



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: DECEMBER 9, 2013

ITEM NUMBER: PH-5

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE 125 EAST BAKER STREET  
APARTMENT PROJECT  
STATE CLEARING HOUSE NO. 2013081051**

**DATE: NOVEMBER 27, 2013**

**FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT**

**PRESENTATION BY: MEL LEE, SENIOR PLANNER**

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611  
mel.lee@costamesaca.gov**

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## **DESCRIPTION**

The Draft Environmental Impact Report (DEIR) for the 125 East Baker Street Apartment is currently in circulation for public comments through December 20, 2013. In brief, the proposed project involves the following:

*A five-story, 240-unit residential apartment building (63 feet overall height) that wraps around a six-level parking structure (57 feet overall height) with 465 parking spaces in the structure and four outdoor on-grade parking spaces. The proposed project will involve a General Plan Amendment to change the land use designation from Industrial Park (MP) to High Density Residential and a Zoning Change from Commercial Limited (CL) to Planned Development Residential – High Density (PDR-HD). Other entitlements include a Zoning Code Amendment and Master Plan to accommodate the proposed project.*

## **APPLICANT**

The applicant is Red Oak Investments, LLC, representing Nader Properties Inc, the owner of the property.

## **RECOMMENDATION**

Receive public comments on the DEIR.

## **BACKGROUND**

### ***Project Site/Environs***

The site is located at the southwest corner of Baker Street and Pullman Street. The property is currently zoned CL (Commercial Limited) and has a General Plan Land Use Designation of Industrial Park (MP). The site is roughly triangular-shaped and is currently occupied by a 66,000 square foot two-story office building developed in 1974, a surface parking lot, signage, and landscaped areas. The office building on the project site has been in use for office/administration type operations since its development in 1974. The site is bounded to the north (across Baker Street) by buildings containing a church and various industrial uses zoned MP (Industrial Park), with a General Plan Land Use designation of Industrial Park; to the south and east (across Pullman Street) by various industrial buildings zoned MP (Industrial Park) with a General Plan Land Use designation of Industrial Park; and to the west by the off-ramp for the Costa Mesa Freeway (SR-55) and a drainage channel surrounded by chain link fencing.

### ***Project Submittal***

Red Oak Investments, LLC is proposing to replace the office building and surface parking areas with an apartment building and parking structure as described earlier. The City Council approved the applicant's General Plan Screening request for the proposed project on February 19, 2013.

A formal application submittal was received on April 19, 2013, consisting of the following:

General Plan Amendment GP-13-02 to change the land use designation from Industrial Park to High Density Residential. In addition, the general plan amendment also involves text amendment(s) to the City's General Plan to reflect a site-specific density of 57 dwelling units per acre, and a site-specific height of six stories.

Zoning Code Amendment CO-13-02, a zoning ordinance to amend Costa Mesa Municipal Code Title 13 for a site-specific density of 57 dwelling units per acre and a site-specific height of six stories.

Rezone R-13-02, a rezone (or change) of the zoning classification of the development site from Commercial Limited (CL) to Planned Development Residential – High Density (PDR-HD).

Master Plan PA-13-11, a Master Plan application for the proposed development with a deviation from the required number of on-site parking spaces (541 parking spaces required; 469 parking spaces proposed).

## **ENVIRONMENTAL DETERMINATION**

An Environmental Impact Report (EIR) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). In accordance with CEQA Guidelines Section 15087, the Draft Environmental Impact Report was made available for a 45-day public review and comment period beginning on November 6, 2013, and will remain available for comment until December 20, 2013. The document can be found on the City's website at the below link:

<http://www.costamesaca.gov/index.aspx?page=151>

Electronic copies can also be obtained on CD's from the Planning Division at no charge. Hardcopies are also available for review at the following locations:

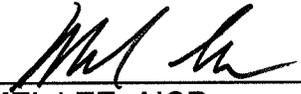
City of Costa Mesa  
Planning Division/Development Services Department  
77 Fair Drive  
Costa Mesa, CA 92628

The Costa Mesa/Donald Dungan Library  
1855 Park Avenue  
Costa Mesa, CA 92627

Mesa Verde Library  
2969 Mesa Verde Drive East  
Costa Mesa, CA 92626

### **CONCLUSION**

Upon completion of the 45-day public review period, written responses to all comments raised with respect to environmental issues discussed in the EIR will be prepared and incorporated into the Final EIR (FEIR). Furthermore, written responses to comments received from any public agencies or other commenter's will be made available at least 10 days prior to the public hearings during which the certification of the FEIR will be considered by the City of Costa Mesa Planning Commission and City Council, hearings for which are tentatively scheduled for February/March 2014.

  
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MEL LEE, AICP  
Senior Planner

  
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GARY ARMSTRONG, AICP  
Economic & Development Services Director /  
Deputy CEO

Attachment: 1. Draft Environmental Impact Report (Under Separate Cover)

cc: Director of Economic & Development / Deputy CEO  
Sr. Deputy City Attorney  
Public Services Director  
City Engineer  
Transportation Services Manager  
Fire Protection Analyst  
Staff (6)  
File (2)

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# Juaneño Band of Mission Indians

## Acjachemen Nation

PH-5

Tribal Council  
Teresa M. Romero - Chairwoman  
Kim Olivares Leone - Secretary/Treasurer  
Heidi Harper Perez - Member at Large • Ruthie Ann "Cookie" Stoffel - Member at Large

November 23, 2013

Mei 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 on 125 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.

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 early in the planning process allows archaeological sites to be preserved through avoidance and incorporation into open space areas.

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.

Sincerely,

Richard C. Vaughn  
Director of Cultural Resources

**Received**  
City of Costa Mesa  
Development Services Department

DEC 02 2013