

## RESPONSES to COMMENTS on the DRAFT IS-MND

This section includes comments received during the circulation of the Draft Initial Study and Mitigated Negative Declaration (IS-MND) prepared for the 12282 Beach Boulevard Mixed-Use Project.

The Draft IS-MND was circulated for a 22 business-day public review period that began on March 24, 2016 and concluded on April 25, 2016. The City received four comment letters on the Draft IS-MND. The commenter and the page number on which each commenter's letter appears are listed below.

<u>Letter No. and Commenter</u>	<u>Page No.</u>
1. Kari A. Rigoni, Executive Officer, Airport Land Use Commission for Orange County	2
2. Laree Alonso, Manager, Planning Division Orange County Public Works Service Area/OC Development Services	7
3. Margaret Brown, Director Facilities, Garden Grove Unified School District	14
4. Aileen Kennedy on behalf of Maureen El Harake, Branch Chief, Regional-Community-Transit Planning District 12	16

The comment letters and responses follow. Each comment letter has been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).





# AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

April 25, 2016

Kelly Hart  
Interim Community Development Director  
City of Stanton  
7800 Katella Avenue  
Stanton, CA 90680

Subject: 12282 Beach Boulevard Mixed-Use Project

Dear Ms. Hart:

Thank you for the opportunity to review the Draft Initial Study for the proposed mixed-use project located at 12282 Beach Boulevard, Stanton, in the context of the Airport Land Use Commission's *Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (AELUP for JFTB Los Alamitos)*. The proposed development is a five-story mixed-use building that would include commercial space, parking, and a residential care facility. We wish to offer the following comments as you proceed with preparation of the Mitigated Negative Declaration (MND).

- 1.1 The initial study states that the site is not within the airport influence area defined by the Orange County Airport Environs Land Use Plan (2004). However, the proposed project area is located within the Federal Aviation Regulation (FAR) Part 77 Notification Area for JFTB Los Alamitos. (Please refer to Appendix D in the *AELUP for JFTB, Los Alamitos*.) We recommend the MND include language that addresses the maximum building heights allowed in the project area.
- 1.2 We also suggest that the MND include a mitigation measure stating that if the Notification Surface for JFTB Los Alamitos is penetrated, the City will require that the applicant file Federal Aviation Administration (FAA) Form 7460-1 Notice of Proposed Construction and Alteration. To determine if filing is necessary, we advise that the applicant utilize the Notice Criteria Tool on the FAA website <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> to ensure that the proposed project does not penetrate the notification surface. The MND should address the height restriction policies contained in Section 2.2.1 of the *AELUP for JFTB, Los Alamitos*.
- 1.3
- 1.4
- 1.5 In addition, we suggest the MND discuss if the development of heliports will be part of the proposed project. 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.

- 1.6 A referral by the City to the ALUC may be required for this project since the project requires an amendment to the zoning code under PUC Section 21676(b). The proposed project would require an amendment to the zoning code to allow for larger exterior balcony/emergency walkway projections. With respect to project submittals, please note that the Commission wants such referrals to 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 agendaing.

Thank you for the opportunity to comment on this initial study. Please contact Lea Choum at (949) 252-5123 or via email at [lchoum@ocair.com](mailto:lchoum@ocair.com) if you need additional information related to the ALUC for Orange County.

Sincerely,



Kari A. Rigoni  
Executive Officer

Letter 1

**COMMENTER:** Kari A. Rigoni, Executive Officer, Airport Land Use Commission for Orange County

**DATE:** April 25, 2016

Response 1.1

The commenter recommends that the MND include language that addresses the maximum building heights allowed in the project area, because it is located within the Federal Aviation Regulation Part 77 Notification Area for the Joint Forces Training Base, Los Alamitos.

As described in the *Project Description* section of the Draft IS-MND, the proposed project would involve the development of a five-story (63-foot-high) mixed-use building that would include commercial space, parking, and a residential care facility on a 1.12-acre site located in the City of Stanton.

In addition, The City of Stanton has an elevation of 66 feet and combined with the completion of the proposed project, the site would result in a total building height 129 feet above sea level. According to the Los Alamitos General Plan, 129 feet is less than the 200 feet threshold which would require filing with the Federal Aviation Administration. See text below for details:

“Additionally, with respect to building heights, development proposals within the City that include the construction or alteration of structures more than 200 feet above mean sea level (amsl) require filing with the Federal Aviation Administration (FAA) and notification to the ALUC, including filing of a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Any development project that would penetrate the Federal Aviation Regulations (FAR) Part 77 Notification Surface for the JFTB is also required to file FAA Form 7460-1”.<sup>1</sup>

The Draft IS-MND references the Orange County Airport Land Use Commission, AELUP Height Restriction Zone for the Joint Forces Training Base, Los Alamitos prior to determining that this project is within the maximum height threshold for the area. Also, other issues related to aviation regulations are addressed in the VIII sections (e, f). The height of the proposed project would be within the maximum building height allowed in the project area. Nevertheless, in response to the commenter’s recommendation, this language has been incorporated into the Draft IS-MND Section VIII, Hazards and Hazardous Materials, e, f) as follows:

*e, f) The project site is located approximately 2.5 miles east of the Joint Forces Training Base (JFTB) in Los Alamitos and six miles south of the Fullerton Airport. The City of Stanton has an elevation of 66 feet and combined with the completion of the proposed project, the site would result in a total building height 129 feet above sea level. According to the Los Alamitos General plan, 129 feet is less than the allotted 200 feet threshold which would require filing with the*

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<sup>1</sup> [http://www.ocair.com/commissions/aluc/archive/2014/2014-10-16/LosAlamitosGeneralPlan/9-5\\_Ch\\_05-05%20HAZ.pdf](http://www.ocair.com/commissions/aluc/archive/2014/2014-10-16/LosAlamitosGeneralPlan/9-5_Ch_05-05%20HAZ.pdf)



*Federal Aviation Administration. The site is not within the airport influence area for either of these two airports as defined by the Orange County Airport Environs Land Use Plan (2004).*

### Response 1.2

The commenter suggests that the Draft IS-MND should include a mitigation measure stating that if the Notification Surface for Joint Forces Training Base Los Alamitos is penetrated, the City will require that the applicant file Federal Aviation Administration Form 7460-1 Notice of Proposed Construction and Alteration.

As described in Response 1.1, the proposed project is not expected to penetrate the Notification Surface for Joint Forces Training Base Los Alamitos so mitigation is not needed. Nevertheless, as necessary, the City will require the applicant to file any required FAA notices.

### Response 1.3

The commenter advises the applicant to utilize the Notice Criteria Toll on the Federal Aviation Administration website, to determine whether filing is necessary, and to ensure that the proposed project does not penetrate the notification surface.

As stated in Responses 1.1 and 1.2, as well as Section VIII (e,f) of the Draft IS-MND, filing is not necessary because the proposed project site does not penetrate the Notification Surface.

### Response 1.4

The commenter states that the MND should address the height restriction policies contained in §2.2.0 of the *Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos*.

As described in Response 1.1-1.3, and in the Draft IS-MND Section VIII (e, f) the project site is not within the airport influence area; nevertheless, the text has been augmented to include the commenter's suggestions regarding building height restrictions.

### Response 1.5

The commenter suggests the MND should discuss whether the development of heliports would be part of the proposed project. The commenter states that proposals to develop such (new) heliports must be submitted through the City to the (Orange County) Airport Land Use Commission for review and action pursuant to Public Utilities Code §21661.5 and reinforces that proposed heliport projects must fully comply with all State permit procedures.

The proposed project would not include the development of heliports as part of the scope of this development. Consequently, analysis of heliport-related issues is not warranted.



Response 1.6

The commenter informs that a referral (by the City) to the Airport Land Use Commission may be required for this project since the project requires an amendment to the zoning code under Public Utilities Code §21676(b).

Although the proposed project would require an amendment to the zoning code to allow for larger exterior balcony and emergency walkway projections, a referral by the City would not be required for the completion of this project. Regardless, the applicant is working closely with the City and will coordinate with the Airport Land Use Commission as necessary.





April 27, 2016

NCL-16-021

Kelly Hart  
Interim Community Development Director  
7800 Katella Avenue  
Stanton, CA 90680

**Subject: Notice of Intent to Adopt a Mitigated Negative Declaration**

Dear Ms. Hart:

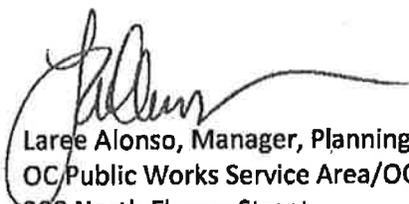
The County of Orange has reviewed the Notice of Intent to Adopt a Negative Declaration for 12282 Beach Boulevard Mixed-Use Project and offers the following comments:

- 2.1 1. The project site is adjacent to the Orange County Flood Control District's (OCFCD) Anaheim-Barber City Channel (Facility No. C03). This segment of C03 was built in the late 1960's and does not meet OCFCD's current design standards. Therefore, the existing flood control facility is deficient and does not provide adjacent properties sufficient protection from flooding during the 100-year storm event. The project proponent should be required to ensure that the proposed development is safe from flooding resulting from the Anaheim-Barber City Channel in a 100-year storm event.
- 2.2 2. Proposed mitigation measures to provide the needed 100-year flood protection for the proposed development should be reviewed and approved by the City of Stanton (City). The proposed development should not worsen existing conditions or shift flooding problems downstream or upstream of the project site.
- 2.3 3. As floodplain administrator, the responsibility of enforcing floodplain regulations lies with the City.
- 2.4 4. Since the City is responsible for land use planning and development within City limits, the City should review and approve all local hydrology and hydraulic analyses including the needed 100-year flood protection for proposed developments within the project area.
- 2.5 5. Any work within OCFCD's right-of-way will require appropriate encroachment permits to be obtained from the County's Public Property Permits Section prior to commencement of the work.
- 2.6 6. Pages 3, 4, and 7 of the Draft IS-MND: The storm channel that abuts the project site to the north is OCFCD's Anaheim-Barber City Channel. Please indicate on the exhibits.
- 2.7 7. Page 6, Surrounding Land Uses and Setting, 5<sup>th</sup> sentence: Please specify in the text the OCFCD storm channel that borders the project site to the north. See comment 6 above.

- 2.8 8. Page 38, item c:
- a. The 2<sup>nd</sup> sentence states that "The nearest river is Coyote Creek located 5 miles northwest of the project site." The project site is adjacent and drains to the Anaheim-Barber City Channel which is tributary to Bolsa Chica Channel (Facility No. C02). C02 ultimately drains to the Pacific Ocean at Huntington Harbor. Please revise the text as appropriate.
  - b. The second to the last sentence indicates that the proposed project would not increase surface runoff from the site or otherwise adversely affect the local storm drain system. While the LID BMPs including bio retention, vegetated swales, etc. would reduce peak flow rates and volumes for the more frequent events, it is not clear how the increase in peak flow rates and volumes associated with the less frequent storm events will be mitigated. Because the Anaheim-Barber City Channel is deficient, the City should ensure that proposed condition runoff rates and volumes from the project site are less than or equal to existing condition values.
- 2.9 9. Page 39, item d states that "...thus, while the project would add Impervious surface to the site, it would not substantially affect runoff volumes or patterns on the site." Please see comment item 8.b above.
- 2.10 10. Page 39, item g-i states that "All storm flow, including 100-year flood or (1% annual) flows from the area are collected and contained within this channel." In spite of the fact that the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for the area indicates that the 100-year flood (based on existing land uses) is contained in the existing channel, OCFCD's 100-year design discharges are based on ultimate land uses and are usually higher than the 100-year discharges used by FEMA for floodplain purposes. Due to this fact and the age of the existing facility, it is recommended that adequacy of the facility be analyzed to determine if the project site will have necessary protection from a 100-year storm event.

If you have any questions regarding these comments, please contact me Chris Uzo-Diribe at (714) 667-8845.

Sincerely,



Laree Alonso, Manager, Planning Division  
OC Public Works Service Area/OC Development Services  
300 North Flower Street  
Santa Ana, California 92702-4048  
[Laree.alonso@ocpw.ocgov.com](mailto:Laree.alonso@ocpw.ocgov.com)

cc: Mehdi Sobhani, Manager, OC Public Works/Flood Programs  
cc: Robert McLean, OC Infrastructure Programs  
cc: Editha Llanes, OC Infrastructure Programs

Letter 2

**COMMENTER:** Laree Alonso, Manager, Planning Division Orange County Public Works Service Area/OC Development Services

**DATE:** April 27, 2016

Response 2.1

The commenter claims the existing flood control facility, Anaheim-Barber City Channel (Facility No. C03) adjacent to the project site, is deficient and does not provide adjacent properties sufficient protection from flooding during 100-year storm events. The commenter therefore suggests the project proponent should be required to ensure that the proposed development is safe from flooding resulting from the Anaheim-Barber City Channel in a 100-year storm event.

As described in Section IX, Hydrology and Water Quality, of the Draft IS-MND, the proposed project includes two mitigation measures (**H-1** and **H-2**) to address issues related to water quality, runoff, stormwater, filtration and overall water management issues directly related to the site. As stated in the Project Description, the proposed project would be constructed in an existing urban environment and would not change the landscape or otherwise significantly impact water resources or threaten the safety of people or the built environment. Further, the proposed development is not located within an area at risk of 100-year flooding events as confirmed by FEMA. As such, the Draft IS-MND discusses the details of the flood zone X in Section IX, Hydrology and Water Quality. Nevertheless, in direct response to this comment the following text below reiterates why the “no impact” conclusion was made:

*g-i) The project site is located in Zone X as designated by the Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Maps (FIRMs) Panel #06059C0136]. Zone X is outside the 500 and 100-year flood zone. The site is bordered by the Orange County Flood Control District's stormwater channel. All storm flows, including 100-year flood (or 1% annual flood) flows from the area are collected and contained within this channel. Should the adjacent Anaheim-Barber City Channel facility pose a threat to the residents, the City of Stanton will take appropriate action to render the facility adequate for protecting against 100-year flood events. The project would not affect this channel or place housing within a 100-year flood hazard area. The project would not impact flood patterns and would not put people or structures at risk from natural flooding.*

The City may consider additional measures as suggested by the commenter and ultimately the City of Stanton will have the authority to approve all construction plans and mitigation measures prior to issuance of permits.

Response 2.2

The commenter suggests a mitigation measure to provide the needed 100-year flood protection for the proposed development, which should be reviewed and approved by the City of Stanton. The commenter also states that the proposed development should not worsen existing conditions or shift flooding problems downstream or upstream of the project site.



As the Draft IS-MND indicates, the proposed project would have “no impact” because the project site is not located within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Please see Response 2.1 for additional information regarding the 100-year flood hazard area, and refer to Mitigation Measures H-1 and H-2 for additional information regarding the preparation of a Stormwater Pollution Prevention Plan, which will be subject to the Regional Water Quality Control Board’s approval. The City may also consider additional measures as suggested by the commenter as necessary and will ensure that flooding problems, related hazards, or other burdens will not be shifted upstream or downstream from the project site.

### Response 2.3

The commenter reiterates that the responsibility of enforcing floodplain regulations lies with the floodplain administrator, the City.

As described in the *Surrounding Land Uses and Setting* Section, the project site is bordered by an Orange County Flood Control District stormwater channel and an adjacent commercial center. The City will be responsible for enforcing floodplain regulations.

### Response 2.4

The commenter suggests that the City should review and approve all local hydrology and hydraulic analyses, including the needed 100-year flood protection for proposed developments within the project area, since the City is responsible for land use planning and developing within City limits.

As described in Mitigation Measures H-1 and H-2, the City will review and approve final stormwater plans and the project’s Water Quality Management Plan prior to issuing the grading and building permits. Additionally, as stated in *Other Public Agencies Whose Approval is Required*, the applicant will prepare a Stormwater Pollution Prevention Plan (SWPPP), subject to the Regional Water Quality Control Board’s review and the primary approval authority of the City of Stanton.

### Response 2.5

The commenter states that any work within the Orange County Flood Control District’s right-of-way will require appropriate encroachment permits to be obtained from the County’s Public Property Permits Section prior to commencement of the work.

Should the issuance of an encroachment permit be necessary, the applicant would take all steps necessary to obtain one prior to the issuance of grading permits. The applicant and the City of Stanton will coordinate with the Orange County Flood Control District as necessary, and will fully comply with all relevant permitting or logistical requirements.



### Response 2.6

In reference to pages 3, 4, and 7 of the Draft IS-MND, the commenter requests that the storm channel that abuts the project site to the north (Orange County Flood Control District's Anaheim-Barber City Channel) should be indicated on the exhibits.

Figure 1 illustrates the regional location of the project site in proximity to the Pacific Ocean and the Anaheim-Barber City Channel adjacent to the project site. Figure 2 and Figure 4 both show the project site boundary and the proximity to the adjacent Anaheim-Barber City Channel.

### Response 2.7

In reference to page 6 (Surrounding Land Uses and Setting section, sentence 5) of the Draft IS-MND, the commenter requests that the text specify the Orange County Flood Control District's Anaheim-Barber City Channel borders the project site to the north.

In response to the commenter's request, the Draft IS-MND has been changed to include this detail. Please see the text below to note the changes:

*The site is bordered to the north by the Orange County Flood Control District's ~~stormwater~~ Anaheim-Barber City channel and an adjacent commercial center.*

### Response 2.8

In reference to page 38, item (c), the commenter suggests the following text changes:

- a) The commenter suggests Sentence 2 be revised to include information about the storm water runoff from the project site which may flow to the adjacent Anaheim-Barber City Channel which is tributary to Bolsa Chica Channel (Facility No. C02) which ultimately drains to the Pacific Ocean at Huntington Harbor.
- b) The commenter suggests the second-to-last sentence be revised to specify and indicate how the increase in peak flow rates and volumes associated with the less frequent storm events will be mitigated. In addition, the commenter suggests that the City should ensure that proposed condition runoff rates and volumes from the project site are less than or equal to the existing condition values.

In response to the commenter's request (a), Section IX.c of the Draft IS-MND has been amended to read as follows:

*A portion of the site would be landscaped, leaving it as pervious surface, while the remainder would be covered in impervious surface. The nearest river is Coyote Creek located five miles northwest of the project site. Potentially, stormwater may flow to the adjacent Anaheim-Barber City Channel which is tributary to Bolsa Chica Channel (Facility No. C02) which ultimately drains to the Pacific Ocean at Huntington Harbor. However, the Stormwater Pollution Prevention Plan and Mitigation Measures H-1 and H-2 will address any issues related to stormwater and runoff from the site. Additionally, the proposed project would not alter any watershed boundaries or affect the course or water supply of any stream or river.*



In addition, Section IXc, Hydrology and Water Quality, has been amended to read as follows:

*A portion of the site would be landscaped, leaving it as pervious surface, while the remainder would be covered in impervious surface. The nearest river is Coyote Creek located five miles northwest of the project site. The proposed project would not alter any watershed boundaries or affect the course or water supply of any stream or river. The project would be subject to the requirements of Orange County's 2011 Model Water Quality Management Plan. This plan requires projects in the area to utilize Low Impact Design (LID) BMPs, including bioretention, vegetated swales, sand filters, infiltration trenches, drywells, and catch basins, which contribute to reduced peak stormwater runoff volumes and filter contaminants associated with stormwater runoff. Therefore, the proposed project would not increase peak flow rates or surface runoff from the site or otherwise adversely affect the local storm drain system. Changes in storm events, frequency and magnitude due to climate change have been considered and the specific strategies for mitigating such situations are addressed in the Stormwater Pollution Prevention Plan as well as mitigation measures H-1 and H-2. Erosion or siltation impacts would be minimized through implementation of erosion control techniques as discussed in Section III, Air Quality, and the proposed onsite drainage system discussed in detail in Section VI, Geology and Soils. Impacts would be **less than significant**.*

#### Response 2.9

The commenter suggests that page 39 item (d) of the IS-MND should be clarified to specify how the project would not substantially affect runoff volumes or patterns on the site.

As discussed on Page 6 of the IS-MND, the Project Description states:

*The proposed onsite drainage system would collect runoff from the site and transmit flows to a drainage pipe on the south side of the site along Catherine Avenue. Excess flows would be directed to a StormTech Subsurface Stormwater Management System (StormTech System). This system, described in detail in Item VI, Geology and Soils, of this Initial Study, removes sediments, trash and debris that may otherwise continue downstream and also stores a volume of water prior to biofiltration treatment. The StormTech System allows runoff to be detained and slowly released into a Modular Wetlands Stormwater Biofiltration System (MWS) for biofiltration treatment before being discharged into the public drainage system.*

Pursuant to the commenter's request the following changes have been made to page 39 item (d) to add clarity to this issue.

*(d) The proposed project would not alter any watershed boundaries, impact a stream course, or increase the quantity of water in a stream or river. Due to the urban nature and existing conditions of the surrounding built environment, the project site is relatively flat; thus, while the project would add impervious surface to the site, it would not substantially affect runoff volumes or patterns on the site. As such, the proposed project would not alter drainage patterns in a manner that would cause flooding. Impacts would be **less than significant**.*



Response 2.10

In reference to page 39 item (g-i), the commenter recommends that the adequacy of the facility be analyzed to determine if the project site will have necessary protection from a 100-year storm event.

As described in the Project Description section of the Draft IS-MND, the proposed project is located within an existing urban environment and would not significantly alter the existing conditions or place future residents at risk from a 100-year storm event. However, as necessary, the City may consider additional measures such as those suggested by the commenter.

*g-i) The project site is located in Zone X as designated by the Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Maps (FIRMs) Panel #06059C0136J. Zone X is outside the 500 and 100-year flood zone. The site is bordered by the Orange County Flood Control District's stormwater channel. All storm flows, including 100-year flood (or 1% annual flood) flows from the area are collected and contained within this channel. Should the adjacent Anaheim-Barber City Channel facility pose a threat to the residents, the City of Stanton will take appropriate action to render the facility adequate for protecting against 100-year flood events. The project would not affect this channel or place housing within a 100-year flood hazard area. The project would not impact flood patterns and would not put people or structures at risk from natural flooding. Further, the proposed project would not expose people to the risk of injury or death from flooding. **No impact** would occur per this threshold.*





GARDEN GROVE UNIFIED SCHOOL DISTRICT

10331 Stanford Avenue - Garden Grove, California 92840-6353  
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BOARD OF EDUCATION

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APR 14 2016

April 8, 2016

COMMUNITY DEVELOPMENT

Kelly Hart  
Interim Community Development Director  
City of Stanton  
7800 Katella Avenue  
Stanton, CA 90680

RE: Comments on Mitigated Negative Declaration  
12282 Beach Boulevard Mixed-Use Project

Dear Ms. Hart:

Thank you for giving the Garden Grove Unified School District (District) the opportunity to provide comments on the above-referenced Mitigated Negative Declaration. The District offers the following comment for your consideration:

*Environmental Checklist Section XIV. Public Services*

- 3.1 The checklist states that there will be no impact on schools as a result of the development. However, this project has the potential for generating employees who may live in new housing
- 3.2 and whose students may attend District schools. Accordingly, the commercial/industrial school fee will be required for this project prior to issuance of a building permit, pursuant to Education
- 3.3 Code Section 17620. Please note that this fee is currently \$0.54 per square foot, but will increase to \$0.56 per square foot on May 14, 2016.

Thank you again for the opportunity to comment. If you have additional questions, please call my office at 714.663.6442.

Thank you,

A handwritten signature in black ink, appearing to read 'Margaret Brown', with a long horizontal flourish extending to the right.

Margaret Brown  
Director, Facilities

Letter 3

**COMMENTER:** Margaret Brown, Director Facilities, Garden Grove Unified School District

**DATE:** April 8, 2016

Response 3.1

The commenter states that there might be an impact to schools due to the increase in residential population.

As described in Section XIV, Public Services, of the Draft IS-MND, the proposed project may directly increase the population by 120 residents and indirectly by 36 if all new employees relocated to the City of Stanton. However, onsite residents would not cause an increase in school age population that would require new or expanded school services to maintain acceptable service ratio or other performance objectives. Additionally, the applicant will be required to pay the applicable commercial/industrial school fee, which is required for this project prior to the issuance of a building permit and, per state law, would mitigate any impact to schools to a less than significant level.

Response 3.2

The commenter states that pursuant to Education Code §17620, the commercial/ industrial school fee will be required for this project prior to issuance of a building permit.

As noted in Response 3.1, the project applicant will pay the commercial/ industrial school fee prior to the issuance of a building permit.

Response 3.3

The commenter notes that the commercial/ industrial school fee is currently \$0.54 per square foot but will increase to \$0.56 per square foot on May 14, 2016.

The fee change has been noted and will be paid by the project applicant prior to the issuance of a building permit.

*a.iii) The project site is located within the Garden Grove Unified School District and would be served by Lawrence Elementary, Alamitos Intermediate, and Rancho Alamitos High Schools. The project would not directly affect any existing schools or cause an increase in school age population and thus would have no impact to local schools. Additionally, the proposed project would be subject to the commercial/ industrial school fee prior to the issuance of a building permit. This fee is set to increase on May 14, 2016 to \$0.56 per square foot from the current \$0.54 per square foot. Thus, the proposed project would not require new or expanded schools to maintain acceptable service ratios or other performance objectives. The project would have **no impact** with respect to schools.*



**DEPARTMENT OF TRANSPORTATION**

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*Serious Drought.  
Serious drought.  
Help save water!*

April 21, 2016

Ms. Kelly Hart,  
Interim Community Development Director  
City of Stanton  
Planning Division  
7800 Katella Avenue  
Stanton, CA. 90680

File: IGR/CEQA  
SCH#: None  
Log #: 4668  
SR-39

Dear Ms. Hart:

Thank you for the opportunity to review and comment on the **12282 Beach Boulevard Mixed-Use Project Initial Study**. The proposed development (the project) would involve development of a five-story (63-foot-high) mixed-use building that would include commercial space, parking, and a residential care facility on a 1.12-acre site located in the City of Stanton. The residential care facility would include assisted living units with meal service, social programs, activity rooms, and offices for support staff. Off-street parking would be provided on the first and second floors of the building. The project site is comprised of three contiguous parcels (APN 131- 483-01, -02, and -03) located at 12282 Beach Boulevard, in the City of Stanton.

Caltrans Local Development-Intergovernmental Review program reviews impacts of local development to the transportation system, including the State Highway System. The Department works to ensure that local land use planning and development decisions include the provision of transportation choices, including transit, intercity rail passenger service, air service, walking and biking, when appropriate. The Department advocates community design (e.g. urban infill, mixed use, transit oriented development) that promotes an efficient transportation system and healthy communities.

**The Department of Transportation (Caltrans) is a responsible agency** on this project and has the following comments for your consideration.

Ms. Kelly Hart  
April 21, 2016  
Page 2

- 4.1 1. Please provide a gap study at the unsignalized intersection of Route 39 (Beach Blvd.) and Catherine Ave. Since Beach Blvd. is an 8-lane highway, the Highway Capacity Manual methodology is not applicable due to the methodology limitation of analyzing an intersection with a major highway that has no more than 6 through lanes.
- 4.2 2. Aesthetics and visual sections are satisfactory. Any landscaping within state right of way must comply with the Encroachment Permits Manual.
- 4.3 3. Any project work (e.g. street widening, emergency access improvements, sewer connections, sound walls, stormdrain construction, street connections, lighting and signage, etc.) proposed in the vicinity of the Caltrans Right of Way, would require an encroachment permit and all environmental concerns must be adequately addressed. For specific details on Caltrans Encroachment Permits procedure, please refer to Caltrans Encroachment Permits Manual. The latest edition of the Manual is available on the web site <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please continue to keep us informed of this project and any future developments that could potentially impact State transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Aileen Kennedy at (949) 724-2239.

Sincerely,



for MAUREEN EL HARAKE  
Branch Chief, Regional-Community-Transit Planning  
District 12

c: Lee Haber, Traffic Operations Northeast  
Eric Dickson, Landscape Architecture

Letter 4

**COMMENTER:** Aileen Kennedy on behalf of Maureen El Harake, Branch Chief, Regional-Community-Transit Planning District 12

**DATE:** April 21, 2016

Response 4.1

The commenter requests preparation of a “gap study” for the “unsignalized” intersection of Beach Boulevard and Catherine Avenue, of State Route 39. The commenter also states that Beach Boulevard is an eight-lane highway; therefore, the Highway Capacity manual methodology is not applicable due to the methodology limitation of analyzing an intersection with a major highway that has no more than six through lanes.

In response to the commenter’s request, a gap study was prepared. The study, which is attached to the following responses, demonstrates that there are sufficient gaps to allow drivers to turn at the intersection. Specifically, the gap study makes the following conclusion:

*For Opening Year (2016) With Project traffic conditions, there are projected to be approximately 29 westbound left turning movements at the intersection of Beach Boulevard and Catherine Avenue during the evening peak hour. There are currently 252 northbound gaps for these 29 turning movements or approximately 8.69 acceptable gaps per turning movement. Therefore, it is projected that there are sufficient acceptable gaps to allow for westbound turning movements to occur at this intersection as designed as an east-west two-way stop controlled intersection.*

Response 4.2

The commenter states that the aesthetics and visual sections are satisfactory, although any landscaping within state right-of-way must comply with the Encroachment Permits Manual.

As described in the *Aesthetics* section of the Draft IS-MND, the proposed project would have “no impact” on aesthetics. Landscaping will comply with the Encroachment Permits Manual as necessary.

Response 4.3

The commenter notes that any project work proposed in the vicinity of the Caltrans right-of-way would require an encroachment permit and all environmental concerns must be adequately addressed. The commenter adds that additional information and details on this procedure can be found in the Caltrans Encroachment Permits Manual

Should an encroachment permit be required for this project, the applicant will take all steps necessary to acquire it and address all environmental concerns to the highest extent possible. The applicant and the City of Stanton will coordinate to ensure all proper permits are acquired prior to the issuance of a grading, building, or occupancy permit.



## SUMMARY OF INITIAL STUDY CORRECTIONS

The corrections to the text of the Initial Study based on the responses to comments on the public review Draft IS-MND are summarized below. New text is underlined and deleted text is struck through. In addition, updated versions of figures 1, 2, and 4 follow.

The Surrounding Land Uses and Setting section is amended to read as follows:

*The site is bordered to the north by the Orange County Flood Control District's ~~stormwater~~  
Anaheim-Barber City channel and an adjacent commercial center.*

Section VIII, Hazards and Hazardous Materials, e, f), is amended to read as follows:

*e, f) The project site is located approximately 2.5 miles east of the Joint Forces Training Base (JFTB) in Los Alamitos and six miles south of the Fullerton Airport. The City of Stanton has an elevation of 66 feet and combined with the completion of the proposed project, the site would result in a total building height 129 feet above sea level. According to the Los Alamitos General plan, 129 feet is less than the allotted 200 feet threshold which would require filing with the Federal Aviation Administration. The site is not within the airport influence area for either of these two airports as defined by the Orange County Airport Environs Land Use Plan (2004).*

Section IX.c, Hydrology and Water Quality, is amended to read as follows:

*A portion of the site would be landscaped, leaving it as pervious surface, while the remainder would be covered in impervious surface. The nearest river is Coyote Creek located five miles northwest of the project site. Potentially, stormwater may flow to the adjacent Anaheim-Barber City Channel which is tributary to Bolsa Chica Channel (Facility No. C02) which ultimately drains to the Pacific Ocean at Huntington Harbor. However, the Stormwater Pollution Prevention Plan and Mitigation Measures H-1 and H-2 will address any issues related to stormwater and runoff from the site. Additionally, the proposed project would not alter any watershed boundaries or affect the course or water supply of any stream or river.*

Section IXc, Hydrology and Water Quality, is amended to read as follows:

*A portion of the site would be landscaped, leaving it as pervious surface, while the remainder would be covered in impervious surface. The nearest river is Coyote Creek located five miles northwest of the project site. The proposed project would not alter any watershed boundaries or affect the course or water supply of any stream or river. The project would be subject to the requirements of Orange County's 2011 Model Water Quality Management Plan. This plan requires projects in the area to utilize Low Impact Design (LID) BMPs, including bioretention, vegetated swales, sand filters, infiltration trenches, drywells, and catch basins, which contribute to reduced peak stormwater runoff volumes and filter contaminants associated with stormwater runoff. Therefore, the proposed project would not increase peak flow rates or surface runoff from the site or otherwise adversely affect the local storm drain system. Changes in storm events, frequency and magnitude due to climate change have been considered and the specific strategies for mitigating such situations are addressed in the Stormwater Pollution Prevention Plan as well as mitigation measures H-1 and H-2. Erosion or siltation impacts would be minimized through implementation of erosion control techniques as discussed in Section III, Air Quality, and the*



*proposed onsite drainage system discussed in detail in Section VI, Geology and Soils. Impacts would be **less than significant**.*

Section IXd, Hydrology and Water Quality, is amended to read as follows:

*(d) The proposed project would not alter any watershed boundaries, impact a stream course, or increase the quantity of water in a stream or river. Due to the urban nature and existing conditions of the surrounding built environment, the project site is relatively flat; thus, while the project would add impervious surface to the site, it would not substantially affect runoff volumes or patterns on the site. As such, the proposed project would not alter drainage patterns in a manner that would cause flooding. Impacts would be **less than significant**.*

Section IXg-i, Hydrology and Water Quality, is amended to read as follows:

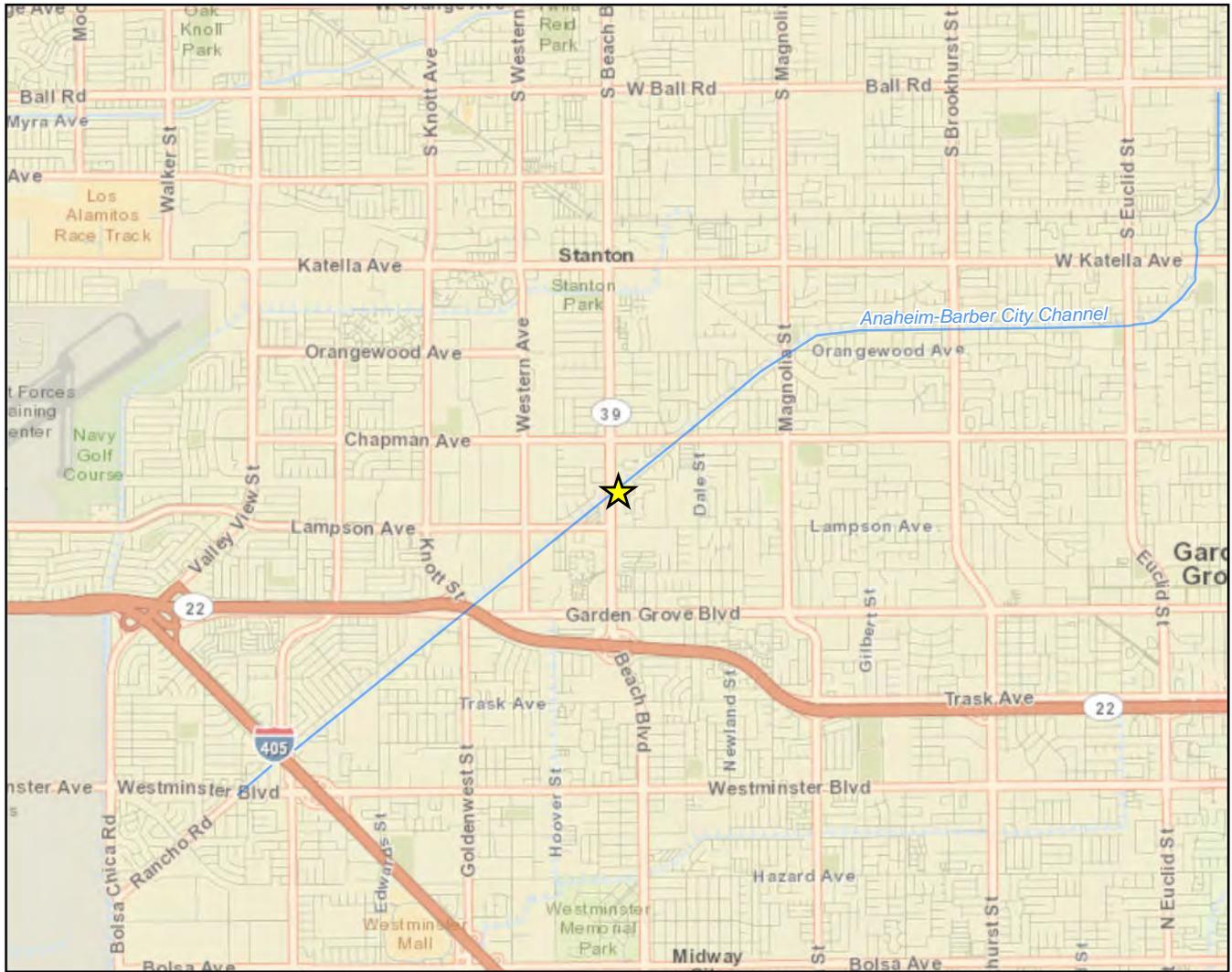
*The project site is located in Zone X as designated by the Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Maps (FIRMs) Panel #06059C0136J. Zone X is outside the 500 and 100-year flood zone. The site is bordered by the Orange County Flood Control District's stormwater channel. All storm flows, including 100-year flood (or 1% annual flood) flows from the area are collected and contained within this channel. Should the adjacent Anaheim-Barber City Channel facility pose a threat to the residents, the City of Stanton will take appropriate action to render the facility adequate for protecting against 100-year flood events. The project would not affect this channel or place housing within a 100-year flood hazard area. The project would not impact flood patterns and would not put people or structures at risk from natural flooding.*

Section XIVa.iii, Public Services, is amended to read as follows:

*a.iii) The project site is located within the Garden Grove Unified School District and would be served by Lawrence Elementary, Alamitos Intermediate, and Rancho Alamitos High Schools. The project would not directly affect any existing schools or cause an increase in school age population and thus would have no impact to local schools. Additionally, the proposed project would be subject to the commercial/ industrial school fee prior to the issuance of a building permit. This fee is set to increase on May 14, 2016 to \$0.56 per square foot from the current \$0.54 per square foot. Thus, the proposed project would not require new or expanded schools to maintain acceptable service ratios or other performance objectives. The project would have **no impact** with respect to schools.*

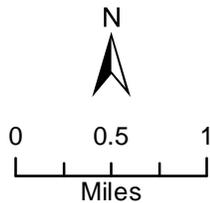


12282 Beach Boulevard Mixed-Use Project  
Initial Study – Mitigated Negative Declaration



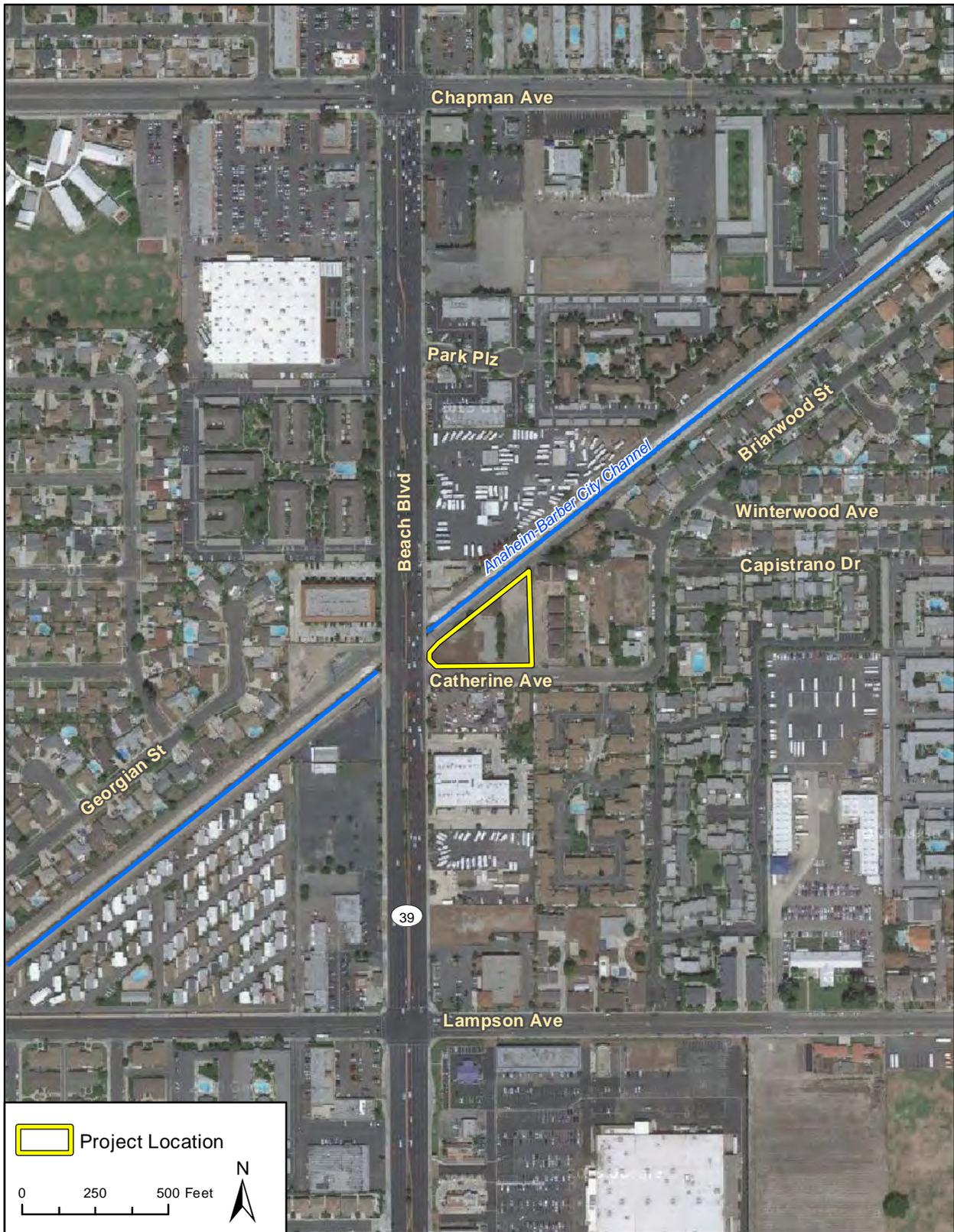
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★ Project Location



Regional Location

Figure 1

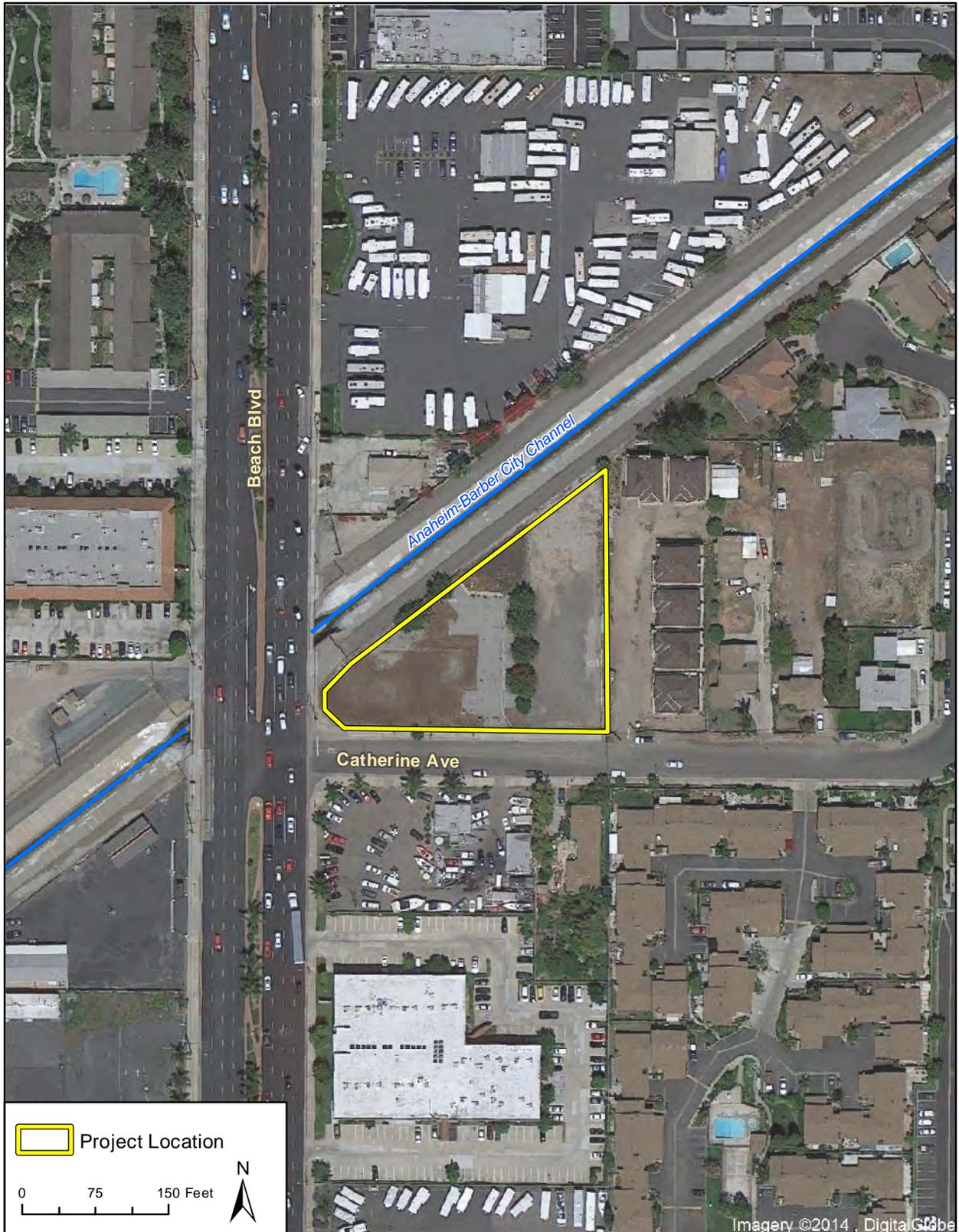


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Project Location

Figure 2  
City of Stanton





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Aerial of Site

Figure 4  
City of Stanton

