessary.

Response JBMI-3

This comment expresses the commenter's request to be informed regarding the project and states interest in further participation of the environmental review process. No further response is necessary.

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[2] Atkins, *California Historical Resources Information System (CHRIS) Records Search, Native American Heritage Commission (NAHC) Sacred Lands File (SLF) Database Search, and Information-Scoping Results for the Baker Street Apartments Project, City of Costa Mesa, Orange County, California* (June 30, 2013).

■ Airport Land Use Commission (ALUC), 12/20/2013

Comments

ALUC
AIRPORT LAND USE COMMISSION
FOR ORANGE COUNTY
3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.5178

December 20, 2013

Mel Lee, AICP, Senior Planner
City of Costa Mesa/Development Services Department
77 Fair Drive
Costa Mesa, CA 92628

Subject: DEIR for 125 East Baker Street Apartment Project

Dear Mr. Lee:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the 125 East Baker Street Apartment Project in the context of the Airport Land Use Commission's *Airport Environs Land Use Plan for John Wayne Airport (JWA AELUP)* and the *AELUP for Heliports*. The proposed project includes replacing an existing office building and surface parking areas with an apartment building and parking structure. The project will consist of a five-story 240 unit residential apartment building (63 feet overall height) that wraps around a six-story parking structure (57 feet overall height) with 465 parking spaces in the structure and four outdoor on-grade parking spaces. ALUC-1

In addition to the NOP comments we submitted to the city on September 16, 2013 we would also recommend that the DEIR discuss the project's location within Safety Zone 6 for the short General Aviation runway. Zone 6 does allow for residential uses, and although there is a low likelihood of accident occurrence at most airports within this zone; risk concern primarily is with uses for which potential consequences are severe, primarily uses with high intensity. ALUC-2

Because of the project's proximity to a noise impacted area, any prospective resident should be notified of the presence of aircraft overflight. We recommend that the DEIR include a mitigation measure stating that any residential development in the JWA airport influence area would be notified of potential aircraft overflight as follows:

"NOTICE OF AIRPORT IN VICINITY:

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you." ALUC-3

ALUC DEIR Comments 125 E. Baker
12.20.13
Page 2

In addition, the Draft EIR should identify if the project will be impacted by helicopter overflight due to the close proximity of helicopter arrival and departure operations at JWA and if the project allows for heliports as defined in the Orange County *AELUP for Heliports*. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports must be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics. ALUC-4

As was noted in your initial study, because this project falls within the *JWA AELUP* planning areas and requires a General Plan Amendment, it is recommended that the project be referred to the Airport Land Use Commission (ALUC) for a Consistency determination with the *JWA AELUP*. In this regard, the Commission suggests such referrals be submitted to the ALUC for a determination between the Local Agency's expected Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendizing. ALUC-5

Thank you again for the opportunity to comment on the DEIR. Please contact Lea Choum at (949) 252-5123 or via email at lchoum@ocair.com should you have any questions related to the future referral of your project.

Sincerely,

Kari A. Rigoni
Executive Officer

Responses to ALUC

Response ALUC-1

This comment provides introductory language and summarizes the proposed project's description. No further response is necessary.

Response ALUC-2

This comment recommends that the Draft EIR discuss the project's location within Safety Zone 6 for the short General Aviation runway. In response to this comment, the following text has been added to Draft EIR page 4.5-3 of the Draft EIR:

> The project site is within the John Wayne Airport Safety Zone 6 (Traffic Pattern Zone). Safety Zone 6 designates risk factors and runway proximities as generally having a low likelihood of accident occurrence at most airports. This zone also includes all other portions of regular traffic patterns and pattern entry routes. Zone 6 Safety Designations allow for residential uses and allow most nonresidential uses. Prohibited uses in Safety Zone 6 include outdoor stadiums, and similar uses with

very high intensities, as well as children's schools, large day care facilities, hospitals, and nursing homes.

Response ALUC-3

This comment recommends that mitigation be incorporated notify any prospective resident to the potential of annoyances due to aircraft over flight and proximity to airport operations. In response to this comment, Draft EIR p. 4.5-8 was amended to reflect this proposed mitigation measure and to follow the recommendations made by the ALUC as follows:

> The proposed project would not exceed 200 feet in height; however the proposed project is located approximately 4,300 feet from runways at John Wayne Airport and would therefore be required to submit Form 7460-1 if implementation of the proposed project results in the construction of buildings that exceed 43 feet in height.
>
> The project site is within the John Wayne Airport Safety Zone 6 (Traffic Pattern Zone), and as such would be subject to potential aircraft over flight. While the proposed project is outside of the 60 dBA CNEL noise contour, residential users may be subjected to annoyances associated with airport operations. In order to ensure that future occupants of the proposed project are notified of the presence of aircraft over flight, the following mitigation measure shall be implemented.
>
> ***MM4.5-1*** *The applicant for the proposed project shall provide a written statement to each residential unit and resident, notifying them of potential annoyances associated with aircraft overflight and proximity to airport operations, including the following, with final form and content to be reviewed and approved by the Economic and Development Services Director and City Attorney:*
>
> > *"NOTICE OF AIRPORT IN VICINITY:*
> >
> > *This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances, if any, are associated with the property before your purchase and determine whether they are acceptable to you.*
> >
> > *POSTING OF NOTICE OF DISCLOSURE IN EACH RESIDENTIAL UNIT*
> >
> > *Prior to offering the first residential unit for purchase, lease, or rent, the property owner or developer shall post a copy of the Notice of Disclosure in every unit in a conspicuous location. Also, a copy of the Notice of Disclosure shall be included in all materials distributed for the project, including but not limited to: the prospectus, informational literature, and residential lease and rental agreements."*
>
> Implementation of mitigation measure MM4.5-1 would ensure that the residential occupants of the proposed project would be notified to the presence of any annoyances associated with airport operations. Overall, the City's land use policies generally encourage projects that provide a mix of uses, are compatible and harmonious with surrounding development, and offer pedestrian amenities that enhance the image and quality of life and the environment.

Response ALUC-4

This comment provides additional recommendation for the Draft EIR to identify if the project will be impacted by helicopter over flight due to the close proximity of helicopter arrival and departure operations at JWA and if the project allows for heliports as defined in the Orange County AELUP for Heliports. The proposed project does not include the development of a heliport as described in Section 3.3 (Project Characteristics), Draft EIR p. 3-7, which provides a detailed plan for the residential

apartment building. Further, as described in Section 4.6 (Noise), Draft EIR p. 4.6-7, the existing heliport operations were determined to not generate substantial noise within the City. Therefore, no further response is necessary.

Response ALUC-5

This comment requests that the project be referred to the ALUC for a consistency analysis determination with the JWA AELUP. Further instruction for follow-up on this matter is provided by the commenter. No further response is necessary at this time.

10.2.2 Organizations

■ Citizens Advocating Rational Development (CARD), 12/20/2013

Comments

CARD

Mel Lee
City of Costa Mesa
(714) 754-5245
77 Fair Drive
Costa Mesa, CA 92628-1200

Re: **125 East Baker Street Apartment Project**

SCH #: 2013081051

Dear Mr. Lee,

The undersigned represents Citizens Advocating Rational Development ("CARD"), a non-profit corporation dedicated to issues in development and growth.

This letter contains comments on the Draft Environmental Impact Report on the 125 East Baker Street Apartment Project, in accordance with CEQA and the Notice of Completion and Availability. Please ensure that these comments are made a part of the public record. CARD-1

ENERGY

The DEIR does not discuss any requirements that the Project adopt energy saving techniques and fixtures, nor is there any discussion of potential solar energy facilities which could be located on the roofs of the Project. Under current building standards and codes which all jurisdictions have been advised to adopt, discussions of these energy uses are critical; the construction of a five-story 240 unit residential apartment building (63 feet overall height) that wraps around a six-story parking structure (57 feet overall height) with 465 parking spaces in the structure and 4 outdoor on-grade parking spaces, will devour copious quantities of electrical energy, as well as other forms of energy. CARD-2

WATER SUPPLY

The EIR (or DEIR – the terms are used interchangeably herein) does not adequately address the issue of water supply, which in California, is a historical environmental problem of major proportions.

What the DEIR fails to do is:

1. Document wholesale water supplies;

2. Document Project demand;

3. Determine reasonably foreseeable development scenarios, both near-term and long-term;

4. Determine the water demands necessary to serve both near-term and long-term development and project build-out.

5. Identify likely near-term and long-term water supply sources and, if necessary, alternative sources;

7. Identify the likely yields of future water from the identified sources;

8. Determine cumulative demands on the water supply system;

9. Compare both near-term and long-term demand to near-term and long-term supply options, to determine water supply sufficiency;

10. Identify the environmental impacts of developing future sources of water; and

11. Identify mitigation measures for any significant environmental impacts of developing future water supplies.

12. Discuss the effect of global warming on water supplies.

There is virtually no information in the DEIR which permits the reader to draw reasonable conclusions regarding the impact of the Project on water supply, either existing or in the future.

For the foregoing reasons, this EIR is fatally flawed.

CARD-3

CARD-4

AIR QUALITY/GREENHOUSE EMISSIONS/CLIMATE CHANGE

The EIR lacks sufficient data to either establish the extent of the problem which local emissions contribute to deteriorating air quality, greenhouse emissions or the closely related problem of global warming and climate change, despite the fact that these issues are at the forefront of scientific review

CARD-5

due to the catastrophic effects they will have on human life, agriculture, industry, sea level risings, and the many other serious consequences of global warming.

This portion of the EIR fails for the following reasons: CARD-5 Cont.

1. The DEIR does not provide any support or evidence that the Guidelines utilized in the analysis are in fact supported by substantial evidence. References to the work of others is inadequate unless the document explains in sufficient detail the manner and methodology utilized by others.

2. Climate change is known to affect rainfall and snow pack, which in turn can have substantial effects on river flows and ground water recharge. The impact thereof on the project's projected source of water is not discussed in an acceptable manner. Instead of giving greenhouse emissions and global warming issues the short shrift that it does, the EIR needs to include a comprehensive discussion of possible impacts of the emissions from this project. CARD-6

3. Climate change is known to affect the frequency and or severity of air quality problems, which is not discussed adequately. CARD-7

4. The cumulative effect of this project taken with other projects in the same geographical area on water supply, air quality and climate change is virtually missing from the document and the EIR is totally deficient in this regard. CARD-8

For the foregoing reasons, the EIR is fatally flawed.

ALTERNATIVE ANALYSIS

The alternative analysis fails in that the entire alternatives-to-the-project section provides no discussion of the effects of the project, or the absence of the project, on surrounding land uses, and the likely increase in development that will accompany the completion of the project, nor does it discuss the deleterious effects of failing to update the project upon those same surrounding properties and the land uses which may or have occurred thereon. CARD-9

Thank you for the opportunity to address these factors as they pertain to the referenced DEIR. CARD-10

Very truly yours,

CITIZENS ADVOCATING RATIONAL DEVELOPMENT

NICK R. Green

President

Responses to CARD

Response CARD-1

This comment contains introductory information and is not a direct comment on the adequacy of the Draft EIR. No further response is necessary.

Response CARD-2

This comment describes the commenter's opinion on the environmental analysis on energy savings and the lack of discussion regarding potential solar energy facilities within the Draft EIR. Section 4.10 (Utilities/Service Systems) analyzes the impacts associated with the current energy demand and with the implementation of the proposed project. As stated on Draft EIR p. 24 under Impact 4.10-8, the proposed project would be required to comply with the energy conservation measures contained in Title 24, which would reduce the amount of energy needed for the operation of the building. As Title 24 identifies Building Energy Efficiency Standards applicable to all new construction, the proposed project would be designed to conserve energy with regards to heating, cooling, ventilation water heating and lighting.

Additionally, the City of Costa Mesa adheres to the current 2013 California Building Code, including Chapter 1, Division II; the California Green Building Standards Code which requires the energy efficiency of the proposed project to be 15 percent above the Title 24 requirements. Some of the following design features that would potentially be incorporated into the proposed project to reduce energy consumption would be:

- The installation of radiant roof barriers
- The requirement that all-gas fired space heating equipment have an annual fuel utilization ratio of 0.90 or higher
- The requirement that all cooling equipment have a seasonal energy efficiency ratio (SEER) higher than 13.0 and an energy efficiency rating (EER) of at least 11.5
- The requirement that all gas-fired water heaters have an energy factor of 0.60 or higher
- The provision of roof space to allow for the future installation of future solar panel or photovoltaic panels
- The provision of electrical conduits for future access to solar systems
- The provision of natural light and ventilation

As the proposed project would include a variety of energy conservation features through the 2013 California Building Code (CALGreen), no revisions to the Draft EIR are required in response to this comment.

Response CARD-3

This comment claims that the Draft EIR fails to document wholesale water supply, project water demand, and cumulative demand, as well as water sources.

However, as stated on Draft EIR p. 4.10-2 of Section 4.10 (Utilities/Service Systems), the City of Costa Mesa is served by two water supply agencies: Mesa Consolidated Water District (Mesa Water) and Irvine Ranch Water District (IRWD). Section 4.10 also indicates that Mesa Water is able to meet full service demands of its member agencies with existing supplies from 2015 through 2035 during normal years, single dry year, and multiple dry years. Additionally, the potential impact on existing water facilities is detailed on Draft EIR p. 4.10-7, Impact 4.10-1 and states the proposed project would result in an increase of less than 1 percent (0.003 percent) to Mesa Water's overall demand as detailed in Mesa Water's 2010 Urban Water Management Plan (UWMP). Specifically, the proposed project's 240 residential units would result in approximately 48,000 gallons per day (gpd), or 53.8 acre-feet per year (AFY) and the proposed increase in water demand from redevelopment of the site is not expected to require new or expanded entitlements.

The Draft EIR does provide an analysis of projected normal water supply and demand in normal years (Table 4.10-1) and projected single-dry-year water supply and demand (Table 4.10-2) for the future years of 2015 through 2035 as near- and long-term scenarios for water supply demand and has sufficient sources of water to meet projected needs through the year 2035 during normal, dry, and multiple-dry years. As mentioned above, the project's 240 residential units would result in approximately 48,000 gpd, or 53.8 AFY.

Water sources for the proposed project are described on Draft EIR p. 4.10-3 of the "Water Sources" subsection and states that "water is imported into Orange County via two extensive systems of aqueducts operated by MWD. At present, the primary source of supply is the Colorado River Aqueduct system. In addition, Mesa Water owns and operates nine groundwater production wells. Seven of these wells are currently in operation and have a total design capacity of approximately 14,000 gallons per minute (gpm).

Cumulative analysis within the Draft EIR, Section 4.10.4 (Cumulative Analysis), indicates that development of cumulative projects within the City of Costa Mesa would demand additional quantities of water, depending on net increases in population, square footage, and intensity of uses. However, the proposed increase in water demand from redevelopment of the site is not expected to require new or expanded entitlements. As previously stated, the Mesa Water UWMP shows that Metropolitan is able to meet full service demands of its member agencies with existing supplies from 2015 through 2035 during normal years, single dry year, and multiple dry years.

Response CARD-4

The commenter mentions that the Draft EIR fails to compare both near-term and long-term demand to near-term and long-term supply options, to determine water supply sufficiency. As mentioned in Response CARD-3, the Draft EIR does provide an analysis of projected normal water supply and demand in normal years (Table 4.10-1) and projected single-dry-year water supply and demand (Table 4.10-2) for the future years of 2015 through 2035 as near- and long-term scenarios for water supply demand, and therefore, addresses water supply sufficiency.

The commenter claims that the Draft EIR fails to identify the environmental impacts of developing future sources of water. As mentioned in Response CARD-3, the potential impact on existing water facilities is explained on Draft EIR p. 4.10-7, Impact 4.10-1 discussion, and states the proposed project would result in an increase of less than 1 percent (0.003 percent) to Mesa Water's overall demand. No

additional sources of water were identified as being necessary to serve the proposed project, and thus no impact analysis of developing such sources was conducted.

The commenter claims the Draft EIR's lack of identification for mitigation measures for "any significant environmental impacts of developing future water supplies." No significant impacts relating to water supply were found, and therefore, no mitigation measures were necessary.

The commenter claims that the Draft EIR is required to discuss the effect of global warming on water supplies. The potential effects of global warming are discussed in Section 4.3 (Greenhouse Gas Emissions) on Draft EIR pp. 4.3-1 through 4.3-3. The commenter restates the opinion that the Draft EIR fails to permit the reader to draw reasonable conclusions, however any or all of the commenter's concerns are addressed within the Draft EIR and this comment describes the personal opinion and views of that of commenter. As discussed previously in the responses to comments above, the Draft EIR provides sufficient information on the adequacy of the City's water supplies in relation to the increase in demand from this Project. The City has sufficient water supplies to serve the proposed project and no significant impacts will result from the approval of the proposed project.

Response CARD-5

The commenter claims that the Draft EIR lacks sufficient data to either establish the extent of the problem which local emissions contribute to a variety of different areas. However, the potential effects of global warming are discussed in Section 4.3 (Greenhouse Gas Emissions) on Draft EIR pp. 4.3-1 through 4.3-3.

The commenter also claims the Draft EIR fails to provide sufficient data that establishes impacts that local emissions contribute to air quality, greenhouse gases and climate change. Specifically, the commenter states the Draft EIR does not provide evidence for the Guidelines utilized in the analysis are in fact supported by substantial evidence. However, the Draft EIR utilizes a variety of sources to sufficiently analyze the impacts of the proposed project within that of established CEQA Guidelines. As stated on Draft EIR p. 4.3-13, the 2013 CEQA Guidelines do not establish a threshold of significance for GHG impacts; instead, lead agencies have the discretion to establish significance thresholds for their respective jurisdictions. Contrary to the assertion in the comment, the EIR does not merely reference the work of others, but in fact undertakes a thorough quantitative analysis of the proposed project based on established methodologies approved by the overseeing agency, in this case the SCAQMD.

The SCAQMD has proposed screening level thresholds for projects such that projects that fall below 3,000 MT CO_2e annually are considered to comply with the GHG emission reduction strategy as mandated by AB 32. The analytic method described on Draft EIR p. 4.3-15 mentions that the proposed project would result in a net total of 1,885.78 MT CO_2e per year. Therefore, implementation of the proposed project would not result in GHG emissions above the 3,000 MT CO_2e per year screening level threshold established by the South Coast Air Quality Management District SCAQMD). This impact is considered less than significant, and no mitigation is required.

Response CARD-6

The commenter claims that the Draft EIR does not include a comprehensive discussion regarding the impact climate change has on rainfall and snowpack, and gives the opinion that such resulting impacts are not discussed in an acceptable manner. However, contrary to the claims of the commenter, the Draft EIR fully evaluates the impacts of the proposed project on water supply, air quality, and greenhouse gas emissions in Draft EIR Section 4.2 (Air Quality), Section 4.3 (Greenhouse Gas Emissions), and Section 4.10.While the emissions are clearly identified and the resulting effects of global GHG emissions are discussed in Section 4.3, the incremental effect of the project's emissions on macro-level processes such as rainfall and snow pack dynamics cannot be quantified. Attempting to draw a direct link between the project's GHG emissions and changes in climate would be speculative at best.

Response CARD-7

The commenter claims that climate change may potentially affect the frequency and or severity of air quality problems and that such an impact is not discussed adequately. The comment is not clear and provides no supporting data, references, or sources to explain what specific problems are of concern, or why the analysis provided in the Draft EIR is inadequate. Further, the comment does not explain what would constitute adequacy. The EIR discusses numerous effects of climate change on the environment and discusses the potential increased risk of large wildfires, the rise in sea levels, a reduction in the quality and quantity of certain agricultural products, and the exacerbation of air quality problems, along with other potential effects. Carbon dioxide, which is the primary source of GHGs, is identified in Table 4.2-5, Draft EIR p. 4.2-21, as a cause of increased occurrence of cardiovascular and respiratory diseases and other chronic conditions. Air quality impacts are thoroughly analyzed in Draft EIR Section 4.2, and air quality impacts from the occupancy and use of the project were determined to be less than significant with the implementation of mitigation.

Response CARD-8

The commenter expresses concern that the Draft EIR is missing analysis accounting for the cumulative effect of the proposed project in regards to other projects in the same geographical area on air quality, climate change and water supply. This claim is untrue, as the Draft EIR considers cumulative impacts and such impacts are specifically taken into consideration for each respective impact section of the Draft EIR. Cumulative impacts related to air quality are analyzed beginning on Draft EIR p. 4.2-26. Global climate change emissions are inherently cumulative; therefore, the project impacts would be identical to the cumulative impacts. Cumulative impact analysis relating to water supply is provided on Draft EIR p. 4.10-8. No additional cumulative analysis is required. No further response is necessary in regards to this comment.

Response CARD-9

The commenter continues to express that the Draft EIR fails to discuss the effects of the project, or the absence of the project, on surrounding land uses, and the likely increase in development that will accompany the completion of the project. The commenter also mentions that the Draft EIR fails to discuss "deleterious effects of failing to update the project upon those same surrounding properties and the land uses which may or have occurred thereon." The Draft EIR specifically takes into consideration

the potential effects of alternative projects throughout the respective analysis sections of the Draft EIR and furthermore continues to analyze the impacts of considered alternatives to the proposed project within Chapter 6 (Alternatives to the Proposed Project). The potential impacts of the alternatives to the proposed project are looked at length in this particular and start on Draft EIR p. 6-4.

10.2.3 Individuals

■ Richard Crawford (RICR), 11/06/2013

Comments

RICR

Crawford
CUSTOM HOMES

Received
City of Costa Mesa
Development Services Department
NOV 06 2013

November 4, 2013

City of Costa Mesa
Honorable Mayor Jim Righeimer,
Honorable Mayor Pro Tem Stephen Mensinger
Honorable City Council Members
Planning Commissioners and City Planning Staff
77 Fair Drive,
Costa Mesa, CA 92626

As a business owner in the City of Costa Mesa, I am writing with some very pertinent concerns about the potential development of Apartment housing in the industrial/manufacturing/office area bounded on the corner of Baker and Pullman off the 55 Freeway at 125 Baker Street.

I have been in my office/warehouse location doing business just a block away from this proposed project for 28 years and have seen much of the business development and re-development happen in this area. The impact on businesses, parking, traffic and upkeep of the streets surrounding this area with the change in use of industrial to a mix of industrial and office has been tremendous. Much of the change has been for the betterment for both business and the City of Costa Mesa. RICR-1

Now there is a request to include a "Class A" apartment of high density with a zoning change for this area. As a builder and experienced development individual, I feel this is a misplaced improvement, against reasonable land planning and zoning requirements and should be rejected in no uncertain terms for the following reasons: RICR-2

1. This is NOT a residential area. The project will have no supportive infrastructure adjoining the property. There is no market, laundry, fast or fine dining, no coffee house, no park, no sidewalks, no playground, nothing that a "Class A" apartment would need to support success. RICR-3
2. There is significant current traffic impact already and this development would add to the congestion. At peak traffic times getting on and off the 55/405 freeways and 73 toll road is a nightmare. The transition road and off-ramp from the 55 and 73 at various times of the day – especially during the morning work commute and at evening rush hour takes multiple lights to get through. The Baker street overpass with 2 existing lights bunches traffic up as it comes from Redhill/Bristol/and all of the adjoining streets. Adding another signal to dump more cars onto Baker with nowhere to go??? Really this is not going to be satisfactory at all. RICR-4
3. The parking must be totally contained for ALL residents on the property site because there is NO available street parking during the work day and there is also impact at night with the church events in the evening. RICR-5

245 Fischer Avenue, Suite B-1, Costa Mesa, California 92626 714.545.0904 CrawfordCustomHomes.com

4. The definition of "Class A" apartments means a highly detailed and attractive product in well located area. This is an industrial park area! The person looking to rent a high end (high rent) apartment will seek a location that is much more attractive. It is hard to compete with other desirable locations both in and out of the City. If the City wants to attract more renters it should take the lead to locate "Class A" and other levels of higher density residential in a more logical and good planning manner. Exceptions to the general plan should be very well thought out and look to transition the City from a current use to a use with a future vision for redevelopment. That is not the case at 125 Baker Street. Perhaps if this project was located adjoining the Camp and Lab properties or other planning area that the City of Costa Mesa could identify? RICR-6

Please take very carefully review these concerns and perhaps find a way to guide development to a better suited area of the City. RICR-7

I appreciate your hard work for the citizens and business owners of Costa Mesa,

Respectfully,

Richard F Crawford
President

Crawford Custom Homes

Responses to RICR

Response RICR-1

This comment contains introductory and anecdotal language, and does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response RICR-2

This comment expresses concern over including "Class A" apartments within the proposed project area. This comment pertains to the proposed 125 E. Baker Street Project itself and does not address the adequacy or accuracy of information presented in the Draft EIR. No further response is necessary.

Response RICR-3

This comment claims that the proposed 125 E. Baker Street Project is misplaced due to the existing location not being a residential area and has no surrounding amenities to support the project's economic success. This comment does not pertain to the adequacy or accuracy of the information presented in the Draft EIR. No further response is necessary.

Response RICR-4

This comment claims that the proposed 125 E. Baker Street Project is misplaced due to potentially significant traffic impacts. The comment provides anecdotal evidence relating to traffic during peak hours from getting on and off the SR-55/I-405 freeway and SR-73 toll road. The Draft EIR does provide a detailed analysis of existing and proposed traffic conditions regarding the proposed project in Section 4.9 (Transportation/Traffic), including the projects effects at the Baker Street and SR-55 northbound and southbound on/off-ramps. As shown in Table 4.9-7 (Year 2016 Peak Hour Intersection

LOS Analysis), and Table 4.9-8 (General Plan Buildout Peak Hour Intersection LOS Analysis), the proposed project would not result in a decrease in level of service at the Baker Street and SR-55 on/off-ramps. While the project's impact to the Red Hill Avenue/Baker Street intersection under the General Plan Buildout scenario was considered a potentially significant impact, with implementation of mitigation measures MM4.9-1, MM4.9-2, and MM4.9-3, this impact would be reduced to less than significant, as shown in Table 4.9-10 (Traffic LOS with Implementation of Mitigation) Draft EIR p. 4.9-17. Therefore, contrary to the commenter's claims, the proposed project would not result in significant traffic impacts.

Response RICR-5

This comment represents the commenter's opinion regarding parking on the property site and that the lack available street parking may be problematic to the proposed development with the neighboring church events in the evening. The Draft EIR evaluated whether the proposed project would result in inadequate parking capacity on Draft EIR pp. 4.9-20 and 4.9-21. The Draft EIR determined that the provision of 452 spaces for the 240 residential units would be more than adequate and parking impacts would be less than significant.

Response RICR-6

This comment expresses concern over including "Class A" apartments within the proposed project area. This comment pertains to the proposed 125 E. Baker Street Project itself and does not address the adequacy or accuracy of information presented in the Draft EIR. No further response is necessary.

Response RICR-7

This comment states the commenter's request for his written concerns to be carefully reviewed and that those comments might help the project be guided to a better suited area of the city. This comment does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

■ Bill Dunlap (BIDU), 12/06/2013

Comments

BIDU

SLATER

December 3, 2013

City of Costa Mesa
Honorable Mayor Jim Righeimer
Honorable Mayor Pro Tem Stephen Mensinger
Honorable City Council Members
Planning Commissioners and City Planning Staff
77 Fair Drive
Costa Mesa, CA 92626

Subject: Baker Street Apartments- Red Oak Development

As President and Partner of Slater Builders Inc. located at 3100 Pullman Street, I feel it pertinent that I write to you regarding the above referenced development proposal. In the almost 20 years that our company has been located in the Redhill area we have seen the slow progression of new office conversion from the original light manufacturing that existed in the '60s and '70s. This transition has trended along with other areas of Costa Mesa i.e. the Westside area of 17th Street and Placentia. Our current building at 3100 Pullman was once light manufacturing and we converted it for Trico Realty to an office use. Along with this change has come the off business hour use of buildings for religious purposes. There are five religious organizations now occupying buildings in the Redhill zone. BIDU-1

The Red Oak proposal for upscale housing apartments will be a compatible fit for the area as it will compliment the existing office and religious uses. One does not have to venture far to find live/work uses in numerous parts of Orange County. The proposed project is on an isolated piece of property which is well suited for residential use. There are ample support services in the immediate neighborhood on Bristol and Baker as well as at Bristol and Redhill. Our Company has looked with numerous developers at adjacent properties for retail use which would support a residential project. The current office building is very out dated and not desirable in the current market as an office complex. The conversion of the use to residential would have a definite tax increase for the city and be a significant benefit to the Redhill area. BIDU-2

I fully support the change in use and the proposed development by Red Oak Investments.

Sincerely,

Bill Dunlap
President

Received
City of Costa Mesa
Development Services Department
DEC 0 6 2013

SLATER BUILDERS INC.

3100-B Pullman Street, Costa Mesa, CA 92626 Tel: (714) 434-4887 Fax: (714) 434-6173 www.slaterbuilders.com License #675832

Responses to BIDU

Response BIDU-1

This comment contains introductory and anecdotal language and does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response BIDU-2

This comment states the commenter's approval of the proposed project as it will be "a compatible fit for the area as it will complement the existing and religious uses and states the proposed project is well suited for residential use due to it being an isolated piece of property. The commenter also provides the opinion that states there are ample support services in the project vicinity, with the addition of having personal experience of communicating with numerous retail developers. It should be noted the commenter "fully support(s) the change in the proposed development by Red Oak Investments." No further response is necessary.

■ Mike Harrison (MIHA), 12/06/2013

Comments

MIHA

TRICO
REALTY INC.

December 6, 2013

Mel Lee
City of Costa Mesa, Planning Division
77 Fair Drive
Costa Mesa, CA 92628

RE: 125 East Baker Street Apartments

Dear Mr. Lee,

Trico Realty, Inc. is in favor of the proposed High Density Residential Development at 125 East Baker Street Costa Mesa, CA 92626. We agree with the City of Costa Mesa's Environmental Impact Report stating that the proposed project will not have significant impacts on visual character, construction, or other aspects relating to the enjoyment of the immediate vicinity of the proposed project as a working environment. MIHA-1

With this being said, a traffic study has indicated that the proposed project will have a very significant impact on congestion on Pullman Street near and at its intersection with Baker Street. Trico Realty strongly endorses the installation of traffic signals at the intersection of Pullman and Baker. We believe that if the city intends to approve a high density residential project at an already congested intersection, it has an indisputable obligation to mitigate current and future congestion. MIHA-2

Sincerely,

Mike Harrison
Vice President and CFO

Alex Remo
Property Manager

Brokerage / Development / Management
3100-A Pullman Street, Costa Mesa, CA 92626 (714) 751-4420 Fax (714) 540-4579
www.tricorealty.com *DRE I.D. 00342120*

T:\Alex\131206_125 E Baker EIR Comments.docx

Responses to MIHA

Response MIHA-1

This comment contains introductory and anecdotal language and does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response MIHA-2

The commenter states support for the installation of traffic signals at the intersection of Pullman and Baker and gives support of the mitigation measures outlined in Section 4.9 (Transportation/Traffic). As identified in Table 4.9-10 (Traffic LOS with Implementation of Mitigation), with implementation of mitigation measures MM4.9-1, MM4.9-2, and MM4.9-3, traffic impacts at the Pullman Street/Baker Street intersection would be reduced to less than significant. Further, the project applicant would be responsible for the implementation of the identified mitigation measures. No further response is necessary.

■ Kim Josephson (KIJO), 12/09/2013

Comments

Real Tech

KIJO

December 9, 2013

Honorable Mayor James Righeimer
Honorable Mayor Pro Tem Stephen Mensinger
Honorable City Council Members
Planning Commissioners and City Planning Staff
CITY OF COSTA MESA
77 Fair Drive
Costa Mesa CA 92626

Sent via USPS

Re: Potential Multi Family Rezone – SEC Baker Street/ Newport (55) Freeway

To Whom It May Concern:

My firm recently purchased and completely remodeled our building at 3199 E Airport Loop Drive; we relocated our office from Dove Street in Newport Beach. Our new building, previously consisting of warehouse and storefront, is now predominantly office. We believe that we have upgraded our offices significantly and have added value for our neighbors in Costa Mesa. The recent repaving of Redhill was another well needed improvement to the west-side of John Wayne Airport. KIJO-1

It has come to our attention that the 125 Baker Street building desires a rezone to multi-family residential units instead of office space. My firm and I applaud the concept and fully support the rezone. The current office building is functionally obsolete; in order to bring the building to current office leasing standards, the building would need to be demolished; current economics will not allow that, so the building will attract low, or no, rent paying tenants and will slowly depreciate into a bigger eyesore. KIJO-2

Irvine has integrated residential into the Business Complex frequently with success; retail uses have followed, making the community much more vibrant due its mixed use nature. Newport Beach has also allowed residential to be developed in Koll Center Newport. It makes total sense to have residential closer to the work place. Mariner's Church School, Rock Harbor Church, the trampoline center on Airway, the bike store on Airway, all uses that have made the West side of the Airport a more attractive and interesting environment. Multi-family residential will enhance the trend. KIJO-3

Sincerely,
REAL ESTATE & LOGISTICS TECHNOLOGY, INC.

Kim Josephson

Kim Josephson kjosephson@real-techinc.com 657.210.5551
3199 Airport Loop Drive, Bldg E, Costa Mesa, CA 92626
DRE License No. 712155

Responses to KIJO

Response KIJO-1

This comment contains introductory and anecdotal language and does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response KIJO-2

This comment provide the opinion that the current office building as "functionally obsolete" and that the building would need to be demolished in order to meet current office leasing standards. This comment expresses the commenter's support of the proposed project and does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response KIJO-3

This comment provides the commenter's experience with integrated residential uses and the potential it has to create a more vibrant community due to its mixed nature. This comment expresses the commenter's support of the proposed project and does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

■ Gary Lukas (GALU), 12/12/2013

Comments

GALU

Capata, Julian F

From: LEE, MEL [MEL.LEE@costamesaca.gov]
Sent: Thursday, December 12, 2013 11:18 AM
To: Capata, Julian F; 'Joe Flanagan'; 'pnaghavi1@yahoo.com'
Subject: FW: 125 Baker St

Another comment FYI.

Mel Lee, AICP
Senior Planner
City of Costa Mesa
77 Fair Drive, Costa Mesa, 92628
Ph. (714) 754-5611 Fax. (714) 754-4956
mel.lee@costamesaca.gov

Costa Mesa

From: Garry Lukas [mailto:garry@azmfginc.com]
Sent: Thursday, December 12, 2013 11:02 AM
To: PLANNING COMMISSION; RIGHEIMER, JIM; stephan.mensinger@costamesaca.gov; LEECE, WENDY; GENIS, SANDRA; MONAHAN, GARY
Cc: JHorian@aol.com; Dan Hirt; smillen@stillen.com; KHKHKHKHKHKHKH
Subject: 125 Baker St

To those whom it should concern:

I attended the 12-09-13 Planning meeting.

After 6 hours of waiting, at 11:00PM. GALU-1
I was given less than 4 minutes to orate in front of fatigued commissioners.
They seemed like they could care less.
It was a waste of time for everybody.

The 125 Baker St tenement proposal will mix high density residential with manufacturing. GALU-2
They will be right on top of each other.

The 125 Baker property is not unique!
It is an integral piece of this industrial park.

GALU-3

The 125 Baker property is not unique!
It is an integral piece of this industrial park.

You are placing this crowded tenement in the middle of the industrial park!

Is this what they teach in planning school? GALU-4
To mix incompatible zones?

1

Is this not THE problem on the west side, mixed zoning?

Is that part of your general plan to mix zones and become a Santa Ana?

We do not address the quality of living instead it's all about the money. GALU-5

We will have children playing in industrial lots and paint booths across the street from homes.

I am pleading with you folks to come to your senses.
For 17 years we have enjoyed the professional atmosphere of this industrial park.
We originally relocated from Santa Ana for this very reason of residents too close in proximity. GALU-6
Don't force us to relocate again!

Shame on Joe and Alex for telling you lies, they know better.

Mixing industrial with residential is dangerous, irresponsible and wrong. GALU-7

Garry Lukas
AZ Mfg Inc.
200 Briggs Av
92626

The IS team in Atkins has scanned this email and any attachments for viruses and other threats; however no technology can be guaranteed to detect all threats. Always exercise caution before acting on the content of an email and before opening attachments or following links contained within the email.

2

Responses to GALU

Response GALU-1

This comment contains anecdotal language regarding the December 9, 2013, Planning Commission Meeting and his attendance thereof. This comment does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response GALU-2

The commenter expresses his opinion that the 125 E. Baker Street project would be in too close proximity to industrial manufacturing. Draft EIR Section 4.5 (Land Use/Planning) addresses the potential impacts the proposed project may encounter with respect to land use and planning. The Draft EIR specifically analyzes the potential impact of changing the existing Industrial Park land use to that of high density residential use. Land use compatibility issues between sensitive land uses and existing industrial businesses that could result in potential impacts involving aesthetics, air quality/odors, hazardous materials, and noise. However, a less-than-significant impact would occur to the proposed residential uses following compliance with the established regulatory framework, conditions of approval, and specified mitigation measures. A condition of approval has been incorporated requiring notification to future residents that the project is located within an area designated as Light Industry and subject to existing and potential annoyances/inconveniences associated with industrial land uses. Therefore, the project would not be incompatible with the surrounding land uses. No revisions to the Draft EIR are required in response to this comment.

Response GALU-3

This comment expresses the opinion of the commenter that the 125 E. Baker Street property is not a unique property and is an integral piece of the existing industrial park. This comment does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response GALU-4

The commenter expresses his opinion that the 125 E. Baker Street project would be in too close proximity to industrial manufacturing. Refer to Response GALU-2. This comment does not address the adequacy or accuracy of information provided in the Draft EIR, and no further response is necessary.

Response GALU-5

The commenter expresses his opinion that the 125 E. Baker Street project would be in too close proximity to industrial manufacturing. Refer to Response GALU-2. As mentioned previously, Draft EIR Section 4.5 addresses the potential impacts the proposed project may encounter with respect to Land Use and Planning and have respectively been found to be of no impact or less-than-significant impact. This comment does not address the adequacy or accuracy of information provided in the Draft EIR and no further response is necessary.

Response GALU-6

The commenter expresses his opinion that the 125 E. Baker Street project would be in too close proximity to industrial manufacturing. Refer to Response GALU-2.This comment does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response GALU-7

The commenter expresses his opinion that the 125 E. Baker Street project would be in too close proximity to industrial manufacturing. Refer to Response GALU-2. This comment does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

■ Michael Manclark (MIMA), 12/12/2013

Comments

MIMA

LEADING EDGE
Aviation Services, Inc.

Leading Edge Aviation Services
3132 Airway Avenue
Costa Mesa, California 92626
P: 714.556.0576 F: 714.556.4023

December 12, 2013

Honorable Mayor James Righeimer
Honorable Mayor Pro Tem Stephen Mensinger
Honorable City Council Members
Planning Commissioners and City Planning Staff
CITY OF COSTA MESA

77 Fair Drive
Costa Mesa CA 92626

Sent via USPS

Re: Multi Family Rezone – 125 Baker Street

Dear Council and Commission:

Leading Edge Aviation Services is headquartered in Costa Mesa and employs over 1000 employees locally and across the country. As a contractor to companies such as Boeing Company, United Airlines, American Airlines, et al the company has a vested interest in local development in Costa Mesa to support job growth, economic growth and improvements in infrastructure, particularly as it relates to roads, commercial and residential properties. In fact, Leading Edge has and continues to invest in Costa Mesa and last year completed its new corporate headquarters located on Airway Avenue just down the street from 125 Baker. MINA-1

As a business owner, investor and resident of the area I have witnessed firsthand the evolution of the surrounding area from heavy manufacturing to lite manufacturing, retail, professional services as well as the schools and churches that have contributed to a diverse demographic blend. The area, while once an industrial area has slowly over time become an eclectic mix of uses. This progression in the local area lends itself to the addition of high-end apartment housing as a perfect complement to the current mix of businesses. MINA-2

From Segerstrom Performing Arts Center, South Coast Plaza and Metro Pointe to Triangle Square and East 17th Street Promenade, the business-friendly Costa Mesa reflects this unique confluence of business/retail and residential. The Red Oak Housing proposal is a natural extension of the "Costa Mesa Advantage" in the Redhill Zone. MINA-3

Leading Edge Aviation Services offers 100% support for the rezone of this area and the development of this upscale housing project.

Sincerely,

W. Michael Manclark
Chairman and Founder

Expert. Innovative. Consistent.

Responses to MIMA

Response MIMA-1

This comment contains introductory and anecdotal language and does not address the adequacy or accuracy of information provided in the Draft EIR. No further response is necessary.

Response MIMA-2

This comment provides support for the proposed project as it would complement existing uses in the area. . This comment does not address the adequacy or accuracy of information provided in the Draft EIR, but rather the personal opinion and views of that of commenter. No further response is necessary.

Response MIMA-3

This comment provides support for the proposed project. This comment does not address the adequacy or accuracy of information provided in the Draft EIR, but rather the personal opinion and views of that of commenter. No further response is necessary.

10.2.4 Oral Comments

■ Planning Commission Meeting (PC), 12/9/2013

Comments

PC

Public Comments from Planning Application 125 East Baker Street

Speaker One-

Good evening, Jay Humphrey, Costa Mesa resident, I am going to surprise you all. I actually think it's a good project for where it is. I don't have any real problems for it. I think the area is use appropriate. I think it serves as a significant part of the community and provides a appropriate utilization. The developer is going to in fact handle what I can see as most of the traffic mitigation issues in that setting. So I do not have a problem with this project at all except one thing and only one thing and it really has to do with setting precedence. And in the General Plan Amendment for this project it is listing that 1901 Newport is an exception and is precedence setting for them to get approval of a higher level of property utilization in that it says that specifically the General Plan says nothing over four stories south of the 405 freeway. This is south of the 405 freeway and 1901 is. 1901 does have a parking structure that is higher than four stories but that is still less in actual height than the four story housing that is around it. So you cannot even see the parking from if you are standing in a car in the parking lot you can't see past the residence houses around so it's also in a different type of land, different place, different issues. So the use of a precedence setting concerns me not because they are using it to get the project built but because of what it means the future land use in Costa Mesa in the area south of the 405 freeway. If we start having every little step be a precedence setter and I think Mr. Mathews you brought up the fact that this whole meeting is a whole lot of precedence settings and exceptions in that and I agree with that statement. The reality is that what we are talking about here is that the precedence setting of significance of looking at a residence facility, a housing facility, that will now push that envelope up. The concern is that somewhere south of the 405 freeway we now get two others or three others projects that come in here say you know we really cannot do this project without being five and half to six stories tall and the housing element and well if we have to park it we will have to have a seven story. So as we go we keep on increasing the height of projects south of the 405 freeway. I would much rather see that first of in the LU1CIC.2 policy in the General Plan that instead of just land both exceptions that they say these two cannot be used as a precedence setting in other general utilization to do housing ect. If that was happening then I would be a perfectly happy camper. The project I said I like. I don't have any problem with it. It may be sensical to in fact make that exception but in fact then change the General Plan that's in process right now change that to include within that area north of the 405 freeway because in essence it is the same kind of property.

PC-1

PC-2

Speaker Two

My name is Gary Lucas, AZ Manufacturing, I am sixty feet away from ground zero. Ground zero being the front entrance of this tenement. The problem I have if you can see that for a moment ignore the zones because we have basically have an industrial park with a couple of commercial zones in there and I do not know why they were labeled commercial. When I talked to people about that park they said really that is zoned different. When you go through that whole thing it is one cohesive park. Now the next one the little red dot there actually that is four acres that Joe and Alex want to build that is south of the freeway. There is nothing general public south of the freeway. No gas stations, no restaurants, nothing that the general public wants to go there. You put those six hundred people in there in that tenement and they have to egress out of there, they are going through the entire industrial park. This is where I want to start reading. Sovereignty is not given it's taken and that's what's happening here. A vote for rezoning is to vote for our trade away industrial sovereignty for Joe and Alex's game. In 1970 a poor decision was made to zone 125 Baker street property as commercial even though everything that surrounds it is zoned industrial park. For this reason some people have labeled this property unique. This property is not unique. It is geographically integrate, apart of the entire industrial complex. Everyone I spoke with was surprised to learn this. Four years later along come Joe and Alex telling us it's a good idea to allow dense residential in this industrial manufacturing zone. That's like saying that is good to put a cigar lounge in an airplane. I believe they are confused with some of Costa Mesa other future vision products. Some commercial residential mixed zoned changes are positive. An apartment over a laundry mat, a condo across from an eater this project is not one of those. Even by Joe and Alex's own admission this one's got more hurdles despite the hyperbole written in the EIR. The properties immediately surrounding the proposed tenement are all manufacturing. It's an industrial park. Joe and Alex's proposal actually creates the same conditions the City is now trying to clean up on the west side. Mixed industrial residentially zoning that's what this will be it is surrounding look manufacturing. Joe and Alex have gone through a great deal of time and money to convince you to vote in favor of mixed manufacturing and residential and have you feel good about it. The location choice is not because it's an ideal or practical safe residential site rather the existing property is financial prey sub skeptical this kind of rezone pup petering. The amount of units chosen for this tenement is not because the numbers are ecological or acceptable standards rather the number chosen to maximize their investment. They want to put a dense residential high rise tenement building smack in the middle of an industrial park against a freeway across from an airport and they would have you believe that this is a good idea. This is not another NIMBY project this is a life changing proposal targeted against those that have invested years decades establishing reputations and commerce here. We relish our present reputable location and the professional business atmosphere. Am going am going Jim. My personal opinion is that this proposed tenement will turn into a relocation carrousel folks will find it difficult navigating about the area

PC-3

PC-4

traffic, parking, and structure itself. A lot of people living in tight industrial area will no doubt have complaints that turn into litigation. It will never be a cohesive part of the surrounding business community. The incompatibility will create problems. Santa Ana's zoned to suite policies are one of the primary factors for the overall lower real estate values in that city. Joe and Alex's zoned to suite proposal is the same mistake. A quickie return for an eternity of lowered rents. There is a reason for zoning. To protect everyone, to protect communities, by separation zones that we don't have children playing in industrial yards and paint booths across the street from where you live. Zoning is the tool to retain the quality of life, value land use, and respect. Zoning is not to manipulate for profit. The council has to decide whether this was meant for the council my apologies has to decide whether to finically favor the existing commerce or Joe or Alex. This is not a compromise able situation. Thank you. PC-4 cont.

Speaker Three

Good evening members of the Council my name is Max?? I am a tenant at this location currently and my question is not so much environmental as with the process is involved. We have a four year lease. We are one year into it so I was just wondering yah know we invested substantially in the infrastructure and so forth with the process that is moving forward and what types of notice we would be given if this project were to move forward. Jim Fitzpatrick said ok let me see if we can get you an answer. PC-5

Speaker Four

Hi my name is Anne Lucas, I am Gary's wife, and I am co-owner of AZ Manufacturing at 200 Brigs. Um thank you Commission for giving me a few minutes of your time. First of all I don't know reading the IRR, the EIR I cannot really understand it its very confusing but I didn't really see in there the measures taken to address the traffic situation that will be caused by this project. Um first of all it said um that the traffic will be in and out of the apartments at opposing times as the work day. Um first of all not everyone works 9 to 5. Um so that's kinda mute. Um the traffic on Pullman and on Brigs and on Baker there are big rigs full of materials, heavy materials, pallets, boxes, and such coming in and out all hours of the day. Um there are often more than one at a time because there is more than obviously more than one business in that particular manufacturing area. Um our hours of operation are from 6:30 to 11:30pm um which would cause noise issues with the tenants if this project is approved. Pullman is um a heavily traveled rode most of the from time cars are parked from Baker to Calmus on a daily basis. Red Oak is telling you that the six story parking structure will handle all the cars belonging to the tenants. I do not believe this to be true. Um I would like to propose, um this is just an observation, that I have had lately, um I would like to propose that you don't the members of the Commission go to a five to six story parking structure and a busy time of day and drive up and drive down tell me how long that takes you. And you do that twice

PC-6 PC-7 PC-8

day. Um I have been doing this on a daily basis sometimes twice a day um for doctor's appointments in the last six months and I can personally tell you that street parking is preferred over the parking structure. And it is a five story parking structure and it takes sometimes 5 to 10 minutes to get to the top because people well they drive slow, can't get into the spots what have you. Um then you have getting onto Baker from Pullman across to access the freeway some days at 5 o'clock it takes twenty minutes to get out onto Baker and then a couple of lights to actually get on the freeway itself whether it be north or south bound. And a new light will only make matters worse in my opinion. You will have four traffic lights in less then one quarter of a mile. That in it self causes traffic as well as frustrations for drivers trying going home. Um Redhill and the 55 Redhill and the 5 at Tustin there are six lights in a quarter of mile. That is a total disaster that is where we live we avoid that at all cost. Um I looking at the EIR I just don't believe that the issue has been um properly addressed due as to the traffic and um the parking and all of that stuff and you have 240 residences right across from high manufacturing facility in between high end auto motive repair, and maintenance, car repair to name a few. And then you have the freeway and the airport. I just don't see where this makes much sense. Thank you. PC-8 cont.

Speaker 5

My name is Mike Harrison and I represent Trico Reality. We have a portfolio of multi tenant industrial parks about 400,000 square feet in Costa Mesa. Um we have an office at 3100 Pullman Street which is couple of blocks south of Baker and so I am very familiar with the territory. Um oddly enough I have been a member the Commission that evaluated recommendations for the west side a few years ago. The Council in its wisdom decided not to adopt what our Commission recommended and so I have been an opponent of residential development filtrated within our industrial area on the west side. In this case I have to tell you I think this is an appropriate land use. I think it is a very well conceived project. Um it maybe across the freeway but it relates to the apartment development, residential development, on the other side of the 55. Um for me personally I look at the intersection of Pullman and Baker Street as disaster waiting to happen in the current situation. And I think the traffic mitigation issues that are proposed here would improve that intersection considerably. It's relatively a tough situation and even though the traffic would increase I think the traffic is counter to the usual industrial traffic or business traffic in the area. So I actually think this would be a very positive development and I support it 100 percent. And Commissioner McCarthy I think you asked about the industrial alternatives and I would say if you look at what is going on in that area increasingly heavy industrial manufacturing uses are not the current use transition that is going on you see more creative office space. You see lighter industrial uses and that's what we see in our properties and so I am very comfortable with this development. And I would encourage you to be supportive. I think it is well thought out. And I would be in support. Thank you.

PC-9

PC-10

PC-11

Responses to PC

Response PC-1

This comment contains introductory and anecdotal language. The commenter states general approval of the proposed project while stating the proposed project will be able to handle all the stated traffic issues through the proposed mitigation measures. No further response is necessary.

Response PC-2

The commenter expresses concern that the project would establish precedence for building height for projects south of the Interstate 405 Freeway in the surrounding area. As described in Section 4.5 (Land Use/Planning), Draft EIR p. 4.5-5, the proposed project would amend the City's General Plan to allow for a five-story apartment building and six-story parking structure. 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 proposed project would not conflict with existing City policies or regulations that were adopted for the purpose of mitigating an environmental effect. Future development projects would be required to undergo environmental review, consistent with CEQA and City regulations, including analysis of conflicts with applicable plans and policies. Potential development within the surrounding area of the proposed project would be subject to the building standards set forth in the General Plan and would not be directly influenced by implementation of the proposed project.

Response PC-3

This comment contains anecdotal information regarding the commenter's opinion that the proposed project would locate residential uses in close proximity to commercial and industrial uses. The commenter expresses concern that the proposed project would be incompatible with surrounding uses and would create conflict with established uses. The Draft EIR specifically analyzes the potential impact of changing the existing Industrial Park land use to that of high-density residential use, and all impacts were found to be less than significant. The project would not be incompatible with the surrounding land uses. Refer to Response GALU-2.

Response PC-4

The comment states that the amount of units chosen for the proposed project is for economic reasons rather than to meet acceptable standards. This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response PC-5

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response PC-6

This comment claims that the Draft EIR did not adequately evaluate traffic impacts. Contrary to this commenter's claim, the Draft EIR evaluated potential traffic impacts in Section 4.9

(Transportation/Traffic). With implementation of mitigation measures MM4.9-1 through MM4.9-4, all traffic impacts were found to be less than significant. This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response PC-7

The comment claims that the manufacturing uses located adjacent to the proposed project would generate noise impacts for the occupants of the proposed project. However, the Draft EIR, Section 4.6 (Noise) provided a comprehensive analysis of the potential noise impacts associated with the existing environment, and with all impacts were found to be less than significant with the implementation of mitigation measure MM4.6-1.

Response PC-8

This comment represents the commenter's opinion regarding parking on the property site. The Draft EIR evaluated whether the proposed project would result in inadequate parking capacity on Draft EIR pp. 4.9-20 and 4.9-21. The Draft EIR determined that the provision of 452 spaces for the 240 residential units would be more than adequate and parking impacts would be less than significant. Refer to Response PC—6.

Response PC-9

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response PC-10

The commenter states support for the installation of traffic signals at the intersection of Pullman and Baker and gives support of the mitigation measures outlined in Section 4.9 (Transportation/Traffic). As identified in Table 4.9-10 (Traffic LOS with Implementation of Mitigation), with implementation of mitigation measures MM4.9-1, MM4.9-2, and MM4.9-3, traffic impacts at the Pullman Street/Baker Street intersection would be reduced to less than significant.

Response PC-11

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

CHAPTER 11 Mitigation Monitoring and Reporting Program

11.1 INTRODUCTION

This section reflects the Mitigation Monitoring and Reporting Program (MMRP) requirements of Public Resources Code (PRC) Section 21081.6. California Environmental Quality Act (CEQA) Guidelines Section 15097 states:

> … In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

11.2 ENFORCEMENT

In accordance with CEQA, the primary responsibility for making determinations with respect to potential environmental effects rests with the lead agency rather than the Monitor or preparer. As such, the City of Costa Mesa is identified as the enforcement agency for this MMRP.

11.3 PROGRAM MODIFICATION

After review and approval by the lead agency, minor changes to the MMRP are permitted but can only be made by the City. No deviations from this MMRP shall be permitted unless it continues to satisfy the requirements of PRC Section 21081.6, as determined by the lead agency.

11.4 MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

The organization of the MMRP follows the subsection formatting style as presented within the 125 East Baker Street Project Final EIR. Subsections of all of the environmental issues presented in the Final EIR are provided below in Table 11-1 (Mitigation Monitoring and Reporting Program Matrix).

Table 11-1 Mitigation Monitoring and Reporting Program Matrix

Mitigation Measure	Action Required	Monitoring Phase	Responsible Agency/ Party	Compliance Verification		
				Initial	Date	Comments
AIR QUALITY						
MM4.2-1 The Applicant shall require by contract specifications that construction equipment engines be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Costa Mesa prior to issuance of a grading permit.	Construction document specifications	Prior to issuance of building permit; during construction	City Planning; SCAQMD			
MM4.2-2 The Applicant shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Costa Mesa prior to issuance of a grading permit.	Construction document specifications	Prior to issuance of building permit; during construction	City Planning; SCAQMD			
MM4.2-3 As required by South Coast Air Quality Management District Rule 403—Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of project development to reduce the amount of particulate matter entrained in the ambient air. These measures include the following: ■ Application of soil stabilizers to inactive construction areas ■ Quick replacement of ground cover in disturbed areas. If disturbed graded areas remain inactive for greater than 4 days, nontoxic soil stabilizers shall be applied. ■ Watering of exposed surfaces two times daily ■ Watering of all unpaved haul roads two times daily ■ Covering all stock piles with tarp ■ Reduction of vehicle speed on unpaved roads ■ Post signs on site limiting traffic to 15 miles per hour or less ■ Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads ■ Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas ■ Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip	Construction document specifications	Prior to issuance of building permit; during construction	City Planning; SCAQMD			

Table 11-1 Mitigation Monitoring and Reporting Program Matrix

Mitigation Measure	Action Required	Monitoring Phase	Responsible Agency/ Party	Compliance Verification		
				Initial	Date	Comments
MM4.2-4 The Applicant shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than 5 minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Costa Mesa.	Construction document specifications	Prior to issuance of building permit; during construction	City Planning; SCAQMD			
MM4.2-5 The Applicant shall require by contract specifications that the architectural coating (paint and primer) products used have a VOC rating of 190 grams per liter or less, for all exterior and interior nonresidential land use architectural coating. As per SCAQMD regulations, architectural coating for residential land-uses shall not exceed 50 g/liter interior or 100 g/liter exterior. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Costa Mesa.	Construction document specifications	Prior to issuance of building permit; during construction	City Planning; SCAQMD			
MM4.2-6 Install a sealed HVAC system in conjunction with MERVE 13 or higher rated filters for all residential development within the project site. The sealed air system will be designed so that all ambient air introduced into the interior living space would be filtered through MERVE 13 or higher rated filters to remove DPM and other particulate matter. The MERVE 13 or higher rated filter is designed to remove approximately 74 percent of particulates of 3 microns or larger in size from the ambient air that is introduced to the system (NAFA 1999). As a conservative estimate of reductions, it is assumed that the residents are indoors up to 78 percent of the time (USDOL 2010). Therefore, a reduction of 58.75 percent of particulate matter is anticipated with respect to this measure.	Installation of a sealed HVAC system in conjunction with MERVE 13 or higher rated filters for all residential development within the project site	Prior to issuance of building permit; during construction	City Planning; SCAQMD			
MM4.2-7 Install all HVAC system air intakes as far from SR 55 as possible. This will further reduce risk for all interior spaces to the risk where the HVAC air intake is placed.	Installation of HVAC systems as from SR 55 as possible	Prior to issuance of building permit; during construction	City Planning; SCAQMD			
HYDROLOGY/WATER QUALITY						
MM 4.4-1 The project applicant shall finalize the drainage plan and prepare a project Water Quality Management Plan (WQMP) conforming to Orange County DAMP requirements. The plans shall be prepared by a Licensed Civil Engineer or Environmental Engineer and shall be submitted to the City of Costa Mesa Department of Public Works for review and approval. The City shall not issue a grading permit for the project until it has reviewed and approved the final drainage plan and WQMP. Prior to issuance of building permits, the City shall ensure the components of the drainage plan and WQMP BMPs have been installed.	Finalize drainage plan, Prepare a project WQMP conforming to Orange County DAMP requirements	Prior to issuance of building permit; during construction	County of Orange, City of Costa Mesa Department of Public Works			

Table 11-1 Mitigation Monitoring and Reporting Program Matrix

Mitigation Measure	Action Required	Monitoring Phase	Responsible Agency/ Party	Compliance Verification		
				Initial	Date	Comments
LAND USE/PLANNING						
MM4.5-1 The applicant for the proposed project shall provide a written statement to each residential unit and resident, notifying them of potential annoyances associated with aircraft overflight and proximity to airport operations, including the following, with final form and content to be reviewed and approved by the Economic and Development Services Director and City Attorney: "NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances, if any, are associated with the property before your purchase and determine whether they are acceptable to you. POSTING OF NOTICE OF DISCLOSURE IN EACH RESIDENTIAL UNIT Prior to offering the first residential unit for purchase, lease, or rent, the property owner or developer shall post a copy of the Notice of Disclosure in every unit in a conspicuous location. Also, a copy of the Notice of Disclosure shall be included in all materials distributed for the project, including but not limited to: the prospectus, informational literature, and residential lease and rental agreements."	Post Notice of Airport in Vicinity within residential development area	Prior to issuance of occupancy permit	City of Costa Mesa Planning Department			
NOISE						
MM4.6-1 Prior to issuance of a certificate of occupancy, the applicant shall prepare an acoustical analysis ensuring that interior noise levels due to exterior noise sources will be at or below 45 dBA CNEL in all units. One or a combination of the following measures will be incorporated as necessary to ensure interior noise will be at or below 45 dBA CNEL: a. Limit opening and penetrations on portions of buildings impacted by noise. b. Apply noise insulation to walls, roofs, doors, windows, and other penetrations. c. Install dual-paned windows. For some units, it may be necessary for the windows to be able to remain closed to ensure that interior noise levels meet the interior standard of 45 dBA CNEL. Consequently, a ventilation or air conditioning system would be required for these units to provide a habitable interior environment with the windows closed.	Prepare acoustical analysis	Prior to issuance of building permit	City of Costa Mesa Planning Department			

Table 11-1 Mitigation Monitoring and Reporting Program Matrix

Mitigation Measure	Action Required	Monitoring Phase	Responsible Agency/ Party	Compliance Verification		
				Initial	Date	Comments
MM4.6-2 For construction activities within 200 feet of existing commercial or industrial businesses, the construction contractor shall implement the following measures during construction: a. The construction contractor shall provide written notification to all commercial and industrial tenants at least three weeks prior to the start of construction activities within 200 feet of the receptor informing them of the estimated start date and duration of daytime vibration-generating construction activities. b. Stationary sources, such as temporary generators, shall be located as far from off-site receptors as possible. c. Trucks shall be prohibited from idling along streets serving the construction site.	Construction document specifications	Prior to issuance of building permit	City of Costa Mesa Planning Department			
TRANSPORTATION/TRAFFIC						
MM4.9-1 Pullman Street/Baker Street Intersection. Prior to issuance of a certificate of occupancy for the proposed project, the project applicant shall install a traffic signal and associated signing modifications and pavement legends at the Pullman Street/Baker Street intersection. Intersection design will incorporate the existing driveway that provides access to the 150 Baker Street property per the City of Costa Mesa Design Guidelines and California Manual on Uniform Traffic Control Devices. The applicant will install signal interconnect between Pullman Street/Baker Street traffic signal and existing traffic signals at the Baker Street/Red Hill Avenue and Baker Street/SR 55 NB Ramps intersections. In conjunction with signalization, the project applicant will restripe Baker Street to provide a dedicated eastbound and westbound left-turn lane, and a dedicated eastbound right-turn lane. Crosswalks and ADA compliant ramps will be installed as required by the City.	Install traffic signal and associated signing modifications and pavement legends at the Pullman Street/Baker Street intersection	Prior to issuance of occupancy permit	City of Costa Mesa Public Works Department			
MM4.9-2 Red Hill Avenue/Baker Street Intersection. Prior to issuance of a certificate of occupancy for the proposed project, the project applicant will implement the planned improvements at this intersection as identified in the current City of Costa Mesa General Plan, except the project applicant will provide a dedicated southbound right-turn lane, with overlap phasing, in lieu of the planned third southbound shared through/right-turn lane. The applicant will modify the existing traffic signal accordingly to current City of Costa Mesa Standards and Design Guidelines.	Implement planned improvements at intersection as identified in the current City of Costa Mesa General Plan, except the project applicant will provide a dedicated southbound right-turn lane, with overlap phasing, in lieu of the planned third southbound shared through/right-turn lane	Prior to issuance of occupancy permit	City of Costa Mesa Public Works Department			

Table 11-1 Mitigation Monitoring and Reporting Program Matrix

Mitigation Measure	Action Required	Monitoring Phase	Responsible Agency/ Party	Compliance Verification		
				Initial	Date	Comments
MM4.9-3 Traffic Impact Fees. Prior to issuance of a certificate of occupancy for the proposed project, the project applicant will pay the City's required traffic impact fee, based on the project's net increase in trips. The precise fee required will be determined upon issuance of project building permits.	Project applicant will pay the City's required traffic impact fee, based on the project's net increase in trips	Prior to issuance of occupancy permit	City of Costa Mesa Planning Department			
MM4.9-4 To ensure adequate sight distance is provided at the project driveways, the project driveways and landscaping and/or hardscape on north side of these driveways will be designed such that a driver's clear line of sight is not obstructed and does not threaten vehicular or pedestrian safety, as determined by the City Traffic Engineer. The minimum stopping sight distance will be 300 feet. The following design recommendations will be implemented: ■ Install stop signs and stop bars at the proposed project driveways on Pullman Street. Install all appropriate striping, signage and/or pavement legends per City of Costa Mesa standards/requirements. ■ All plants and shrubs within the limited use area (see Figure 4.9-3 [Line of Sight Analysis]) will be of the type that will grow no higher than 30 inches above the curb or a have a canopy no lower than 72 inches above curb. ■ The maximum tree size and minimum tree spacing in the limited use area will be limited to 24-inch caliper tree trunks (maximum size at maturity) spaced at 40 feet on center. ■ Subject to review and approval by the City Traffic Engineer, prohibit on-street parking on Pullman Street between project driveways and on the north side of the primary project driveway, and restripe Pullman Street to include a dedicated southbound right-turn lane at the primary project driveway with minimum storage of 100 feet be provided. Curbside parking will be restricted for a minimum of 200 feet north of the primary driveway. Parking will be restricted via installation of red curb and appropriate parking restriction signs.	Project driveways and landscaping and/or hardscape on north side of these driveways will be designed such that a driver's clear line of sight is not obstructed and does not threaten vehicular or pedestrian safety, as determined by the City Traffic Engineer	Prior to issuance of occupancy permit	City of Costa Mesa Public Works Department			