PLANNING COMMISSION AGENDA REPORT

VII.3

MEETING DATE: JUNE 14, 2010 **ITEM NUMBER:**

SUBJECT: **PLANNING APPLICATION PA-09-18: MASTER PLAN FOR A MIXED USE, 53-UNIT, 4-STORY, SENIOR HOUSING AND 4,980 SQ. FT. RETAIL COMMERICAL PROJECT AT 845 BAKER STREET**

DATE: **JUNE 3, 2010**

FOR FURTHER INFORMATION CONTACT: **MEL LEE, AICP, SENIOR PLANNER**
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DESCRIPTION

The applicant is requesting approval of a master plan to construct a mixed-use development consisting of a three-story, 53-unit senior housing project over a one-story, 4,980 square foot retail building (four stories total), with a maximum of 10% compact parking spaces (7 parking spaces total) in the South Bristol Entertainment and Cultural Arts (SoBECA) Urban Plan. Deviations from Urban Plan requirements for maximum floor-area ratio (1.0 FAR allowed, 1.1 FAR proposed) and minimum nonresidential area (0.15 FAR required, 0.13 FAR proposed) are also requested.

APPLICANT

Eric A. Nelson is the authorized agent for 845 West Baker Street Lofts LLC, the property owner.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE, AICP
Senior Planner

KHANH NGUYEN
Acting Asst. Development Svs. Director

PLANNING APPLICATION SUMMARY

Location: 845 Baker Street Application: PA-09-18

Request: Master plan for a mixed-use, 53-unit, four-story senior housing and 4,980 square foot retail commercial project with a maximum of 10% compact parking spaces (7 parking spaces total), with deviations from FAR Urban Plan requirements.

SUBJECT PROPERTY:

Zones: C1 and Mixed-Use Overlay District
General Plan: General Commercial
Lot Dimensions: Irregular
Lot Area: 37,766 SF (.86 Acres)
Existing Development: One story commercial building with surface parking and monopole facility.

SURROUNDING PROPERTIES:

North: (Acr. Baker St.) R3, Residences
South: SR-73 Freeway
East: C1, Nightclub
West: SR-73 Freeway

DEVELOPMENT STANDARD COMPARISON

Development Standard	Zoning Code Required/Allowed	SoBECA Required/Allowed	Proposed/Provided
Lot Size:			
Lot Width	120 FT	NA	211 FT
Lot Area	12,000 SF	NA	37,766 SF
Floor Area Ratio (FAR):			
Maximum FAR (For Mixed Use)	NA	1.0 (37,766 SF)	1.1 (41,783 SF) (1)
Minimum FAR (Non Residential)	NA	.15 (5,665 SF)	.13 (4,980 SF) (1)
Maximum Building Height:	NA	4 Stories/60 FT	4 Stories/58 FT, 6 IN
Maximum Lot Coverage:	NA	90% (33,989 SF)	55% (20,072 SF)
Minimum Open Space (Total Site):	NA	10% (3,777 SF)	12% (4,603 SF)
Residential Open Space:	NA	200 SF/Unit (10,600 SF)	234 SF/Unit (12,389 SF)
Setbacks (Building):			
Front	NA	10 FT	10 FT
Side (left/right)	NA	0 FT / 10 FT	5 FT / 46 FT, 3 IN
Rear	NA	0 FT	5 FT
Parking For Senior Units – 51 1-Bed, 2 2-Bed:	40 spaces (2)	NA	45 spaces
Parking For Retail Uses:	19 spaces	Refer to Code	21 spaces
Handicap Parking	1 space		2 spaces
Parking Grand Total:	60 spaces		68 spaces
Compact Parking (3)	6 spaces max.	NA	7 spaces max.

NA = Not Applicable.
(1) Deviations requested (1.0 FAR allowed, 1.1 FAR proposed) and (.15 Nonresidential FAR allowed, 0.13 FAR proposed)
(2) Code is silent on parking for senior units; staff applied a .75 space per unit requirement similar to other senior projects.
(3) Approval to allow a maximum of 10% compact parking spaces requested.

CEQA Status: Exempt, Class 32 (In-Fill Development)
Final Action: Planning Commission

BACKGROUND

Project Site/Environs

The project site is located on the south side of Baker Street, immediately abutting the SR-73 Freeway. The site is adjacent to the property occupied by the Shark Club and contains a one-story commercial building containing a repair shop and a rug store. A 30-foot high monopole with related equipment is located towards the rear of the property.

The property is zoned C1 and has a general plan designation of General Commercial. The property is also located within the South Bristol Entertainment and Cultural Arts (SoBECA) Urban Plan, a mixed-use overlay district. Because the proposed development is a mixed-use project, the provisions of the SoBECA Urban Plan apply to this project.

ANALYSIS

Master Plan Project Elements

The master plan for the four-story mixed-use development consists of the following elements:

- Demolition of the existing one-story retail building and 30-foot tall pole sign. The monopole and related equipment at the rear of the property is not proposed to be removed in conjunction with this project.
- On the first level, 4,980 square feet of commercial retail space and 68 surface parking spaces is proposed. Of the 68 surface parking spaces, 45 spaces are allocated for residents and their guests, and 21 spaces are allocated for commercial tenants and their customers. Two handicap spaces are also provided. The applicant is also proposing 7 compact spaces, which is discussed later in this report.
- With regard to the parking for the residential component, the Zoning Code does not specify a parking rate for senior apartments. However, the industry standard based on a survey of surrounding Cities is 0.5 to 0.8 spaces per unit. The project is providing parking for the senior apartments at a rate of 0.75 spaces per unit.
- The senior housing consists of 51 one-bedroom units approximately 532 square feet in size and 2 two-bedroom units approximately 782 square feet in size.
- The building design is contemporary, consisting of vertically scored stucco with metal seam copper panels, cement plaster, and anodized aluminum windows. The developer will incorporate sustainable building (i.e., "green") practices in the building where appropriate.
- The project consists of affordable rental housing for seniors 55 years of age or older. The applicant is working with the City Council in their capacity as the Redevelopment Agency, as well as the County of Orange, to obtain any available redevelopment or affordable housing funding necessary for this project.

Justifications for Approval of the Master Plan

The C1 (Local Business District) base zoning designation for the property does not allow for mixed-use development. However, mixed-use development may be approved via a master plan in the SoBECA mixed use overlay district if the proposed project is consistent with the SoBECA standards. It is staff's opinion that the project is consistent with SoBECA for the following reasons:

- *The project is consistent with the objectives of the Urban Plan.* Specifically, the Urban Plan encourages mixed-use development that revitalizes the area without exceeding the development capacity allowed under the General Plan. According to the Transportation Services Division, the number of residential units and the amount of commercial square footage proposed for this project will not create an adverse impact on existing traffic on the surrounding street system. Additionally, as discussed later in the report, the project is consistent with several General Plan Policies, specifically, Land Use Element Policy LU-1F.5, and Housing Element Policy HOU-3.2, which encourage developments with well-designed and integrated residential and commercial uses within a single project or neighborhood. Finally, the residential component is an affordable senior housing project, which will help achieve the City's Regional Housing Needs Assessment (RHNA) goals for low-income housing. Condition of approval number 6 requires recordation of an Affordable Housing Agreement by the City Council and Redevelopment Agency, as applicable.

- *The project provides adequate resident-serving amenities in the common open space areas and/or private open space areas.* The majority of the units will be oriented around a 3,131 square foot central landscape podium courtyard in the center of the building. Each unit will have an approximately 84 square foot private patio/balcony. Common activity/recreation rooms will be located on the second, third, and fourth levels of the building. The Urban Plan allows a combination of private and common open space to account for the required residential open space per unit. The amount of private and public resident open space is compliant with the Urban Plan requirement (200 square feet per unit required; 234 square feet per unit provided). This accounts for the podium courtyard (3,131 square feet), private balconies (4,655 square feet), and common landscaped areas (4,603 square feet). Additionally, the facility has a total of 2,327 square feet of common activity rooms dispersed on each floor of the residential portion of the building, even though these facilities are not included in the total open space calculation.

  Condition of approval number 12 specifies a minimum number of trees, types of outdoor furniture, etc., for the podium courtyard area to ensure a sufficient amount of amenities for residents for passive recreation purposes.

- *The project provides adequate protection for residents from hazardous substances and environmental conditions, given the surrounding commercial and industrial context.* The site is not listed as a hazardous waste site on any State or Federal database. A Phase 1 Environmental Assessment Report prepared for the property revealed no adverse environmental conditions (contaminated soil, leaking fuel tanks, etc.) either on subject property or in the surrounding area. A copy of the Executive Summary of the Phase 1 Environmental Assessment Report is attached to this report (Attachment 4).

  Condition of approval number 2 addresses the potential impacts related to any asbestos removal during building demolition and potential removal of seven underground hydraulic lifts. Conditions of approval also require appropriate measures for proper removal and remediation, as applicable.

- *Noise attenuation measures are required*. Based on the noise study prepared for the project, a copy of which is attached to this report (Attachment 3), the present exterior noise levels exceed the Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). As a result, the developer is required to comply with all applicable California Noise Insulation Standards, as well as the construction standards recommended in the noise study, to provide a maximum interior noise level as specified by the City's Noise Ordinance. Specifically, the following interior noise standards apply to residential property:

RESIDENTIAL INTERIOR NOISE STANDARDS	
Noise Level	Time Period
55 dBA	7:00 a.m. to 11:00 p.m.
45 dBA	11:00 p.m. – 7:00 a.m.

**See Title 13, Chapter XIII, Noise Control, for additional information and exceptions.*

Condition of approval number 24 requires appropriate design and construction of the project exterior walls, windows, and doors to attenuate interior noise levels in compliance with the City's Noise Ordinance.

- *The proposed residences have adequate separation and screening from adjacent commercial uses*. The proposed residences have adequate separation and screening from adjacent commercial uses through site plan design, structural features, landscaping, and perimeter walls. Existing perimeter chain link fencing will be removed. A minimum six-foot high block wall is proposed along the side abutting the freeway right-of way, and a minimum 8-foot high block wall is proposed along the side abutting the Shark Club property. Condition of approval number 25 requires the developer to work with the City's Transportation Division and Caltrans to replace the chain link fence/gate along the Baker Street frontage with a fence/gate acceptable to both the City and Caltrans, as well as repair and/or replace the landscaping within this area.

Considerations for Compatibility with Adjacent Shark Club Property

- *Required interior noise attenuation will minimize noise levels from nightclub operations to a more restrictive interior noise standard per the City's Noise Ordinance.* It should be noted that the noise study generally refers to interior standards of 50 dBA. This standard applies from 7:00 a.m. To 11:00 p.m. However, the Noise Ordinance requires an interior standard of 45 dBA during the late night/early morning hours from 11:00 p.m. to 7:00 a.m., with an additional reduction by five decibels to 40 dBA if the impact noise consists of music.

  The noise study indicates that the noise environment consists primarily of traffic noise from the SR-73 Freeway and Baker Street (65 dBA to 67 dBA) and Shark Club music activities. The noise levels generated by the club during the late night hours (10:00 p.m. to 3:00 a.m.) involved musical instruments, bands, and broadcast stereo systems

with low bass. Noise levels were measured as high as 83 dBA during the club operations.

As noted earlier, condition of approval number 24 requires that appropriate sound attenuation be implemented during construction through building design to achieve lower than a 40 dBA level to address impact noise from the Shark Club. Because music/amplified sound are the source of the impact noise, the more restrictive interior decibel standard of 40 dBA (and not 45 dBA) is applied.

- *Private security is required to be provided*. An existing condition of approval for Shark Club's conditional use permit (PA-98-18) requires the property owner to provide on-site security daily from 8:00 pm to closing. This condition remains in full force and effect. However, condition of approval number 15 also requires on-site security be provided for the proposed project to minimize disruption to residents during the evening hours Shark Club is open on Friday and Saturday evenings.

- *Parking is required to be for the exclusive use of residents and patrons*. Shared parking with the Shark Club is expressly prohibited. This is to provide a reasonable assurance of the quiet enjoyment of the residents as well as adequate parking. Condition of approval number 16 prohibits shared parking, including any private agreement between property owners, to occur.

- *Advance notice to tenants of the existing environment*. Condition of approval number 14 requires that tenants receive advance notice prior to signing a lease agreement. The notice shall describe the existing industrial businesses in the area and adjacent Shark Club operations.

Deviations from Urban Plan

Deviations from the development standards of the Urban Plan may be approved through the master plan - no variances are required - if appropriate findings can be made related to excellence in project design, site planning, integration of uses and structures, and protection of the integrity of the neighborhood. The project does not comply with the following development standards of the Urban Plan:

- Maximum Floor Area Ratio (FAR) for mixed-use projects (1.0 FAR allowed; 1.1 FAR proposed, an excess of 4,017 square feet); and

- Minimum FAR for the retail component (.15 FAR required; .13 FAR proposed, a shortage of 685 square feet).

Following are staff justifications in support of the minor deviations:

- *The project will provide affordable housing units to seniors aged 55 years or older.* This will thereby assist in achieving the City's State-mandated affordable housing goals. City staff is currently working with the developer to identify potential Redevelopment Agency and Community Development Block Grant financing for this project.

Number of Units	Bedroom Type	2010 Affordable Rent for Low-Income Persons
50 units	One-bedroom units	$517/month
2 units	Two-bedroom units	$581/month
TOTAL: 34 units available to low-income persons aged 55+		

**Note: A one-bedroom unit will be provided for an on-site manager and is not considered an affordable unit.*

A condition of approval requires high-quality materials and construction for the affordable units including: fully equipped kitchens with dishwashers, plush wall to wall carpeting, central heating and air conditioning, etc. A detailed description of the unit amenities is provided in the applicants description letter (Attachment 2). The project is also required to provide social services for seniors including card rooms, libraries, television/media rooms, and health and workout areas. Conditions of approval have been incorporated requiring that these services at a minimum will be provided to the residents.

Allowable Uses and Signage in Commercial Area

Because this is a mixed-use development project with housing and business activities located in the same building, conditions of approval are recommended to ensure compatibility between the residents and commercial tenants.

- Condition of approval number 5 restricts the proposed project to specified nonresidential uses as suggested in the SoBECA Urban Plan. Some permitted uses include: restaurants, cafes, artist studios, beauty shops, retail stores, general offices, and financial institutions – and these uses are further specified in Exhibit "C" of the approval resolution. All other nonresidential uses that are not shown in Exhibit "C" shall require review and approval by the Planning Division and/or an amendment to the Master Plan.

- Condition of approval number 13 expressly prohibits commercial building wall signage located above the first floor of the retail area and along the east elevation of the building. Illuminated freestanding signs shall be limited to 7 feet tall, and non-illuminated freestanding signs shall be a maximum of 25 feet in height. Other than allowable commercial and residential signage, no additional signage, banners, graphics, or murals shall be allowed on the building without prior approval from the Planning Division.

Compact Parking Spaces

Code requires the following minimum dimensions for on-site parking spaces:

- Commercial uses: 9 feet wide by 18 feet deep;
- Residential uses: 8.5 feet wide by 18 feet deep.

Code Section 13-94 allows a maximum of 10 percent of on-site parking spaces to be compact or small cars, subject to approval of a minor conditional use permit. The minimum dimension for compact stalls allowed under Code is 8 feet wide by 16 feet deep. Typically, minor conditional use permits are reviewed by the Zoning Administrator, however, the request has been incorporated into the proposed Master Plan for the project.

Of the 7 compact parking stalls, 5 are allocated for the residential use and 2 are allocated for the commercial use. The applicant is proposing a minimum dimension of 8 feet wide by 18 feet deep for these spaces, except where the spaces are adjacent to building walls, where they are required to be increased to a minimum of 9 feet in width per City Code. The location of the compact spaces is shown in Attachment 6.

It is staff's opinion that approval of the compact space are justified because the spaces exceed either the minimum depth or width dimensions for compact spaces allowed under code, and the compact spaces are distributed throughout the parking area. Based on this, the compact spaces will not adversely affect the overall quality of the proposed mixed-use project.

ENVIRONMENTAL DETERMINATION

If the request is approved, it would be exempt from the provisions of the California Environmental Quality Act under Section 15332 for In-fill Development Projects. If the request is denied, it is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

GENERAL PLAN CONFORMITY

The project is consistent with Housing Element Goal HOU-3, which promotes use of sites for a wide range of segments within the community (including seniors), and HOU-4 for equal housing opportunities, as well as policies HOU-1.9, HOU-3.2, and HOU-4.4. The project is also consistent with Noise Element Policy N-1A.5 which ensures that residential development in noise sensitive areas are properly designed. Finally, the project is consistent with Land Use Element policies LU-1A.1, LU-1C.2, and LU-1F.5. Therefore, if approved, the project would conform to the City's General Plan.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the project, subject to the recommended conditions of approval.
2. Deny the project. If the project were denied, the applicant could not submit substantially the same type of application for six months.

CONCLUSION

The development of the mixed-use project is consistent with the General Plan, Urban Plan, and applicable Zoning Code sections. Therefore, staff recommends approval of the project.

Attachments:
1. Draft Planning Commission Resolutions and Exhibits
2. Project Description
3. Noise Study
4. Phase 1 Environmental Assessment Summary
5. Location Map
6. Map Showing Location of Compact Spaces
7. Plans

cc: Development Services Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

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ATTACHMENT 1
DRAFT PLANNING COMMISSION RESOLUTIONS AND EXHIBITS

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-09-18

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Eric A Nelson, authorized agent for 845 West Baker Street Lofts LLC, owner of real property located at 845 Baker Street, for a master plan to construct a mixed-use development consisting of a three-story, 53-unit senior housing project over a one-story, 4,980 square foot retail building (four stories total), with a maximum of 10% compact parking spaces (7 parking spaces total) in the South Bristol Entertainment and Cultural Arts (SoBECA) Urban Plan;

WHEREAS, a duly noticed public hearing held by the Planning Commission on June 14, 2010 with all persons having the opportunity to speak and be heard for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Planning Application PA-09-18.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-09-18 and upon applicant's compliance with each and all of the conditions in Exhibit "B", the uses specified in Exhibit "C", and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 14th day of June, 2010.

James Righeimer, Chair,
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Acting Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on June 14, 2010 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS (APPROVAL)

A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
   1. A compatible and harmonious relationship exists between the proposed use and existing buildings, site development, and uses on surrounding properties.
   2. The proposed project will comply with the performance standards as prescribed in the Zoning Code.
   3. The proposed project is consistent with the General Plan and Urban Plan.
   4. The cumulative effect of all the planning applications have been considered.

B. Pursuant to Section 13-29(g)(5) of the Municipal Code, the master plan meets the broader goals of the General Plan and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures, and protection of the integrity of neighboring development. Specifically, the project is consistent with Housing Element Goal HOU-3, which promotes use of sites for a wide range of segments within the community (including seniors), and HOU-4 for equal housing opportunities, as well as policies HOU-1.9, HOU-3.2, and HOU-4.4. The project is also consistent with Noise Element Policy N-1A.5 which ensures that residential development in noise sensitive areas are properly designed. Finally, the project is consistent with Land Use Element policies LU-1A.1, LU-1C.2, and LU-1F.5.

C. Pursuant to Section 13-83.52(c) of the Municipal Code, the project is consistent with the General Plan, meets the purpose and intent of the mixed-use overlay district, and the stated policies of the of the SoBECA Urban Plan. The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas including, but not limited to, patios, balconies, walkways, and landscaped areas. The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, and toxic emanations. The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.

D. Pursuant to Section 13-83.52(d) of the Municipal Code, the strict interpretation and application of the mixed-use overlay district's development standards would result in practical difficulty inconsistent with the purpose and intent on the General Plan and Urban Plan, while the deviation to the regulation allows for a development that better achieves the purposes and intent of the General Plan and Urban Plan. The granting of the deviation results in a mixed-use development which exhibits excellence in design, site planning, integration of uses and structures, and compatibility standards for residential development. The granting of the deviation will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15332 for In-fill Development Projects.

F. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT "B"

CONDITIONS OF APPROVAL (IF PROJECT IS APPROVED)

Plng.
1. The conditions of approval, code provisions, and special district requirements of Planning Application PA-09-18 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
2. Prior to approval of a demolition permit, developer shall submit a report by a California-licensed asbestos specialist indicating that the property does not pose any health hazards related to asbestos. If asbestos is identified, the report shall include the necessary measures for safe removal, disposal, and remediation of asbestos material. The report shall be approved by the Planning Division. These specified measures shall be implemented by the Developer to the satisfaction of the Development Services Director.
3. Demolition permits for existing structure shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
4. Prior to approval of a demolition permit, developer shall submit a report by a hazardous waste specialist indicating the necessary measures for safe removal, disposal, and any required remediation of the underground hydraulic lifts. If the hydraulic lifts are to remain in place, the report shall indicate the proper measures to safely preserve them without posing an environmental hazard from hydraulic fluids. The report shall be approved by the Planning Division. These specified measures shall be implemented by the Developer to the satisfaction of the Development Services Director.
5. The 4,980 square foot nonresidential area shall consist of neighborhood commercial businesses as identified in Exhibit "C" of the approval resolution. All other uses not specifically described in Exhibit "C" but are similar in scale, traffic generation, and operational characteristics may be deemed appropriate by the Development Services Director. All other nonresidential uses which are not shown in Exhibit "C" and which the Development Services Director has determined to present compatibility impacts or increased traffic generation/parking demand shall require an amendment to the Master Plan. Developer shall submit the application for a Master Plan amendment to Planning Commission for review and approval.
6. An Affordable Housing Agreement by the City Council and Redevelopment Agency, as applicable, shall be recorded prior to final occupancy of the project.
7. If the development scenario is revised (i.e. revision in residential unit mix and square footage of nonresidential areas), the approved parking rate of 0.75 spaces per residential unit shall not be reduced, and the overall approved 1.1 Floor-Area-Ratio shall not be exceeded. Code required parking shall continue to be applied for the nonresidential areas.
8. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to nearby residential communities through specified measures, such as construction parking and vehicle access and specifying

staging areas and delivery and hauling truck routes.

9. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. The Development Services Director shall determine whether or not a change is significant and shall require a Master Plan amendment for any significant modifications. Applicant shall contact the Planning Division at 714-754-5245 to obtain authorization for any revisions.
10. No modification(s) of the approved interior building materials/finishes and appliances shall occur without prior Planning Division written approval. At a minimum, the following shall be included in each unit:

    - High-quality building materials for counters & floors.
    - Fully equipped kitchens with dishwashers.
    - Energy efficient exterior doors and windows shall be installed on all building elevations.
    - Appliances, water heaters, and light fixtures with Energy Star or better rated appliances.
    - Heating and air conditioning system.

    The Development Services Director shall determine whether or not a change is significant and shall require a Master Plan amendment for any significant modifications. Applicant shall contact the Planning Division at 714-754-5245 to obtain authorization for any revisions.
11. The landscape plan shall feature 24-inch box trees as described in the City's landscaping standards to the satisfaction of the Development Services Director. The street setback area and the courtyard shall be landscaped with trees and vegetation. The landscape plan shall be approved prior to issuance of building permits and shall contain six additional 24-inch box trees than the minimum Code requirements to the satisfaction of the Development Services Director. Compliance with this requirement may include upgrading smaller sized trees to 24-inch box trees or providing additional 24-inch box trees.
12. At a minimum, the outdoor landscape courtyard area shall include the following: to ensure a sufficient amount of amenities for residents for passive recreation purposes:

    - 400 square feet of green landscaped area.
    - Two trees in planters 24-inch box size or larger.
    - Tables and benches.
    - Raised planters for community gardening.
    - Other features as determined by the Planning Division.

    Any change in the outdoor amenity areas that may diminish the size, function, and aesthetics of the area shall be reviewed and approved by the Development Services Director. The Development Services Director shall determine whether or not a change is significant and shall require a Master Plan amendment for any

significant modifications. Applicant shall contact the Planning Division at 714-754-5245 to obtain authorization for any revisions.

13. There shall be no commercial signage above the first floor nonresidential area or along the east elevation of the building. Illuminated freestanding signs shall be limited to 7 feet tall, and non-illuminated freestanding signs shall be a maximum of 25 feet in height. Signage for the residential component shall be limited to the complex identification of the residential development in the form of a monument sign, entry sign, and directional signage. Other than allowable commercial and residential signage, no additional signage, banners, graphics, or murals shall be allowed above the first floor of the building without prior approval from the Planning Division.
14. Prior to signing the lease agreements, prospective tenants shall receive written notice of the then-existing traffic and noise environment and noise associated with Shark Club operations. The tenant notice shall also indicate that the site is located above commercial uses and is also in close proximity to light industrial uses and a nightclub uses. Therefore, residents may experience additional noise levels compared to a typical residential neighborhood due to operation of these various types of businesses. Prospective tenants must sign a form to acknowledge that they have read and understand the existing neighborhood conditions. This form shall be kept on file by the facility operator.
15. The property owner shall provide on-site security for the development to minimize disruption to residents during the evening hours Shark Club is open on Fridays and Saturday evenings.
16. Shared parking with the Shark Club is expressly prohibited. Developer shall not enter into any private agreement between the property owners to allow shared parking for nightclub patrons or employees on the project site.
17. At a minimum, the following social services shall be provided to the senior residents: card rooms, libraries, television/media rooms, and health and workout areas. Any change that may diminish the social services provided shall be reviewed and approved by the Development Services Director. The Development Services Director shall determine whether or not a change is significant and shall require a Master Plan amendment for any significant modifications. Applicant shall contact the Planning Division at 714-754-5245 to obtain authorization for any revisions.
18. The developer shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy. This inspection is to confirm that the Planning Division conditions of approval and code requirements have been satisfied.
19. Prior to issuance of building permits, developer shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
20. The developer shall contact the current cable service provider prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
21. Truck deliveries shall occur no earlier than 7:00 a.m. daily and loading/unloading of deliveries shall occur away from the residential units to the

fullest extent possible.

22. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 36 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall be continuously maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
23. Every effort shall be made to follow sustainable building (i.e., "green") practices in the construction of the project as described in the Project Description Attachment provided by the applicant.
24. Based on the noise study prepared by the applicant, the present exterior noise levels range from 65 dBA (traffic noise) to as high as 83 dBA (Shark Club nighttime operations). As a result, the developer shall comply with all applicable California Noise Insulation Standards per Title 25, California Code of Regulations, as well as the construction standards recommended in the noise study, to provide a maximum interior noise level of 40 dBA for the residential units. Prior to the issuance of a building permit, an acoustical engineer, or other appropriate specialist, shall verify in writing that the design/construction of the project exterior walls, windows, and doors properly attenuate interior noise levels in compliance with the City's Noise Ordinance. Because music/amplified sound are the source of the impact noise, the more restrictive interior decibel standard of 40 dBA (and not 45 dBA) is applied.
25. Within 30 days of the effective date of approval of the application, the developer shall begin working with the City's Transportation Division and Caltrans to replace the chain link fence/gate along the Baker Street frontage with a fence/gate acceptable to both the City and Caltrans, as well as repair and/or replace the landscaping within this area. The fencing and landscaping plan shall be submitted to the Planning Division for approval. The release of final utilities for the project shall not be withheld pending the completion of this condition; however, the property owner shall provide documentation of the progress and estimated time of completion of this condition prior to release of utilities.
26. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
27. The developer shall provide public realm improvements as required by the Urban Plan.

EXHIBIT "C"
LAND USES IN SOBECA URBAN PLAN

LAND USE MATRIX P= Permitted, MC = Minor Conditional Use Permit, C= Conditional Use Permit	
NONRESIDENTIAL USES IN MIXED-USE DEVELOPMENTS (HORIZONTAL OR VERTICAL)	
• Restaurants/Cafes/Sandwich Shops	P
• Artists, sculptors studios	P
• Banks; Savings and Loans; and other Financial institutions	P
• Barber and beauty shops	P
• Commercial art; Graphic design	P
• Computer and data processing	P
• Grocery Market	P
• Laundry/Drycleaning garment svcs (excludes dry cleaning plants)	P
• Offices: General	P
• Photocopying; Blueprinting and related services; photo finishing	P
• Printing and publishing	P
• Retail Stores	P
• Building supplies; Hardware stores (retail)	MC
• Catering	MC
• Off-street parking lots and structures	MC
• Photography: Commercial/ Portrait Studio	MC
• Recording studios	MC
• Studios: Dance; Martial arts; Music, Yoga, etc.	MC
• Physical Fitness Facilities	MC
• Churches and other places of religious assembly	C
• Civic and community clubs	C
• Amusement centers	C
• Convenience stores; Mini-markets	C
• Furniture repair and refinishing with incidental sales	C
• Liquor stores	C
• Motion picture theaters and other theaters	C
• Research and development laboratories	C
NONRESIDENTIAL USES IN LIVE/WORK UNITS	
• Artists, craftspersons, sculpture studios (woodworking, furniture	P
• Retail: Nonstore (internet businesses)	P
• Commercial art, graphic design, website designers	P
• Computer and data processing	P
• Legal, Engineering; Architectural; and Surveying services	P
• Offices: Professional, central admin., general, services to business	P
• Offices: medical/dental	MC
• Photography: Commercial	MC
• Photography: Portrait Studio	MC

RESOLUTION NO. PC-10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-09-18

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Eric A Nelson, authorized agent for 845 West Baker Street Lofts LLC, owner of real property located at 845 Baker Street, for a master plan to construct a mixed-use development consisting of a three-story, 53-unit senior housing project over a one-story, 4,980 square foot retail building (four stories total), with a maximum of 10% compact parking spaces (7 parking spaces total) in the South Bristol Entertainment and Cultural Arts (SoBECA) Urban Plan;

WHEREAS, a duly noticed public hearing held by the Planning Commission on June 14, 2010 with all persons having the opportunity to speak and be heard for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," the Planning Commission hereby **DENIES** Planning Application PA-09-18.

PASSED AND ADOPTED this 14th day of June, 2010.

James Righeimer, Chair,
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Acting Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on June 14, 2010, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS (DENIAL)

A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
   1. A compatible and harmonious relationship does not exist between the proposed use and existing buildings, site development, and uses on surrounding properties.
   2. The proposed project does not comply with the performance standards as prescribed in the Zoning Code.
   3. The proposed project is not consistent with the General Plan, Zoning Code, or Urban Plan.

B. Pursuant to Section 13-29(g)(5) of the Municipal Code, the master plan does not meet the broader goals of the General Plan and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures, and protection of the integrity of neighboring development.

C. Pursuant to Section 13-83.52(c) of the Municipal Code, the project is not consistent with the General Plan and does not meet the purpose and intent of the mixed-use overlay district and the stated policies of the of the SoBECA Urban Plan.

D. Pursuant to Section 13-83.52(d) of the Municipal Code, the strict interpretation and application of the mixed-use overlay district's development standards would not result in practical difficulty inconsistent with the purpose and intent on the General Plan and Urban Plan. The granting of the deviation will not result in a mixed-use development which exhibits excellence in design, site planning, integration of uses and structures, and compatibility standards for residential development. The granting of the deviation will be detrimental to the public health, safety, and welfare, and materially injurious to properties or improvements in the vicinity.

E. The Costa Mesa Planning Commission has denied Planning Application PA-09-18. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.

F. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

ATTACHMENT 2
PROJECT DESCRIPTION

Hochhauser
Blatter

ARCHITECTURE
AND PLANNING

June 1, 2010

PROJECT DESCRIPTION

845 West Baker Street

The Baker Street Mixed Use / Senior Housing Commercial project is located on an urban infill previously developed site which is adjacent to Highway 73.

The project is organized with ground floor commercial on the Baker Street frontage and garaged/structured parking on grade behind. The podium that covers these uses supports 3 additional stories of residential apartments and community spaces. The residential units are configured around an interior courtyard so as to facilitate a sense of community and interface between residents. This courtyard is shielded from the elevated freeway by the residential units on its western side and these units are oriented into this pleasant pedestrian space. Individual residential units have orientations to Baker Street, the south and east and there are no units which orient to the freeway and west, thereby avoiding detrimental impacts of the elevated freeway and harsh western sun. This senior community is designed with comfort convenience and independence in mind. Elevator access is provided to each floor and a street level residential entry lobby creates a legible and inviting presence on Baker Street.

The community includes a clubhouse community center with fully equipped kitchens, card rooms, libraries, television/media rooms, computer desks, health and workout areas and fully equipped laundry areas.

Received
City of Costa Mesa
Development Services Department
JUN 01 2010

122 EAST ARRELLAGA ST.
SANTA BARBARA
CALIFORNIA
93101

Typical unit amenities for the senior residential units include fully equipped kitchens with dishwashers, continuous cleaning ovens, refrigerator/freezers, garbage disposals and pantry cabinets. Each unit has plush wall to wall carpeting, central heating and air conditioning, and vertical blind window coverings. The units have spacious bathrooms with tub shower units as well as generous closets and storage. Each unit incorporates its own private patio/balcony.

The exterior architecture and building mass is articulated with scaled elements, balconies and solar shading to impart texture and visual interest to the form of the building. On the Baker Street elevation, a hierarchy of fenestration is developed between the ground level commercial spaces/main residential entry lobby, and the residential units above. The west facing freeway elevation is softened with the incorporation of green wall trellis elements and fenestration along the residential access corridors. A variety of materials, textures, and color is further employed to create a rich composition of this building and site within its neighborhood context.

The development is designed to meet and exceed green standards set forth by the City of Costa Mesa.

The developer, USA Properties Fund typically employs a wide variety of energy efficient and sustainable building standards for all of its projects. These sustainable building standards promote public health, energy conservation, operational savings, improved energy performance, and healthier indoor environment. Some of the features included in the design are:

- Use of fluorescent light fixtures for at least 75% of the project interior and exterior lighting (or sodium lighting)

- Water saving and low-flow devices in kitchens and baths
- All Energy Star Rated appliances
- Ceiling fans in bedrooms and living room
- CRI green-label, VOC carpeting and pad and low VOC flooring adhesives
- Humidistat sensor on bathroom fans that vent to exterior
- Title 24 efficiencies including Low-E windows and fully insulated buildings
- Exceed Title 24 Energy Standards by a minimum of 10%
- Provide Secure Bicycle Storage for 5% of Non Residential Tenants Employees and Visitors
- Drought Tolerant California natives
- Create drought Resistant Soils
- Design and Install High Efficiency Irrigation System
- Plant Hydro zones
- Minimize Turf areas
- At least 30% of the site includes Cool Site Techniques
- Includes Universal design in over 80% of units
- Divert a portion of all construction and demolition waste by 65%
- Construction Material Efficiencies including Pre-cut lumber from supplier in 80% of material
- 20% Recycle Fly ash in concrete
- All insulation contains no added formaldehydes
- Energy Star fans
- AC units contain NON -HCFC Refrigerants
- Infiltration Testing by CHEERS rater
- Ceiling fans in bedrooms and Living Rooms
- Pre wire Photovoltaic's
- Energy Star Clothes Dryers

- Central Laundry
- Water Efficient Fixtures
- High Efficiency Toilets
- Flow Limiters on all Faucets
- Low/No VOC Paints and Coatings
- Low VOC Construction Adhesives
- Environmental Preferable Flooring in 75% of Units

ATTACHMENT 3
NOISE STUDY

NOISE STUDY

845 Baker Street
Costa Mesa, California

Prepared for:

RED MOUNTAIN RETAIL GROUP

Prepared by:

PCR SERVICES CORPORATION

November 2007

1. INTRODUCTION

1.1 PURPOSE

The purpose of this noise study is to:

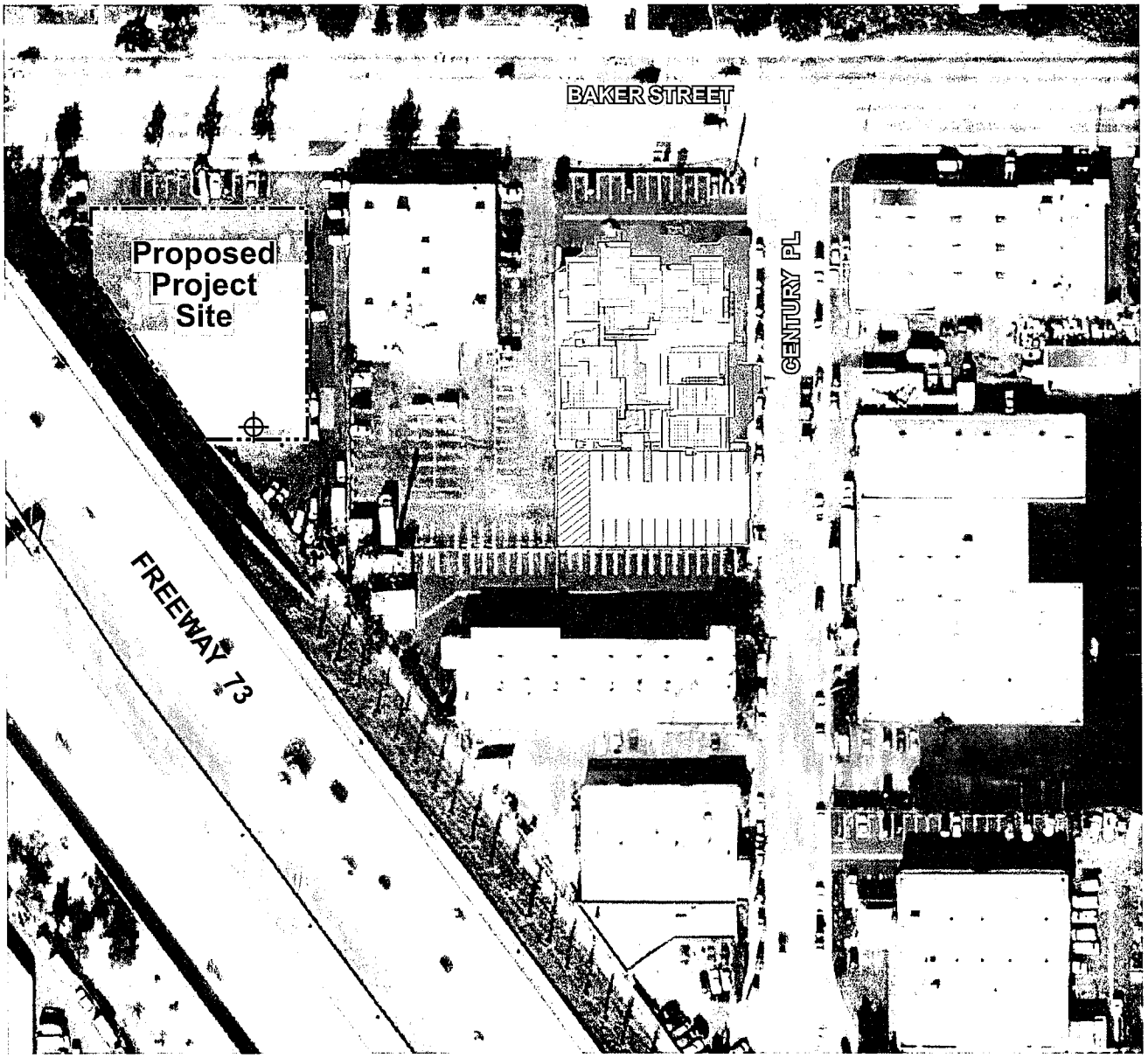
a. Measure the existing ambient noise environment at the proposed Project site and determine the site noise compatibility for residential uses;

b. Evaluate the sound attenuation requirements of the proposed Project exterior building envelope with respect to the City of Costa Mesa's Noise Study requirement as stated in SoBECA Urban Plan adopted April 4, 2006 (Page 19); and

c. Recommend, if needed, noise mitigation measures required to meet the interior sound level standard of 45 dBA CNEL as specified under SoBECA Urban Plan.

1.2 PROJECT DESCRIPTION

Red Mountain Retail Group proposes to develop a multi-units live/work project (Project) in the City of Costa Mesa. The proposed Project consists of a multi-story residential structure placed over the existing single-story commercial building providing approximately 30 multi-level live/ work units. The project site plan, shown on Figure 1 on page 2, is bounded by Baker Street to the north, commercial uses (including a nightclub) to the east, and the 73 Freeway running diagonally to the southwest.



PCR

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Figure 1
Site Plan Showing
Noise Monitoring Locations

Source: Red Mountain Retail Group, 2007; Google Earth, 2007

Baker Street

2. NOISE ANALYSIS

2.1 NOISE DESCRIPTORS

The decibel (dB)[1] is a conventional unit for measuring the amplitude of sound because it accounts for the large variations in sound pressure amplitude and reflects the way people perceive changes in sound amplitude. When describing sound and its effect on a human population, A-weighted (dBA) sound levels are typically used to account for the response of the human ear. The term "A-weighted" refers to a filtering of the noise signal in a manner corresponding to the way the human ear perceives sound.

Community noise levels usually change continuously during the day. The equivalent sound level (L_{eq}) is normally used to describe community noise. The L_{eq} is the equivalent steady-state A-weighted sound level that would contain the same acoustical energy as the time-varying A-weighted sound level during the same time interval. For intermittent noise sources such as music, the maximum noise level (L_{max}) is normally used. The L_{max} sound level represents the maximum noise level measured during the measurement.

Another noise metric, commonly used for land use planning and is also used by the City of Costa Mesa, is the Community Noise Equivalent Level (CNEL). The CNEL adds a 5 dBA penalty to noise occurring during evening hours from 7:00 P.M. to 10:00 P.M., and a 10 dBA penalty to sounds occurring between the hours of 10:00 P.M. to 7:00 A.M. to account for the increased sensitivity to noise events that occur during the quiet late evening and nighttime periods. Thus, the CNEL noise metric provides a 24-hour average of A-weighted noise levels at a particular location, with an evening and a nighttime adjustment, which reflects increased sensitivity to noise during these times of the day.

2.1 CITY OF COSTA MESA REQUIREMENTS

The SoBECA Urban Plan requirement with respect to noise study for the Project is stated as follows:

- The residential interior noise levels shall be 45 CNEL or less; and

[1] *All sound levels, measured in decibel (dB), in this study are relative to $2x10^{-5}$ N/m^2*

- The residential exterior noise levels in private open space areas shall be 65 CNEL or less. The residential exterior noise standards; however, are not applicable to multi-family residential development or live/work units located within a Mixed-Use Overlay District.

- The City of Costa Mesa Noise Ordinance (Section 13-281) provides interior noise standard of maximum noise level of 55 dBA (for nighttime hours between 10 P.M. and 7 A.M.). The standard also states that for noise consists of music, the noise standard shall be reduced by 5 dBA. As applicable to this Project, the maximum interior noise level due to music from nearby nightclub shall be 50 dBA.

2.2 EXISTING NOISE ENVIRONMENT

The existing noise environment at the proposed Project site is comprised primarily of auto traffic on the adjoining 73 Freeway, nearby local streets including Baker Street; adjacent commercial operations including the existing nightclub (The Shark Club) on the abutting property (841 Baker Street), as shown on Figure 1. To quantify the existing noise environment, noise measurement was made at the project site on Thursday April 26, 2007, between 10:00 a.m. and 5:00 p.m. In addition, long-term ambient noise measurement from recent noise study for the 801 Baker Street Project (recorded in March 2007), which included noise levels from operation of adjoining nightclub, were also utilized to assess project noise impact from operation of nearby nightclub.

2.2.1 Measurement Procedures

Noise measurements were conducted using Larson-Davis 820 Precision Integrated Sound Level Meter (SLM). The Larson-Davis 820 SLM is a Type 1 standard instrument as defined in the American National Standard Institute (ANSI) S1.4. All instruments were calibrated and operated according to the applicable manufacturer specification. The microphone was placed at a height of 5 feet above the roof elevation of the existing commercial building with direct line-of-sight to the 73 Freeway. The sound level meter was setup to collect the hourly average noise level (L_{eq}).

2.2.2 Measurement Results

Table 1 on page 5 presents the existing noise environment in the project vicinity. Based on field observation and measured sound data, the existing noise environment in the vicinity of the project site is controlled mainly by auto traffic (the 73 Freeway and Baker Street) and noise from the adjacent nightclub especially during the late night hours when the nightclub is in

Table 1

Measured Ambient Noise Levels at Project Site

Location	Measurement Date / Time	Ranged of Hourly L_{eq} (dBA)	24-hour CNEL (dBA)	Maximum Nighttime L_{max} due to nightclub operation (dBA)	Notes
West Side facing the 73 Freeway	Thursday 4/26/2007 10 a.m. to 5 p.m.	65.5 - 68.0	67.0[a]	--	Nightclub Closed
East Side facing the Shark Club[b]	Saturday 2/17/2007 12 a.m. to 12 a.m.	54.6 – 64.5	68.4	83	Nightclub Open

[a] *Estimated based on the measured noise levels and the nearby long-term (24 hour) measurements.*
[b] *Based on measured noise levels for the 801 Baker Street Lofts project noise study.*

Source: PCR Services Corporation, 2007

operation. As indicated on Table 1, the Project site is currently exposed to exterior noise level up to 68.4 CNEL.

Based on the measured noise data from the 801 Baker Street Lofts project, during the late night hours (between 10 P.M. and 3 A.M.) when the nightclub is in operation (i.e., Friday and Saturday nights), the maximum noise level (L_{max}) of 83 dBA was recorded at the Project site, which is up to 22 dBA higher than the nights when the night club is closed (i.e., Sunday and Monday nights).

2.3 SOUND INSULATION REQUIREMENTS

In order to meet the SoBECA Urban Plan interior noise limit of 45 dBA CNEL the proposed building exterior envelope must provide a minimum of 24 dBA exterior/interior noise reduction. This translates to a minimum Sound Transmission Class (STC) STC 34 rating for exterior construction including; building façade, windows, doors, and roof[2].

The City noise standard of 45 CNEL interior noise level is normally adequate for general environmental noise sources, such as traffic or other continuous and steady state noise sources (e.g. building mechanical equipment). However; as mentioned in the previous section, the

[2] *Sound Transmission Class, STC, is a single number acoustic rating for building construction, indicating the noise reduction performance. The higher STC rating represents a higher acoustic performance or higher noise reduction*

Project site is also exposed to short term but significant noise levels due to operation of the adjacent nightclub. The nightclub nighttime operation noise level was measured up to 83 dBA near the proposed project site. The high noise level generated by the nightclub during the late night hours could be a potential noise impacts to interior environment of the proposed Project. Furthermore, the nightclub related activities, as reported by Red Mountain Retail Group, noise generation is primarily from musical instruments, bands and broadcast stereo systems with low bass (low frequency). As such the Project should also comply with the City of Costa Mesa Noise Ordinance Section 13-281 (described in Section 2.1 above), that is, reduce the exterior noise from the adjacent Shark Club (83 dBA maximum noise level) to the interior of the residential units (50 dBA maximum noise level). The Project exterior walls/windows and doors construction, therefore, should provide sound attenuation of no less than 33 dBA or minimum STC 43 rating. This requirement applies to the side of building facing the Shark Club, east façade.

3. MITIGATION MEASURES

3.1 EXTERIOR CONSTRUCTION

The following mitigation measures are recommended to meet the City's sound insulation requirements for residential development. As the project is in preliminary phase, building design or construction materials are not yet selected. Therefore, mitigation measures are specified in terms of acoustic performances.

1. West, North and South Facades of Units:

    a. Wall – Minimum STC 34. Project design specification shall include acoustic data indicating the specified system meet minimum STC requirement.

    b. Windows – Minimum STC 34. Project design specification shall include manufacturer's acoustic data indicating the specified window meet minimum STC requirement.

    c. Doors – Minimum STC 29. Standard solid core wood or insulated hollow metal door with a full set of acoustics seal would meet this requirement.

2. East Facades of Residential Units facing the Shark Club:

    a. Wall – Minimum STC 43. Project design details and specifications shall include acoustic data indicating the specified system meet minimum STC requirement.

    b. Windows – Minimum STC 43. Project design specification shall include manufacturer's acoustic data indicating the specified window assemblies meet minimum STC requirement.

    c. Doors – Minimum STC 38. Project design specification shall include manufacturer's acoustic data indicating the specified door assemblies meet minimum STC requirement.

TABLE OF CONTENTS

Page

1. INTRODUCTION 1
1.1 Purpose 1
1.2 Project Description 1

2. NOISE ANALYSIS 3
2.1 Noise Descriptors 3
2.1 City of Costa Mesa Requirements 3
2.2 Existing Noise Environment 4
2.3 Sound Insulation Requirements 5

3. MITIGATION MEASURES 7
3.1 Exterior Construction 7

LIST OF FIGURES

Figure		Page
Figure 1	Project Site Plan	2

LIST OF TABLES

Table **Page**

Table 1 Measured Ambient Noise Levels at Project Site 5

ATTACHMENT 4
PHASE 1 ENVIRONMENTAL ASSESSMENT

March 2, 2007

PHASE I
ENVIRONMENTAL SITE ASSESSMENT

845 West Baker Street
Costa Mesa, California 92626

AEI Project No. 270420

Prepared For

RED MOUNTAIN
Retail Group

1234 East 17th Street
Santa Ana, California 92701

Prepared By

AEI CONSULTANTS
2447 Pacific Coast Highway, Suite 101
Hermosa Beach, California 90254
(310)798-4255

COPY

AEI

EXECUTIVE SUMMARY

AEI Consultants (AEI) was retained by Red Mountain Retail Group to conduct a Phase I Environmental Site Assessment (ESA), in conformance with the scope and limitations of ASTM Standard Practice E1527-05 and the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) for the property located at 845 West Baker Street in the City of Costa Mesa, Orange County, California. Any exceptions to, or deletions from, this practice are described in Section 1.2 of this report.

Property Description

The subject property is located on the south side of Baker Street in a mixed commercial and residential area of Costa Mesa. The property totals approximately 0.86 acres and is improved with a single-story building totaling approximately 11,544 square feet. The building is currently occupied by Costa Mesa Tires (Unit A), Sloane's Furniture (Unit B), and Pacific Patio (Unit C). On-site operations include two furniture stores and an auto repair facility. In addition to the subject property building, the property is improved with a Nextel cell tower, asphalt-paved parking areas, and associated landscaping. Please refer below and to Section 6.1 for further information regarding the auto repair facility.

The property was developed with the current improvements in 1968 for commercial use. Prior tenants include retail, auto repair and a print shop. Refer below and to section 3.4 for additional information regarding the environmental issues associated with the prior tenants. Based on a review of historical sources, the subject property was formerly utilized agriculturally as early as 1938. Refer below and to section 3.1 for additional information regarding the former agricultural use.

The immediately surrounding properties consist of residences to the north across Baker Street, The Shark Club to the east, and the 73 Freeway to the south and west.

Based upon topographic map interpretation and site observations, the direction of groundwater flow beneath the subject property is inferred to be to the north, and present at a depth of 30 feet below ground surface (bgs), according to Gregg Drilling.

Findings

Recognized environmental conditions (RECs) are defined by the ASTM Standard Practice E1527-05 as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. AEI's investigation has revealed the following recognized environmental conditions associated with the subject property or nearby properties:

- No on-site recognized environmental conditions were identified during the course of this investigation.

Historical recognized environmental conditions (HRECs) are defined by the ASTM Standard Practice E1527-05 as an environmental condition which in the past would have been considered a recognized environmental condition, but which may or may not be considered a recognized environmental condition currently. AEI's investigation has revealed the following historical recognized environmental conditions associated with the subject property or nearby properties:

- No on-site historical recognized environmental conditions were identified during the course of this investigation.

Environmental issues include environmental concerns identified by AEI that warrant discussion but do not qualify as recognized environmental conditions, as defined by the ASTM Standard Practice E1527-05. AEI's investigation has revealed the following environmental issues associated with the subject property or nearby properties:

- An auto repair facility known as Costa Mesa Tires currently occupied Unit A of the subject property. AEI observed one waste oil aboveground storage tank (AST) totaling 320-gallons and two new motor oil ASTs totaling approximately 320-gallons. Additionally, numerous containers of motor oil, anti-freeze, and motor oil filters were observed during the site inspection of the auto repair business. Although minor staining typical of auto repair operations was observed in several areas, overall housekeeping appeared adequate to prevent an impact to the subsurface of the subject property. No floor drains, sumps, or other conduits to the subsurface of the subject property were observed. Secondary containment was currently in place for the drums in use at the property and no evidence of a release was observed during the site reconnaissance. The subject property is not listed for any spills or releases in connection with the use or handling of these materials in the regulatory database. Based on this information and the good housekeeping observed, the auto repair operations at the subject property are not expected to represent a significant environmental concern.

- The subject property was historically used for agricultural purposes. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used onsite. The entire area of the subject property is either paved over or covered by improvements that make direct contact with any potential remaining concentrations in the soil unlikely. Furthermore, the subject property is developed and used for commercial purposes and thus no further action related to the former agricultural use of the subject property is warranted at this time. If redevelopment of the subject property is planned for residential use, the owner/user of the report should contact the local planning department to determine whether sampling relating to the former agricultural use of the subject property is required.

- AEI also observed the presence of seven belowground hydraulic lifts in the repair area of the subject property building. Based on previous experience with hydraulic lifts, the quantity of hydraulic fluid used with this equipment is small and has low mobility. Based on the small quantity of hydraulic fluid used in connection with the operations of this equipment and the low mobility of hydraulic fluid, the presence of this equipment is not expected to represent a significant environmental concern. It should be noted that if the lifts are to be removed in the future, soil sampling may be required.

- According to the Southern California Air Quality Management District (SCAQMD), Blom and Wilson Printers formerly occupied the subject property in 1989 and utilized a printing press. No violations or notices to comply were on file at the SCAQMD. Many printing industries generate waste ink and ink sludges that might contain solvents or heavy metals. No documented releases were reported for the subject property. Based on the presumed small quantity of materials involved, the lack of a documented release, and the short period of time the print shop was located onsite, the possible storage and use of hazardous materials on the subject property is not expected to represent a significant environmental concern.

- Due to the age of the subject property building, there is a potential that asbestos-containing materials (ACMs) and/or lead-based paint are present. All suspect ACMs and painted surfaces were observed in good condition and are not expected to pose a health and safety concern to the occupants of the subject property at this time.

Conclusions, Opinions, and Recommendations

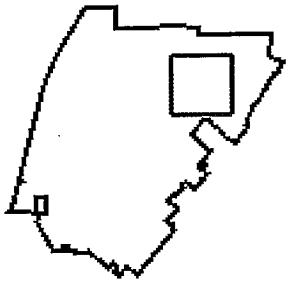
AEI's investigation has revealed no evidence of recognized environmental conditions associated with the subject property or nearby properties. AEI recommends no further investigations for the subject property at this time. However, it should be noted that if the underground hydraulic lifts are to be removed in the future, soil sampling may be required.

ATTACHMENT 5
LOCATION MAP

City of Costa Mesa

CITY OF COSTA MESA - [Created: 5/18/2010 10:35:55 AM] [Scale: 205.86] [Page: 8.5 x 11 / Landscape]

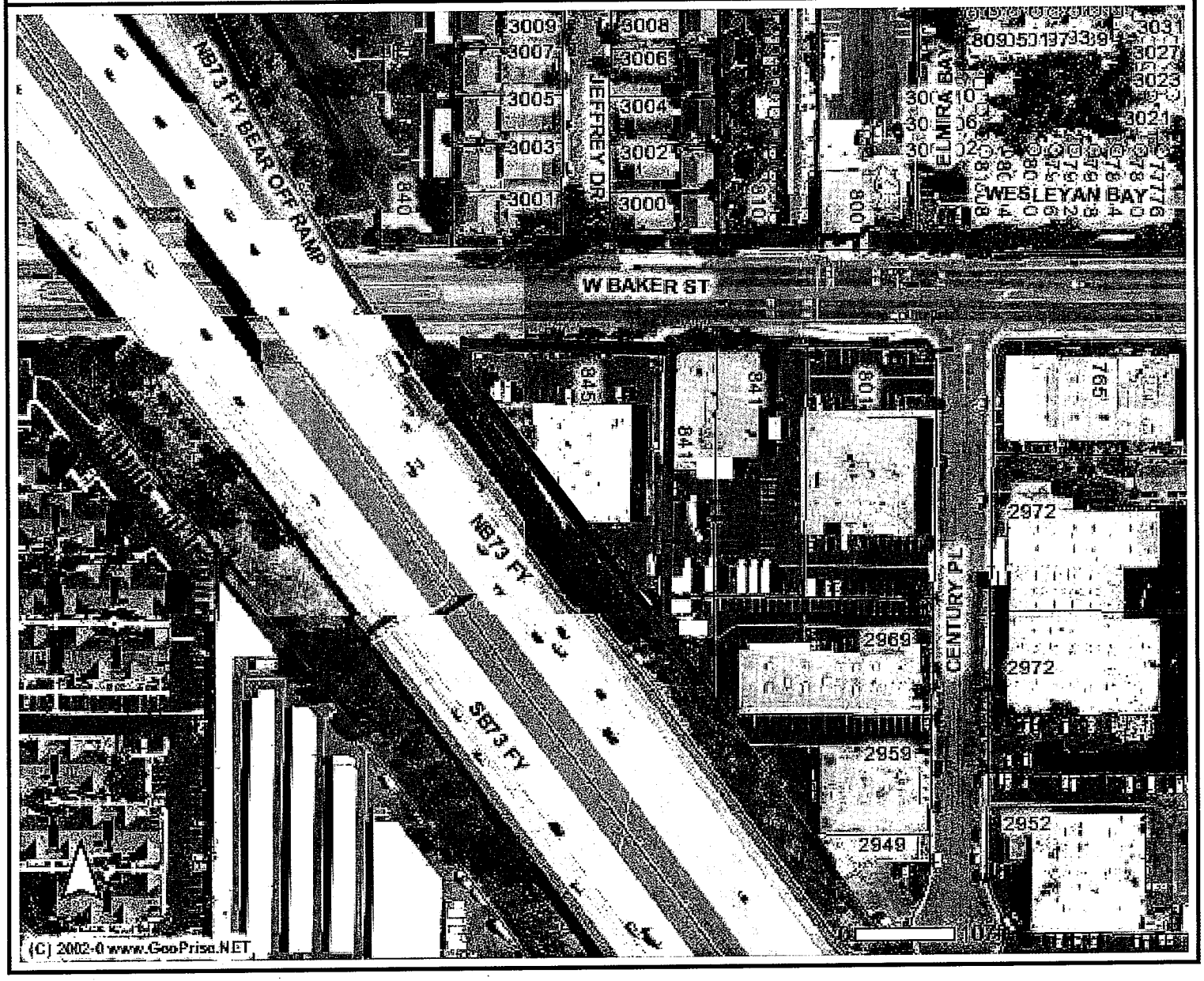
Overview Map



Legend

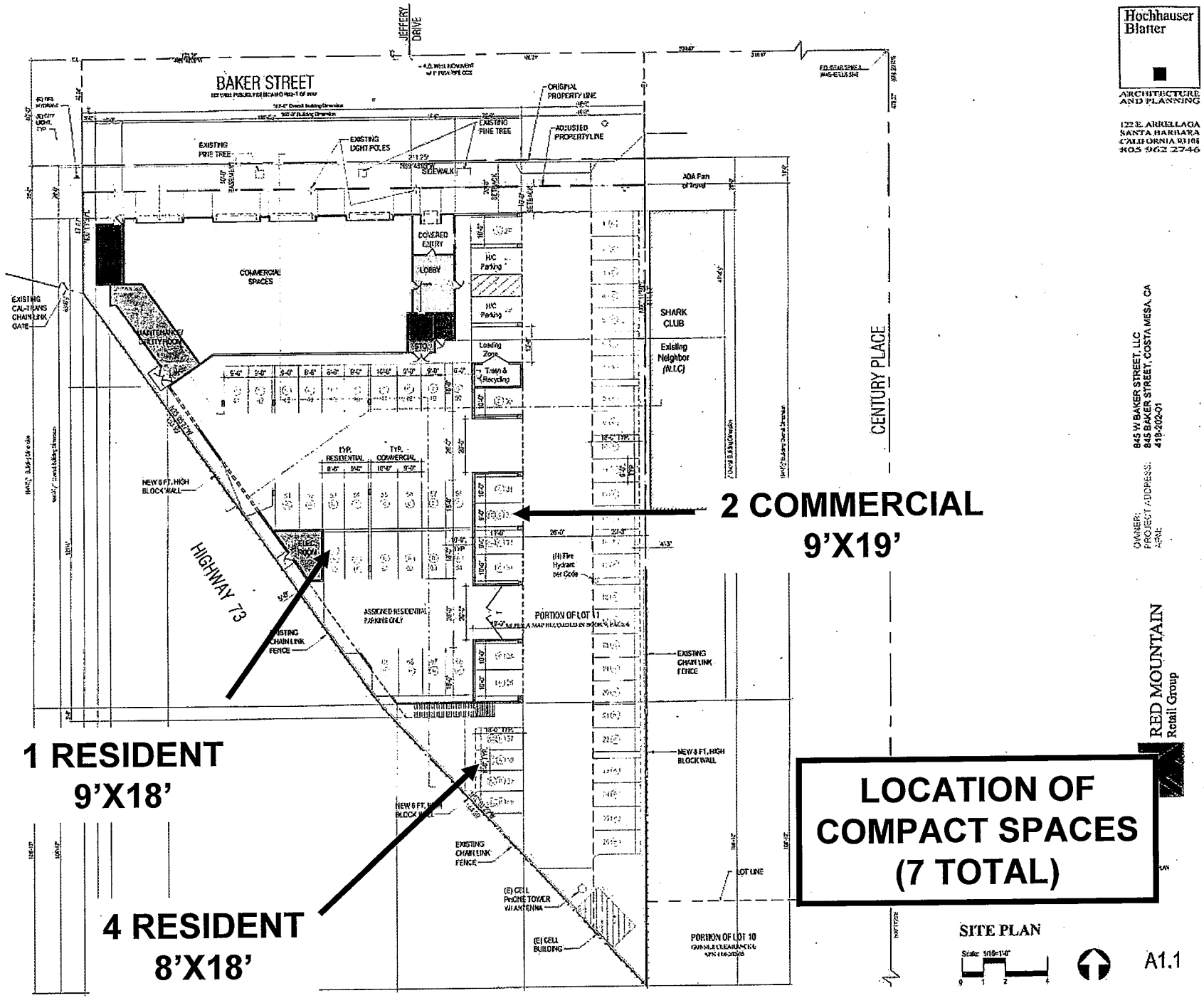
- Address Medium
- Address Points
- Street Names
- Parcel Lines
- Ortho 2006 Level2
- Parcels
- ROW Polygons
- Ortho 2008 Level2

Map Display



(C) 2002-0 GeoPrise.net (GeoVec, Inc.) - (866)422-2505

ATTACHMENT 6
MAP SHOWING LOCATION OF COMPACT SPACES

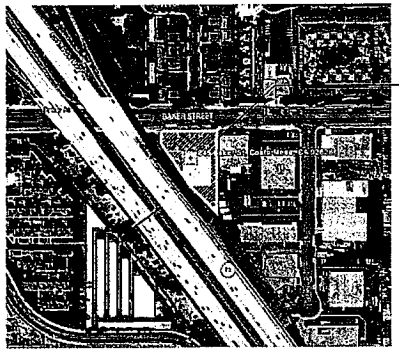

BAKER STREET
JEFFERY DRIVE
CENTURY PLACE
HIGHWAY 73
ORIGINAL PROPERTY LINE
ADJUSTED PROPERTY LINE
EXISTING PINE TREE
EXISTING LIGHT POLES
EXISTING CAL-TRANS CHAIN LINK GATE
COMMERCIAL SPACES
COVERED ENTRY
LOBBY
HC Parking
Loading Zone
Trash & Recycling
SHARK CLUB
Existing Neighbor (N.T.C)
TYP. RESIDENTIAL
TYP. COMMERCIAL
NEW 6 FT. HIGH BLOCK WALL
ASSIGNED RESIDENTIAL PARKING ONLY
EXISTING CHAIN LINK FENCE
PORTION OF LOT 1
(E) CELL PHONE TOWER W/ ANTENNA
(E) CELL BUILDING
PORTION OF LOT 10
LOT LINE
ADA Path of Travel
2 COMMERCIAL
9'X19'
1 RESIDENT
9'X18'
4 RESIDENT
8'X18'
LOCATION OF COMPACT SPACES (7 TOTAL)
SITE PLAN
A1.1
Hochhauser Blatter
ARCHITECTURE AND PLANNING
122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746
OWNER:
PROJECT ADDRESS:
APN:
845 W BAKER STREET, LLC
845 BAKER STREET, COSTA MESA, CA
418-202-01
RED MOUNTAIN
Retail Group

84

ATTACHMENT 7
PLANS

845 W. BAKER STREET
COSTA MESA, CALIFORNIA

VICINITY MAP



PROJECT SITE
845 BAKER STREET,
COSTA MESA, CALIFORNIA 92626

NORTH

PROJECT DIRECTORY

OWNER
845 W BAKER STREET, LLC
COSTA MESA, CA 92626
ATTN: ERIC NELSON
T : 714.245.7400
F : 714.245.7401

ARCHITECT
JAN R. HOCHHAUSER, AIA
HOCHHAUSER BLATTER ARCHITECTURE + PLANNING
122 E. ARRELLAGA STREET
SANTA BARBARA, CA 93101\
T: 805.962.2746 x 102
F: 805.962.4984

SHEET INDEX

ARCHITECTURAL
A0.1 COVER SHEET
A1.1 SITE PLAN
A2.1 GRADE LEVEL PLAN
A2.2 PODIUM AND THIRD LEVEL - RESIDENTIAL PLAN
A2.3 FOURTH LEVEL RESIDENTIAL PLAN AND ROOF PLAN
A3.1 EXTERIOR ELEVATIONS
A4.1 BUILDING SECTIONS
A5.1 VIEWS
A5.2 TYPICAL UNIT PLAN AND AREA SCHEDULE

PROJECT DATA

OWNER:		845 W BAKER STREET, LLC
PROJECT ADDRESS :		845 BAKER STREET, COSTA MESA, CALIFORNIA 90634
PARCEL NUMBER :		APN 418-202-01
OCCUPANCY TYPE :		B, R-3 AND S-2
PROJECT INFORMATION		
LOT AREA :		37,766 SQ. FT. (0.87 ACRES)
NO. OF STORIES :		1 LEVEL - COMMERCIAL SPACE AND PARKING 3 LEVELS - RESIDENTIAL
BUILDING HEIGHT :		4 STORIES - 50 FT. (60 FT. ALLOWABLE SOBECA)
:		53 RESIDENTIAL UNITS(51 ONE-BEDROOM & 2 TWO BEDROOM UNITS) 4,980 SQ. FT. COMMERCIAL RETAIL 68 PARKING SPACES (30 ON GRADE & 38 UNDER PODIUM)
BUILDING FOOTPRINT :		20,072 SQ. FT.
AREA ANALYSIS		
51 ONE-BEDROOM UNITS	-	27,132 SQ. FT.
2 TWO-BEDROOM UNITS	-	1,564 SQ. FT.
ENCLOSED CIRCULATION/ CORRIDORS	-	4,062 SQ. FT.
MANAGER'S OFFICE	-	415 SQ. FT.
MECHANICAL RM./ ELEC. RM./ ELEV. RM./ STORAGE (NOT INCLUDED IN F.A.R.)	-	912 SQ. FT.
LAUNDRY ROOMS	-	846 SQ. FT.
TRASH & RECYCLING	-	162 SQ. FT.
COMMUNITY SPACE	-	2,327 SQ. FT.
SUB-TOTAL	-	3,474 SQ. FT.
ENTRY LOBBY/ LOUNGE	-	573 SQ. FT.
COMMERCIAL RETAIL	-	4,980 SQ. FT.
TOTAL BUILT AREA	-	42,555 SQ. FT.
AREA APPLICABLE TO F.A.R.	-	41,783 SQ. FT.
PROPOSED F.A.R.		(1.11 F.A.R.)
FIRST STOREY COMMERCIAL/ COMMON AREA EXCEEDS 15% SITE AREA		
ALLOWABLE F.A.R. PER SoBECA URBAN PLAN 1.25 SITE AREA STANDARD ALLOWABLE F.A.R. 1.0 SITE AREA	-	47,208 SQ. FT.
PARKING COVERED BY PODIUM	-	13,567 SQ. FT.
PARKING ANALYSIS		
COMMERCIAL @ 4/ 1,000. 5000 S.F. NET		20
RESIDENTIAL SENIOR @0.75/ UNIT		40
REQUIRED		60
PROVIDED		68
OPEN SPACE REQUIREMENT		
10% LOT AREA	-	3,776 SQ. FT.
200 SQ. FT./ RESIDENTIAL UNIT	-	10,600 SQ. FT.
		14,376 SQ. FT.
OPEN SPACE PROVIDED		
PODIUM COURTYARDS	-	3,131 SQ .FT.
PRIVATE BALCONIES	-	4,655 SQ. FT.
COMMON REC ROOM	-	2,327 SQ. FT.
LANDSCAPE SITE AREA	-	4,603 SQ. FT.
SITE HARDSCAPE	-	1,336 SQ. FT.
TOTAL	-	16,052 SQ. FT.
		OK
		42.5% OF SITE
PROVIDED LOT COVERAGE (60% MAX. ALLOWED)	-	20,702 SQ. FT.

SCOPE OF WORK

CONSTRUCTION OF A MIXED-USE DEVELOPMENT, COMMERCIAL/ RESIDENTIAL (INDEPENDENT SENIOR HOUSING)

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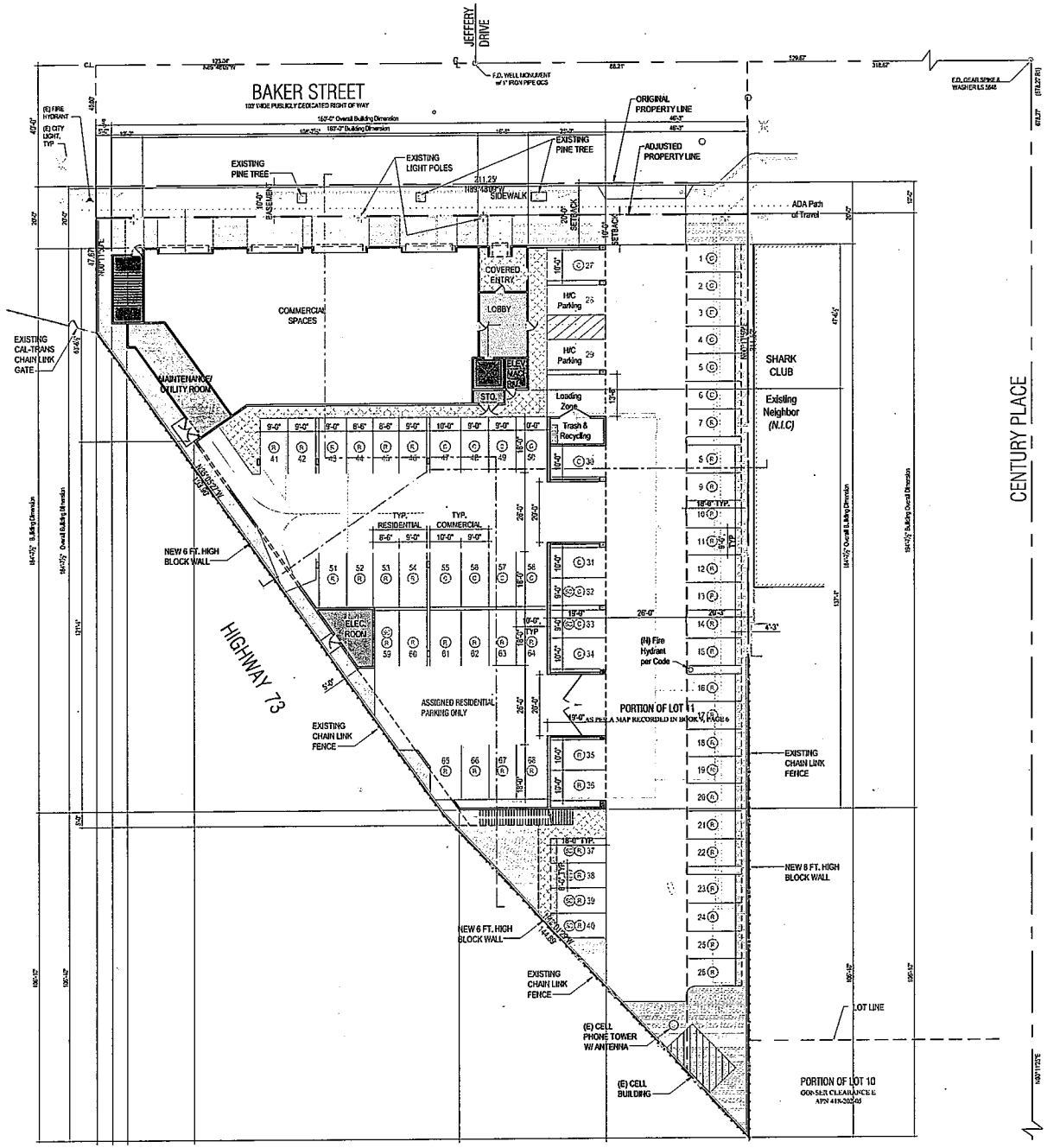
APN: 418-202-01

RED MOUNTAIN
Retail Group

COVER SHEET, PROJECT DATA & VICINITY MAP

A0.1



SITE PLAN

Scale: 1/16"=1'-0"

0 1 2 4

Hochhauser Blatter

ARCHITECTURE AND PLANNING

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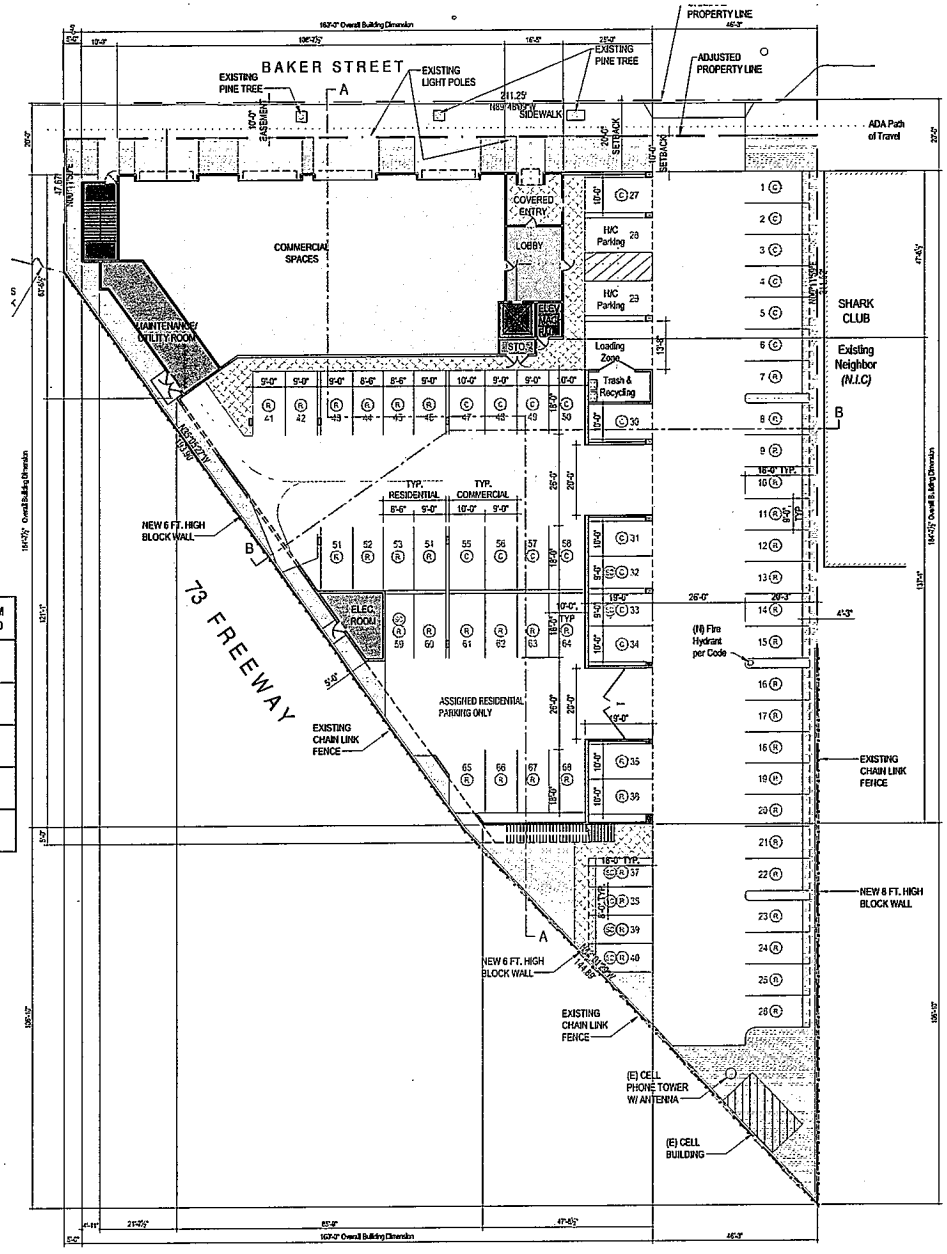
RED MOUNTAIN
Retail Group

SITE PLAN

A1.1

	COMMERCIAL SPACE	UNDER PODIUM PARKING AREA	RESIDENTIAL UNITS	RESIDENTIAL BALCONIES	LOBBY/ CIRC. HORIZONTAL INT.	LOBBY/ CIRC. HORIZONTAL EXT.	CIRCULATION VERTICAL	COMMON AREAS	LAUNDRY	TRASH & RECYCLING	EXT. PODIUM COURTYARD
FIRST LEVEL	4,980	13,567	-	-	573	-	386	812	-	-	-
PODIUM LEVEL	-	-	9,044	1,431	1,404	2,245	608	1,504	216	54	3,131
THIRD LEVEL	-	-	9,826	1,612	1,164	2,215	510	579	216	54	-
FOURTH LEVEL	-	-	9,826	1,612	1,164	2,215	510	579	216	54	-
TOTAL (SQ. FT.)	4,980	13,567	28,696	4,655	4,305	6,675	2,104	3,474	648	162	3,131

FIRST STOREY COMMERCIAL/ COMMON AREA EXCEEDS 15% SITE AREA



Scale: 1/16"=1'-0"

FIRST LEVEL - COMMERCIAL SPACE AND PARKING

(C) COMMERCIAL PARKING (9' X 18' MIN.)

(R) RESIDENTIAL PARKING (8'-6" X 18' MIN.)

(SC) SMALL CAR PARKING (6' X 16' MIN.)

LEGEND

- LOUNGE/ LOBBY/ ENCLOSED CIRCULATION/
- 1 BEDROOM UNITS
- RESIDENTIAL UNIT BALCONY
- COMMERCIAL SPACE
- COVERED HALLWAY
- COMMUNITY SPACE/ ADMIN. AREAS
- VERTICAL CIRCULATION
- COMMON LAUNDRY/ STORAGE/ UTILITY ROOMS
- LANDSCAPE
- PAVED AREA

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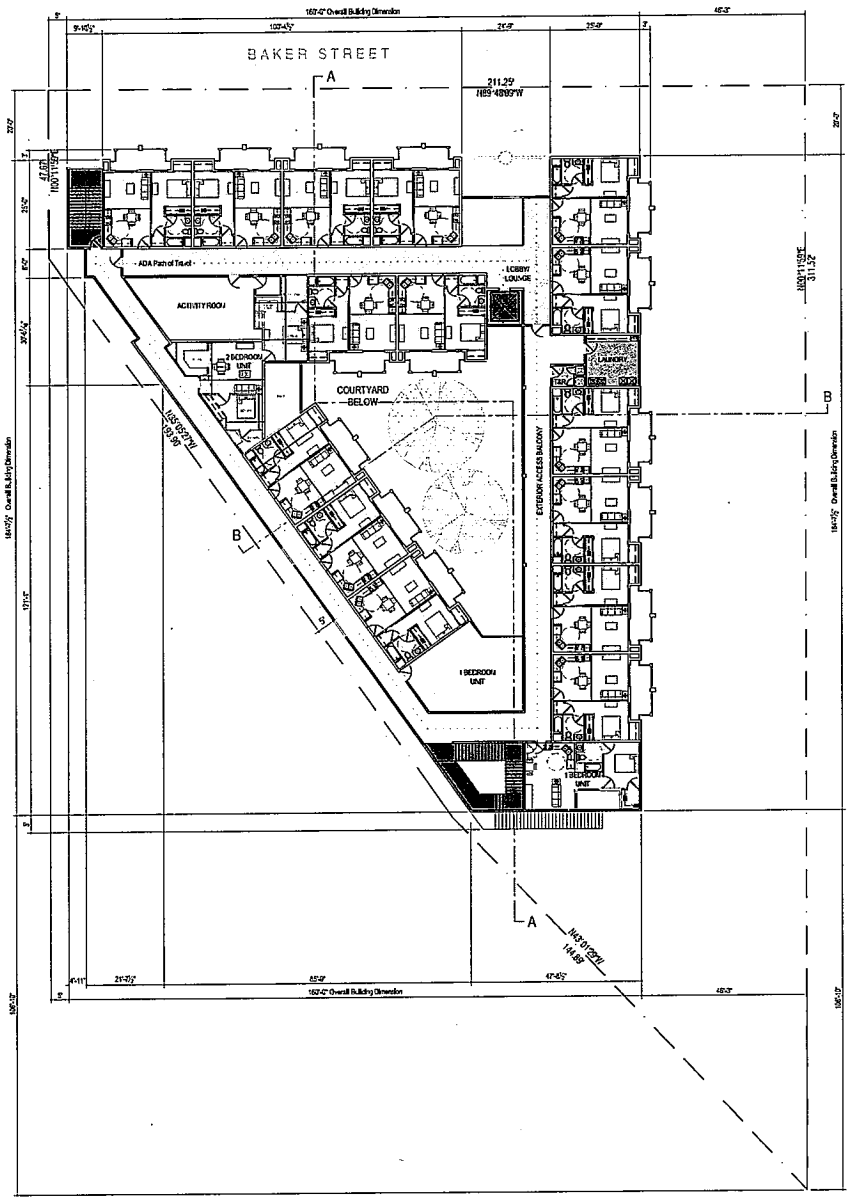
805 962 2746

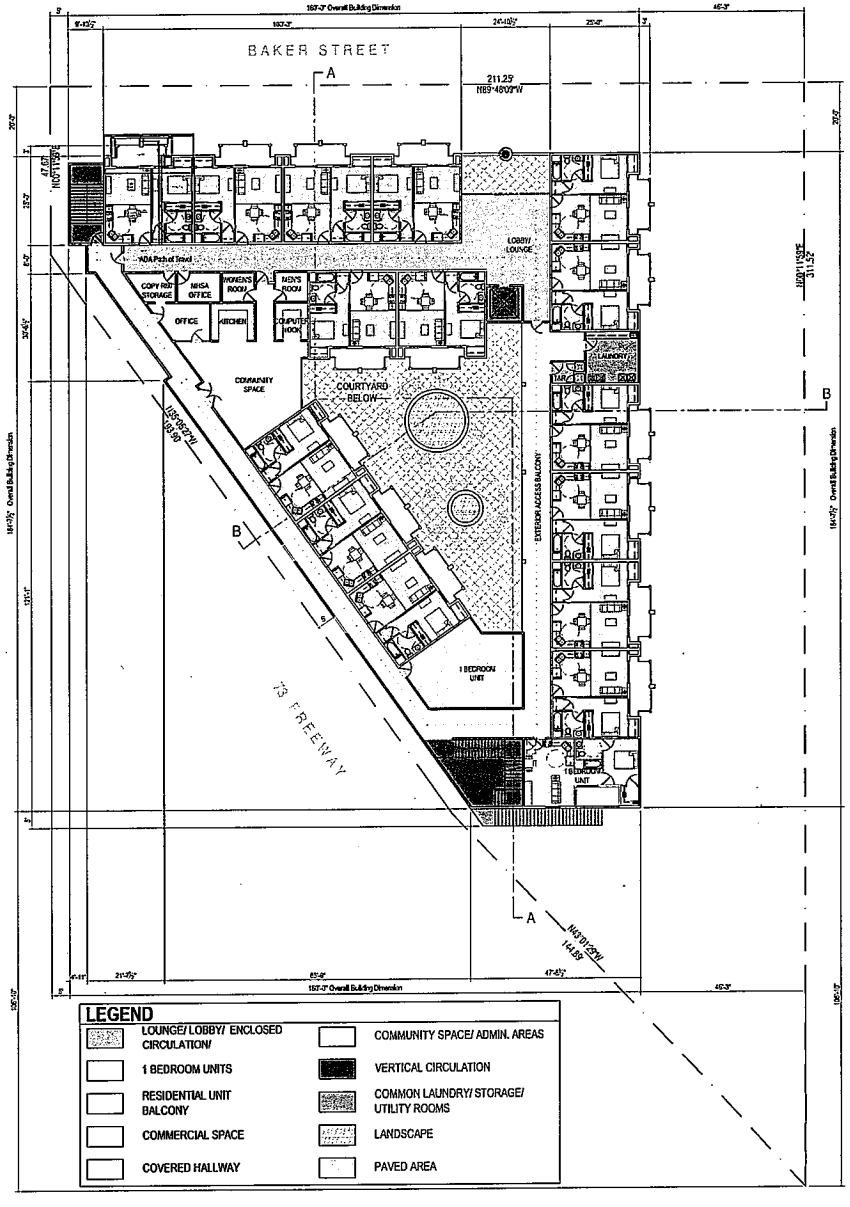
OWNER: RED MOUNTAIN Retail Group
PROJECT ADDRESS: 845 W BAKER STREET, COSTA MESA, CA
APN: 418-202-01

FIRST LEVEL & SECOND LEVEL FLOOR PLANS

A2.1



THIRD LEVEL - RESIDENTIAL UNITS



PODIUM LEVEL - RESIDENTIAL UNITS

LEGEND

LOUNGE/ LOBBY/ ENCLOSED CIRCULATION/	COMMUNITY SPACE/ ADMIN. AREAS
1 BEDROOM UNITS	VERTICAL CIRCULATION
RESIDENTIAL UNIT BALCONY	COMMON LAUNDRY/ STORAGE/ UTILITY ROOMS
COMMERCIAL SPACE	LANDSCAPE
COVERED HALLWAY	PAVED AREA

Scale: 1/16=1'-0"
0 1 2 4

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805 962 2746

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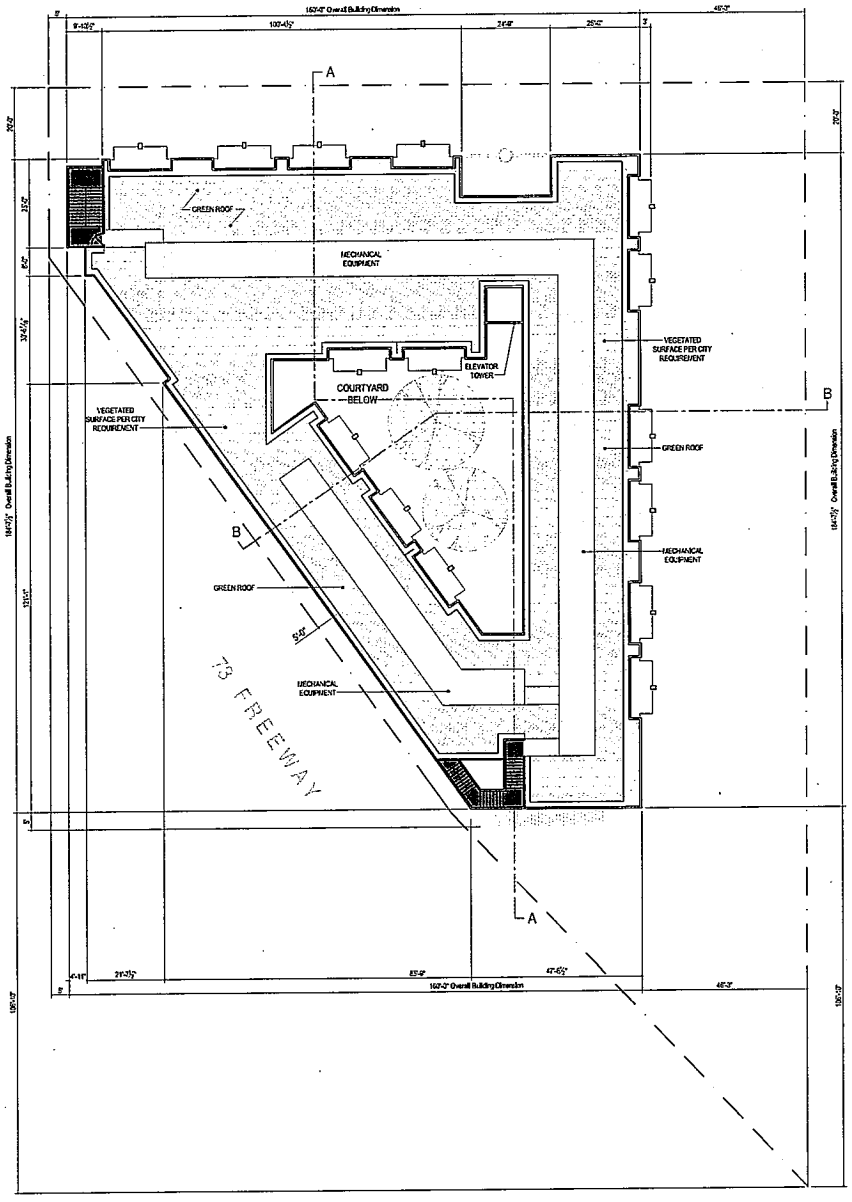
845 BAKER STREET, COSTA MESA, CA
APN: 418-202-01

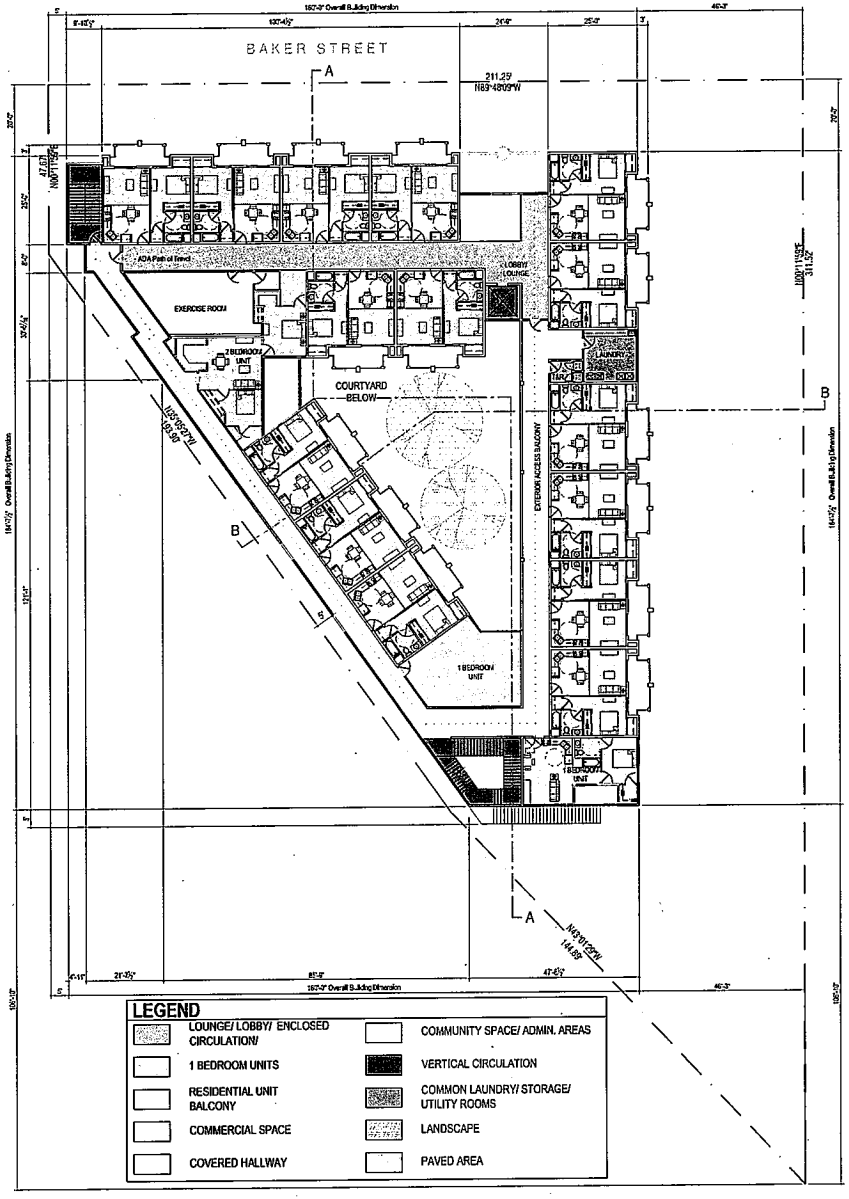
THIRD & FOURTH LEVEL FLOOR PLANS

IN-PROGRESS SET
MARCH 03, 2010

A2.2



ROOF PLAN



FOURTH LEVEL - RESIDENTIAL UNITS

Scale: 1/16"=1'-0"

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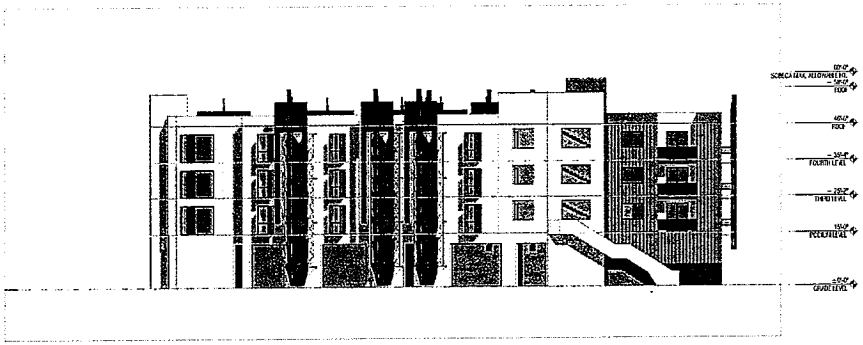
APN: 418-202-01

RED MOUNTAIN
Retail Group

ROOF PLAN

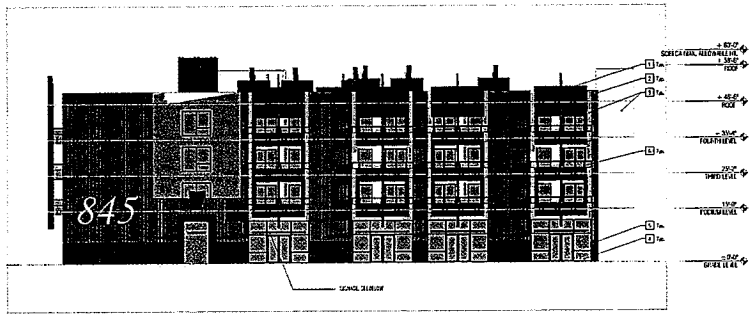
IN-PROGRESS SET
MARCH 03, 2010

A2.3



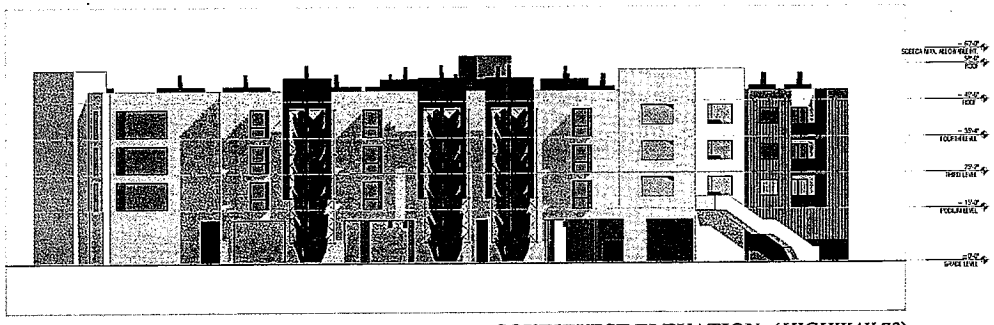
SOUTH ELEVATION

Scale: 1/8" = 1'-0"



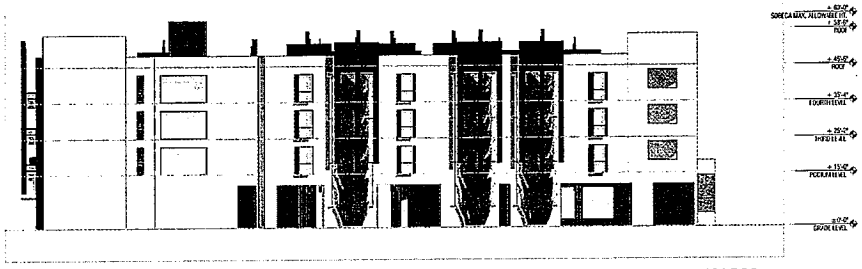
NORTH ELEVATION *(BAKER STREET)*

Scale: 1/8" = 1'-0"



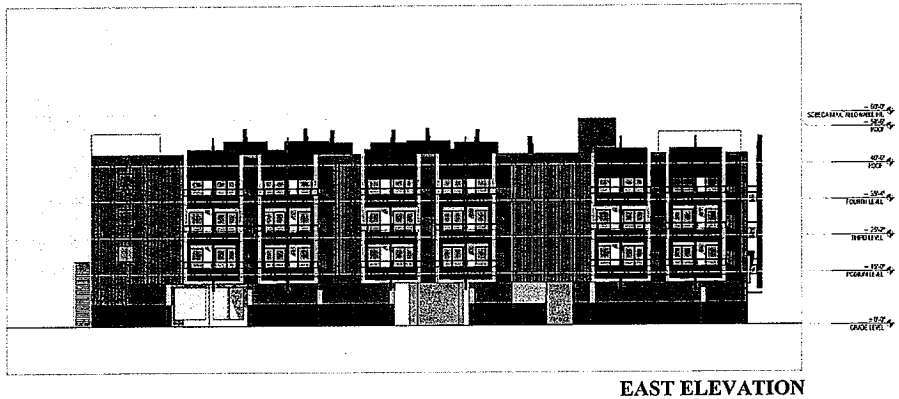
SOUTHWEST ELEVATION *(HIGHWAY 73)*

Scale: 1/8" = 1'-0"



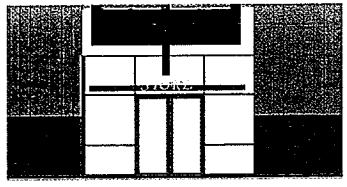
WEST ELEVATION

Scale: 1/8" = 1'-0"



EAST ELEVATION

Scale: 1/8" = 1'-0"



ELEVATION - TYPICAL SIGNAGE

Scale: 1/8" = 1'-0"

MATERIAL KEYNOTES	
#	MATERIAL DESCRIPTION
1	METAL SALES MANUFACTURING, MINI-STANDING SEAM VERTICAL PANELS - WEATHERED COPPER.
2	VERTICAL SCORED PAINTED STUCCO. HAND TROWEL SMOOTH FINISH, NATURAL MICA DARK GRANITE.
3	PORTLAND CEMENT PLASTER, FINE SAND FINISH, MEDIUM TEXTURE.
4	ANODIZED BRONZE ALUMINUM WINDOW SYSTEMS.
5	BOARD FORMED CONCRETE, SCORED LIGHTHOUSE STYLE, COLOR: FADED TERRA COTTA
6	MONICHOLS ARCHITECTURAL STAINLESS STEEL MESH AT CLERESTORIES

Hochhauser Blatter

ARCHITECTURE AND PLANNING

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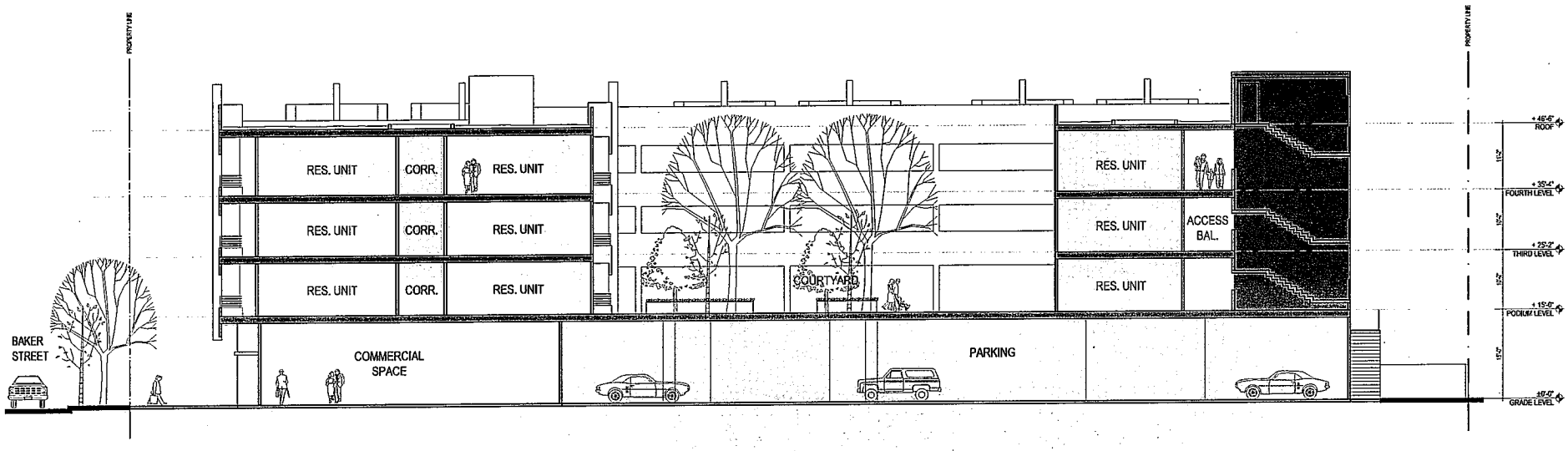
PROJECT ADDRESS: 845 BAKER STREET, COSTA MESA, CA
APN: 418-202-01

RED MOUNTAIN
Retail Group

ELEVATIONS

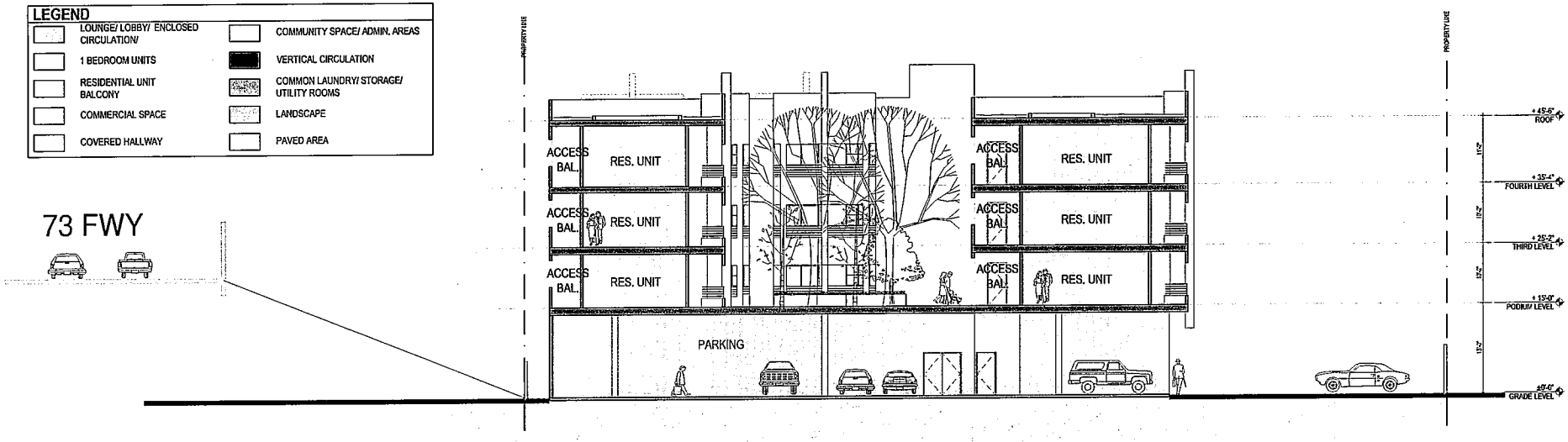
A3.1



SECTION - AA

LEGEND

LOUNGE/ LOBBY/ ENCLOSED CIRCULATION/	COMMUNITY SPACE/ ADMIN. AREAS
1 BEDROOM UNITS	VERTICAL CIRCULATION
RESIDENTIAL UNIT BALCONY	COMMON LAUNDRY/ STORAGE/ UTILITY ROOMS
COMMERCIAL SPACE	LANDSCAPE
COVERED HALLWAY	PAVED AREA



SECTION - BB

Scale: 1/16=1'-0"

0 1 2 4

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122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
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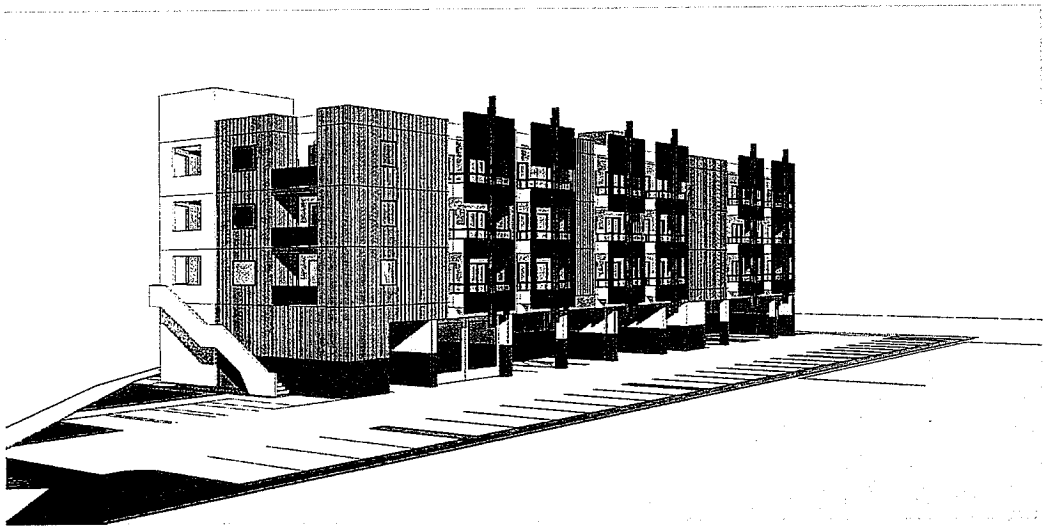
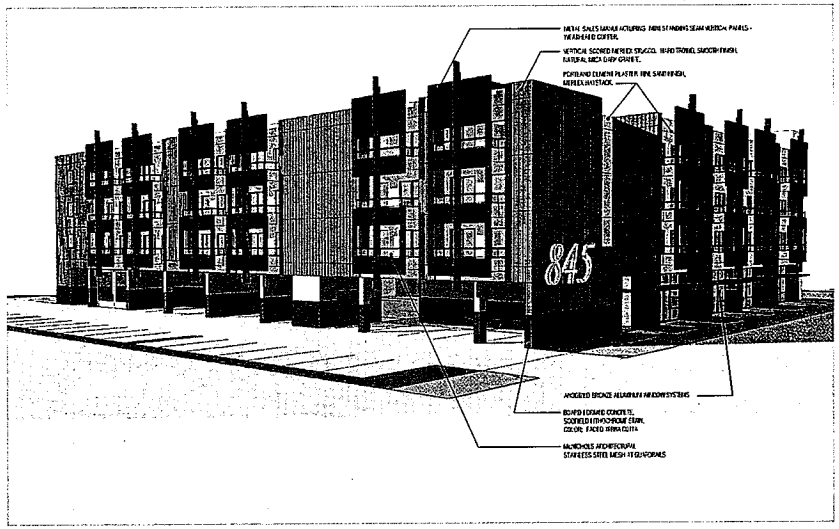
SECTIONS

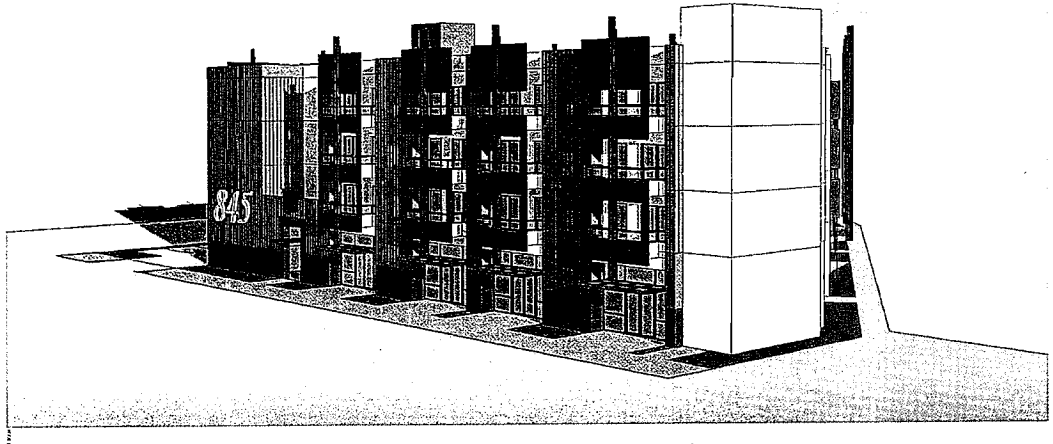
A4.1



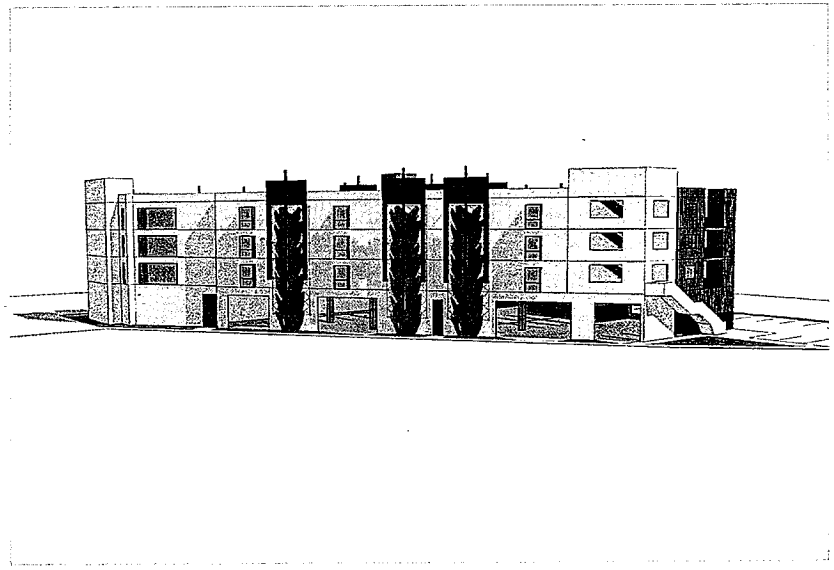
SOUTH - EAST VIEW



NORTH-EAST VIEW



NORTH - WEST VIEW



SOUTH - WEST VIEW

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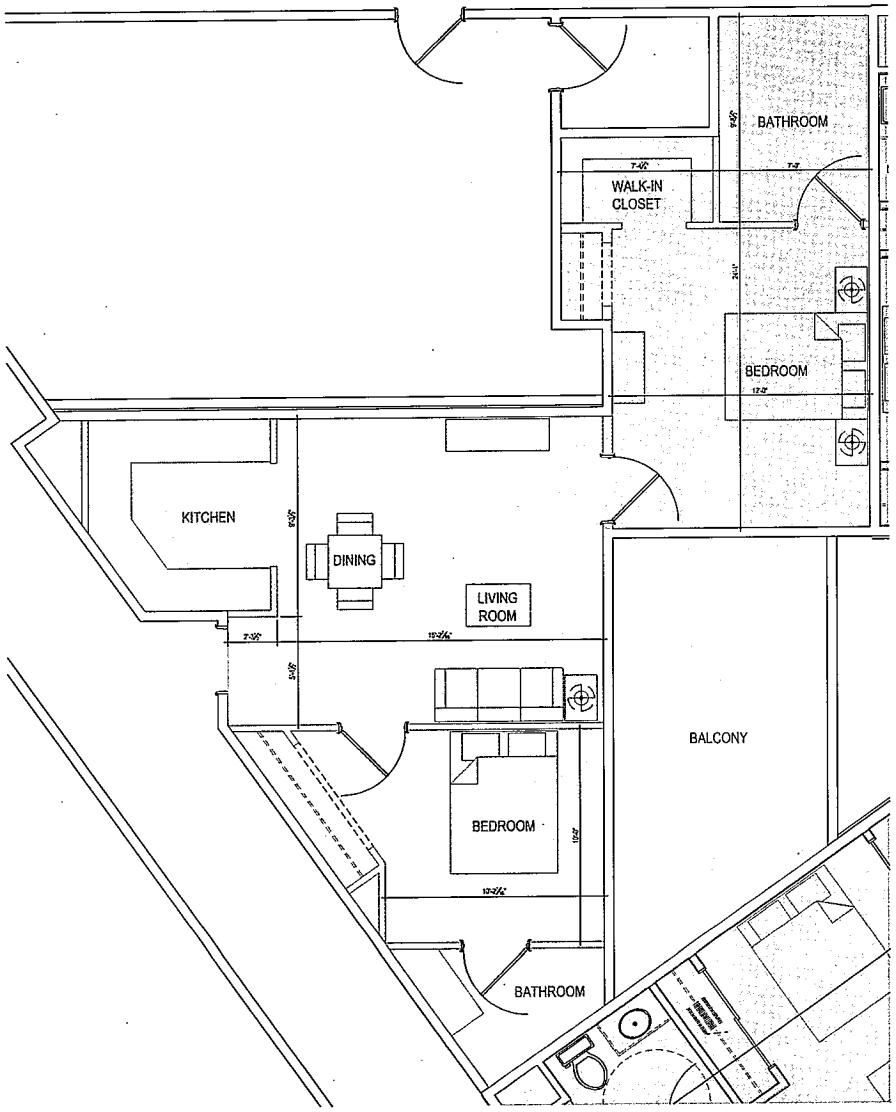
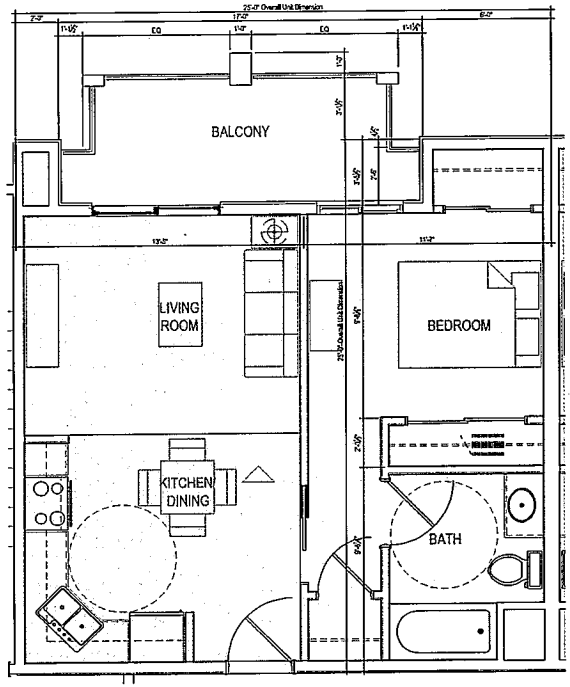
VIEWS

A5.1



TYPICAL 2- BEDROOM RESIDENTIAL UNIT PLAN



TYPICAL 1- BEDROOM RESIDENTIAL UNIT PLAN

Scale: 1/2"=1'-0"
0 1 2 4

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TYPICAL UNIT LAYOUT & RESIDENTIAL UNITS AREA SCHEDULE

A5.2