

## **APPENDIX B**

# **COMMENTS RECEIVED DURING PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT AND RESPONSES TO COMMENTS**

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## 1.0 INTRODUCTION

In compliance with Section 15201 of the *State CEQA Guidelines*, the City of Huntington Beach (City) has provided opportunities for public participation in the environmental process. The City distributed an Initial Study (IS) and Notice of Preparation (NOP) on November 2, 2022 for the originally proposed project, to the California State Clearinghouse, responsible agencies, and interested parties for a 30-day public review period, from November 2, 2022, to December 1, 2022. The City also made the IS and NOP available on the City's website to inform agencies and the public about the originally proposed project and to solicit input on the scope of the Draft EIR. The IS and NOP described the project and identified potential environmental impacts associated with project development and operation. In addition, the City held a public scoping meeting at the Huntington Beach Senior Center in Central Park on Thursday, November 10, 2022, to present the proposed project and to solicit input from interested parties regarding environmental issues that should be addressed in the Draft EIR. Appendix A of the Revised Draft EIR contains a copy of the IS/NOP and comments received. Section 2.2.2 of the Revised Draft EIR identifies areas of concern raised in response to the NOP or during the scoping meeting. However, no comments or concerns relating to CEQA environmental review were raised during the scoping meeting.

The California Environmental Quality Act (CEQA) requires a Draft EIR to have a review period lasting at least 45 days for projects that have been submitted to the California State Clearinghouse for review (*State CEQA Guidelines*, Section 150105(a)). As required by the *State CEQA Guidelines* Section 15087, the City provided a public Notice of Availability (NOA) of the Draft EIR for the originally proposed Bolsa Chica Senior Living Community Project at the same time it filed a Notice of Completion (NOC) with the State Clearinghouse. The Draft EIR was circulated for public review for a period of 45 days, from May 1, 2023, to June 15, 2023.

The City of Huntington Beach used several media to solicit comments on the Draft EIR. The City placed the NOA in the Orange County Register on May 1, 2023. The NOA was mailed to the last known name and address of agencies, organizations, and individuals who previously requested such notice in writing. The City submitted the Draft EIR to the State Clearinghouse for distribution to, and review by, State agencies. The City made copies of the Draft EIR available at the Huntington Beach Public Library, Central Library. In addition, the City posted the Draft EIR and all technical appendices on the City's website.

Fifty (50) comment letters were received during the public review period or immediately thereafter. A majority of comments were received from members of the public; however, one comment was received from a State agency and one comment was received from a community organization. The comments are included and responded to in this Revised Final EIR. Comments that address environmental issues are responded to thoroughly. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues do not require a response, pursuant to Section 15088(a) of the *State CEQA Guidelines*.

Section 15088 of the *State CEQA Guidelines*, Evaluation of and Response to Comments, states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.
- c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:
  1. Revise the text in the body of the EIR; or
  2. Include marginal notes showing that the information is revised in the responses to comments.

## **1.1 INDEX OF COMMENTS RECEIVED**

The following is an index list of the agencies, organizations, and persons that commented on the Draft EIR prior to the close of the public comment period or immediately thereafter. The comments received have been organized in a manner that facilitates finding a particular comment or set of comments. Each comment letter received is indexed or coded with a number as shown in Table A below. Where they raise the same or similar issue, the response to the comment refers to the applicable Master Response for that issue.

## **1.2 FORMAT OF RESPONSES TO COMMENTS**

Responses to each of the indexed/coded comment letters are provided on the following pages. The comment index numbers are provided in the upper right corner of each comment letter, and individual comments within each letter are numbered along the left-hand margin of each letter. The City's responses to each comment letter immediately follow each letter and are referenced by the index numbers in the margins.

**Table A: Comments Received During the Public Comment Period**

Comment Code	Signatory	Date
<b>State (S)</b>		
S-1	California Department of Transportation (Caltrans) District 12	June 6, 2023
<b>Organizations (O)</b>		
O-1	Supporters Alliance for Environmental Responsibility (SAFER)	June 14, 2023
<b>Individuals (I)</b>		
I-1	Rebecca Langenwalter	June 7, 2023
I-2	Peter Baker	June 7, 2023
I-3	Daryth Morrissey	June 8, 2023
I-4	Miranda Wallingford	June 8, 2023
I-5	Taylor Haug	June 9, 2023
I-6	Theresa Ferber	June 9, 2023
I-7	Jennifer French	June 9, 2023
I-8	Kathy Carey	June 10, 2023
I-9	Diana Helm	June 10, 2023
I-10	Yelena Fayngor	June 10, 2023
I-11	Betty Iseri	June 10, 2023
I-12	Dorothy Dunn	June 10, 2023
I-13	Oma Cox	June 11, 2023
I-14	Luann Clark	June 11, 2023
I-15	Lisa Pruner	June 11, 2023
I-16	Leah Mondino	June 12, 2023
I-17	Elizabeth Eldridge	June 12, 2023
I-18	Alison Mijares	June 12, 2023
I-19	Paula Redmond	June 12, 2023
I-20	Shelley Colangelo	June 13, 2023
I-21	Michele Ryan	June 13, 2023
I-22	Sue Jervik	June 13, 2023
I-23	Josh	June 13, 2023
I-24	Neil Wagner	June 13, 2023
I-25	Katharine Sharkoff	June 13, 2023
I-26	Kimberly Garrity	June 13, 2023
I-27	Ruth McIntyre	June 14, 2023
I-28	Melinda Paulins	June 14, 2023
I-29	Christine Padesky	June 14, 2023
I-30	Kathleen Mooney	June 14, 2023
I-31	Deby Pierce	June 14, 2023
I-32	Lorin K	June 14, 2023
I-33	Dennis Needleman	June 15, 2023
I-34	Jonathan Bonwit	June 15, 2023
I-35	Tim Schultz	June 15, 2023
I-36	Tricia Simpson	June 15, 2023
I-37	Davoud Manouchehri	June 15, 2023
I-38	Terry Burnham	June 15, 2023
I-39	Kaylene Schultz	June 15, 2023
I-40	Cindy Corrigan	June 15, 2023
I-41	Tim Ryan	June 15, 2023
I-42	Niloufar Shaida	June 15, 2023
I-43	Robert Tummolo	June 15, 2023
I-44	Debi Murray	June 15, 2023

**Table A: Comments Received During the Public Comment Period**

<b>Comment Code</b>	<b>Signatory</b>	<b>Date</b>
I-45	James Murray	June 15, 2023
I-46	Marcie Zeller	June 15, 2023
I-47	George Macer	June 15, 2023
I-48	Alison Mayer	June 16, 2023

## 2.0 RESPONSES TO COMMENTS

### 2.1 MASTER RESPONSES

Many comments received during the public review period raised similar concerns over the height of proposed facility and the potential impacts to congestion and traffic safety in the surrounding area. Many comments also suggested the proposed project be reduced in height from five-stories to three- or two-stories. A master response to these concerns/comments is provided below and referenced, as applicable, in the following response sections.

#### 2.1.1 Aesthetics

**Comment:** The scale, design, and height of the proposed project is incompatible with the surrounding area.

The following response addresses comments claiming that the proposed project's scale, design, and height would be incompatible with the surrounding area.

The City's General Plan contains goals and policies to ensure that development in the City is context-sensitive and preserves and enhances the community's character, the beach, Surf City culture, and the environment (Goal LU-2, Policies A and B). The beach community is considered one of the most cherished assets of the City for both local residents and visitors. Future development in the City should maintain and enhance this unique character through the preservation of historic and cultural resources related to that identity and the perpetuation of traditional beach city architecture styles and design motifs. Commercial corridors, including Main Street and Beach Boulevard which are frequented by both local residents and visitors, provide a good example of how traditional beach city architecture styles and design motifs are used to create the beach community character and Surf City culture that is inherent to the City's identity. Comparable existing residential development in the City that typifies this beach community character and Surf City culture include the Merrill Gardens assisted living facility, the Beach and Ocean apartment complex, and Plaza Almeria. The Jamboree Senior Housing Project, which is currently under construction at 18431 Beach Boulevard, is also a good example of a recently approved project that incorporates traditional beach city architecture styles and design motifs to preserve and enhance the Surf City culture. These existing and in-progress development projects are described in further detail below.

Merrill Gardens, located at 17200 Goldenwest Street (just south of Warner Avenue), is a three-story 116,670-square-foot assisted living facility consisting of 105 assisted living units, 16 memory care units, and various recreational amenities. The assisted living facility, which was completed in 2014, incorporates complementary light colors reflective of the City's beach lifestyle, emphasizes outdoor living spaces and amenities such as patios, balconies, and outdoor gathering areas, and uses landscaping indicative of the beach community, such as palm trees, to provide visual interest. Figure 1, Merrill Gardens, provides a photo of the assisted living facility's western elevation from Goldenwest Street. Consistent with the City's goals and policies to ensure that development is context-sensitive, the assisted living facility was designed to create a visual transition between the taller, bulkier commercial buildings to the north and the smaller single-family residential uses to the

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LSA

FIGURE 1

*Bolsa Chica Senior Living Community*  
Merrill Gardens

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south by increasing the building setback and reducing the building height on the south end of the project site.

The Beach and Ocean project, located at 19891 Beach Boulevard (just north of Adams Avenue), is a four-story 183,473-square-foot apartment complex, consisting of 173 residential units, which was also completed in 2014. The project also incorporates complementary light colors reflective of the City's beach lifestyle, emphasizes outdoor living spaces and amenities, and uses landscaping indicative of the beach community to provide visual interest. The four-story building also utilizes multi-level and varying rooflines, as well as varying setbacks, to visually break up the scale and massing of the structure. Further, the Beach and Ocean complex is a good example of how the context of the area and the existing surrounding developments should be incorporated into architectural and design elements in order to provide cohesiveness with the immediate surrounding area. Located just across Beach Boulevard from the Beach and Ocean complex is the Newland House, one of the City's historic resources, which features a distinctive cupola, steeply pitched roofs, sliding sash windows and other details that are representative of the home's Victorian-era architectural period. The Newland House heavily influenced the design and look of the Beach and Ocean complex. Figure 2, Beach and Ocean, provides an illustrated view of the apartment complex's eastern elevation from Beach Boulevard. This project was also designed to provide a similar density to other three- and four-story buildings along Beach Boulevard, as outlined in the City's General Plan.

Plaza Almeria, located at 301 North Main Street in downtown Huntington Beach, is a four-story building consisting of 42 condominium units and commercial/retail space on the ground-floor. The residential community, which was completed in 1999, also incorporates complementary light colors reflective of the City's beach lifestyle, emphasizes outdoor living spaces and amenities, and uses landscaping indicative of the beach community, such as palm trees, to provide visual interest. The four-story building also utilizes multi-level and varying rooflines, as well as varying setbacks, to visually break up the scale and massing of the structure. The Spanish revival design style, including terracotta tile roofing, further exemplifies the beach community architectural style. Figure 3, Plaza Almeria, provides a photo of the community from Main Street. This project was designed to provide a lively memorable streetscape on Main Street by including ground-floor retail space and includes many design elements that are present in other buildings along Main Street, including archways, towers, and paseos. The project's building height is also consistent with other key projects in downtown Huntington Beach.

The Jamboree Senior Housing Project, which is currently under construction near the Five Points shopping center at 18431 Beach Boulevard, will be a four-story affordable senior housing and multi-family residential complex consisting of 43 living units, conference/office space, and various outdoor amenities including a courtyard, dog run, and public park with fitness stations. Similar to the existing development examples discussed above, the Jamboree Senior Housing Project incorporates complementary light colors reflective of the City's beach lifestyle, emphasizes outdoor living spaces and amenities, and uses landscaping indicative of the beach community to provide visual interest. The four-story building also utilizes multi-level and varying rooflines, as well as varying setbacks, to visually break up the scale and massing of the structure. Figure 4, Jamboree Senior Housing Project,

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LSA FIGURE 2

*Bolsa Chica Senior Living Community*  
Beach and Ocean

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LSA

FIGURE 3

*Bolsa Chica Senior Living Community*  
Plaza Almeria

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LSA FIGURE 4

*Bolsa Chica Senior Living Community  
Jamboree Senior Housing Project*

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provides an illustrated view of the affordable senior housing and multi-family residential complex's eastern elevation from Beach Boulevard. Like the Merrill Gardens project described above, this project was designed to integrate with the fabric of the surrounding community by providing a transition between the taller, bulkier commercial buildings along Beach Boulevard and the smaller residential buildings to the west.

Successful urban design generally concentrates higher density land uses and taller buildings along commercial corridors, especially where multiple high-traffic streets intersect, and reduces building densities with distance from those main thoroughfares. This type of urban planning is typical of most cities in California, including Huntington Beach. Examples of higher density land uses and taller buildings located along commercial corridors in the City include the high-rise building at the southwestern corner of Beach Boulevard and Warner Avenue, the multistory buildings along Pacific Coast Highway and Main Street within downtown Huntington Beach, and the cluster of mid-rise buildings in the vicinity of where Beach Boulevard, Main Street, and Ellis Avenue, some of the City's largest arterial streets, converge. As these commercial areas transition into residential areas, building densities and heights decrease. The four examples discussed above are all located adjacent to important commercial corridors in the City, utilize architectural and design elements to enhance the Surf City culture of the City, and use the context of the surrounding area to inform the overall look of the development. Similarly, the proposed senior living community is located on a commercial corridor (Warner Avenue) and would incorporate many of the aforementioned design and architectural elements to ensure that the proposed development is context-sensitive and preserves and enhances the community character, the beach community, Surf City culture, and the environment. As discussed in Section 4.1, Aesthetics, of the Draft Environmental Impact Report (EIR), the proposed project would be developed consistent with the existing approved design of buildings in the surrounding area and the City, which includes the informal aesthetic elements of the existing beach community. In addition, many of the commercial buildings along Warner Avenue in the immediate vicinity of the project site feature shaded outdoor space and open-air walkways that take advantage of the City's temperate year-round climate. Although the project would be taller than other buildings in the immediate area, the building would be located at a major intersection in north Huntington Beach where other higher-density development is concentrated. Therefore, it would not be out of context. By contrast, the existing single-story residential uses across Bolsa Chica Street from the project site, the construction of which likely dates back to the 1920s and 30s when the City had a much smaller population and lower density, are somewhat out of scale with the current prevailing character of the surrounding area, which consists of two- and three-story development.

Similar to the comparable existing and in progress development projects discussed above, the proposed senior living community would be designed to include complementary light colors reflective of the City's beach lifestyle and the surrounding neighborhoods. The project's streetscape design along Warner Avenue and Bolsa Chica Street would complement the architecture, frame buildings, and provide trees consistent with the overall character of the area. As such, the proposed project's design would be developed to complement and enhance the architectural style of the larger surrounding area and would include a multi-level roofline, walls, and fences as a functional part of the development to add visual interest. Similar to the four-story Beach and Ocean apartment complex, the four-story Plaza Almeria, and the four-story Jamboree Senior Living Project, the

proposed project would utilize multi-level rooflines and would vary building setbacks along Warner Avenue and Bolsa Chica Street in order to break up the scale and massing of the building. In addition, similar to the Jamboree Senior Living Project, the proposed project would be located adjacent to existing lower density residential uses. As such, development of the proposed project would be consistent with the City's approach for addressing visual compatibility issues elsewhere in the City. Based on the information provided above and the information presented in Section 4.1, Aesthetics, of the EIR, the proposed project's scale, design, and height would be compatible with the surrounding area.

**Comment:** The proposed project's height should be reduced to three stories.

The following response addresses comments that suggested that the proposed height of the senior living community be reduced from five stories to three stories.

The objectives of the project are described in Section 3.4.1 of the Draft EIR. The objectives include several objectives related to addressing the need for senior housing in Huntington Beach, including senior housing "with a goal of producing as many housing units as possible." Other project objectives include providing seniors with a place to age in place and with around-the-clock staff assistance, as well as a range of amenities to support a high quality of life and activities associated with daily living. The project needs to be of sufficient size to achieve most of the project objectives, while complying with the CEQA policy of reducing impacts to less than significance. As documented in the Draft EIR, the proposed project would not result in any unavoidable significant impacts. Reducing the building's height from five to three stories would result in an overall decrease in the number of units available to the City's senior population, as well as a decrease in the amount and size of associated amenities and outdoor spaces commensurate with the reduced number of units. As the average age of the City's population continues to rise, the City's senior population continues to grow as a share of the overall population, and new senior housing is not keeping pace with the growth in the City's senior population. Reducing the height of the proposed project to three stories would result in a reduction of at least 76 housing units. Because the project design, with implementation of mitigation measures described in the Draft EIR already reduce project-related impacts to less than significant levels, CEQA does not require the City to reduce the height of the proposed project to three stories. By constructing five stories, the proposed project can reasonably incorporate a full floor of physical communal spaces on the ground level for senior residents and their families to enjoy. Without doing so, the proposed project cannot provide sufficient room for the wide array of amenities and services necessary for a 24-hour full service comfortable living environment. Lastly, Project Objective 5 identified in Section 3.0, Project Description, in the Draft EIR, states that the project aims to deliver community benefits by expanding the range of housing opportunities. By constructing five stories, a sizeable contingent of seniors who are moving out of larger detached homes would have a reasonable housing option. In turn, seniors moving out of their homes in the City would free up housing inventory for younger residents without the need for the City to build additional homes. As such, development of a three-story senior community would not achieve most of the Project Objectives.

### 2.1.2 Transportation/Traffic

**Comment:** Development of the proposed project would result in increased congestion on the surrounding circulation system.

The following response addresses comments that expressed concerns regarding an increase in traffic and congestion on the surrounding circulation system resulting from development of the proposed project.

The Draft EIR evaluated the traffic effects of the proposed project by applying the current traffic analysis methods employed by the City and consistent with current traffic engineering standards and methods. Trips that would be generated during project operation and construction were calculated based on trip generation rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (2021) for Land Use Codes 253 (Congregate Care Community) and 254 (Assisted Living). ITE trip rates for Land Use Codes 710 (General Office Building) and 822 (Strip Retail Plaza) were applied to the existing commercial uses to be demolished upon project implementation. As detailed in Section 4.17, Transportation, of the Initial Study (see Appendix A of the Draft EIR), the proposed project would result in less than significant impacts on the surrounding circulation system.

As shown in Section 4.17, Transportation, Table B, of the Initial Study, the 45,340 square feet of existing occupied commercial (office and strip retail plaza) uses generate approximately 947 daily trips, including 78 a.m. peak-hour trips and 119 p.m. peak-hour trips. By comparison, the proposed project is anticipated to generate 537 daily trips, including 28 a.m. peak-hour trips and 46 p.m. peak-hour trips. Vehicular trips associated with the proposed project would be generated primarily by the community's employees and residents. Therefore, the proposed project would result in a net reduction of 410 daily trips, including a net reduction of 50 trips in the a.m. peak hour and a net reduction of 73 trips in the p.m. peak hour, when compared to the existing site uses. This equates to a 43 percent net reduction in daily trips, thereby providing substantial evidence for decreased congestion.

Buildout of the project site under the existing Commercial General (CG) zoning designation (shopping center) would generate 7,497 daily vehicle trips, including a.m. and p.m. peak-hour trips. The maximum buildout of the project site under the CG designation would result in a net increase of 6,550 daily trips, including a net increase in a.m. and p.m. peak-hour trips. This represents a substantial increase in daily traffic at and around the project site and could result in a potentially significant impact on the surrounding circulation system. By comparison, the proposed project is anticipated to generate 537 daily trips, 6,960 fewer daily trips than under the existing CG zoning designation.

Implementation of the proposed project would result in a net reduction in vehicle trips to and from the project site as compared to existing conditions. The net reduction in site trips is attributable to the change in use. Project trips that would be generated during project construction and operation were calculated based on trip generation rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (2021) for Land Use Codes 253 (Congregate Care Community) and 254 (Assisted Living). ITE trip rates for Land Use Codes 710 (General Office Building) and 822

(Strip Retail Plaza) were applied to the existing commercial uses to be demolished upon project implementation. Commercial (office and strip retail plaza) uses generate more trips than a senior living community (congregate care and assisted living uses). In addition, without implementation of the proposed project, buildout of the project site under its current land use and zoning designation would result in a greater number of daily vehicle trips in the surrounding area. Therefore, the proposed project would reduce vehicle trips in the area compared both to existing conditions, and compared to future conditions of buildout of the site under the existing CG zoning designation. The project therefore would not exacerbate congestion on Bolsa Chica Street or Warner Avenue.

**Comment:** Development of the proposed project would result in new or exacerbated traffic safety issues on the surrounding circulation system.

The following response addresses comments that expressed concerns that development of the proposed senior living community would result in new or worsened safety issues at intersections in the surrounding area.

There are currently two driveways accessing the proposed project site on Warner Avenue and three on Bolsa Chica Street (refer to Figure 3-2, Existing Conditions, in the Draft EIR). All five of the driveways on Warner Avenue and Bolsa Chica Street provide ingress/egress for both the existing retail center and the office building. With implementation of the proposed project, vehicle access to the senior living community would be provided via three driveways on Bolsa Chica Street (one entry-only driveway and one exit-only driveway for the porte cochère, and one full-access driveway for the subterranean parking garage (refer to Figure 3-4, Conceptual Site Plan, in the Draft EIR). The proposed project would also provide one right-in/right-out-only driveway on Warner Avenue for emergency and service vehicles only and one full-access driveway on Bolsa Chica Street for emergency vehicles only. The proposed project would not increase the total number of existing driveways on the site and would decrease the number of access points on the busier Warner Avenue. Vehicular traffic to and from the project site would utilize the existing network of regional and local roadways that currently serve the project site and surrounding area, and the proposed project would not introduce any new roadways. The elimination of two public driveways on Warner Avenue and replacing them with a single driveway for emergency and delivery vehicles only would reduce the opportunity for traffic conflict on Warner Avenue. The single driveway will be located approximately 82 feet further west of the Warner Avenue and Bolsa Chica Street intersection than the existing driveway configuration, thus reducing traffic conflict that can occur when a driveway is close to the intersection of two arterial streets. The elimination of a driveway on Warner Avenue, coupled with the reduction in traffic generated by the proposed project, would improve traffic safety at the intersection of Warner Avenue and Bolsa Chica Street. As discussed in Section 4.17, the proposed project would not substantially increase hazards due to a geometric design feature such as a sharp curve or dangerous intersection. In addition, project implementation would result in a reduction of both daily and peak-hour trips, therefore minimizing the strain on the surrounding circulation system when traffic volumes are typically the highest. As such, development of the proposed project would not create or exacerbate a dangerous intersection or contribute to safety concerns at nearby intersections.

## 2.2 STATE AGENCIES

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## California Department of Transportation

DISTRICT 12

1750 East 4<sup>th</sup> Street, Suite 100 | SANTA ANA, CA 92705

(657) 328-6000 | FAX (657) 328-6522 TTY 711

<https://dot.ca.gov/caltrans-near-me/district-12>



June 6, 2023

Hayden Beckman  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, California 92648

File: IGR/CEQA  
SCH# 2022110040  
LDR LOG #2022-02290  
SR-1

Dear Mr. Beckman,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Notice of Preparation for a Draft EIR for the Bolsa Chica Senior Living Community. The proposed project approvals would provide for construction of a five-story, 298,000-square-foot State-licensed senior living community on the approximately 3.10-acre parcel (project site). The proposed community would include 213 total living units, 207 on-site parking spaces, and associated hardscape and landscape improvements. Of the total 213 senior living units, 28 would be Memory Care units, 62 would be Assisted Living units, and 123 would be Independent Living units. The units would range in size from studios (approximately 540 square feet) to three-bedroom units (approximately 2,580 square feet). Amenities for residents are anticipated to include multiple restaurant-style dining venues, a fitness and wellness center, salon and studio spaces, theater, art room, lounge, and multi-purpose rooms. Outdoor spaces are anticipated to include a memory care garden, swimming pool with outdoor exercise area, outdoor seating area with fire pit, outdoor dining areas, meditation spaces, and roof decks. The development of the new community would require demolition and removal of the existing two commercial buildings, surface parking (including existing asphalt concrete pavement, curb, and gutter), fence and block wall, landscaping, yard lights, signage, and all above-ground water and gas lines on the project site. All existing utility sewer, water, and gas lines below grade would be disconnected and capped. The nearest State Route to the project site is SR-1.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Caltrans is a responsible agency on this project and has the following comments:

## Traffic Operations

- S-1-3
1. Page 79- Table C: Construction Trip Generation Summary indicates that Trip Generation (Overlapping Phases-Existing) is increased by 471 daily trips. Therefore, please submit a Traffic Management Plan For any anticipated Impact during construction on any State Highway facilities.

## System Planning

- S-1-4
2. Caltrans supports the inclusion of bicycle storage facilities pursuant to CALGreen code. Caltrans also recommends following bicycle parking best practices described in the "Essentials of Bike Parking" guide created by the Association of Pedestrian and Bicycle Professionals (link to online PDF: <https://www.apbp.org/Publications>). Bike parking should be installed a minimum of 24" away from walls and other objects (e.g., trash cans, plants, etc.). With the growing popularity of electric bikes and cargo/utility bikes (which tend to be bigger and heavier), Caltrans also recommends that bicycle storage facilities be designed to accommodate a range of bicycle styles, sizes, and weights.
- S-1-5
3. Caltrans supports the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. Improvements may include providing secure bicycle parking, pedestrian-oriented LED lighting, wayfinding signage, and comfortable connections to nearby active transportation and/or transit facilities. Complete Streets improvements also promote regional connectivity, improve air quality, reduce congestion, promote improved first-/last-mile connections, and increase safety for all modes of transportation. Continue to incorporate Complete Streets in project development.

## Freight

- S-1-6
4. For residential proposed projects, consider how many individual packages will be delivered daily to individual residences within the areas identified for increased housing production. Shared drop-off locations can help reduce the amount of driving done by delivery trucks and can increase the efficiency of deliveries in densely developed areas. Similarly, high-density residential developments should consider automated parcel systems (i.e., Amazon Lockers) so that deliveries can be made with one truck stop instead of multiple stops to individual residences.



**Encroachment Permit**

S-1-7

5. In the event of any work performed within Caltrans right-of-way an encroachment permit will be required prior to construction. Please submit all applications and associated documents/plans via email to D12.Permits@dot.ca.gov until further notice. Caltrans Encroachment Permits will be transitioning to an online web portal base for all applications in Fall 2023. Further details to be announced on the Caltrans Encroachment Permits homepage. Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (657) 328-6246. For specific details on Caltrans Encroachment Permits procedure and any future updates regarding the application process and permit rates, please visit the Caltrans Encroachment Permits homepage at <https://dot.ca.gov/programs/traffic-operations/ep>.

S-1-8

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Maryam Molavi, at Maryam.Molavi@dot.ca.gov.

Sincerely,



Scott Shelley  
Branch Chief, Regional-LDR-Transit Planning  
District 12

# 2022-02290-BolsaChica SeniorLiving .Cmnt.Ltr

Final Audit Report

2023-06-05

Created:	2023-06-05
By:	Maryam Molavi (s111882@dot.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMW5YavLZt4ome49YcPPuAAyf0TImfOWc

## "2022-02290-BolsaChica SeniorLiving .Cmnt.Ltr" History

-  Document created by Maryam Molavi (s111882@dot.ca.gov)  
2023-06-05 - 4:17:18 PM GMT
-  Document emailed to Scott Shelley (s129812@dot.ca.gov) for signature  
2023-06-05 - 4:17:56 PM GMT
-  Email viewed by Scott Shelley (s129812@dot.ca.gov)  
2023-06-05 - 5:34:18 PM GMT
-  Document e-signed by Scott Shelley (s129812@dot.ca.gov)  
Signature Date: 2023-06-05 - 8:18:11 PM GMT - Time Source: server
-  Agreement completed.  
2023-06-05 - 8:18:11 PM GMT



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## CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) DISTRICT 12

Letter Code: S-1

Date: June 6, 2023

### Response to Comment S-1-1

This comment is introductory and summarizes the project description and identifies the nearest State highway in the vicinity of the project site. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### Response to Comment S-1-2

This comment provides the mission of Caltrans and states that Caltrans is a responsible agency on the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### Response to Comment S-1-3

This comment requests the submittal of a Traffic Management Plan for any anticipated impact to State Highway facilities during construction due to the proposed project's increase in daily trips during construction activities. The comment references Table C: Constriction Trip Generation Summary on page 79 of the Initial Study (see Appendix A of the Draft EIR), which indicates that trip generation is increased by 471 daily trips during project construction.

Construction traffic generated by the proposed project is not anticipated to utilize State Highway facilities to access the project site. The traffic analysis documents that the traffic generated by the proposed project would be less than the existing traffic generated by the existing development at the project site. Therefore, to the extent that any trips attributable to the project utilize Pacific Coast Highway or Beach Boulevard, project-related impacts would be less than existing conditions and negligible. Therefore, a Traffic Management Plan is not warranted for the proposed project.

### Response to Comment S-1-4

This comment states that Caltrans supports the inclusion of bicycle storage facilities and bike parking into the proposed project and recommends following bicycle parking best practices described in the "Essentials of Bike Parking" guide created by the Association of Pedestrian and Bicycle Professionals." The comment also states that bike parking should be installed at least 24 inches away from walls and other objects and recommends that bicycle storage facilities be designed to accommodate a range of bicycle styles, sizes, and weights, such as electric bikes and cargo/utility bikes.

Bicycle storage facilities and bike parking is not currently shown the project plans. The EIR does not identify any significant impacts that would be addressed by adding bicycle storage facilities, and therefore, CEQA does not require the addition of bicycle storage facilities to the proposed project to

mitigate any significant impacts to less than significant. This recommendation has been shared with the project Applicant and will be considered during final design of the proposed project.

#### **Response to Comment S-1-5**

This comment states that Caltrans supports the design of Complete Streets and provides a list of health and community benefits of incorporating Complete Streets design in projects.

Complete Streets are streets designed and operated to enable safe use and support mobility for all users, including people of all ages and abilities regardless of whether they are traveling as drivers, pedestrians, bicyclists, or public transportation riders.

As discussed in Section 4.7, Land Use and Planning, the proposed project provides sidewalks and walkways throughout the project site promoting connectivity and walkability throughout the proposed community. In addition, updated sidewalks on Warner Avenue and Bolsa Chica Street would be developed. On-street Class II bike lanes are provided on each side of Warner Avenue in the project vicinity and the Orange County Transportation Authority (OCTA) operates bus services (Route 72) along Warner Avenue. Bus stops are provided at the northwest and southeast corners of the intersection of Bolsa Chica Street. The proposed internal walkway system would connect to the surrounding pedestrian, bicycle, and public transportation network and would be designed to comply with the accessibility provisions of the Americans with Disabilities Act. In addition, the proposed project would feature pathway lighting, wayfinding signage, and provide connections to transit stops in the vicinity of the project site. No further response is required.

#### **Response to Comment S-1-6**

This comment requests the consideration of how many individual packages would be delivered daily to individual residents of the community and suggests the use of shared drop-off locations or automated parcel systems to help reduce the amount of driving done by delivery trucks and to increase the efficiency of deliveries in the area.

Shared drop-off delivery locations and automated parcel systems for package deliveries are not currently shown the project plans. The EIR does not identify any significant impacts that would require the use of shared drop-off locations to reduce impacts to less than significant. Therefore, CEQA does not require that the proposed project include shared drop-off locations or automated parcel systems to mitigate impacts to less than significant. These recommendations have been shared with the project Applicant and will be considered during final design of the proposed project.

#### **Response to Comment S-1-7**

This comment states that any work within Caltrans right-of-way would require an encroachment permit and describes the appropriate steps to obtain a permit. Construction of the proposed project as currently designed would not encroach into Caltrans right-of-way. Therefore, the proposed project is not currently anticipated to require an encroachment permit from Caltrans.

### **Response to Comment S-1-8**

This comment concludes the letter and provides contact information for Caltrans staff. This comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

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## 2.3 ORGANIZATIONS

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**From:** [Molly Greene](#)  
**To:** [Beckman, Hayden](#)  
**Cc:** [Brian Flynn](#); [Rebecca Davis](#)  
**Subject:** Comment re: DEIR - Bolsa Chica Senior Living Community Project (SCH 2022110040)  
**Date:** Wednesday, June 14, 2023 3:21:16 PM  
**Attachments:** [2023.06.14 DEIR Comment - Bolsa Chica Senior Living Community.pdf](#)

---

Dear Mr. Beckman,

Please find attached a comment submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Environmental Impact Report prepared for the Bolsa Chica Senior Living Community Project (SCH 2022110040).

If you would please confirm receipt of our letter, it would be much appreciated.

Best regards,  
Molly

--

Molly Greene  
Paralegal  
Lozeau | Drury LLP  
1939 Harrison Street, Suite 150  
Oakland, California 94612  
[\(510\) 836-4200](tel:(510)836-4200)  
[\(510\) 836-4205](tel:(510)836-4205) (fax)  
[molly@lozeaudrury.com](mailto:molly@lozeaudrury.com)

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O-1-1



T 510.836.4200  
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Oakland, CA 94612

www.lozeaudrury.com  
brian@lozeaudrury.com

*Via Email*

June 14, 2023

Hayden Beckman, Senior Planner  
Community Development Department  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648  
[hayden.beckman@surfcity-hb.org](mailto:hayden.beckman@surfcity-hb.org)

**Re: Comment on Draft Environmental Impact Report, Bolsa Chica Senior Living Community Project (SCH 2022110040)**

Dear Mr. Beckman:

O-1-2

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”) regarding the Draft Environmental Impact Report (“DEIR”) prepared for the Bolsa Chica Senior Living Community Project (SCH 2022110040), which proposes the construction of a five-story, 298,000 square-foot senior living community with 213 living units, onsite amenities for residents, and 207 on-site parking spaces, located at located at 4952 and 4972 Warner Avenue in the City of Huntington Beach (“Project”).

O-1-3

SAFER is concerned that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project’s impacts. SAFER requests that the Community Development Department address these shortcomings in a revised draft environmental impact report (“RDEIR”) and recirculate the RDEIR prior to considering approvals for the Project.

O-1-4

SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

Sincerely,

Brian B. Flynn  
Lozeau Drury LLP

## **SUPPORTERS ALLIANCE FOR ENVIRONMENTAL RESPONSIBILITY (SAFER)**

Letter Code: O-1

Date: June 14, 2023

### **Response to Comment O-1-1**

This comment is introductory and requests confirmation of receipt of the comment letter. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment O-1-2**

This comment is introductory and provides a brief summary of the project description. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment O-1-3**

This comment claims that the Draft EIR fails as an informational document and does not impose all feasible mitigation measures to reduce the proposed project's impacts, and as such, the Community Development Department should prepare a Revised Draft EIR to be recirculated prior to considering approvals for the proposed project.

The comment does not reference any specific analysis that is incomplete or inadequate within the Draft EIR or identify any specific environmental resource topics where proposed mitigation is incomplete or inadequate.

An Initial Study (see Appendix A of the Draft EIR) was prepared in October 2022 for the proposed project. Following preparation of the Initial Study, the City of Huntington Beach, as the Lead Agency, determined that the proposed project may have a significant effect on the environment and that an EIR would be required to more fully evaluate potential adverse environmental impacts that may result from development of the proposed project. As a result, a Draft EIR was prepared in accordance with CEQA, as amended (Public Resources Code [PRC] Section 21000, et seq.), and *the State CEQA Guidelines for Implementation of CEQA* (California Code of Regulations [CCR], Title 14, Section 15000, et seq.). The Draft EIR also complies with the procedures established by the City for the implementation of CEQA. Mitigation measures have been identified for all potentially significant impacts and all potentially significant impacts would be reduced to a less than significance level with implementation of the mitigation measures summarized in Chapter 7.0, Mitigation Monitoring and Reporting Program, of the Draft EIR. No significant unavoidable impacts were identified for the proposed project and, based on the analysis presented in the Draft EIR, the EIR describes the facts supporting the determination that there is no significant new information and that no additional mitigation measures are required to reduce the effects of the proposed project to less than significance. The proposed Final EIR does not include any "significant new information" as defined in CEQA Guidelines Section 15088.5 that would require the City to re-circulate the Draft EIR, and the comment does not identify any "significant new information." As such, CEQA does not require the circulation of a revised Draft EIR. No further response is required.

#### **Response to Comment O-1-4**

This comment states that SAFER reserves the right to supplement these comments during the administrative process, as determined in *Galante Vineyards v. Monterey peninsula Water Management District*. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

## 2.4 INDIVIDUALS

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**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Lawless, Tom](#); [Ed Mountford](#)  
**Subject:** FW: Comments on proposed Bolsa Chica Sr Community EIR  
**Date:** Wednesday, June 7, 2023 3:13:25 PM

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**From:** Becky Langenwalter <becky.langenwalter@gmail.com>  
**Sent:** Wednesday, June 7, 2023 2:30 PM  
**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
**Subject:** Comments on proposed Bolsa Chica Sr Community EIR

I-1-1

I am writing to comment on the adverse impact the proposed Bolsa Chica Senior Community would have on the Aesthetics, Air Pollution (and Traffic Flow), and Shade on the residences in the vicinity of the project. My family has owned the property on the east side of Bolsa Chica Street directly across from the proposed development from 1954 to present. If this project is built as proposed, it will reduce the aesthetic quality of the entire neighborhood and property values of the existing residences and businesses in the area.

#### 4.1 AESTHETICS

This section discusses whether the project will substantially degrade the existing visual character or quality of the project site and its surroundings.

##### 4.1.4.4 Local Regulations Huntington Beach Scenic Corridors.

As discussed in the Circulation Element of the City's General Plan Update, the City defines scenic corridors as roads that "have notable aesthetic appeal for the community" or offer scenic views and street scenes. The City has classified these corridors as Major Urban Scenic Corridors, Minor Urban Scenic Corridors, and Landscape Corridors. It has also identified primary and secondary entry nodes at intersections in the City that mark the entry points to scenic corridors. To protect scenic corridors, the City has adopted policies for aesthetic treatments, development requirements, and appropriate land uses and has established a rigorous development review process for development proposals along scenic corridors.

I-1-2

The proposed project will significantly degrade the visual quality of the view to the west for the residents immediately opposite the project area including my property due to the excessive 65 foot height of the planned structure. A five storey complex is incompatible with the surrounding neighborhood. Additionally, the proposed development would degrade the visual character of the entrance to this unique historic and exclusive residential section of northwest Huntington Beach. In the project area, and along all of Bolsa Chica Street south of Warner, there are no structures that exceed three storeys. The existing three storey structures along Bolsa Chica are set back from the street to maintain the open scenic nature of the area. The proposed project plans to erect a 400+ foot long complex that is 18 feet taller than any existing structure in the project area. Additionally, the proposed structure is to be located as close as 10 feet from the curb whereas the existing structures are set far back from view from the road and sidewalk.

The Bolsa Chica and Warner intersection is traversed by the residents of Los Patos Street, residents along Bolsa Chica and the Brightwater development, and visitors to the Public Access trails throughout the Bolsa Chica Ecological Reserve. There is considerable pedestrian and vehicle traffic along Bolsa Chica. To erect a structure that would tower over the existing neighborhood for 400 feet from the corner of Bolsa Chica and Warner would adversely impact the view of every resident and visitor to this district. The Senior Community, as it is proposed, would not be compatible with the existing scenic, open sky, coastal, ranch-style of the surrounding district. Only a three storey structure would be compatible with the existing businesses and residences.

I-1-2 cont.	<p>The closest residential complexes that exceed three storeys are several miles to the north near Bella Terra. The five storey apartment complexes along major streets have a crowded, imposing high-rise feel, and would destroy the welcoming ranch style human scale that makes the Bolsa Chica mesa area of Huntington Beach an attractive district in which to reside and visit.</p>
I-1-3	<p>4.2.3.1 Air Pollutants and Health Effects (and Traffic Flow)</p> <p>Typically high carbon monoxide (CO) concentrations are associated with roadways or intersections operating at unacceptable levels of service (LOS) or with extremely high traffic volumes. Exposure to high concentrations of CO reduces the oxygen-carrying capacity of the blood and can cause headaches, nausea, dizziness, and fatigue, impair central nervous system function, and induce angina (chest pain) in persons with serious heart disease. The northbound traffic on Bolsa Chica south of Warner Avenue currently backs up daily during peak hours, resulting in vehicles idling as far south as Dunbar Lane. Bolsa Chica Street is the only access in and out of the district for the residents of Bolsa Chica Street, Los Patos Street and Brightwater since the district south of Warner is constrained on the east, south and partially on the west. By adding new resident (213), service (?) and employee (45 daily) traffic from the proposed development to the already congested Bolsa Chica Street and intersection at Warner, emissions and other effects of high traffic volume will adversely impact the air quality to residences immediately downwind of the proposed development as well as further aggravating the backed up traffic on Bolsa Chica Street. The new plan proposes to move the existing entrance to the project area from Warner Avenue to Bolsa Chica Street, even though Bolsa Chica Street is already congested.</p>
I-1-4	<p>APPENDIX C-Shadow Studies. The Appendix C Shadow Studies report that the height of the proposed structure will cause a shadow to entirely cover Bolsa Chica Street up to the residential property to the east by 2 pm on the Winter Solstice and by 4 pm on the Summer Solstice. After these hours, the businesses and residences to the east will be in the shade of the proposed complex. Any sunlight or view of the sky to the west will be obscured from these hours every day to the residents and businesses to the east. In the summer when residents enjoy longer days with afternoon light lingering into the evening until sunset at 8 pm, the residences across from this complex will be in shade for the last 4 hours of the day. In the Winter, the residences across from the complex will be in shade after 2 pm. This is unacceptable and this significant impact can only be addressed by reducing the height of the proposed development. To have a structure of this height would destroy the open, coastal character of the neighborhood in the summer and winter due to causing shade during the latter portion of the day yearround.</p>
I-1-5	<p>4.7 Land Use and Planning</p>
I-1-6	<p>Some of the residential units in the proposed complex are 2580 square foot, 3 bedroom units. This unit size is excessive and not for the purpose of providing housing for seniors. These units should be eliminated, while reducing the height of the complex. A complex for seniors that is partially a medical facility should be located closer to a hospital. The closest hospital to Bolsa Chica and Warner is four miles away.</p>

**Rebecca Langenwalter**





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## REBECCA LANGENWALTER

Letter Code: I-1

Date: June 7, 2023

### Response to Comment I-1-1

This comment is introductory and expresses opposition to the proposed project. The comment introduces the commenter's concerns including aesthetics, air pollution, traffic flow, and shade on residences in the vicinity of the project site which are described in further detail in the following paragraphs of the letter. As such, responses to the concerns raised are provided below. No further response is required.

### Response to Comment I-1-2

This comment expresses concern that the proposed project would substantially degrade the existing visual character and quality of the project site and surrounding area due to the height of the proposed community. The comment states that the proposed five-story (approximately 65-feet tall) community is incompatible with and would degrade the visual character of the surrounding neighborhood as the tallest structures along Bolsa Chica Street south of Warner Avenue are not taller than three stories. The comment also states that the proposed set back of 10 feet does not provide sufficient distance from the curb compared to the existing structures in the vicinity of the project site.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

The proposed project would require adoption of the Specific Plan that would establish development standards for the project site and a Zoning Map Amendment to change the zoning from Commercial General (CG) to Specific Plan (SP). Consistent with the development standards and guidelines established in the Specific Plan, the proposed project would be developed with 10-foot setbacks from each of the project's property boundaries including a fire access road on the project's southern property boundary. With adoption of the Specific Plan, the proposed project would meet the setback requirements for Bolsa Chica Street and Warner Avenue. In addition, surrounding land uses are zoned Residential Medium High Density (RHM) and Commercial General (CG). According to the City's Zoning Code, minimum setback requirements for these zoning districts are also 10 feet for front, rear, and street side frontages. As such, the proposed project's setback would be consistent with the existing zoning designations for the surrounding land uses.

### Response to Comment I-1-3

This comment addresses the health concerns associated with roadways and intersections operating with high traffic volumes and expresses concern with the proposed project's potential contribution to congestion on Bolsa Chica Street and associated air quality impacts.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

In the existing condition, the project site is accessed by three driveways along Bolsa Chica Street and two driveways along Warner Avenue. With implementation of the proposed project, vehicle access to the new senior community would be provided via three driveways on Bolsa Chica Street: one entry-only and one exit-only driveway for the porte cochère, and one full-access driveway for the subterranean parking garage. The proposed project would also provide a right-in/right-out only driveway on Warner Avenue (in the northwest corner of the property) for emergency, trash/recycling, and service vehicles. Overall, the proposed project would retain the same number of driveways on Bolsa Chica Street and reduce the number of driveways on Warner Avenue. In addition, as discussed in the Traffic Master Response, the proposed project would result in a net reduction in the number of daily vehicle trips to and from the project site. As such, the use of the driveways on Bolsa Chica Street would be less with implementation of the proposed project as compared to existing conditions.

#### **Response to Comment I-1-4**

This comment summarizes the Shade Studies (see Appendix C of the Draft EIR), and expresses concern that businesses and residences to the east would be in the shadow of the proposed facility after 2 P.M. in the winter and 4 P.M. in the summer. The comment also states that this impact on business and residences to the east of the project site would destroy the character of the neighborhood and can only be addressed by reducing the height of the building.

The EIR includes shade and shadow study of the potential shade and shadow effects of the Project during morning and early afternoon hours to graphically show potential impacts on neighboring properties. Shadows cast by structures vary in length and direction throughout the day and from season to season. Shadow lengths increase during the “low sun” or winter season and are longest on the winter solstice. The winter solstice, therefore, represents the worst-case shadow condition, and the potential for loss of access to sunlight that a project could cause is greatest. Shadow lengths are shortest on the summer solstice. Shadow lengths on the spring and fall equinoxes would fall midway between the summer and winter extremes. Two figures were prepared to illustrate the morning and afternoon shade effects of the proposed project on nearby residential uses during both the winter and summer solstices (see Appendix C, Bolsa Chica Senior Living Community Shadow Studies, of the Draft EIR). As shown on those figures, during both the winter and summer solstices, no shadows would be cast in either the morning or afternoon hours on the apartment complex buildings to the west or the single-family residential homes to the east. Shadows from the proposed project would be cast primarily on Bolsa Chica Street and Warner Avenue during the winter solstice, and on Bolsa Chica Street and the apartment complex carports to the west of the project site during the summer solstice. Therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. It is also worth noting that the proposed project has been designed to minimize shading on light-sensitive uses in the surrounding area. By constructing the proposed project on the south side of a major commercial corridor, most of the shadows cast by the proposed building would fall on Warner Avenue itself or commercial uses on the other side of the street, which are not light-sensitive.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

#### **Response to Comment I-1-5**

This comment states that the proposed 2,580 square foot, 3-bedroom units are excessively large, not for the purpose of providing housing for seniors, and should be removed from design plans. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

#### **Response to Comment I-1-6**

This comment states that a senior living community that includes a medical facility should be located closer to a hospital and that the closest hospital to the project site is four miles away. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Lawless, Tom](#); [Ed Mountford](#)  
**Subject:** FW: Bolsa Chica Senior Apartments EIR Comments  
**Date:** Wednesday, June 7, 2023 10:15:41 AM

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**From:** LACoSchoolChoice <LACoSchoolChoice@protonmail.com>  
**Sent:** Monday, June 5, 2023 10:06 AM  
**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
**Subject:** Bolsa Chica Senior Apartments EIR Comments

To Whom it may Concern,

Appearance (Asthetics) The senior apartments are too tall. The closest big building is 3 stories. You have to go far toe find a building this tall. This plan is out of touch for the area. The crazy attachment on the church north of Warner does not fit with the neighborhood and it is just a part of the building. This apartment is two times taller than everything else around. Despite attempts to camouflage the block face, it is too close to the street and too high.

Peter Baker  
Native of HUntington Beach,

Sent with [Proton Mail](#) secure email.

## **PETER BAKER**

Letter Code: I-2

Date: June 7, 2023

### **Response to Comment I-2-1**

This comment expresses concern that the proposed five-story structure is incompatible with the visual character of the surrounding neighborhood as the tallest structure in the project vicinity is three stories. The comment also states that the proposed structure is too close to the street.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

The proposed project would require adoption of the Specific Plan that would establish development standards for the project site and a Zoning Map Amendment to change the zoning from Commercial General (CG) to Specific Plan (SP). Consistent with the development standards and guidelines established in the Specific Plan, the proposed project would be developed with 10-foot setbacks from each of the project's property boundaries including a fire access road on the project's southern property boundary. With adoption of the Specific Plan, the proposed project would meet the setback requirements for Bolsa Chica Street and Warner Avenue. In addition, surrounding land uses are zoned Residential Medium High Density (RHM) and Commercial General (CG). According to the City's Zoning Code, minimum setback requirements for these zoning districts are also 10 feet for front, rear, and street side frontages. As such, the proposed project's setback would be consistent with the existing zoning designations for the surrounding land uses.

**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Lawless, Tom](#); [Ed Mountford](#)  
**Subject:** FW: Say no to the 5 story proposed apartment building S of Warner  
**Date:** Thursday, June 8, 2023 9:41:47 AM

---

**From:** Daryth Morrissey <darythmorrissey@gmail.com>  
**Sent:** Thursday, June 8, 2023 8:54 AM  
**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
**Subject:** Say no to the 5 story proposed apartment building S of Warner

I-3-1

As a board member of Amigos de Bolsa Chica, UC Davis CA Naturalist, and 29 veteran teacher in the Ocean View School District (teaching 7th Science, Marine Biology, and Environmental Science at Vista View Middle School), there is no way morally to allow such a project to be erected. The Pacific Flyway is critical to birds, many of which are endangered or threatened species.

We are at a critical time to save and not further damage the very few wild spaces we have left. It would be against nature and soeley for greed if you supported this project.

Please make the correct decision and not allow this project to happen.

Daryth Morrissey

## DARYTH MORRISSEY

Comment Code: I-3

Date: June 8, 2023

### Response to Comment I-3-1

This comment is introductory and expresses opposition to the proposed project. The comment expresses concern over potential impacts to the Pacific Flyway, which is a migratory path in the western North America for migratory birds including endangered and threatened species.

As stated in the comment, the Pacific Flyway is a migratory path used by migrating birds in Western North America, including endangered and threatened species. As discussed in Section 4.4, Biological Resources, of the Initial Study (see Appendix A of the Draft EIR), given the project site's proximity to the nearby Bolsa Chica Ecological Reserve, a literature review was conducted to evaluate the potential for bird collisions with implementation of the proposed project. The main factors that affect bird collisions include the height of a building, the reflective glass to surface ratio, vegetation along buildings that may be reflected in windows, and nighttime lighting. According to analysis performed by BirdCast, a partnership between the Cornell Lab of Ornithology, Colorado State University, and the University of Massachusetts Amherst, that used weather radar to monitor and predict bird migrations, bird flights in Washington, Oregon, and California average approximately 2,600 feet high, with many birds flying as high as 6,000 feet in altitude.<sup>1</sup> In addition, according to the Bird Safe Building Guidelines prepared by the National Audubon Society, waterfowl and shorebirds migrate at some of the highest altitudes, with shorebirds flying between 1,000 and 2,000 feet and waterfowl flying at altitudes greater than 2,000 feet.<sup>2</sup> As such, most waterfowl and shorebirds that inhabit or use the Bolsa Chica Ecological Reserve as a stopover along their migration routes are likely to migrate at altitudes higher than the proposed 65-foot-tall building. Furthermore, the proposed project would not create a substantial source of nighttime lighting. Therefore, implementation of the proposed project is not likely to result in a population-wide effect from bird collisions. In addition, the Initial Study determined that no other impacts to candidate, sensitive or special-status species are anticipated to occur with implementation of the proposed project. No further response is necessary.

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<sup>1</sup> The Cornell Lab of Ornithology. October 13, 2021. *New BirdCast Analysis Shows How High Migrating Birds Fly*. Website: <https://www.allaboutbirds.org/news/new-birdcast-analysis-shows-how-high-migrating-birds-fly/> (accessed July 17, 2021).

<sup>2</sup> The National Audubon Society, Audubon Minnesota. 2010. *Bird Safe Building Guidelines, Birds and Buildings*. May.

**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Lawless, Tom](#); [Ed Mountford](#)  
**Subject:** FW: Bolsa Chica Senior Living Community  
**Date:** Thursday, June 8, 2023 10:40:11 AM

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**From:** Miranda Wallingford <miralee43@gmail.com>  
**Sent:** Thursday, June 8, 2023 9:38 AM  
**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
**Subject:** Bolsa Chica Senior Living Community

I have reviewed the proposed development of a senior living complex to be located at Bolsa Chica Street And Warner Avenue. As a resident of over 55 years very near to this location, I do not think that a 5 story development is appropriate for this location. Three stories would be more acceptable in this basically residential area of Huntington Beach.

These five story complexes are now all around the Bella Terra shopping center which is a mostly commercial area.

Please consider the overall esthetics of the area in addition to the overload of traffic etc. As residents that will see this every day, we do not want another "Edinger Corridor" here on Warner Avenue.

Miranda Wallingford  
[miralee43@gmail.com](mailto:miralee43@gmail.com)



## MIRANDA WALLINGFORD

Comment Code: I-4

Date: June 8, 2023

### Response to Comment I-4-1

This comment expresses opposition to the proposed project. The comment expresses concern over the height of the building, and suggests the proposed project be reduced to three stories. The comment also requests the consideration of overall aesthetics of the area and the proposed project's contribution to traffic in the project vicinity.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development and the Master Response to comments suggesting the height of the proposed project be reduced to three stories. Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Lawless, Tom](#); [Ed Mountford](#)  
**Subject:** FW: Reduce size Warner / Bolsa site  
**Date:** Friday, June 9, 2023 10:18:52 AM

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**From:** Taylor Haug <taylorhaug@gmail.com>  
**Sent:** Friday, June 9, 2023 6:16 AM  
**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
**Subject:** Reduce size Warner / Bolsa site

I-5-1 | Hi - I am emailing as a local resident in that area. I respectfully ask that you reduce the size of  
I-5-2 | the proposed 5 story senior living center on the corner of Warner / Bolsa. The land just up the  
street is up for sale, and with 200 additional proposed here with 100+ daily employees, it will  
significantly impact the residents in that area.

Thanks

--

Taylor Haug

## TAYLOR HAUG

Comment Code: I-5

Date: June 9, 2023

### Response to Comment I-5-1

This comment is introductory and requests the proposed project's height be reduced from five-stories.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

### Response to Comment I-5-2

This comment states that the development of 200 additional residential units with 100 or more daily employees combined with the potential future development of land up the street from the project site, would result in a cumulative significant impact to the residents in the area.

The proposed project includes the construction and operation of a five-story, 213-unit senior living community. As discussed in Section 4.14, Population and Housing, of the Initial Study (see Appendix A of the Draft EIR) the community is intended to house one resident per bed. Therefore, the proposed project would add up to 278 new residents on the project site. The addition of 278 new residents represents 0.14 percent of Huntington Beach's 2022 population of 196,100. Given the specific services provided by a senior living community, it is expected that a majority of future residents would come from within a 5–7-mile vicinity of the project site. As such, it can be reasonably assumed that a portion of the community's 278 residents would be comprised of individuals who already live in the City, and that a population increase of 0.14 percent represents a conservative, worst-case scenario. Moreover, this population increase is minimal relative to the City's overall population. During operation, the facility is expected to employ approximately 110 employees, staggered in shifts during which the number of employees on site would range from 20 to 40 employees. Because the region's existing labor force already includes a large number of people employed in the congregate care industry, it is reasonable to assume that the senior living community's employees would most likely be comprised of individuals who already live in the general area. As such, it is unlikely that these employment opportunities would cause employees to relocate their residences to be close to the project site. Therefore, Section 4.14, Population and Housing, of the Initial Study determined that potential impacts related to population growth would be less than significant.

In addition, implementation of the proposed project would reduce the number of daily vehicle trips to and from the project site due to the change in land use from commercial/retail to a senior living community. Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

With regard to cumulative impacts, the proposed project would include land uses that are consistent with the surrounding development and therefore would not contribute to a pattern of

development that would adversely impact adjacent land uses or conflict with existing or planned development. Currently, the City has a shortage of existing and proposed senior housing opportunities. Development of the proposed project would aid in meeting the existing and future senior housing needs in the City. Additionally, proposed on-site improvements would be consistent with the long-range planning goals of local and regional governing plans and policies for the surrounding area. There are no incompatibilities between the proposed project and planned future projects in the City, which primarily include mixed-use and residential developments. Further, each future discretionary project would be subject to CEQA review, mitigation requirements, and design review, as applicable that would analyze the project's impact to the surrounding area. Therefore, the proposed project would not contribute a significant cumulative land use impact in the City. No further response is necessary.

**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Lawless, Tom](#); [Ed Mountford](#)  
**Subject:** FW: Bolsa Chica and Warner  
**Date:** Friday, June 9, 2023 10:19:35 AM

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-----Original Message-----

From: Theresa Ferber <[theresa@tailwaggingadventures.com](mailto:theresa@tailwaggingadventures.com)>  
Sent: Friday, June 9, 2023 8:40 AM  
To: Beckman, Hayden <[hayden.beckman@surfcity-hb.org](mailto:hayden.beckman@surfcity-hb.org)>  
Subject: Bolsa Chica and Warner

I-6-1 | To Whom It May Concern

I have been a resident on Green Street for 23 years and the traffic has already significantly increased. That intersection can not handle that traffic. Just closing one lane for repairs added at least 10 minutes to my daily commute. Please start counting the cars that use this route and reconsider. What about the abandoned church property off Warner just before Beach Blvd? I get it they need a facility but the Bolsa Chica location will inconvenience residence and beach visitors that bring in a lot of money to our city.

I-6-2

Sincerely and please stop this project!  
Theresa Ferber

Sent from my iPhone

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## **THERESA FERBER**

Letter Code: I-6

Date: June 9, 2023

### **Response to Comment I-6-1**

This comment is introductory and expresses concern with the increase in traffic at the intersection of Bolsa Chica Street and Warner Avenue. The comment also requests that the City begin counting cars on this route and reconsider the use of the project site for development of the proposed project.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

### **Response to Comment I-6-2**

This comment suggests the use of the vacant church property on Warner Avenue near Beach Boulevard for development of the proposed project, as the proposed project site would inconvenience residents and beach visitors, which are important for the local economy.

Given the developed nature of the City, there are limited properties that would be suitable in terms of size, zoning, and availability for development of the proposed project. The City of Huntington Beach has prepared a draft update to its Housing Element. The updated Housing Element identifies candidate housing sites that would, when rezoned, be able to accommodate the development of the City's Regional Housing Needs Allocation (RHNA) for the 2021–2029 Housing Element cycle. Specifically, the Housing Element identifies more than 300 individual parcels for potential rezoning. Following implementation of the zoning changes outlined in the new Housing Element, market demand for these properties is anticipated to increase, thereby making it more difficult to find an alternate location that would be available to accommodate the proposed project in the near term. As such, the project site on the corner of Bolsa Chica Street and Warner Avenue was determined to be the most feasible project location.

In addition, the vacant church property on Warner Avenue near Beach Boulevard mentioned in the comment, also known as the Historic Wintersburg site, is eligible for listing in the National Register of Historic Places as detailed in the City of Huntington Beach's General Plan due to its association with leaders of the Japanese immigrant and Japanese American community in Orange County and its embodiment of rural vernacular building types dating from the early to the middle 20<sup>th</sup> century. The Historic Wintersburg site may also qualify for listing in the National Register due to the property's archaeological potential. The Historic Wintersburg site is also located across Nichols Lane from the Rainbow Environmental Transfer Station, which handles organics, recyclables, and trash diversion activities for the City. As such, the area immediately surrounding the transfer station, including the Historic Wintersburg site, is subject to odors that would impact future residents of any type of housing on that site, including a senior living community. As such, the City does not consider the Historic Wintersburg site to be a reasonable or feasible location for the proposed project.

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Beckman, Hayden

**From:** Jen French <pomegranatefrench@gmail.com>  
**Sent:** Friday, June 9, 2023 4:38 PM  
**To:** Beckman, Hayden  
**Subject:** Proposed Senior 5-Story

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom this may concern:  
I am writing to lodge my complaint against the proposed five-story senior living tower on the corner of Bolsa Chica and Warner. My family and I currently live in that neighborhood and that corner as-is, is extremely traffic-heavy to the point of seeing several accidents and near misses daily. I cannot imagine what it will be like with 200+ new units on one corner. This also does not seem like a good use of space when there are so many empty senior units nearby like the one at Warner and Goldenwest and hundreds of empty senior housing mobile homes at the various park in the vicinity. To me, this seems like it's from another greedy developer looking to charge exorbitant rates on seniors and create utter chaos on the streets with all the new traffic. Not to mention adding something that extremely tall does not fit in at all with the surrounding area. I'm extremely disappointed that our new city council, the four that promised to stop this type of ridiculous overbuilding in Huntington Beach, would allow or support this development. Again, I am formally waging my complaints against this development for the record.

Sincerely,  
Jennifer French

Huntington Beach, CA 92649

## JENNIFER FRENCH

Letter Code: I-7

Date: June 9, 2023

### **Response to Comment I-7-1**

This comment is introductory and expresses opposition to the proposed project. The comment expresses concern with impacts related to an increase in traffic resulting from development of the proposed project.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

### **Response to Comment I-7-2**

This comment expresses the opinion that the proposed project is not a good use of the project site because there is existing underutilized (empty) senior housing options in the project vicinity and expresses opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-7-3**

This comment expresses the opinion that the height of the proposed project is not compatible with the surrounding area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

### **Response to Comment I-7-4**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.



32 M

I-8

**Beckman, Hayden**

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**From:** Kathy Carey <kathy.carey99@yahoo.com>  
**Sent:** Saturday, June 10, 2023 9:51 PM  
**To:** Beckman, Hayden  
**Subject:** Bolsa Chica/Warner

NO!! Stop building in HB.

There are too many buildings, people and cars as it is. Mess up some other city.  
Leave Huntington Beach alone.

Sent from Yahoo Mail on Android

## KATHY CAREY

Letter Code: I-8

Date: June 10, 2023

### **Response to Comment I-8-1**

This comment expresses opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

BU M

I-9

Beckman, Hayden

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**From:** diana helm <dianahelm234@yahoo.com>  
**Sent:** Saturday, June 10, 2023 5:56 PM  
**To:** Beckman, Hayden  
**Subject:** Sr living

I am all in favor of building a sr living facility on Bolsa & Warner

Sent from my iPhone

## DIANA HELM

Letter Code: I-9

Date: June 10, 2023

### **Response to Comment I-9-1**

This comment expresses support for the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

33 M

I-10

Beckman, Hayden

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**From:** .Yelena Fayngor <Clothesjunkie1@yahoo.com>  
**Sent:** Saturday, June 10, 2023 9:18 PM  
**To:** Beckman, Hayden  
**Subject:** Senior living

I-10-1 | Pl ask stop the project on corner of Warner and bolsa Chica. It will cause too much traffic, since the area is already very congested. It is a residential area and we do not want additional hundreds of people living and working here

Sent from my iPhone

## **YELENA FAYNGOR**

Letter Code: I-10

Date: June 10, 2023

### **Response to Comment I-10-1**

This comment expresses opposition to the proposed project. The comment also expresses concern that the proposed project would result in an increase in traffic in the area.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

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I-11

Beckman, Hayden

**From:** Betty Iseri <bettyiseri@gmail.com>  
**Sent:** Saturday, June 10, 2023 1:19 AM  
**To:** Beckman, Hayden  
**Subject:** Fwd: Proposed 5 story senior assisted living center at Bolsa Chica and Warner

----- Forwarded message -----

**From:** **Betty Iseri** <bettyiseri@gmail.com>  
**Date:** Sat, Jun 10, 2023 at 1:15 AM  
**Subject:** Proposed 5 story senior assisted living center at Bolsa Chica and Warner  
**To:** <hayden.beckman@surfcity.hb.com>

Mr. Beckman,

I live in the area where the proposed project is located and know that corner well. I pass it several times each week and feel that a 5 story building is out of place in that location as it would be too high to fit into the neighborhood. Buildings in that area are 2 story at the most and it would stick out like a sore thumb, not to mention the added traffic to residents in the neighborhood.

I would like to propose a 3 story building, at the highest, in order to better fit in. Certainly there are more seniors expected in the years to come, so the building will most likely be needed, just not the proposed size or bring the amount of cars for the number of residents and employees now planned.

Thank you.

Betty Iseri  
Resident of Warner Avenue

## **BETTY ISERI**

Letter Code: I-11

Date: June 10, 2023

### **Response to Comment I-11-1**

This comment expresses concern that the proposed project's height is incompatible with the height of existing structures in the surrounding neighborhood.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

### **Response to Comment I-11-2**

This comment expresses concern with additional traffic in the area as a result of development of the proposed project.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

### **Response to Comment I-11-3**

This comment suggests the proposed community be reduced to three stories.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories.



35  
IM  
Beckman, Hayden

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**From:** dorothe <dorothe@huntingtonrubber.com>  
**Sent:** Saturday, June 10, 2023 9:32 AM  
**To:** Beckman, Hayden  
**Subject:** Proposed senior living at Bolsa Chica/Warner

Good morning,

I am writing regarding the proposed assisted living project to be built at Warner/ Bolsa Chica. I agree such facilities are needed. However, a 5 story building at that location would have a significantly negative impact on the open feeling we have all associated with living in Huntington Beach.

I reside near Warner /Bolsa Chica, it is primarily a residential area. The streets there are traveled by both residents and visitors who value the open skyline and beach vibe of Huntington Beach. Please protect our open skyline. I have no issue with the proposed senior housing if it remains a two story building reflective of the area.

Sincerely,  
Dorothe Dunn

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## DOROTHY DUNN

Letter Code: I-12

Date: June 10, 2023

### Response to Comment I-12-1

This comment acknowledges the need for senior living communities while expressing concern with the height of the proposed project and how it would negatively impact the view of the skyline. The comment also expresses concern with the compatibility of the proposed project with the visual character of Huntington Beach. The comment provides support for the proposed project if it were to be reduced to two-stories.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development and the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

Development of the proposed project would result in a change to the existing skyline at the project site as viewed from public vantage points along Bolsa Chica Street and Warner Avenue. However, no designated scenic vistas or scenic resources are visible from the project site and development of the proposed project would not obstruct any scenic views. The project site is located within an urbanized community and on a commercial corridor area predominantly developed with multiple-story commercial, industrial, and residential uses. The proposed project would be developed consistent with the City design standards and existing development, which includes the informal aesthetic elements of the existing beach community and would use multilevel rooflines and varying building setbacks along Bolsa Chica Street and Warner Avenue to break up the scale and massing of the building. As described in Section 4.1, Aesthetics, of the Draft EIR, the consistency analysis shows that the proposed project would not conflict with the relevant goals and policies in terms of preserving the visual quality in the City such as ensuring new development projects are of compatible proportion, scale, and character to complement adjoining uses and consistent with City approved designs for existing development. Therefore, the proposed project would not result in a significant impact to the skyline or scenic resources.

**From:** [Oma Cox](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Project planned at intersection of Algonquin and Warner Ave.  
**Date:** Sunday, June 11, 2023 8:41:39 AM

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I-13-1

While I recognize the need for all kinds of senior housing and I hate the “not in my neighborhood” mentality I am concerned about the dangers that already exist at that particular intersection. There have been many accidents and even deaths at that intersection. I hope you due diligence on traffic patterns and review accident reports as part of your planning and evaluation and take the particular dangers of that intersection.

Thank you for considering and addressing the above.

Very respectfully,  
Oma Cox  
Sent from Oma  
Cox cell phone

## OMA COX

Letter Code: I-13

Date: June 11, 2023

### **Response to Comment I-13-1**

This comment acknowledges the need for senior housing and expresses concern over the traffic safety of the intersection of Bolsa Chica Street and Warner Avenue with implementation of the proposed project.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system and the Master Response to comments regarding the concern that development of the proposed project would result in new or exacerbated traffic safety issues at intersections in the surrounding area.

In addition, because the proposed project would generate fewer trips than the existing occupied commercial uses, impacts to the surrounding circulation system were determined to be less than significant. As such, a Traffic Impact Assessment (TIA), which would further evaluate the proposed project's traffic contributions to the adjacent roadways and intersections, was not required.

**From:** [Luann Clark](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Bolsa Chica and Warner development  
**Date:** Sunday, June 11, 2023 9:31:44 PM

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Mr Beckman,

It is my understanding that the city is considering a five story assisted living facility at Bolsa Chica and Warner. I'm writing to let you know I'm not opposed to the assisted living facility but I do not agree that it should be five stories high. Nothing in this area is that tall or large and I don't believe we should be losing the town feel of Huntington Beach. Once one tall building is built up that high, others will soon be allowed to go as high or higher. We don't need for our town to go the direction of Long Beach. Development is okay but it needs to represent the current neighborhood. At the very most I could understand a three story facility. All I ask is development within reason and consideration for the neighborhood.

Thank you,  
Luann Clark  
HB resident.

I-14-1

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## LUANN CLARK

Letter Code: I-14

Date: June 11, 2023

### Response to Comment I-14-1

This comment expresses support for development of an assisted living community; however, it also expresses concern with the height of the proposed project. The comment states that development of a five-story building at the project site would lead to the development of buildings of the same height or higher in the vicinity of the project site, which would be inconsistent with the character of Huntington Beach. The comment also suggests the proposed project be reduced to three stories.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

In order to develop the proposed project on the project site, the City is considering approval of a General Plan Amendment to change the land use designation from Commercial General (CG) to Mixed Use (MU), a Zoning Map Amendment to change the zoning from CG to Specific Plan (SP), a Conditional Use Permit, and adoption of the Specific Plan that would establish development standards for the project site. The General Plan Amendment, Zoning Map Amendment, Conditional Use Permit, and adoption of the Specific Plan are discretionary actions to be considered by the City as part of the proposed project, independent of the CEQA environmental impact analysis. Further, the General Plan Amendment, Zoning Map Amendment, Conditional Use Permit, and adoption of the Specific Plan are project site specific, and once approved, only apply to the project site and are not transferrable to parcels in the surrounding area. As discussed in Section 4.7, Land Use and Planning, of the Draft EIR, future projects proposed in the City, including projects potentially similar in scale to the proposed project, would be independently reviewed for consistency with the City's adopted land use plans and policies. Further, each discretionary project would be subject to CEQA review, mitigation requirements, and design review, as applicable. Therefore, the proposed project would not contribute to a significant cumulative land use compatibility impact in the City by creating a precedent for similar future development.

**From:** [leahwcr3@gmail.com](mailto:leahwcr3@gmail.com)  
**To:** [Beckman, Hayden](#)  
**Subject:** Assisted Living Units on Bolsa Chica and Warner  
**Date:** Sunday, June 11, 2023 11:29:58 AM

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- I-15-1 | Hello,  
I am a resident in North Huntington Beach, and I purposely moved back to this location after 25 years.  
I am posing the proposed Assisted Living development on Warner and Bolda Chica.  
A five story building would increase traffic in this already busy residential area.
- I-15-2 | As a home owner, whom saved to buy a house to be near nature, the building of this  
Structure will lower the value of our property values.  
The ecological preserve is right down the street, and a five story story Assisted Living commercial facility will ruin  
what is left of a
- I-15-3 | a community that provides nature to our natural environment.  
Just as importantly, our home owners whom have ride to live in this area, will experience a decreased quality of life,  
as well as decreasing our property values.  
I strongly oppose any construction on the corner of Bolss Chica and Warner for an Assisted Living facility.

Lisa Pruner



Sent from my iPhone

## LISA PRUNER

Comment Code: I-15

Date: June 11, 2023

### Response to Comment I-15-1

This comment is introductory and expresses opposition to the proposed project. The comment also expresses concern that development of the proposed five-story building on the project site would increase traffic in the surrounding area.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

### Response to Comment I-15-2

This comment asserts that development of the proposed project would lower the property values of surrounding residences. Potential economic impacts to property value are not an impact on the environment required to be analyzed as part of the environmental review process pursuant to CEQA, unless economic impacts are related to an impact on the environment. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### Response to Comment I-15-3

This comment expresses concern over potential impacts to the Bolsa Chica Ecological Reserve, which is located south of the project site. The comment also reiterates opposition to the proposed project and a concern over decreasing property values.

As discussed in Section 4.4, Biological Resources, of the Initial Study (see Appendix A of the Draft EIR), development of the proposed project would result in less than significant impacts to biological resources. The project site is currently fully developed with two commercial buildings and an associated parking lot. The project site is located within an urbanized area of the City, and the entirety of the surrounding vicinity has been previously developed. There are no native habitats within the project site with the potential to support sensitive plant and animal species. With implementation of Standard Condition BIO-1, which requires compliance with the Migratory Bird Treaty Act, potential impacts to nesting birds would be avoided during construction of the proposed project. According to the California Department of Fish and Wildlife (CDFW), the project site is approximately 0.5 miles north of the officially designated boundary of the Bolsa Chica Ecological Reserve along the East Garden Grove Wintersburg Channel<sup>3</sup> and approximately 0.16 miles north of open space and trails associated with the Ecological Reserve. As discussed in Section 4.4, Biological Resources, of the Initial Study, implementation of the proposed project is not likely to result in a population-wide effect from bird collisions. Furthermore, given the distance of the project site from the Ecological Reserve and associated open space, and the lack of native habitat on the project site,

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<sup>3</sup> California Department of Fish and Wildlife (CDFW). 2014. South Coast Region. *Bolsa Chica Ecological Reserve, Laguna Laurel Ecological Reserve, Upper Newport Bay Ecological Reserve, Orange County*. November 2014.



the proposed project would not result in any direct or indirect impacts to the Bolsa Chica Ecological Reserve.

**From:** [SLsM](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** The proposed 65" complex along Bolsa Chica south of Warner to the phone company building  
**Date:** Monday, June 12, 2023 1:38:48 PM

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To whom it may concern,

I-16-1 | I live directly across the street from this proposed project on the corner of Warner and Bolsa Chica St. I am not opposed to this project but feel it should be redesigned. I thought this particular road had been designated a scenic corridor as it leads to the wetlands preserve at the end of Bolsa Chica St, 2 blocks away, although I may be mistaken. When this project is completed, it would have a significant impact on the wildlife and human residents in the area.

I-16-2 | We are told that the shadow cast by this building will end our sunlight hours at 2 PM in the winter and 4 PM in the summer. Many types of owls hunt and use the trees at this project location. There are also many other types of wildlife that frequent this area, all originating from the preserve.

I-16-3 | Traffic would become impossible as it is the only entrance to the wetlands. This entrance bottlenecks at the intersection of Bolsa Chica and Warner, to a two-lane road that already handles rush hour and holidays, (such as the 4<sup>th</sup> of July, when families come to watch fireworks at the preserve,) poorly, backing up traffic on this small residential street for a block.

I-16-4 | A three-story structure makes much more sense and would blend in with the surrounding buildings and the aesthetic of the neighborhood.

I-16-5 | I hope you will listen to the folks who live directly around this project. It has the potential to significantly change the quality of life in this neighborhood and affect the health of the preserve itself.

Thank you,

Sincerely,

Mrs. Leah Mondino



## LEAH MONDINO

Comment Code: I-16

Date: June 12, 2023

### Response to Comment I-16-1

This comment is introductory and expresses support for the proposed project if it were to be redesigned. The comment also states that the commenter believed that Bolsa Chica Street was designated as a scenic corridor as it leads to the Ecological Reserve at the end of the street.

As discussed in Section 4.1, Aesthetics, in the Initial Study (see Appendix A of the Draft EIR), while the City of Huntington Beach's (City) General Plan does not officially designate any scenic vistas within Huntington Beach, the City has identified scenic corridors that have notable aesthetic appeal for the community. Unofficial scenic views within the City include views of the Pacific Ocean and the Bolsa Chica Ecological Reserve and panoramic views of the Pacific Ocean and Catalina Island from beach and shore areas, Pacific Coast Highway and surrounding local streets, and the Huntington Beach Municipal Pier. Scenic resources in the City include the Pacific Ocean and the adjacent beaches and viewpoints, the Bolsa Chica Ecological Reserve and Mesa, the Huntington Beach Municipal Pier, the Huntington Beach Wetlands, the Huntington Beach Harbour, and the Huntington Beach Central Park urban forest. No designated scenic vistas or scenic resources are visible from the project site. The project site is within an urbanized area predominantly developed with commercial, industrial, and residential uses. The surrounding views comprise a developed urban and suburban environment that is built out. Further, development of the proposed five-story senior living community is anticipated to provide views of the Bolsa Chica Ecological Reserve from units on the fifth floor with windows facing to the southwest—creating a scenic vista rather than diminishing one. As such, although Bolsa Chica Street is not a designated scenic corridor, views of the Bolsa Chica Ecological Reserve from Bolsa Chica Street would not be diminished with implementation of the proposed project.

### Response to Comment I-16-2

This comment expresses concern with the impact of shadows cast by the proposed project on nearby human residents and wildlife that use the project site and frequent the area originating from the Bolsa Chica Ecological Reserve.

The EIR includes shade and shadow study of the potential shade and shadow effects of the Project during morning and early afternoon hours to graphically show potential impacts on neighboring properties. Shadows cast by structures vary in length and direction throughout the day and from season to season. Shadow lengths increase during the "low sun" or winter season and are longest on the winter solstice. The winter solstice, therefore, represents the worst-case shadow condition, and the potential for loss of access to sunlight that a project could cause is greatest. Shadow lengths are shortest on the summer solstice. Shadow lengths on the spring and fall equinoxes would fall midway between the summer and winter extremes. Two figures were prepared to illustrate the morning and afternoon shade effects of the proposed project on nearby residential uses during both the winter and summer solstices (see Appendix C, Bolsa Chica Senior Living Community Shadow Studies, of the Draft EIR). As shown on those figures, during both the winter and summer solstices, no shadows

would be cast in either the morning or afternoon hours on the apartment complex buildings to the west or the single-family residential homes to the east. Shadows from the proposed project would be cast primarily on Bolsa Chica Street and Warner Avenue during the winter solstice, and on Bolsa Chica Street and the apartment complex carports to the west of the project site during the summer solstice. Therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. It is also worth noting that the proposed project has been designed to minimize shading on light-sensitive uses in the surrounding area. By siting the proposed project on the south side of a major commercial corridor, most of the shadows cast by the proposed building would fall on Warner Avenue itself or commercial uses on the other side of the street, which are not light-sensitive.

In addition, as discussed in Section 4.4, Biological Resources, of the Initial Study (see Appendix A of the Draft EIR), development of the proposed project would result in less than significant impacts to biological resources. The project site is currently fully developed with two commercial buildings and an associated parking lot that contains ornamental landscaping and non-native trees. The project site is located within an urbanized area of the City, and the entirety of the surrounding vicinity has been previously developed. There are no native habitats within the project site with the potential to support sensitive plant and animal species. With implementation of Standard Condition BIO-1, which requires compliance with the Migratory Bird Treaty Act, potential impacts to nesting birds would be avoided during construction of the proposed project. As discussed in Section 3.0, Project Description, of the Draft EIR, the proposed project would include landscaping comprised of a variety of tree, shrub, grass, and groundcover species consistent with the requirements outlined in Section 211.06, CO, CG, and CV Districts –Development Standards, and Section 232, Landscape Improvements, in the City of Huntington Beach zoning code. Therefore, development of the proposed project would not result in the elimination of ornamental vegetation and non-native trees on the project site. Furthermore, development of the proposed project would be contained to the project site and would not interfere with or directly or indirectly impact wildlife use outside of the project site.

### **Response to Comment I-16-3**

This comment expresses concern with increased traffic and congestion on Bolsa Chica Street and at the intersection of Bolsa Chica Street and Warner Avenue. The comment states that Bolsa Chica Street is the only access road to the Bolsa Chica Ecological Reserve and briefly describes the congestion experienced on Bolsa Chica Street during the “rush hour” and on holidays.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

In addition, the Bolsa Chica Ecological Reserve can be accessed from multiple locations including the terminus of Bolsa Chica Street, at Brightwater Drive and Warner Avenue east of the project site, at Warner Avenue and Pacific Coast Highway, and at Pacific Coast Highway across from Bolsa Chica State Beach. Further, parking for the Bolsa Chica Ecological Reserve is provided by two public parking lots. The northern parking lot is located at the Warner Avenue/Pacific Coast Highway access point and the southern parking lot is located at the Pacific Coast Highway access point across from

Bolsa Chica State Beach. As discussed in Section 2.1.2, Transportation/Traffic, the proposed project would result in a net reduction of 410 daily trips, including a net reduction of 50 trips in the a.m. peak hour and a net reduction of 73 trips in the p.m. peak hour, when compared to the existing site uses. Therefore, implementation of the proposed project would not result in traffic-related impacts that would affect access to the Bolsa Chica Ecological Reserve.

**Response to Comment I-16-4**

This comment states that a three-story structure, as opposed to the five-story structure proposed by the project, would be more consistent with the scale of the surrounding buildings and aesthetics of the neighborhood.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development and the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

**Response to Comment I-16-5**

This comment concludes the letter and reiterates the concerns presented above. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Elizabeth Eldridge](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Planned 5 story sr facility at Warner and Bolsa Chica  
**Date:** Monday, June 12, 2023 10:00:58 AM

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Dear Hayden,

I-17-1

I am writing to express my opposition to the planned 5 story senior facility at Warner and Bolsa Chica. I live in the Summerlane community and feel that this facility is not appropriate at this location. The height of the building is not consistent with any other building in the area. The highest buildings are 2 stories and any new development should not be any higher than the existing structures in order to maintain the cohesiveness of the existing community.

I-17-2

There is also a concern with the potential added traffic as this location is already congested and one block up at Algonquin is a known hazardous intersection and the addition of this facility in it's proposed state will surely add to this hazard, particularly with adding senior drivers who do not typically have the sharpest reflexes. It will impact public safety.

I-17-3

I urge the council to reconsider this project at this location in the proposed design. I would not be opposed to a facility in a 2 story version.

Elizabeth Eldridge



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## **ELIZABETH ELDRIDGE**

Comment Code: I-17

Date: June 12, 2023

### **Response to Comment I-17-1**

This comment is introductory and expresses opposition to the proposed project. The comment also expresses concern over the height of the proposed community and states that the proposed five-story community would be inconsistent with the surrounding buildings.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

### **Response to Comment I-17-2**

This comment expresses concern with the potential increase in traffic in the project vicinity and how the proposed project would impact traffic conditions at the intersection of Algonquin Street and Warner Avenue. The comment also expresses concern with the project adding senior drivers to area roadways and the resulting impact on public safety.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system and the Master Response to comments regarding the concern that development of the proposed project would result in new or exacerbated traffic safety issues in the surrounding area.

The regulation of drivers based on their ability to operate a motor vehicle safely is not under the purview of CEQA. As this portion of the comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR, no further response is required.

### **Response to Comment I-17-3**

This comment urges the City Council to reconsider development of the proposed project on the project site and expresses support for a reduced, two-story senior living community.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

**From:** [Alison Mijares](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Bolsa Chica Senior Living Community  
**Date:** Monday, June 12, 2023 7:34:49 PM

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Hello,

I-18-1

We live in the area, near PCH and Warner, and we would like to express our concern with the proposed 5-story Bolsa Chica Senior Living Community. We ask that, given the existing surrounding neighborhood, the scope and height of the project be reduced. As proposed, the project will negatively affect the community by increased traffic and decreased enjoyment of their own property.

I-18-2

Thank you for your consideration,  
Alison Mijares



## ALISON MIJARES

Comment Code: I-18

Date: June 12, 2023

### Response to Comment I-18-1

This comment is introductory, expresses concern with the height of the proposed five-story community, and requests that the scope and height of the proposed project be reduced.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the height of the proposed project and the Master Response to comments suggesting the height of the proposed project be reduced.

The proposed project would result in the construction of a five-story, 298,000-square-foot State-licensed senior living community on the project site. A reduction in facility height would result in an overall decrease in the number of units available to the elderly population in the City, as well as a decrease in the amount and size of associated amenities commensurate with the reduced number of units.

Adoption of the Specific Plan and approval of the Zoning Map Amendment would allow for the construction of a five-story building at the project site. Project Objective 2 (see Section 3.0, Project Description, in the Draft EIR) states that the City wishes to develop a project that helps meet the increasing demand for senior living facilities in Huntington Beach at a scale of development suitable to current industry standards, with the goal of producing as many senior housing units as possible. While development of a reduced senior living facility would help meet the increasing demand for senior living facilities in Huntington Beach and provide an opportunity for residents to age in place through the provision of multiple unit types, the decrease in height would result in a reduction in the number of senior living units provided by the proposed community. In addition, implementation of a smaller senior living community would not provide the space to provide residents with onsite amenities, such as health and fitness centers, open space areas, and restaurant uses, that would meet the highest industry standards and reduce the necessity for residents to leave the community for daily living needs. As such, development of a reduced facility would not meet the identified Project Objectives to full extent as the proposed five-story project. No further response is required.

### Response to Comment I-18-2

This comment states that increased traffic as a result of implementation of the proposed project, would negatively impact the surrounding community and decrease existing residents' enjoyment of their own property.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

**From:** [Paula Redmond](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Planned 5 story sr facility at Warner and Bolsa Chica  
**Date:** Monday, June 12, 2023 8:20:31 AM

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Dear Hayden,

I-19-1

I am writing to express my opposition to the planned 5 story senior facility at Warner and Bolsa Chica. I live in the Summerlane community and feel that this facility is not appropriate at this location. The height of the building is not consistent with any other building in the area. The highest buildings are 2 stories and any new development should not be any higher than the existing structures in order to maintain the cohesiveness of the existing community.

I-19-2

There is also a concern with the potential added traffic as this location is already congested and one block up at Algonquin is a known hazardous intersection and the addition of this facility in it's proposed state will surely add to this hazard, particularly with adding senior drivers who do not typically have the sharpest reflexes. It will impact public safety.

I-19-3

I urge the council to reconsider this project at this location in the proposed design. I would not be opposed to a facility in a 2 story version.

Paula Redmond



Sent from [Mail](#) for Windows

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## PAULA REDMOND

Comment Code: I-19

Date: June 12, 2023

### Response to Comment I-19-1

This comment is introductory and expresses opposition to the proposed project. The comment also expresses concern over the height of the proposed community and states that the proposed five-story facility would be inconsistent with the surrounding area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

### Response to Comment I-19-2

This comment expresses concern with the potential increase in traffic in the project vicinity and how the proposed project would impact traffic conditions at the intersection of Algonquin Street and Warner Avenue. The comment also expresses concern with the proposed project adding senior drivers to roadways in the project area and the resulting impact on public safety.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system and the Master Response to comments regarding the concern that development of the proposed project would result in new or exacerbated traffic safety issues in the surrounding area.

The regulation of drivers based on their ability to operate a motor vehicle safely is not under the purview of CEQA. As this portion of the comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR, no further response is required.

### Response to Comment I-19-3

This comment urges the City Council to reconsider development of the proposed project on the project site and expresses support of a reduced, two-story senior living community.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced.

**From:** [Shelley Colangelo](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Senior continuing care facility  
**Date:** Tuesday, June 13, 2023 6:58:16 AM

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- I-20-1 | I'm writing this email to raise my concerns about a 5 story building for the elderly near Bolsa Chica and Warner.  
I feel that would be too tall of a building for the area and would have a negative impact on traffic and the area. | I-20-2
- I-20-3 | Besides that, it is hard for older people to have to exit a tall building in an emergency. My aunt had to show at a continuing care facility (she was in the independent section) that she could go down 3 flights of stairs from her apartment in case of emergency to continue to live on the third floor, it was quite difficult. She had Congestive Heart Failure and bad knees.
- I-20-4 | She was also still driving at 90 as many elderly do until they can't. She did stop on her own but did have a few mishaps before. (Her right rear view mirror was off her car with no reason given). Warner and Bolsa is already a super busy intersection to complicate it with this

Sincerely,  
Shelley Colangelo

Sent from my iPhone

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## **SHELLEY COLANGELO**

Comment Code: I-20

Date: June 13, 2023

### **Response to Comment I-20-1**

This comment expresses concern over the height of the proposed community and states that the proposed five-story community would be inconsistent with the surrounding area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

### **Response to Comment I-20-2**

This comment states that development of the proposed five-story community would have a negative impact on traffic in the area.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

### **Response to Comment I-20-3**

This comment expresses concern over the ability of residents of the proposed senior living community to safely evacuate the five-story community in the event of an emergency. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. The proposed project would be developed consistent with all applicable City, fire department, and building codes pertaining to emergency access and response. Establishing and implementing emergency evacuation procedures in the event of an emergency would be the responsibility of the senior living community operator.

### **Response to Comment I-20-4**

This comment expresses concern with the proposed project adding senior drivers to the intersection of Bolsa Chica Street and Warner Avenue.

The regulation of drivers based on their ability to operate a motor vehicle safely is not under the purview of CEQA. As this portion of the comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR, no further response is required.

**From:** [Michele Ryan](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Proposed Senior Housing at Bolsa Chica and Warner  
**Date:** Tuesday, June 13, 2023 8:38:57 AM

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We have read with interest about the plan for a senior assisted and independent living development in our area. We are in support of the project in general, as this area is old, worn and underdeveloped. However, we also care deeply about the way the neighborhood feels for its residents and would not want to see change occur in a way that is glaring or incongruent. This project is too big on too small a parcel and needs to be reduced.

We are proud of Huntington Beach's many parks and open spaces and adjacency to beaches, marches and wetlands. It is appropriate to honor those beautiful spaces with careful, thoughtful development in response to our town's evolving needs. Sadly, Huntington Beach has notable history of development that wasn't thoughtful, was even unethical. So, after decades long careers in Orange County, including time working with developers and builders, and over 30 years residency in this city, we have learned the need for citizen input and oversight, we hope you will consider ours.

We truly hope this development is going to provide as represented: quality, (ideally) affordable, safe residences for our aging population. There is, for us and our neighbors, deep concern about the size and height of this project given the space allocated. At 5 stories and over 200 units, it will be very crowded and will tower over nearby structures, most of which are no more than 2 stories. Sadly, history shows us that developments like this eventually degrade and devolve, becoming human warehousing. We know this from over 3 decades personally working with homeless issues and experiencing first hand the locations that now serve as the next step up from the street. They were likely well-intentioned projects in their day, but are tenements now.

There is a critical need for safe, affordable housing in our county - but one project isn't going to solve the problem. The current financing and incentive environment feeds the appetite for developers to build more units at the expense of building lasting benefit to the community. We encourage a reduction to this project so that it is more congruent with the existing residential areas nearby. We don't want the option for Huntington Beach's senior residents to be monolithic "cell blocks" for the elderly.

Michele Ryan



Please excuse typos and incorrect autocorrects. :-)

I-21-1

## **MICHELE RYAN**

Comment Code: I-21

Date: June 13, 2023

### **Response to Comment I-21-1**

This comment expresses support for the proposed project while also expressing concern over the size of the proposed project and suggests the height be reduced. The comment states that the proposed five-story community with over 200 units would be too crowded for the project site and would be inconsistent with the surrounding area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development and the Master Response to comments suggesting the height of the proposed project be reduced.

**From:** [Sue Jervik](#)  
**To:** [Beckman, Hayden](#); [CITY COUNCIL](#)  
**Subject:** Do not support 5 story senior living complex on corner of Warner and Bolsa Chica  
**Date:** Tuesday, June 13, 2023 8:53:00 AM

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I-22-1 | Good morning,  
I-22-2 | I DO NOT support building a 5 story complex on this corner. That would be completely out of  
I-22-3 | character for that neighborhood and increase traffic on what is already a dangerous road. The  
project should be scaled down to 3 stories.

Regards,  
Sue Jervik  
Huntington Beach

Sent from ProtonMail mobile



## **SUE JERVIK**

Comment Code: I-22

Date: June 13, 2023

### **Response to Comment I-22-1**

This comment expresses opposition for the proposed project and expresses concern over the height of the proposed five-story community. The comment states that the height of the proposed project is inconsistent with the character of the surrounding neighborhood.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

### **Response to Comment I-22-2**

This comment states that the proposed project would increase traffic on the surrounding roadways.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

### **Response to Comment I-22-3**

This comment suggests the proposed project be reduced to three stories.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

**From:** [Josh](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Assisted living plans  
**Date:** Tuesday, June 13, 2023 9:33:58 AM

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I-23-1

We in the community DO NOT want this built. We do not want this town turned into a crowded over trafficked town. Build this somewhere out east where space is in plenty supply. Do not bring this to our town and destroy our happy small town. This is as bad as them destroying they Westminster mall property and wanting to build a ridiculous monstrosity there. You don't care about the people in the community and it shows. If you did you would pick a location full of open space away from the population.

Sent from my iPhone

## JOSH

Comment Code: I-23

Date: June 13, 2023

### **Response to Comment I-23-1**

This comment expresses opposition to the proposed project and concern regarding crowding and traffic. The comment recommends the proposed project be built in a different location away from the existing population.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

Given the developed nature of the City, there are limited properties that would be suitable in terms of size, zoning, and availability for development of the proposed project. The City of Huntington Beach has prepared a draft update to its Housing Element. The updated Housing Element identifies candidate housing sites that would, when rezoned, be able to accommodate the development of the City's Regional Housing Needs Allocation (RHNA) for the 2021–2029 Housing Element cycle. Specifically, the Housing Element identifies more than 300 individual parcels for potential rezoning. Following implementation of the zoning changes outlined in the new Housing Element, market demand for these properties is anticipated to increase, thereby making it more difficult to find an alternate location that would be available to accommodate the proposed project in the near term. As such, the project site on the corner of Bolsa Chica Street and Warner Avenue was determined to be the most feasible project location.


**Beckman, Hayden**


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**From:** Neil Wagner <orac@socal.rr.com>  
**Sent:** Tuesday, June 13, 2023 4:02 PM  
**To:** Beckman, Hayden  
**Subject:** Comments on Draft EIR for Bolsa Chica Senior Living Community Project, SCH# 2022110040

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Mr. Beckman,

In the subject Draft EIR, in Table 1.A: Summary... section 4.1: Aesthetics, paragraph 4.1.6 Project Impacts, Table 4.7.B General Plan Consistency Analysis Goal LU-1 Policy LU-D and Goal LU-2 policy LU-B, I disagree with the characterization that the proposed development would enhance the visual character of the surrounding neighborhood or is of compatible proportion, scale, and character to complement adjoining uses or is compatible with surrounding developments. Specifically, changing the zoning of the site to Specific Plan, allowing a maximum building height of 65 feet (excluding mechanical equipment), and erecting a 5-story building is not consistent with other similar projects recently built or planned in the community. I refer for example to the Seacliff at Huntington Beach Inspired Senior Living Facility proposed for 3 stories at Main and Yorktown, Merrill Gardens Senior Living on Goldenwest south of Warner built at 3 stories, and Huntington Breeze Senior Living on Springdale south of Edinger built at 3 stories. These projects fit well with their surroundings which are not significantly different than those at the corner of Bolsa Chica and Warner where the subject project is proposed. That area is surrounded almost exclusively by 2-story buildings. Placing a 5-story building in their midst will not, as the EIR states, complement adjoining uses and protect existing Surf City culture and identity, at least not at the proposed location.

For the above reasons, the proposed project should be restricted to a maximum of 3 stories and 50 feet building height as the existing zoning allows.

Sincerely,

Neil Wagner

## NEIL WAGNER

Comment Code: I-24

Date: June 13, 2023

### **Response to Comment I-24-1**

This comment expresses disagreement with the conclusion in the Draft EIR that the proposed project would enhance the visual character of the surrounding neighborhood and that the proposed project is compatible in proportion and scale to adjacent land uses. The comment also recommends that the proposed project be reduced to three stories consistent with the existing zoning designation of the project-site.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development and the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

(a) (m)

Beckman, Hayden

**From:** Kathy Sharkoff <ksharkoff@gmail.com>  
**Sent:** Tuesday, June 13, 2023 3:58 PM  
**To:** Beckman, Hayden  
**Subject:** Senior assisted living building on Bolsa Chica

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Mr Beckman,

I am writing to ask that you amend the height of the new proposed senior living development scheduled to be built on the corner of Warner and Bolsa Chica. The majority of housing and current apartments in the area are only 2 stories tall as well as a few single story homes.

The proposed 5 story high facility is too tall and would obstruct views for neighbors and create more traffic and congestion in the area. I kindly request that you alter the height to Not exceed 3 stories.

Thank you for your time and consideration.

Katherine Sharkoff

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## KATHERINE SHARKOFF

Comment Code: I-25

Date: June 13, 2023

### Response to Comment I-25-1

This comment recommends the height of the proposed project be reduced to three stories and claims that the proposed five-story building would obstruct views for neighbors and create additional traffic in the area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories. Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

As discussed in Section 4.1, Aesthetics, in the Initial Study (see Appendix A of the Draft EIR), while the City of Huntington Beach's (City) General Plan does not officially designate any scenic vistas within Huntington Beach, the City has identified scenic corridors that have notable aesthetic appeal for the community. Unofficial scenic views within the City include views of the Pacific Ocean and the Bolsa Chica Ecological Reserve and panoramic views of the Pacific Ocean and Catalina Island from beach and shore areas, Pacific Coast Highway and surrounding local streets, and the Huntington Beach Municipal Pier. Currently, no designated scenic vistas or scenic resources are visible from the project site. The project site is within an urbanized area predominantly developed with commercial, industrial, and residential uses. The surrounding views comprise a developed urban and suburban environment that is built out. Further, development of the proposed five-story senior living community is anticipated to provide views of the Bolsa Chica Ecological Reserve from units on the fifth floor with windows facing to the southwest—creating a scenic vista rather than diminishing one. Therefore, the proposed project would have a less than significant impact on scenic vistas.



**Beckman, Hayden**

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**From:** Kimberly G <blesdx4@gmail.com>  
**Sent:** Tuesday, June 13, 2023 10:31 AM  
**To:** Beckman, Hayden  
**Subject:** senior project

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi,

I am writing to advocate against a senior project slated for Bolsa Chica and Warner. I live at this intersection and although I am a senior as well, I strongly feel this is not the place for this project.

This intersection would have to accommodate extensive traffic with the proposed 200 units not to mention the employees that work there. Living here for 5 years I have seen this intersection with more than my share of deaths and accidents in the last 5 years than the rest of my life. This is a busy intersection and the cars move fast up and down Warner and would have a terrible impact on the traffic already here.

I would rather the project be downsized if needed to half of what is projected and reduce the size of the building proposed to go in there, or find another place that would be able to accommodate all the traffic this would encounter. Most of the buildings in this area are modest and not 5 stories tall as well, the majority of the buildings here are residences.

Thankyou for your time and consideration,

Mrs. Kim Garrity



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## **KIMBERLY GARRITY**

Comment Code: I-26

Date: June 13, 2023

### **Response to Comment I-26-1**

This comment is introductory and expresses opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-26-2**

This comment expresses concern with the increase in traffic in the surrounding area with development of the proposed project. The comment also expresses concern with the safety of the intersection of Bolsa Chica Street and Warner Avenue and how development of the proposed project would exacerbate these safety concerns.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system and the Master Response to comments regarding the concern that development of the proposed project would result in new or exacerbated traffic safety issues at intersections in the surrounding area.

In addition, because the proposed project would generate fewer trips than the existing occupied commercial uses, impacts to the surrounding circulation system were determined to be less than significant. As such, a Traffic Impact Assessment (TIA), which would further evaluate the proposed project's traffic contributions to the adjacent roadways and intersections, was not required.

### **Response to Comment I-26-3**

This comment suggests the size and height of the proposed project be reduced by half, or relocated to another location in the City that would be able to accommodate the increase in traffic.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced.

Given the developed nature of the City, there are limited properties that would be suitable in terms of size and availability for development of the proposed project. In addition, as discussed in Response to Comment I-26-2, above, implementation of the proposed project would result in a net reduction in vehicle trips to and from the project site as compared to existing conditions. The net reduction in daily trips is attributable to the change in land use. Commercial (office and strip retail plaza) uses generate more trips than a senior living community (congregate care and assisted living) uses. Based on the reduction in daily and peak-hour trips, it is anticipated that the proposed project would not have any adverse impacts on the surrounding circulation system (i.e., Bolsa Chica Street and Warner Avenue).

**From:** [Ruth McIntyre](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** 5 story building  
**Date:** Wednesday, June 14, 2023 12:26:52 PM

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I-27-1 | Hell no!!!!  
Sent from my iPhone

**RUTH MCINTYRE**

Comment Code: I-27

Date: June 14, 2023

**Response to Comment I-27-1**

This comment expresses opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Tom Lawless](#); [Ed Mountford](#)  
**Subject:** FW: Bolsa Chica Senior Living Community  
**Date:** Wednesday, June 14, 2023 10:12:48 PM

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**From:** mpauillins <mpauillins@yahoo.com>  
**Sent:** Wednesday, June 14, 2023 8:42 PM  
**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
**Subject:** Bolsa Chica Senior Living Community

I-28-1

Thank you for requesting input from the community and making your email available. I live in the Cabo del Mar complex about half block down the street from the new proposed project. The renderings are beautiful. I have a couple questions about parking and traffic. Currently, people making a left on to Bolsa Chica have to immediately stop for people turning right into the Little Cesar's entrance. From the plans, it looks like the entrance and exit to the complex will be at this location.

With the significant increase in traffic due to the size of the community, this potentially could be a major traffic issue.

With this community, there will be a significant increase in people turning left onto Bolsa Chica. Also, how will people be directed to leave the community from Bolsa Chica back to Warner? Making a U turn from the exit onto Bolsa Chica to get to Warner will create a lot of traffic issues.

I-28-2

Where will parking be for tenants and employees?

This will be a lot more people at this location as compared to the current situation.

I-28-3

Hopefully, the necessary studies have been done to determine how to handle the significant increase in traffic and the traffic flow in this area. As you know, Bolsa Chica is not very wide in this area.

Thank you for reading my email and I look forward to your response.

Thank you, Melinda Paullins

[Mpaullins@yahoo.com](mailto:mpauillins@yahoo.com)

## MELINDA PAULINS

Comment Code: I-28

Date: June 14, 2023

### Response to Comment I-28-1

This comment is introductory and expresses concern regarding a potential increase in traffic resulting from implementation of the proposed project and the location of the proposed driveways on Bolsa Chica Street.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

In the existing condition, the project site is accessed by three driveways along Bolsa Chica Street and two driveways along Warner Avenue. With implementation of the proposed project, vehicle access to the new senior community would be provided via three driveways on Bolsa Chica Street: one entry-only and one exit-only driveway for the porte cochère, and one full-access driveway for the subterranean parking garage. The proposed project would also provide a right-in/right-out only driveway on Warner Avenue (in the northwest corner of the property) for emergency, trash/recycling, and service vehicles. Overall, the proposed project would retain the same number of driveways on Bolsa Chica Street and reduce the number of driveways on Warner Avenue. Vehicles would legally exit the project site via the driveways on Bolsa Chica Street to return to Warner Avenue. In addition, as discussed in Section 2.1.2, Transportation/Traffic, the proposed project would result in a net reduction in the number of daily vehicle trips to and from the project site. As such, the use of the driveways on Bolsa Chica Street would not result in an increase in traffic on Bolsa Chica Street or Warner Avenue.

### Response to Comment I-28-2

This comment asks where parking will be located for tenants and employees.

Under CEQA, parking availability is not considered an environmental impact unless the availability of parking is connected to an impact on the environment. Nevertheless, as discussed in Chapter 3, Project Description, of the Draft EIR, the proposed project is anticipated to provide approximately 207 parking spaces for residents, staff/employees, and visitors of the senior living community, approximately four of which would be short-term surface parking spaces (at grade) under the porte cochère. A single-level subterranean parking garage would be built beneath the senior living community and is anticipated to provide approximately 203 parking spaces. The entrance and exit to the subterranean parking garage would be located on Bolsa Chica Street south of the exit only driveway and adjacent to the multi-purpose room. Pursuant to the 2019 California Building Code Section 11B-208.2, 7 of the 207 parking spaces are anticipated to be Americans with Disabilities Act (ADA) compliant, including 2 ADA van-accessible spaces. Additionally, approximately 25 of the provided parking spaces are anticipated to be designated for carpool/clean air vehicles and electric vehicle capable in accordance with the 2019 California Green Building Code (CGBC) Tables 5.106.5.2.

and 5.106.5.3. An additional two parking spaces (not included in the project's total parking space count) are anticipated to be provided in the loading area accessible from Warner Avenue.

### **Response to Comment I-28-3**

This comment expresses concern regarding a potential increase in traffic resulting from implementation of the proposed project and hopes that the necessary technical studies specific to traffic have been prepared.

As discussed previously in Response to Comment I-28-1 above, the proposed project would result in a net reduction of 410 daily trips to and from the project site, when compared to existing site uses. Therefore, implementation of the proposed project would not exacerbate congestion on Bolsa Chica Street or Warner Avenue and could provide beneficial traffic impacts such as reducing vehicle congestion at and around the project site.

In addition, as discussed in Section 4.17, Transportation, of the Initial Study (see Appendix A of the Draft EIR), the proposed project would be consistent with *State CEQA Guidelines* Section 15064.3, subdivision (b). The City has not adopted formal thresholds related to VMT. However, the City currently recommends a VMT analysis based upon the Governor's Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA*, dated December 2018. The OPR Technical Advisory recommends a screening level threshold for projects that generate fewer than 110 average daily trips (ADT). Generally, small projects generating less than 110 ADT may be assumed to cause a less than significant transportation impact. Because the City has not formally adopted VMT guidelines and thresholds, as a matter of practice, the City intends to utilize and rely upon the VMT screening thresholds adopted by the County of Orange. The County has adopted VMT screening criteria of 500 ADT. These criteria exceed the recommended VMT screening of 110 ADT from the OPR Technical Advisory. As stated above, the proposed project would result in a net reduction of 410 daily trips, including a net reduction of 50 trips in the a.m. peak hour and a net reduction of 73 trips in the p.m. peak hour. Therefore, based on the screening criteria of the County, the proposed project would be screened out of a VMT analysis because the proposed project would generate fewer daily and peak-hour trips compared to the existing commercial uses, resulting in a reduction of trips on site.

All required studies pursuant to CEQA have been prepared for the proposed project in order to analyze the impacts of the proposed project on the surrounding circulation system. As concluded in Section 4.17, Transportation, of the Initial Study, impacts related to traffic and transportation have been determined to be less than significant.

**From:** [Beckman, Hayden](#)  
**To:** [Ryan Bensley](#); [Laurel Frakes](#)  
**Cc:** [Boyce, Blair](#); [Tom Lawless](#); [Ed Mountford](#)  
**Subject:** FW: Public comment on Bolsa Chica Senior Living project  
**Date:** Wednesday, June 14, 2023 4:31:04 PM

**From:** padesky@padesky.com <padesky@padesky.com>  
**Sent:** Wednesday, June 14, 2023 4:28 PM  
**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
**Subject:** Public comment on Bolsa Chica Senior Living project

Dear Hayden Beckman:

I have a number of concerns about the proposed Bolsa Chica Senior Living Community Project on Warner Ave. While I don't object to a Senior Living Community Project on that site, I do object to the size and scope of the proposed project.

(1) BUILDING SIZE

The size of the proposed building is gargantuan compared to other buildings in this area. This will have an adverse impact on the residential nature of this area of Huntington Beach. While Warner Ave is a commercial corridor, most of the commercial buildings in this area are 2-story, not 5 story. This building will be visible from greater distances away than other buildings and will dominate the skyline in this area. There appears to be a very small setback from the sidewalks so it will create a big city urban feel to that corner and its length and width.

Two sides of this project are lined with residential buildings, either single family homes or apartments. The size of the proposed building will adversely affect living conditions permanently in these dwellings. Instead of viewing sky and trees outside their windows, they will be looking at a building that blocks their view of the sky and which produces shadows over their property that affects their access to sun for vegetation in their yards and/or windows.

(2) NOISE

The size of this project directly impacts the length of time required for construction. During the proposed nearly 3 years of demolition and construction, the noise levels associated with this project will have an adverse effect on the health and well-being of people living and working in its vicinity.

I've reviewed the proposal documents titled *Bolsa Chica Senior Living Community: Draft Environmental Impact Report SSH No. 2022110040 (April 2023)*. Prepared by LSA. Appendix I lists noise calculations for the construction period. At 50 feet, the maximum noise levels will vary from 86-91 dBA throughout the project until the final phase of architectural coating which will be 76 dBA. Equivalent noise levels are not much better ranging from 86-88 dBA

I-29-1

I-29-2

until the final phase. This is a damaging level of noise. Even at a 200 foot distance the noise levels are projected to be 74-79 dBA for years.

Studies show many adverse health effects on construction workers due to noise impacts. At least construction workers often choose to work on a construction site and they wear protective gear. What are the impacts on adults, children, infants, and pets living in one of the houses or apartment units across the street and on people living or working on other streets within a few hundred feet of this project? A review of factors affecting occupant comfort in multi-unit residential buildings found that construction noise had a greater impact on discomfort than indoor noise sources or traffic noise (Andargie, Touchie, & O'Brien, 2019, *TSpace Research Repository*).

According to the World Health Organization, "Excessive noise seriously harms human health and interferes with people's daily activities at school, at work, at home and during leisure time. It can disturb sleep, cause cardiovascular and psychophysiological effects, reduce performance and provoke annoyance responses and changes in social behaviour." ([https://www.who.int/europe/health-topics/noise#tab=tab\\_1](https://www.who.int/europe/health-topics/noise#tab=tab_1))

Even a 5-10 dBA increase in noise levels has been shown in research to significantly increase hearing loss, stress, sleep disruption, and cardiovascular diseases such as hypertension and coronary heart disease (Swinburn, Hammer & Neitzel, 2015, *American J of Preventive Medicine*, 49(3), 345-353).

It is interesting the proposal cites the average daily noise level near Warner as 67.6 (dBA CNEL) and on the opposite SW corner of the project site as 58.2 (TABLE 4.8.A of the report). Since these noise levels are primarily from traffic which will continue throughout this project, construction noise levels will ADD to this already relatively high ambient noise level.

I have lived several hundred feet from a long-term construction project. The human impact of construction, even when a few blocks away, is amplified over time. I've never lived near a project with such a long time frame for construction. I do not honestly know how people will manage the noise (not to mention added dust and dirt on their residences and windows, truck traffic, etc.) for nearly 3 years. It seems whoever owns nearby apartment buildings will lose tenants over the term of this project. People who own their homes and cannot vacate will suffer the greatest impacts during construction. After construction, everyone living and working in this part of Huntington Beach will be saddled with an oversized building for this area. Much like placing an elephant (in terms of size) in someone's small backyard.

I appreciate your consideration of these factors in your review of this proposal.

Sincerely,

Christine Padesky

Co-Founder, Center for Cognitive Therapy  
5267 Warner Ave Ste 401  
Huntington Beach CA 92649 USA

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Websites for Mental Health Professionals | [www.padesky.com](http://www.padesky.com)  
Store | [Digital Padesky CBT Training Products](#)

## CHRISTINE PADESKY

Comment Code: I-29

Date: June 14, 2023

### Response to Comment I-29-1

This comment is introductory and expresses opposition over the size and scope of the proposed project. The comment states that the proposed five-story community is not consistent with the height of the surrounding buildings and would adversely affect living conditions in the surrounding residential community. The comment states that the proposed community would block views of the sky and trees from the residential buildings on both sides of the proposed project (the single-family homes across Bolsa Chica Street and the apartments west of the project site) and would produce shadows affecting access to the sun for these residential uses.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

The EIR includes shade and shadow study of the potential shade and shadow effects of the Project during morning and early afternoon hours to graphically show potential impacts on neighboring properties. Shadows cast by structures vary in length and direction throughout the day and from season to season. Shadow lengths increase during the “low sun” or winter season and are longest on the winter solstice. The winter solstice, therefore, represents the worst-case shadow condition, and the potential for loss of access to sunlight that a project could cause is greatest. Shadow lengths are shortest on the summer solstice. Shadow lengths on the spring and fall equinoxes would fall midway between the summer and winter extremes. Two figures were prepared to illustrate the morning and afternoon shade effects of the proposed project on nearby residential uses during both the winter and summer solstices (see Appendix C, Bolsa Chica Senior Living Community Shadow Studies, of the Draft EIR). As shown on those figures, during both the winter and summer solstices, no shadows would be cast in either the morning or afternoon hours on the apartment complex buildings to the west or the single-family residential homes to the east. Shadows from the proposed project would be cast primarily on Bolsa Chica Street and Warner Avenue during the winter solstice, and on Bolsa Chica Street and the apartment complex carports to the west of the project site during the summer solstice. Therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. It is also worth noting that the proposed project has been designed to minimize shading on light-sensitive uses in the surrounding area. By siting the proposed project on the south side of a major commercial corridor, most of the shadows cast by the proposed building would fall on Warner Avenue itself or commercial uses on the other side of the street, which are not light-sensitive.

In addition, given the distance between the proposed project and the residential uses across Bolsa Chica Street and west of the project site, the proposed building is not anticipated to obscure views of the sky and trees from these residential properties. Development of the proposed project would result in a change to the existing skyline at the project site as viewed from public vantage points along Bolsa Chica Street and Warner Avenue. However, no designated scenic vistas or scenic resources are visible from the project site and development of the proposed project would not obstruct any scenic views. Views of the sky and trees would still be provided at other locations

including at other points along Bolsa Chica Street and Warner Avenue and the proposed project would include landscaping, such as trees, which would provide surrounding residential uses views of visually appealing vegetation.

### **Response to Comment I-29-2**

This comment expresses concern over the length of the construction period and associated noise levels experienced by people living and working in the project vicinity. The comment references Appendix I of the Draft EIR, which summarizes the noise calculations generated for construction of the proposed project and briefly summarizes the health implications resulting from exposure to damaging levels of noise for long periods of time.

The FTA construction noise criteria has been used to assess potential project-related noise impacts. This criteria takes into account the potential for adverse health effects (i.e., needing hearing protection). As discussed in Section 4.8, Noise, of the Draft EIR, short-term noise impacts would be associated with demolition of the existing structure, excavation, grading and other construction activities. It is expected that the average noise levels during construction would be 76 dBA Leq based on an average distance of 210 feet to the nearest residence to the west from the center of activity. While construction-related short-term noise levels have the potential to be higher than existing ambient noise levels in the vicinity of the project site under existing conditions, the noise impacts would no longer occur once project construction is completed, and construction-related noise impacts would remain below the 80 dBA Leq 1-hour construction noise level criteria established by the FTA. Compliance with the City's Municipal Code prohibiting construction between the hours of 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sundays and federal holidays would ensure that construction noise does not disturb the residential uses during hours when ambient noise levels are likely to be lower (i.e., at night). Although construction noise would be higher than the ambient noise in the vicinity of the project site, construction noise would cease to occur once project construction is completed. As concluded in the Draft EIR, compliance with the City's Municipal Code would ensure the proposed project would result in less than significant impacts related to noise and vibration and no mitigation is required. Standard Condition NOI-1, as detailed in Section 4.8, Noise, of the Draft EIR, would implement measures during construction to further reduce construction noise. No further response is required.

### **Response to Comment I-29-3**

This comment briefly describes the commenter's experience living adjacent to a long-term construction project and reiterates the previously stated concern regarding short-term construction noise impacts. The comment also speculates that property owners in the surrounding area may lose their tenants as a result of the long construction period and requests the City consider these factors during its review of the proposed project.

Please refer to Response to Comment I-29-2 above regarding short-term construction noise impacts. The comment does not contain any other substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [mooney@padesky.com](mailto:mooney@padesky.com)  
**To:** [Beckman, Hayden](#)  
**Subject:** Public Comment Regarding Bolsa Chica Senior Living Community Project  
**Date:** Wednesday, June 14, 2023 2:37:16 PM

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Dear Hayden Beckman:

Having read all of the proposal documents and studies, the following comments and concerns are submitted to you regarding the proposed Bolsa Chica Senior Living Community Project. The issues I discuss do not impact my property but rather have a great impact on our local community which is my concern.

If I have omitted any required information, please let me know and I will immediately provide such. Otherwise, my full statement is below.

Sincerely,  
 Kathleen A. Mooney, PhD  
 Seabury Lane, Huntington Beach CA  
[mooney@padesky.com](mailto:mooney@padesky.com)

**References** mentioned in my comments are listed at the end.

**Issues of concern:** height, shadows and aesthetics.

These are not temporary issues caused by demolition and construction. The following are permanent issues that once in place, cannot be changed. We need more consideration of these serious permanent effects.

**Shadow Studies:** In response to the Shadow Studies as submitted by Hines Clearwater Living (created 7/26/2022). Appendix C photos show the proposed property shade areas during the Summer Solstice and the Winter Solstice.

Buildings create deep shade as opposed to filtered shade produced by trees.

**Consider the Summer Solstice study.** The proposed 5 story design casts a deep shade pattern at 4 pm that covers entire lanes on Bolsa Chica. And given this is Summer, we know that there are many hours of sun past 4 pm. Their study does not reflect what happens as the sun descends. We know shadows LENGTHEN. This shade can cover the sidewalk on the opposite side of the road as well as the private properties. That is totally unacceptable to human health, plant health, and animal and insect health.

**In the Winter Solstice Study,** on the Warner side, at 2 pm the deep shade covers 4 lanes of traffic. As the afternoon progresses, the shadow will lengthen and enter this very busy 4 way intersection. Thus causing drivers to leave a fully sunlit lane and enter a very deep shade lane all because of the proposed 5 story building. This presents significant safety issues both for drivers, bikers and pedestrians.

**Height Issues:** This proposal seeks and needs a change in height requirements from 50 feet to 65 feet plus (the 65 does not include mechanical equipment). That is 30% higher than the city currently permits (and that percentage increase does not include the added height of mechanical equipment)

The surrounding area has no buildings close to this height and density. A five story, 298,000-square-foot building on a 3.10 acre parcel is volumes higher and denser than any neighborhood structure. It is a design never intended to integrate into the existing infrastructure. The nearby Meadowlark Plaza at 5295 Warner Avenue with no building over 2 stories (plus) has a gross leasable area of 110,042 square feet on a total land area of 23.51 acres. And our city's main image is no better represented than by Jack's Surfboards on Main Street which totals 42,000 square feet!!!! This project is oversized for the location and requires exceptions to our existing codes.

**Shadows**

The deep shadows this 5 story building creates have a significant impact on humans, animal life, insect life, and

plant life, as well as drivers, walkers, bikers, and pedestrians.

Please consider the intersectionality of light, deep shade, human well being, building design, and community aesthetics. When a city builds really tall buildings, such as the proposed building, they generally accommodate for shadow and visual blight by varying roof lines and including very wide boulevards surrounding the building. Instead of varying roof heights which might mitigate some of the shade issues and visual blight of a 5 story building, the design proposes a very high 65 feet + structure on the west side that serves as the sunblock for afternoon sunlight thus creating deep shadows on Bolsa Chica (summer) and Warner traffic lanes (winter).

**Conceptual Drawings:** It is important to note, in the submitted conceptual renderings of the project, NONE of them show the actual shadow patterns. In fact, they show quite full sunlit streets with early morning shade on Bolsa Chica coming from the opposite side of the street (Figure 5 page 2 of 3). The Warner side conceptual renderings show NO shade whatsoever. A virtual impossibility on a sunny day (Figure 5 page 3 of 3).

**Photos of Shadows as Examples of Deep Shade:** Since there are no actual photos of what the deep shade produced by the proposed 5 story structure looks like, I submit the following real life examples. In these 2 examples, the building that is casting the deep shadow is not nearly as high as the proposed building and nowhere near the size of the proposed building square footage but they do dramatically demonstrate the impact of deep shade on neighborhood aesthetics and safety.

Photos retrieved from

<https://www.loopnet.com/Listing/8550-Santa-Monica-Blvd-West-Hollywood-CA/25145155/>

8550-Santa-Monica-Blvd-West-Hollywood-CA-8550-11220-sqft.jpg



I-30-4  
cont.

8550-Santa-Monica-Blvd-West-Hollywood-CA-8550-97500-sqft.jpg

I-30-4 cont.

Thank you for the opportunity to submit these comments and concerns.

Respectfully submitted,  
Kathleen A. Mooney, PhD

I-30-5

**References**

Bolsa Chica Senior Living Community: Draft Environmental Impact Report SSH No. 2022110040 (April 2023).  
Prepared by LSA.

- Appendix C: Shadow and Shade Analysis
- Figure 3-5 Section 3-15 (pages 2 of 3 and 3 of 3) Conceptual Drawings

## KATHLEEN MOONEY

Comment Code: I-30

Date: June 14, 2023

### Response to Comment I-30-1

This comment is introductory and does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### Response to Comment I-30-2

This comment expresses concern with the shadows cast by the proposed project on the surrounding area and references the Shadow Studies contained in Appendix C of the Draft EIR. The comment states that during the summer, shadows would lengthen after 4 P.M. and would impact the sidewalk and residences on the opposite side of Bolsa Chica Street. The comment also states that during the winter, shadows would lengthen after 2 P.M. into the intersection of Bolsa Chica Street and Warner Avenue causing traffic safety issues as drivers move from a fully sunlit lane to a very deep shadowed lane.

The EIR includes shade and shadow study of the potential shade and shadow effects of the Project during morning and early afternoon hours to graphically show potential impacts on neighboring properties. Shadows cast by structures vary in length and direction throughout the day and from season to season. Shadow lengths increase during the “low sun” or winter season and are longest on the winter solstice. The winter solstice, therefore, represents the worst-case shadow condition, and the potential for loss of access to sunlight that a project could cause is greatest. Shadow lengths are shortest on the summer solstice. Shadow lengths on the spring and fall equinoxes would fall midway between the summer and winter extremes. Two figures were prepared to illustrate the morning and afternoon shade effects of the proposed project on nearby residential uses during both the winter and summer solstices (see Appendix C, Bolsa Chica Senior Living Community Shadow Studies, of the Draft EIR). As shown on those figures, during both the winter and summer solstices, no shadows would be cast in either the morning or afternoon hours on the apartment complex buildings to the west or the single-family residential homes to the east. Shadows from the proposed project would be cast primarily on Bolsa Chica Street and Warner Avenue during the winter solstice, and on Bolsa Chica Street and the apartment complex carports to the west of the project site during the summer solstice. Therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. It is also worth noting that the proposed project has been designed to minimize shading on light-sensitive uses in the surrounding area. By siting the proposed project on the south side of a major commercial corridor, most of the shadows cast by the proposed building would fall on Warner Avenue itself or commercial uses on the other side of the street, which are not light-sensitive.

A shadow is a dark area where light from a light source is blocked by an object. However, a shadow does not diminish visibility in or around this dark area (e.g., Warner Avenue pavement). A shadow from the proposed building is no different (and definitely no worse) than when driving under a bridge or a freeway overpass. Given the short distance of the shadow (less than 275 feet as shown

on “Shadow Study – Winter Solstice” provided in Appendix C of the Draft EIR), it would not pose a sight obstruction or roadway hazard. Motorists, bicyclists, and pedestrians would be able to see oncoming traffic in each direction at all times, and safely traverse the vehicular travel lanes, bicycle lanes, and pedestrian sidewalks to/from their origins/destinations. No further response is required.

### **Response to Comment I-30-3**

This comment states that the proposed project would require a change in the maximum building height allowable under the project site’s existing land use and zoning designations and expresses concerns that the height and size of the proposed project would be inconsistent with the surrounding area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

### **Response to Comment I-30-4**

This comment reiterates concerns regarding the height of the proposed project and the shadows that would cast by the proposed five-story building. The comment expresses concern over the lack of varying roof lines and wide boulevards surrounding the proposed building. The comment notes that the conceptual renderings for the proposed project (see Figure 3-5 in Chapter 3.0, Project Description, of the Draft EIR) do not show the anticipated shadows cast by the proposed project on the surrounding area. The comment also provides two photo examples of shadows cast by tall buildings.

Refer to Response to Comment I-30-2 above for a discussion of the anticipated shadows that would be cast by the proposed project. Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

Consistent with the development standards and guidelines established in the Specific Plan, the proposed project would be developed with 10-foot setbacks from each of the project’s property boundaries including a fire access road on the project’s southern property boundary. With adoption of the Specific Plan, the proposed project would meet the setback requirements for Bolsa Chica Street and Warner Avenue. In addition, surrounding land uses are zoned Residential Medium High Density (RHM) and Commercial General (CG). According to the City’s Zoning Code, minimum setback requirements for these zoning districts are also 10 feet for front, rear, and street side frontages. As such, the proposed project’s setback would be consistent with the existing zoning designations for the surrounding land uses.

The conceptual renderings included in Figure 3-5 are intended to provide a visual depiction of the proposed building facades and architectural style of the proposed community, including proposed building materials, colors, multi-level rooflines, and landscaping. The conceptual renderings do not provide realistic representation of the adjacent roadways, sidewalks, traffic signals, pedestrian users, or shadows. No further response is required.



### **Response to Comment I-30-5**

This comment concludes the letter and provides a list of references, including the Draft EIR and Appendix C and Figure 3-5 (both contained within the Draft EIR). This comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Deby Pierce](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Re: Proposed Bolsa Chica Senior Living Community Project  
**Date:** Wednesday, June 14, 2023 10:17:19 AM  
**Attachments:** [image001.png](#)  
[image001.png](#)

I-31-1

Thank you for getting back to me! I have read the proposal. I am against the 5 stories and limited parking. I also feel for the few businesses that are there. I do like something for seniors but worry about the cost for them. Thanks

On Wed, Jun 14, 2023, 9:40 AM Beckman, Hayden <[hayden.beckman@surfcity-hb.org](mailto:hayden.beckman@surfcity-hb.org)> wrote:

Hello Deby,

Thank you for reaching out to the City.

I am the project planner for the proposed senior living community project on the properties located at the southwest corner of Bolsa Chica Street at Warner Avenue. The proposed senior living community would include 213 total living units, onsite amenities for residents, 207 on-site parking spaces, and associated hardscape and landscape improvements. Of the total 213 senior living units, 28 would be Memory Care units, 62 would be Assisted Living units, and 123 would be Independent Living units.

Currently, a Draft Environmental Impact Report (EIR) that analyzes the potential impacts (including traffic) of the proposed project is available for public review and comment, and comments can be submitted to my attention (contact information below) through June 15, 2023 at 5 PM. You can access the Draft EIR online through the City's website here: <https://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/environmental-report-view.cfm?ID=62>

Following the end of the public review period, the City will provide responses to comments received and publish a Final Environmental Impact Report (Final EIR) which will be processed to the Planning Commission and subsequently the City Council concurrent with other entitlement applications, listed below:

- General Plan Amendment (GPA) to change the land use designation of the project site from Commercial General (CG) to Mixed Use (MU)
- Adoption of a Specific Plan (SP) that will establish development standards for the project site
- Zoning Map Amendment (ZMA) to change the zoning of the project site from CG to SP

- Conditional Use Permit (CUP) for convalescent community use

Pursuant to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), the Planning Commission will hold a future public hearing to review each application listed above, and vote to make a recommendation of action on each to the City Council, with the exception of the Conditional Use Permit. The Planning Commission can take action on the Conditional Use Permit request, which will be final unless appealed to the Council. Following Planning Commission review and action, the City Council will then hold a public hearing to review and vote to certify the Final EIR, review and take action on the General Plan Amendment and Zoning Map Amendment, and vote on the adoption of the proposed Specific Plan. City Council actions cannot be appealed and are considered final unless litigated.

You can forward any comments to my attention. Please also let me know if you have any questions or concerns.

Regards,

HB City Email Signature Block Designs (2)



## DEBY PIERCE

Comment Code: I-31

Date: June 14, 2023

### Response to Comment I-31-1

This comment expresses opposition to the proposed 5-story community and parking design and expresses concern for the existing business present on the project site. This comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Lorin K](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Senior building project on Warner and Bolsa Chica  
**Date:** Wednesday, June 14, 2023 2:46:06 PM

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To Whom It May Concern:

I-32-1

I am very concerned about putting more living spaces in an area where there are already

I-32-2

several apartments and very limited street parking space. I thought that area was only zoned for commercial. How is it changing to residential? We need more small businesses,

I-32-3

particularly restaurants, for the area, not more residential space. I frequent that area often. We need not cram residential into a small space. We will then become another Los Angeles if we keep packing living spaces all over.

Respectfully,  
Lorin

## LORIN K

Comment Code: I-32

Date: June 14, 2023

### Response to Comment I-32-1

This comment expresses concern with developing the project site with additional residential units in an area already developed with several existing apartment complexes and limited street parking.

Under CEQA, availability of parking is not considered an environmental issue unless there is evidence that parking availability results in an environmental impact. Nevertheless, as discussed in Chapter 3, Project Description, of the Draft EIR, the proposed project is anticipated to provide 207 parking spaces for residents, staff, and visitors of the senior living community, approximately four of which would be short-term surface parking spaces (at grade) under the porte cochère. A single-level subterranean parking garage would be built beneath the senior living community and would provide 203 parking spaces. The ramp to the subterranean parking garage would be located on Bolsa Chica Street south of the exit only driveway and adjacent to the multi-purpose room. Pursuant to the 2019 California Building Code Section 11B-208.2, 7 of the 207 parking spaces are anticipated to be Americans with Disabilities Act (ADA) compliant, including approximately 2 ADA van-accessible spaces. Additionally, 25 of the provided parking spaces are anticipated to be designated for carpool/clean air vehicles and electric vehicle capable in accordance with the 2019 California Green Building Code (CGBC) Tables 5.106.5.2. and 5.106.5.3. An additional two parking spaces (not included in the project's total parking space count) are anticipated to be provided in the loading area accessible from Warner Avenue. Based on the above, it is not anticipated that residents, staff, or visitors would need to utilize existing street parking during operation of the proposed project. No further response is required.

### Response to Comment I-32-2

This comment asks how the zoning designation of the project site can change from commercial to residential.

As discussed in Section 3.0, Project Description, of the Draft EIR, the proposed project would require a General Plan Amendment to change the land use designation of the project site from Commercial General (CG) to Mixed Use (MU). The proposed project would also require a Zoning Map Amendment to change the zoning of the project site from Commercial General (CG) to Specific Plan (SP), adoption of the Specific Plan that would establish the development standards for the project site, and approval of a Conditional Use Permit to allow development of a convalescent community use on the project site. These discretionary actions will be considered by the City as part of the proposed project's review and approval. No further response is required.

### Response to Comment I-32-3

This comment states that the area needs more small businesses, specifically restaurants, not more residential uses crammed into a small space.

This comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Dennis Needleman](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Bolsa Chica Senior Living Community Project  
**Date:** Thursday, June 15, 2023 11:14:51 AM  
**Attachments:** [Bolsa Chica Warner Ave Senior Project 6.15.23.pdf](#)

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Dear Mr. Hayden,

Please see the attachment below which formally states my objection to the above referenced project.

Thank you in advance for your time and consideration.

Sincerely,

Dennis Needleman



I-33-1

June 15, 2023

Dear Mr. Hayden,

I-33-2 My name is Dennis Needleman, and I live at [REDACTED] Huntington Beach, CA 92649. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as an Interested Individual and receive all future correspondence, technical information and hearing notices.

I-33-3 First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

I-33-4 1.4 significant and unavoidable impacts:  
I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

I-33-5 1.5.2 identification of the environmentally superior alternative:  
I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I-33-6 I firmly disagree "the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site" zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.

I-33-7 4.1; aesthetics  
I disagree with the statement "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city" the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing



I-33-7 cont. residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.

I-33-8 4.7 land use and planning  
I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city's established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.

I-33-9 4.10: utilities and service systems  
I disagree with the statement "the proposed project would have less than significant impacts associated with electric power and natural gas". The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.

I-33-10 2.4.1 Aesthetics  
I disagree with the statement "not create a source of substantial light or glare". Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

I-33-11 2.4.8 hydrology and water quality  
Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

I-33-12 2.4.14 recreation  
I disagree with the statement "the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR". The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street



I-33-12 cont.

parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

I-33-13

#### 2.4.16 utilities and service systems

I disagree with the statement "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant". Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

I-33-14

#### 4.1.6 project impacts

I disagree with the statement "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site". Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-33-15

I also disagree with the statement "therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

I-33-16

#### 4.1.10 cumulative impacts

I disagree with the statement "approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city's establish development standards and no mitigation would be required." The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause



I-33-16 cont | long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

I-33-17 | 4.2.3.1 air pollutants and health effects  
The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

I-33-18 | As stated in the initial study "occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease." The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report "high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration." Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

I-33-19 | Table 4.7.B: Gen. plan consistency analysis ERC-A  
I disagree with the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities." The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-33-20 | We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Thank you,

Sincerely,

Dennis Needleman



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## DENNIS NEEDLEMAN

Comment Code: I-33

Date: June 15, 2023

### Response to Comment I-33-1

This comment is introductory and expresses opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### Response to Comment I-33-2

This comment is introductory and requests the commenter to be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### Response to Comment I-33-3

This comment expresses opposition to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also claims that the impact to the environment has not been reasonably assessed and that the proposed project is inconsistent with the City's zoning and will cause significant physical environmental impacts to the surrounding neighborhood.

As discussed in Section 4.7.6 of the Draft EIR, in order to develop the proposed project on the project site, the City would consider for approval a General Plan Amendment to change the land use designation from Commercial General (CG) to Mixed Use (MU), a Zoning Map Amendment to change the zoning from CG to Specific Plan (SP), adoption of the Specific Plan that would establish development standards for the project site, and approval of a Conditional Use Permit. The land use designation change to MU would allow development and operation of a Residential Care Community for the Elderly and independent living apartments with approval of a Conditional Use Permit. The Specific Plan, which would increase the allowable FAR to 2.5 and the maximum building height to 65 feet, would also identify development standards and guidelines for the proposed project. The approval of the General Plan Amendment and Zoning Map Amendment, adoption of the Specific Plan, and approval of the Conditional Use Permit are discretionary actions that will be considered by the City in conjunction with the City's review of the CEQA environmental impact analysis.

Physical environmental impacts resulting from implementation of the proposed project have been evaluated in the Draft EIR pursuant to CEQA and the *thresholds of significance criteria* provided in the State CEQA Guidelines Appendix G. As concluded in Section 4.7.7 of the Draft EIR, with approval of the proposed General Plan Amendment and Zoning Map Amendment, the proposed project would not result in any potentially significant impacts related to land use and planning.

### Response to Comment I-33-4

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the EIR should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

The General Plan Amendment, Zoning Map Amendment, adoption of a Specific Plan, and approval of a Conditional Use Permit are discretionary actions to be considered by the City as part of the proposed project. These actions are project-site specific and would not directly result in amendments to other parcels in the project area. Although the development standards detailed in the Specific Plan differ from the development standards of the surrounding zoning districts, the design guidelines of the Specific Plan would ensure that the proposed project is designed to be compatible with and complement the surrounding area. As discussed in Section 4.7, Land Use and Planning, in the Draft EIR, the proposed project includes land uses that are consistent with the surrounding development and therefore would not contribute to a pattern of development that would adversely affect impact adjacent land uses or conflict with existing or planned development. Currently, the City has a lack of existing and proposed senior housing opportunities. Development of the proposed project would aid in meeting the existing and future senior housing needs in the City. Proposed on-site improvements would be consistent with the long-range planning goals of local and regional governing plans and policies for the surrounding area. There are no incompatibilities between the proposed project and planned future projects in the City, which primarily include mixed-use and residential developments.

Pursuant to Section 15130 of the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for land use. Pursuant to CEQA, a project is not required to analyze the cumulative impacts of a project in conjunction with future projects that have yet to be identified and are not currently in the planning phases of development. A list of the approved and pending projects in the City that are within 3 miles of the project site and were used in the cumulative impact analysis for the Draft EIR are provided in Table 4.A, Cumulative Projects List, in Section 4.0 of the Draft EIR. Based on the analysis provided in Section 4.7.10 of the Draft EIR, the proposed project would not result in a significant cumulative land use compatibility impact in the City.

All future proposed projects in the City, including projects of a similar scale as the proposed project, would be subject to their own project-specific environmental review and analysis pursuant to CEQA. Review and approval of future projects by the City would be based on their own project-specific environmental impacts and individual project merits. As stated above, the discretionary planning actions associated with the proposed project are project-site specific and would not directly result in amendments to other parcels in the project area. Therefore, the proposed project would not contribute a significant cumulative land use compatibility impact on the environment or the

surrounding community in conjunction with future redevelopment projects that have yet to be identified.

Under CEQA, parking is not considered an environmental issue unless there is evidence that absence of available parking results in an environmental impact. Nevertheless, as described in Section 1, Project Description, of the Initial Study (Appendix A of the Draft EIR), the proposed project is anticipated to provide 207 parking spaces for residents, staff, and visitors in accordance with the parking requirements specified in the Bolsa Chica Senior Living Community Draft Specific Plan (July 2022). Approximately four of the 207 parking spaces would be surface parking spaces (at grade) under the porte cochère. A single-level subterranean parking garage would be built beneath the senior living community and is anticipated to provide 203 parking spaces. The ramp to the subterranean parking garage would be located on Bolsa Chica Street south of the exit-only driveway and adjacent to the multi-purpose room. Pursuant to the 2019 California Building Code Section 11B-208.2, a7 of the 207 parking spaces are anticipated to be Americans with Disabilities Act (ADA) compliant, including approximately 2 ADA van-accessible spaces. Additionally, 25 of the provided parking spaces are anticipated to be designated for carpool/clean air vehicles and electric vehicle capable in accordance with the 2019 California Green Building Code (CGBC) Tables 5.106.5.2. and 5.106.5.3. An additional 2 parking spaces (not included in the project's total parking space count) are anticipated to be provided in the loading area accessible from Warner Avenue. The project has been designed to provide adequate on-site parking for the proposed use; and therefore, it is not anticipated that residents, staff, or visitors would need to utilize existing street parking. Therefore, the proposed project would not result in impacts to related to the availability of street parking.

As discussed in Section 4.19, Utilities, in the Initial Study (Appendix A of the Draft EIR), domestic water service in Huntington Beach is provided by the City's Utilities Division of the City Public Works Department. Water demand associated with the proposed project would be typical of a senior living community. The senior living community and landscape improvements associated with the proposed project are anticipated to use approximately 8.42 million gallons per year, or 25.85 af per year of water. According to the City's 2020 Urban Water Management Plan, the City's projected water supply is able to meet projected water demands in the years 2025, 2030, 2035, 2040, and 2045 during normal years, single dry years, and multiple dry years. In 2020, the actual water supply and actual water demand was 25,966 acre-feet (af). In 2045, the total projected water supply and projected water demand is 26,054 af annually, with supply and demand increasing equally and incrementally every 5-year period between 2025 and 2045. Therefore, the City's existing water supplies are projected to meet full service demands through the year 2045. The project-related water use represents approximately one-tenth of one percent of the 2020 water supply in the City's service area.<sup>4</sup> Consequently, anticipated water usage by the proposed project is negligible compared to the City's total annual water supply documented in the Urban Water Management Plan. The proposed project would result in less than significant impacts related to water supply and a water capacity study is not required for the proposed project.

As discussed in Section 4.19, Utilities, in the Initial Study (Appendix A of the Draft EIR), the Utilities Division of the City's Public Works Department currently provides sewer service to the project site.

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<sup>4</sup> 25.85 af/ 25,966 af = 0.00099 or approximately one-tenth of one percent.

The proposed project is anticipated to generate approximately 20,767 gpd of wastewater<sup>5</sup>. The total amount of wastewater generated by the project represents approximately 0.03 percent<sup>6</sup> of the daily treatment capacity at OCSD's Plant No. 2. Consequently, wastewater generated by the proposed project would be negligible (less than 1 percent) compared to the treatment facility's available capacity. Further, as part of the Conditional Use Permit approval process, the Applicant must demonstrate that the proposed sewer connection would have sufficient capacity to accommodate the proposed project with preparation of a Sewer Feasibility Study as specified in Standard Condition UTL-1. As specified in Standard Condition UTL-1, prior to issuance of a grading or building permit, the project Applicant shall submit a Sewer Feasibility Study prepared by a qualified civil engineer to the City of Huntington Beach City Engineer, or designee, for review and approval. The Sewer Feasibility Study shall include a review of the existing sewer system that would serve the project site to confirm that it has available capacity to accept the wastewater flow generated by the proposed project's uses. Any required improvements shall be identified in the Sewer Feasibility Study. The analysis, conclusions, and recommendations in the Sewer Feasibility Study shall be based on final design plans and shall be consistent with all applicable City requirements. In the event that the Sewer Feasibility Study identifies insufficient sewer capacity to serve the proposed project, the project Applicant would be required to pay a fair-share portion of the cost to improve or replace sewer lines to ensure sufficient capacity. Therefore, with implementation of Standard Condition UTL-1, the proposed project's impacts related to wastewater treatment would be less than significant.

All future development projects in the City would be required to demonstrate that water and wastewater providers would have adequate capacity to serve the project in addition to existing commitments. Therefore, the proposed project would not contribute a significant impact related to water or sewer capacity in conjunction with future redevelopment projects that have yet to be identified.

#### **Response to Comment I-33-5**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Any number of alternative uses could be proposed for the project site that comply with the existing or adjacent zoning (residential, commercial, and industrial) and would be consistent with the surrounding community character. Other uses of the project site would not accomplish most of the Project Objectives. The City, however, has identified a growing need to provide senior living facilities to the City's aging population. As detailed in Chapter 3.0, Project Description, of the Draft EIR, Project Objectives have been established for the proposed project and include developing a project to meet the increasing demand for senior living facilities with the goal of producing as many senior housing units as possible, providing the opportunity for residents to age in place through provision

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<sup>5</sup> In the absence of an official wastewater generation rate, wastewater can be reasonably assumed to be 90 percent of water use. 8.422 million of gallons per year = approximately 23,074 gpd. Therefore, 23,074 gpd \* .9 = 20,766.6 or approximately 20,767 gpd.

<sup>6</sup> 20,767 gpd / 64,000,000 gpd = approximately 0.00032 or 0.03 percent.



of multiple unit types accommodating independent living, assisted living, and memory care, and delivering benefits to the community by expanding the range of housing opportunities with a particular focus on addressing the needs of seniors.

In addition, as discussed in Section 4.7, Land Use and Planning, of the Draft EIR, the City has adopted several goals and policies relating to the provision of housing. Goal 2 of the City's Housing Element is to provide adequate housing sites through appropriate land use, zoning, and specific plan designations to accommodate Huntington Beach's share of regional housing needs. Goal 5 of the City's Housing Element is to promote equal housing opportunities for all residents, including Huntington Beach's special needs populations, so that residents can reside in the housing of their choice. Policy 2.1 of the City's Housing Element states the City should provide site opportunities for development of housing that responds to diverse community needs in terms of housing types, cost, and location, emphasizing locations near services and transit that promote walkability, and Policy 5.3 of the City's Housing element states the City should support the provision of permanent, affordable, and accessible housing that allows persons with disabilities to live independent lives. Implementation of the proposed project would further the objectives and policies of the General Plan without obstructing their attainment and would help the City achieve their goals of providing a variety of senior housing options and senior care to elderly residents.

#### **Response to Comment I-33-6**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to the adjacent properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

As discussed in Chapter 5.0, Alternatives, of the Draft EIR, the No Project Alternative would allow for the project site to remain developed with commercial (retail and office) uses and an associated surface parking lot. Under existing conditions, the 45,340 sq. ft. of existing occupied commercial uses generate approximately 947 daily trips. The proposed project is expected to generate 513 daily trips. As such, the No Project Alternative would result in 434 more daily trips to and from the project site as compared to the proposed project, resulting in greater traffic and air quality impacts. The net reduction in daily trips with implementation of the proposed project would result due to the change in use of the project site from commercial uses to a senior living community. As such, implementation of the proposed project would provide beneficial transportation and air quality impacts by decreasing the number of daily vehicle trips and associated air pollution. Although the No Project Alternative's impacts on transportation and air quality associated with construction activities would be less than the proposed project (because no construction would occur), transportation and air quality impacts associated with operational vehicle trips would be greater with implementation of the No Project Alternative as opposed to the proposed project.



The project site is surrounded by land that is zoned Residential Medium High Density (RHM) and Commercial General (CG). The CG zone does not allow for residential development, and as such, would not achieve the City's goal of providing senior housing. The RHM zone does not have a maximum FAR but does have a maximum height limit of 35 feet. Project Objective 2 (see Section 3.0, Project Description, in the Draft EIR) states that the City wishes to develop a project that helps meet the increasing demand for senior living facilities in Huntington Beach at a scale of development suitable to current industry standards, with the goal of producing as many senior housing units as possible. While development of a 35-foot-tall senior living facility would help meet the increasing demand for senior living facilities in Huntington Beach and provide an opportunity for residents to age in place through the provision of multiple unit types, the decrease in height would result in a reduction in the number of senior living units provided by the proposed community as well as a reduction in the number of amenities that could be provided on-site as part of the community. As such, development of a 35-foot-tall facility would not meet the identified Project Objectives to the same degree as the proposed project. No further response is required.

#### **Response to Comment I-33-7**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

As previously discussed, the project site is currently designated and zoned CG – Commercial General. The Commercial General designation provides for retail commercial, professional offices, and other commercial uses. The maximum FAR is 1.5, and the maximum building height of 50 feet. As currently designated, the proposed project would be inconsistent with the City's established development standards under the project site's current CG zoning. However, as discussed above, the proposed project is seeking a General Plan Amendment, a Zoning Map Amendment, adoption of the Specific Plan, and approval of a Conditional Use Permit. Approval of the General Plan Amendment to change the land use designation to Mixed Use (MU) and the Zoning Map Amendment to change the zoning to SP would render the proposed project consistent with the City's established development standards. The proposed project would be consistent with the development standards and design guidelines outlined in the Specific Plan which would be tailored to meet the needs of a high-quality residential care facility, while enhancing the visual character of the surrounding neighborhood.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

#### **Response to Comment I-33-8**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-3 above.

Refer to Response to Comment I-33-4 above.

#### **Response to Comment I-33-9**

This comment expresses disagreement with the EIR's conclusion "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

As discussed in Section 4.10, Utilities and Service Systems, of the Draft EIR, electricity and natural gas consumption during project implementation is anticipated to be 1,251,306 kWh/year and 23,753 therms/year, respectively. This usage increases annual demand for electricity and natural gas in Orange County by less 0.01 percent for both electricity and natural gas and would not require or result in the relocation or construction of new or expanded electric power or natural gas facilities. As such, cumulative impacts with respect to electricity and natural gas would be less than significant.

Refer to Response to Comment I-33-3 above.

In addition, all future proposed projects in the City, including projects of a similar scale as the proposed project, would be subject to CEQA, mitigation requirements, and design review, as applicable, and would be required to demonstrate that electricity and natural gas providers would have adequate capacity to serve the project in addition to the service provider's existing commitments. No further response is required.

#### **Response to Comment I-33-10**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

As discussed in Section 4.1, Aesthetics, of the Initial Study (see Appendix A of the Draft EIR), existing sources of light on the project site include exterior building lights, pole-mounted lighting in the surface parking lot, and pole-mounted streetlights along Bolsa Chica Street and Warner Avenue. Other sources of light in the vicinity of the project site include exterior lighting from adjacent properties, streetlights, and vehicle headlights. The development of the proposed five-story senior living community would introduce sources of light to the project site that are typical of commercial, and office uses, and would be similar to existing light sources. Outdoor lighting proposed as part of the project would include complementary fixtures with a similar aesthetic, emphasizing efficiency and good light control. All on-site outdoor lighting would be placed to meet safety and orientation needs. Lighting in public areas would be warmly colored, unobtrusive, and angled in a way that minimizes spill and glare. The level of lighting intensity would vary throughout the day. Lighting would be shielded and directed downward to avoid off-site light spillage, including security and

patio lighting on the top floors of the proposed building. Therefore, because the proposed senior living community would replace two existing commercial buildings and a surface parking lot, development of the proposed project would not introduce a significant new source of light on the project site. In addition, as a condition of project approval, the proposed project would be required to comply with lighting standards described in the Photometric Plan (see Standard Condition AES-1). Implementation of Standard Condition AES-1, as a condition of project approval would ensure that impacts associated with new lighting would be less than significant.

The conceptual renderings included in Figure 3-5 are intended to provide a visual depiction of the proposed building facades and architectural style of the proposed community, including proposed building materials, colors, multi-level rooflines, and landscaping. Although the conceptual renderings may appear to show improperly shielded exterior lighting fixtures, development of the proposed project would be required to provide properly shielded lighting fixtures that would be directed downward to avoid off-site light spillage consistent with the Photometric Plan (Standard Condition AES-1).

#### **Response to Comment I-33-11**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

The proposed project would include the demolition of the existing commercial buildings and associated parking lot in order to construct the proposed senior living community. As discussed in Section 4.10, Hydrology and Water Quality, of the Initial Study (see Appendix A of the Draft EIR), development of the proposed project would decrease impervious surface area on the project site by approximately 7 percent. The proposed project would include the construction of on-site storm drain facilities and Best Management Practices (BMPs), including biofiltration planters and modular wetlands which would be designed to treat stormwater runoff on the project site before discharging flows to the storm drain system. Additionally, the project includes a proposed stormwater detention system for excess runoff. As concluded in the Preliminary Hydrology Study, the proposed project condition would have a lower peak on-site flow rate and a lower peak on-site flow rate for both 25-year and 100-year storms when compared to the pre-project/existing conditions. This reduction in on-site flow rate would improve the existing storm drain system as it flows downstream along Bolsa Chica Street. Additionally, as specified in Standard Condition WQ-4, a Final Hydrology Study would be prepared based on final project plans and would be approved by the City. The Final Hydrology Study would confirm that the project drainage facilities comply with all applicable City code requirements and ensure that sufficient capacity in the downstream storm drain systems is available to accommodate storm runoff from the project site so that off-site flooding does not occur. The proposed on-site drainage facilities and BMPs needed to accommodate stormwater runoff would also be appropriately sized so that on-site flooding would not occur. With implementation of BMPs

and Standard Conditions WQ-1 (requiring coverage under the Construction General Permit), WQ-2 (requiring preparation of an Erosion and Sediment Control Plan), and WQ-4 (requiring preparation of a Water Quality Management Plan) would ensure impacts related to on- or off-site flooding from an increase in surface runoff would be less than significant. Therefore, implementation of the proposed project would not result in increased flooding of adjacent properties or increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

No further response is required.

### **Response to Comment I-33-12**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Under CEQA, parking is not an environmental issue. Nevertheless, the parking requirement for the proposed project are detailed in the Specific Plan, the adoption of which would be a discretionary action to be considered by the City as part of the proposed project. As discussed in Chapter 3, Project Description, of the Draft EIR, the proposed project would provide 207 parking spaces for residents, staff/employees, and visitors of the senior living community, 4 of which would be short-term surface parking spaces (at grade) under the porte cochère. A single-level subterranean parking garage would be built beneath the senior living community and would provide 203 parking spaces. An additional two parking spaces (not included in the project's total parking space count) would be provided in the loading area accessible from Warner Avenue.

Based on the above, residents, staff, or visitors would need to utilize existing street parking during operation of the proposed project. In addition, as discussed in Section 4.14, Population and Housing, of the Initial Study (see Appendix A), although the facility is expected to employ approximately 110 employees during operation, employees would be staggered in shifts during which the number of employees on site would range from 20 to 40 employees. employees would not utilize existing street parking spaces. Furthermore, visitor parking for the Bolsa Chica Ecological Reserve is provided by two public parking lots: the northern parking lot is located at the Warner Avenue/Pacific Coast Highway access point and the southern parking lot is located at the Pacific Coast Highway access point across from Bolsa Chica State Beach. Therefore, implementation of the proposed project is not expected to impact the availability of parking for visitors of the Bolsa Chica Ecological Reserve. No further response is needed.

### **Response to Comment I-33-13**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken

into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the City's sewer system. The comment claims that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-4 above.

In addition, future proposed projects in the City would be subject to CEQA, mitigation requirements, and design review, as applicable, and would be required to demonstrate that wastewater providers would have adequate capacity to serve the project in addition to the provider's existing commitments. Therefore, the proposed project would not contribute a significant cumulative impact to water and sewer capacity in the City by creating a precedent for similar future development. No further response is required.

#### **Response to Comment I-33-14**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline at the project site from the public right-of-way and would have a negative impact on the community.

Development of the proposed project would result in a change to the existing skyline at the project site as viewed from public vantage points along Bolsa Chica Street and Warner Avenue. However, no designated scenic vistas or scenic resources are visible from the project site and development of the proposed project would not obstruct any scenic views. The project site is located within an urbanized area predominantly developed with multiple-story commercial, industrial, and residential uses. The proposed project would be developed consistent with the design of existing development, which includes the informal aesthetic elements of the existing beach community and would use multilevel rooflines and varying building setbacks along Bolsa Chica Street and Warner Avenue to break up the scale and massing of the building. As described in Section 4.1, Aesthetics, of the Draft EIR, the consistency analysis shows that the proposed project would not conflict with the relevant goals and policies in terms of preserving the visual quality in the City such as ensuring new development projects are of compatible proportion, scale, and character to complement adjoining uses; and protecting existing Surf City culture and identity. Therefore, the proposed project would not result in a significant impact to the skyline or scenic resources. No further response is required.

#### **Response to Comment I-33-15**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed building during the spring and fall equinoxes. on the residential properties to the east and west of the proposed project.

The EIR includes shade and shadow study of the potential shade and shadow effects of the Project during morning and early afternoon hours to graphically show potential impacts on neighboring properties. Shadows cast by structures vary in length and direction throughout the day and from season to season. Shadow lengths increase during the “low sun” or winter season and are longest on the winter solstice. The winter solstice, therefore, represents the worst-case shadow condition, and the potential for loss of access to sunlight that a project could cause is greatest. Shadow lengths are shortest on the summer solstice. Shadow lengths on the spring and fall equinoxes would fall midway between the summer and winter extremes. Two figures were prepared to illustrate the morning and afternoon shade effects of the proposed project on nearby residential uses during both the winter and summer solstices (see Appendix C, Bolsa Chica Senior Living Community Shadow Studies, of the Draft EIR). As shown on those figures, during both the winter and summer solstices, no shadows would be cast in either the morning or afternoon hours on the apartment complex buildings to the west or the single-family residential homes to the east. Shadows from the proposed project would be cast primarily on Bolsa Chica Street and Warner Avenue during the winter solstice, and on Bolsa Chica Street and the apartment complex carports to the west of the project site during the summer solstice. Therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. It is also worth noting that the proposed project has been designed to minimize shading on light-sensitive uses in the surrounding area. By siting the proposed project on the south side of a major commercial corridor, most of the shadows cast by the proposed building would fall on Warner Avenue itself or commercial uses on the other side of the street, which are not light-sensitive.

### **Response to Comment I-33-16**

This comment expresses disagreement with the EIR’s conclusion that statement “approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City’s established development standards and no mitigation would be required” as the proposed project is not compatible with the long-term existing development standards in the area. The comment claims that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

The General Map Plan Amendment, Zoning Map Amendment, and adoption of a Specific Plan, and approval of a Conditional Use Permit are discretionary actions to be considered by the City as part of the proposed project, independent of CEQA environmental impact analysis. These actions are project-site specific and would not directly result in amendments to other parcels in the project area. Although the development standards detailed in the Specific Plan are different from the development standards of the surrounding zoning districts, the design guidelines of the Specific Plan would ensure that the proposed project is designed to be compatible with and complement the surrounding area. Further, the General Map Amendment, Zoning Map Amendment, and adoption of a Specific Plan are project site specific and would not apply to the surrounding area. As discussed in Section 4.7, Land Use and Planning, in the Draft EIR, the proposed project includes land uses that are consistent with the surrounding development and therefore would not contribute to a pattern of development that would adversely affect impact adjacent land uses or conflict with existing or



planned development. Currently, the City has a lack of existing and proposed senior housing opportunities. Development of the proposed project would aid in meeting the existing and future senior housing needs in the City. Proposed on-site improvements would be consistent with the long-range planning goals of local and regional governing plans and policies for the surrounding area. There are no incompatibilities between the proposed project and planned future projects in the City, which primarily include mixed-use and residential developments.

Pursuant to Section 15130 of the State CEQA Guidelines, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for land use. Pursuant to CEQA, a project is not required to analyze the cumulative impacts of a project in conjunction with future projects that have yet to be identified and are not currently in the planning phases of development. A list of the approved and pending projects in the City that are within 3 miles of the project site and were used in the cumulative impact analysis for the Draft EIR are provided in Table 4.A, Cumulative Projects List, in Section 4.0 of the Draft EIR. Based on the analysis provided in Section 4.7.10 of the Draft EIR, the proposed project would not result in a significant cumulative land use compatibility impact in the City.

Refer to Response to Comment I-2433-4 above. All future proposed projects in the City, including projects of a similar scale as the proposed project, would be subject to their own project-specific environmental review and analysis pursuant to CEQA. Review and approval of future projects by the City would be based on their own project-specific environmental impacts and individual project merits. As stated above, the discretionary planning actions associated with the proposed project are project-site specific and would not directly result in amendments to other parcels in the project area, mitigation requirements, and design review, as applicable, and would be required to demonstrate that utility providers and public services would have adequate capacity to serve the project in addition to existing commitments. Therefore, the proposed project would not contribute a significant cumulative land use compatibility impact on the environment or the surrounding community in conjunction with future redevelopment projects that have yet to be identified by creating a precedent for similar future development. No further response is required.

#### **Response to Comment I-33-17**

This comment claims that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

As stated in Section 4.2, Air Quality, of the Draft EIR, air quality monitoring stations are located throughout the nation and are maintained by the local air pollution control district and State air quality regulating agencies in compliance with State and federal air quality regulations. The South Coast Air Quality Management District (SCAQMD), together with CARB, maintains ambient air quality monitoring stations in the Basin. Air quality data used in the air quality analysis for the proposed project was obtained from the closest air quality monitoring station to the project site, which is located at 1630 West Pampas Lane in Anaheim, California. Therefore, the air quality analysis provided in the Draft EIR utilized the closest air quality monitoring data available for the project site. The air quality analysis provided in the Draft EIR is consistent with current regulatory

requirements and policies pertaining to the analysis of a project's air quality impact pursuant to CEQA. No further response is necessary.

### **Response to Comment I-33-18**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

CEQA is intended to evaluate potential impacts of a proposed project on the surrounding environment and does not require the Lead Agency to evaluate the potential impacts of the environment on a proposed project, unless there is evidence that the project will exacerbate an existing significant environmental impact. The EIR documents that the proposed project will reduce trips as compared to existing conditions. In the 2015 case *California Building Industry Association v. Bay Area Quality Management District*, the California Supreme Court ruled that in general, CEQA does not require analysis nor mitigation of the impact of existing environmental conditions on a project's users or residents. An exception applies when a proposed project risks exacerbating existing environmental hazards, but only when the proposed project's impact on the environment, not the environment's impact on the proposed project, compels the evaluation. The comment generally focuses on potential impacts of the surrounding transportation network and associated emissions on the proposed project's future residents, which is not required to be evaluated under CEQA. Because this comment is concerned with air quality impacts originating from the surrounding transportation network affecting the residents at the project site, precedent set by *California Building Industry Association v. Bay Area Quality Management District* applies and no analysis of the suggested impacts with respect to CEQA is required. No further response is required.

### **Response to Comment I-33-19**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

As discussed in Section 4.15, Public Services, of the Initial Study (Appendix A of the Draft EIR), the proposed community will include shared indoor and outdoor recreational spaces. Residents of the senior living community will not be required to use off-site parkland and recreational facilities, as the community is intended to contain on-site services and amenities for the daily needs of the project's residents. Nevertheless, some project employees, residents, or their visitors may use other public recreational facilities. As a result, the project would create an incremental increase in the use of area parks. Chapter 17.76.040, Parkland Acquisition and Park Facilities Development Impact Fee, of the City's Municipal Code requires the payment of in-lieu fees for park and recreational purposes as a condition of approving new non-residential development. Payment of these in-lieu fees, as required by Standard Condition PS-4, would serve to reduce project-related impacts to parks to a



less than significant level. Therefore, impacts to parks and recreational facilities would be less than significant.

In addition, as discussed in Section 4.16, Recreation, of the Initial Study (Appendix A of the Draft EIR), the City maintains a parkland level of service goal of 5 or more acres of parkland per 1,000 residents. Based on the City's estimated 2022 population of 196,100 (California Department of Finance 2022) and the City's parkland-to-resident ratio, the City provides approximately 5.47 acres of parkland per resident, which exceeds the City's minimum standard. As discussed in Section 4.14, Population and Housing, of the Initial Study (Appendix A of the Draft EIR), implementation of the project would result in a population increase of approximately 278 senior residents. Given the City's parkland-to-resident level of service ratio, project implementation would create the need for 1.39 acres of parkland, which represents approximately 0.13 percent (thirteen hundredths of one percent) of the City's total existing 1,073 acres of public parklands. Although the project would incrementally increase the need for park facilities in the City, the increase of 0.13 percent would be negligible as it represents well less than 1 percent of the City's existing parkland. Therefore, because the City currently provides approximately 5.47 acres of parkland per resident, which exceeds the City's minimum standard and the proposed project would pay its required Parkland Acquisition and Park Facilities Development Impact Fee, the proposed project would not conflict with Policy ERC-A and the City's park per capita ratio goal would be maintained. No further response is required.

#### **Response to Comment I-33-20**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Jonathan Bonwit](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Huntington Beach Senior Living Project at Warner Avenue and Bolsa Chica Street  
**Date:** Thursday, June 15, 2023 11:07:34 AM  
**Attachments:** [image.png](#)  
[image.png](#)

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Hi Mr. Hayden,

I-34-1 Thank you for notifying me about the deadline for public comments for the proposed **Bolsa Chica Senior Living Community Project** at the corner of Warner Avenue and Bolsa Chica Street outside the entrance to our Brightwater Community.

**I object to this project in the strongest possible terms.**

I-34-2 This developer wants to build a massive 5 stories high behemoth of a structure at the entrance to our community that will dwarf in size all other structures in this area. If approved, this project will be almost double the size of the surrounding 2-3 story structures. And it will open the door for other developers to come in and overbuild this area in the future.

I-34-3 It will have a negative impact on our neighborhood and our property values and create too much congestion in this area.

We do not want this area to look like the long rows of huge massive towering high rises that are built in Santa Monica.

I-34-4 I ask to to please **cap the size of this proposed structure to 3 stories high max** so it aesthetically blends into this area or else reject approval for this project completely.

I-34-5 I hereby provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as a Interested Individual and receive all future correspondence, technical information and hearing notices.

I-34-6 First and foremost, **I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP).**

**I also object to the increase in allowable floor area ratio to 2.5, and I object to raising the maximum building height to 65 feet.**

I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR.

The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

**1.4: significant and unavoidable impacts:**

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

**1.5.2: identification of the environmentally superior alternative:**

I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I firmly disagree "the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site" zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.

**4.1: aesthetics**

I disagree with the statement "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city" the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.

**4.7: land use and planning**

I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics,

traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city's established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.

#### **4.10: utilities and service systems**

I disagree with the statement "the proposed project would have less than significant impacts associated with electric power and natural gas". The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.

#### **2.4.1: Aesthetics**

I disagree with the statement "not create a source of substantial light or glare". Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### **2.4.8: hydrology and water quality**

Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### **2.4.14: recreation**

I disagree with the statement "the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR". The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and

I-34-15  
cont. | a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

#### **2.4.16: utilities and service systems**

I-34-16 | I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

#### **4.1.6: project impacts**

I-34-17 | I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-34-18 | I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

#### **4.1.10: cumulative impacts**

I-34-19 | I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

#### **4.2.3.1: air pollutants and health effects**

I-34-20 | The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from

I-34-20 cont. | Anaheim California, approximately 10 miles from the proposed development.

I-34-21 | As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

**Table 4.7.B: Gen. plan consistency analysis ERC-A**

I-34-22 | I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-34-23 | We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Please do the right thing here Mr. Hayden and **reject this project approval**. Thank you.

Respectfully yours,

**Jonathan Bonwit**

*Homeowner*



JBonwit@earthlink.net

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-----Original Message-----  
From: Beckman, Hayden <hayden.beckman@surfcity-hb.org>  
Sent: May 3, 2023 11:47 AM  
To: Jonathan Bonwit <jbonwit@earthlink.net>

**Subject:** RE: Huntington Beach Senior Living Project at Warner Avenue and Bolsa Chica Street

Good Afternoon Mr. Bonwit,

Per your request, I wanted to share with you a Notice of Availability, indicating that the 45 day public review period for the project's Draft Environmental Impact Report (EIR) has begun and will be open until June 15, 2023.

Please review and let me know if you have any questions or concerns.

Regards,

HB City Email Signature Block Designs (2)



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**From:** Jonathan Bonwit <jbonwit@earthlink.net>

**Sent:** Monday, March 6, 2023 12:32 PM

**To:** Beckman, Hayden <hayden.beckman@surfcity-hb.org>

**Subject:** Huntington Beach Senior Living Project at Warner Avenue and Bolsa Chica Street

Thank you for your reply to my inquiry.

Our Brightwater community just became aware of the proposed 5 story 200+unit Huntington Beach Senior Living complex at Warner Avenue and Bolsa Chica Street.

Question:

**Please send us the link to the website where we may voice our concerns about this proposed project?**

This massive 5 story high 200+ units behemoth does not aesthetically fit into our neighborhood.

And we already have way too much traffic congestion in this immediate area plus limited parking from hordes of people accessing Bolsa Chica State Beach, plus concert goers at Sea Legs venue at Warner and PCH, and from hikers in Bolsa Chica Ecological Reserve and the Brightwater Trails, and from local shopping and restaurants. Plus we have many homeless living in the hotels at Warner and PCH wandering around this area.

It's too much!

They can go build this big box monstrosity somewhere else in our city, or else down size it to three stories high to aesthetically fit into our neighborhood.

Thank you.

Regards,

Jonathan Bonwit

Resident

Huntington Beach, California

714-412-2222

[JBonwit@earthlink.net](mailto:JBonwit@earthlink.net)

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-----Original Message-----

From: Beckman, Hayden <[hayden.beckman@surfcity-hb.org](mailto:hayden.beckman@surfcity-hb.org)>

Sent: Mar 6, 2023 9:18 AM

To: [JBonwit@earthlink.net](mailto:JBonwit@earthlink.net) <[JBonwit@earthlink.net](mailto:JBonwit@earthlink.net)>



Subject: Senior Living Project

Good Morning Mr. Bonwit,

My name is Hayden and I am the project planner for a proposed project at the southwest corner of Warner Avenue at Bolsa Chica Street.

We received your email from Saturday and I wanted to reach out to share my contact information. How can I be of assistance?

Regards,

HB City Email Signature Block Designs (2)



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## JONATHAN BONWIT

Comment Code: I-34

Date: June 15, 2023

### Response to Comment I-34-1

This comment is introductory and expresses opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### Response to Comment I-34-2

This comment expresses concern over the height of the proposed five-story community being taller than the surrounding buildings. The comment also expresses concern that implementation of the proposed project would lead to future development that would overbuild the surrounding area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

With regard to cumulative impacts, the proposed project would include land uses that are consistent with the surrounding development and therefore would not contribute to a pattern of development that would adversely impact adjacent land uses or conflict with existing or planned development. Currently, the City has a lack of existing and proposed senior housing opportunities. Development of the proposed project would aid in meeting the existing and future senior housing needs in the City. Additionally, proposed on-site improvements would be consistent with the long-range planning goals of local and regional governing plans and policies for the surrounding area. There are no incompatibilities between the proposed project and planned future projects in the City, which primarily include mixed-use and residential developments. Further, each future discretionary project would be subject to CEQA review, mitigation requirements, and design review, as applicable that would analyze the project's impact to the surrounding area. Therefore, the proposed project would not contribute a significant cumulative land use impact in the City. No further response is necessary.

### Response to Comment I-34-3

This comment states that implementation of the proposed project would negatively impact property values in the area and expresses concern over an increase in traffic congestion resulting from development of the proposed project.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

Potential impacts to property value are not analyzed as part of the environmental review process pursuant to CEQA. The comment does not contain any other substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

#### **Response to Comment I-34-4**

This comment requests the proposed project be reduced to three stories.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments suggesting the height of the proposed project be reduced to three stories.

#### **Response to Comment I-34-5**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

#### **Response to Comment I-34-6**

This comment provides objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the impact to the environment has not been reasonably assessed and that the proposed project is inconsistent with the City's zoning and will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

#### **Response to Comment I-34-7**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the proposed project should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment states that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

#### **Response to Comment I-34-8**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

#### **Response to Comment I-34-9**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the

surrounding circulation system due to the greater number of vehicle trips to and from the project site.” The comment also states that a zoning change at the project site similar to adjacent properties would result in less impacts than the proposed project while still achieving the City’s goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-34-10**

This comment expresses disagreement with the EIR’s conclusion that “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City” as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-34-11**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-34-12**

This comment expresses disagreement with the EIR’s conclusion that “the proposed project would have less than significant impacts associated with electric power and natural gas” as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-34-13**

This comment expresses disagreement with the EIR’s conclusion that the project would “not create a source of substantial light or glare” as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-34-14**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica

Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-34-15**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-34-16**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment states that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-34-17**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

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### **Response to Comment I-34-18**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

### **Response to Comment I-34-19**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment states that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

### **Response to Comment I-34-20**

This comment states that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

### **Response to Comment I-34-21**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

### **Response to Comment I-34-22**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.

**Response to Comment I-34-23**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Tim Schultz](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach  
**Date:** Thursday, June 15, 2023 3:33:40 AM

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Dear Mr. Hayden,

My name is Tim Schultz and I live at [REDACTED] in Huntington Beach. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as an Interested Individual and receive all future correspondence, technical information and hearing notices.

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

**1.4 significant and unavoidable impacts:**

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

**1.5.2 identification of the environmentally superior alternative:**

I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I firmly disagree "the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due



I-35-5 cont.	to the greater number of vehicle trips to and from the project site” zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.
I-35-6	<p><b>4.1; aesthetics</b></p> <p>I disagree with the statement “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city” the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.</p>
I-35-7	<p><b>4.7 land use and planning</b></p> <p>I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city’s established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.</p>
I-35-8	<p><b>4.10: utilities and service systems</b></p> <p>I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.</p>
I-35-9	<p><b>2.4.1 Aesthetics</b></p> <p>I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.</p>
I-35-10	<p><b>2.4.8 hydrology and water quality</b></p> <p>Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to</p>

I-35-10 cont. | capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### 2.4.14 recreation

I-35-11 | I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

#### 2.4.16 utilities and service systems

I-35-12 | I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

#### 4.1.6 project impacts

I-35-13 | I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive

I-35-13  
cont.

community identity and enhance the visual quality of the project site to viewers on an off-site". Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-35-14

I also disagree with the statement "therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

#### **4.1.10 cumulative impacts**

I-35-15

I disagree with the statement "approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city's establish development standards and no mitigation would be required." The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

I-35-16

#### **4.2.3.1 air pollutants and health effects**

The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

I-35-17

As stated in the initial study "occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease." The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report "high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration." Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

**Table 4.7.B: Gen. plan consistency analysis ERC-A**

I-35-18

I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-35-19

We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Thank you

Best Regards,

Tim Schultz  
President  
Impact Aesthetics, Inc.  
310-486-2082  
timschultz@impactaesthetics.com

Best Regards,

Tim Schultz  
Impact Aesthetics, Inc.  
310-486-2082  
timschultz@impactaesthetics.com



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## TIM SCHULTZ

Comment Code: I-35

Date: June 15, 2023

### **Response to Comment I-35-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-35-2**

This comment provides objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the impact to the environment has not been reasonably assessed and that the proposed project is inconsistent with the City's zoning and will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

### **Response to Comment I-35-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the EIR should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

### **Response to Comment I-35-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

### **Response to Comment I-35-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent

properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-35-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-35-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-35-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-35-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-35-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-35-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-35-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment claims that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-35-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-35-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

#### **Response to Comment I-35-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment claims that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

#### **Response to Comment I-35-16**

This comment claims that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

#### **Response to Comment I-35-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

#### **Response to Comment I-35-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.



### **Response to Comment I-35-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Tricia Rose Simpson](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA  
**Date:** Thursday, June 15, 2023 10:00:04 AM  
**Attachments:** [Project - SCH No. 2022110040 located at 4952 and 4972 Warner Ave Huntington Beach.pdf](#)

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Good morning Mr. Beckman,

This project will not be good for our community and it will have strong opposition from all adjoining neighborhoods.

Please see the letter attached in response to the Environmental Impact Report that was done for this project.

Thank you in advance for your time,

Tricia Simpson

I-36-1



Dear Mr. Hayden,

My name is Tricia Simpson, I live at [REDACTED] Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as a Interested Individual and receive all future correspondence, technical information and hearing notices.

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

1.4 significant and unavoidable impacts:

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

1.5.2 identification of the environmentally superior alternative:

I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I firmly disagree "the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site" zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.

4.1; aesthetics

I disagree with the statement "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city" the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.



I-36-8 4.7 land use and planning  
I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city's established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.

I-36-9 4.10: utilities and service systems  
I disagree with the statement "the proposed project would have less than significant impacts associated with electric power and natural gas". The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.

I-36-10 2.4.1 Aesthetics  
I disagree with the statement "not create a source of substantial light or glare". Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

I-36-11 2.4.8 hydrology and water quality  
Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

I-36-12 2.4.14 recreation  
I disagree with the statement "the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR". The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential



I-36-12  
cont.

units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

I-36-13

2.4.16 utilities and service systems  
I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

I-36-14

4.1.6 project impacts  
  
I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would affect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-36-15

I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

I-36-16

4.1.10 cumulative impacts  
  
I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the



I-36-16  
cont. cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

I-36-17 4.2.3.1 air pollutants and health effects  
The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

I-36-18 As stated in the initial study "occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease." The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report "high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration." Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

I-36-19 Table 4.7.B: Gen. plan consistency analysis ERC-A  
I disagree with the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities." The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-36-20 We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Thank you,

Sincerely,



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## TRICIA SIMPSON

Comment Code: I-36

Date: June 15, 2023

### **Response to Comment I-36-1**

This comment is introductory and expresses opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-36-2**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-36-3**

This comment provides objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the impact to the environment has not been reasonably assessed and that the proposed project is inconsistent with the City's zoning and will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

### **Response to Comment I-36-4**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the EIR should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

### **Response to Comment I-36-5**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.



#### **Response to Comment I-36-6**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-36-7**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-36-8**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-36-9**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-36-10**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.



### **Response to Comment I-36-11**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

### **Response to Comment I-36-12**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

### **Response to Comment I-36-13**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment claims that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

### **Response to Comment I-36-14**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

### **Response to Comment I-36-15**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed building during the spring and fall equinoxes on the residential properties to the east.

Refer to Response to Comment I-33-15 above.

### **Response to Comment I-36-16**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment claims that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

### **Response to Comment I-36-17**

This comment claims that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

### **Response to Comment I-36-18**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

### **Response to Comment I-36-19**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the EIR's conclusion that "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.

**Response to Comment I-36-20**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Davoud@manouchehri.com](mailto:Davoud@manouchehri.com)  
**To:** [Beckman, Hayden](#)  
**Subject:** Proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach  
**Date:** Thursday, June 15, 2023 11:17:52 AM

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Dear Mr. Hayden,

I-37-1

My name is Davoud Manouchehri, I live at [REDACTED] Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as an Interested Individual and receive all future correspondence, technical information and hearing notices.

I-37-2

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

1.4 significant and unavoidable impacts:

I-37-3

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding

I-37-3 cont.	existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.
I-37-4	<p>1.5.2 identification of the environmentally superior alternative:</p> <p>I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.</p>
I-37-5	I firmly disagree "the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site" zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.
I-37-6	<p>4.1; aesthetics</p> <p>I disagree with the statement "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city" the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.</p>
I-37-7	<p>4.7 land use and planning</p> <p>I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city's established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.</p>
I-37-8	4.10: utilities and service systems

I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.

#### 2.4.1 Aesthetics

I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### 2.4.8 hydrology and water quality

Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### 2.4.14 recreation

I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the

I-37-11  
cont.

city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

I-37-12

#### 2.4.16 utilities and service systems

I disagree with the statement "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant". Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

I-37-13

#### 4.1.6 project impacts

I disagree with the statement "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site". Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-37-14

I also disagree with the statement "therefore, implementation of the proposed project

I-37-14  
cont.

would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

#### 4.1.10 cumulative impacts

I-37-15

I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

#### 4.2.3.1 air pollutants and health effects

I-37-16

The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

I-37-17

As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.



Table 4.7.B: Gen. plan consistency analysis ERC-A

I-37-18

I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-37-19

We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Sincerely

Davoud Manouchehri  
[Davoud@Manouchehri.com](mailto:Davoud@Manouchehri.com)  
(714)840-8791 ☐ (Cell)  
(714)908-1818 ☐ (Fax)

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## DAVOUD MANOUCHEHRI

Comment Code: I-37

Date: June 15, 2023

### **Response to Comment I-37-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-37-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

### **Response to Comment I-37-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the EIR would create a precedent for similar future development. The comment also states that the proposed project should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

### **Response to Comment I-37-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

### **Response to Comment I-37-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent

properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-37-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-37-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-37-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-37-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-37-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-37-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-37-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment claims that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-37-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-37-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

**Response to Comment I-37-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment claims that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

**Response to Comment I-37-16**

This comment claims that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

**Response to Comment I-37-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

**Response to Comment I-37-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.

### **Response to Comment I-37-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Terry Burnham](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** opposed to current design senior center  
**Date:** Thursday, June 15, 2023 10:44:19 AM

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Dear Mr. Beckman,

My name is Terry Burnham. I live in the Brightwater community at [REDACTED]  
Huntington Beach, CA 92649

I-38-1

I am opposed to the current design of the new project -- Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA.

In particular, making this project 5 stories seems out of sync with the current area.

Thank you,

Terry Burnham



## **TERRY BURNHAM**

Comment Code: I-38

Date: June 15, 2023

### **Response to Comment I-38-1**

This comment is introductory and expresses opposition to the proposed project. Specifically, the comment expresses concern over the height of the proposed project as it would be inconsistent with the surrounding area.

Refer to Section 2.1.1, Aesthetics, for the Master Response to comments regarding the compatibility of the height of the proposed project with the surrounding development.

**From:** [Kaylene Schultz](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Fwd: Proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach  
**Date:** Thursday, June 15, 2023 8:53:31 PM

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Dear Mr. Hayden,

I-39-1

My name is Kaylene Schultz and I live at [REDACTED] in Huntington Beach. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as an Interested Individual and receive all future correspondence, technical information and hearing notices.

I-39-2

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

I-39-3

1.4 significant and unavoidable impacts:  
I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this

I-39-3 cont.	project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.
I-39-4	<p><b>1.5.2 identification of the environmentally superior alternative:</b> I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.</p>
I-39-5	<p>I firmly disagree “the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site” zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.</p>
I-39-6	<p><b>4.1; aesthetics</b> I disagree with the statement “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city” the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.</p>
I-39-7	<p><b>4.7 land use and planning</b> I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city’s established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.</p>
I-39-8	<p><b>4.10: utilities and service systems</b> I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.</p>

#### **2.4.1 Aesthetics**

I-39-9

I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### **2.4.8 hydrology and water quality**

I-39-10

Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### **2.4.14 recreation**

I-39-11

I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

#### **2.4.16 utilities and service systems**

I-39-12 I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

#### **4.1.6 project impacts**

I-39-13 I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-39-14 I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

#### **4.1.10 cumulative impacts**

I-39-15 I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This

I-39-15 cont. | project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

I-39-16 | **4.2.3.1 air pollutants and health effects**  
The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

I-39-17 | As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

I-39-18 | **Table 4.7.B: Gen. plan consistency analysis ERC-A**  
I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-39-19 | We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Thank you

Best Regards,

Kaylene Schultz  
President  
ProPatch+  
[www.ProPatchPlus.com](http://www.ProPatchPlus.com)  
310-486-5623  
[kayleneschultz@gmail.com](mailto:kayleneschultz@gmail.com)

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**KAYLENE SCHULTZ**

Comment Code: I-39

Date: June 15, 2023

**Response to Comment I-39-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**Response to Comment I-39-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

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**Response to Comment I-39-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the EIR should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

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This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent



properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

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#### **Response to Comment I-39-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

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Refer to Response to Comment I-33-12 above.

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**Response to Comment I-39-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

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**Response to Comment I-39-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.

### **Response to Comment I-39-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [cincorr@icloud.com](mailto:cincorr@icloud.com)  
**To:** [Beckman, Hayden](#)  
**Cc:** [Kevin Corrigan](#)  
**Subject:** Opposition to 5 story building  
**Date:** Thursday, June 15, 2023 12:31:29 PM

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Dear Mr. Hayden,

I-40-1

My name is Cindy Corrigan. My husband Kevin Corrigan and I live at [REDACTED] Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as an Interested Individual and receive all future correspondence, technical information and hearing notices.

I-40-2

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

I-40-3

1.4 significant and unavoidable impacts:

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

I-40-4	<p>1.5.2 identification of the environmentally superior alternative:</p> <p>I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.</p>
I-40-5	<p>I firmly disagree “the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site” zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.</p>
I-40-6	<p>4.1; aesthetics</p> <p>I disagree with the statement “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city” the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing structures which at the most are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.</p>
I-40-7	<p>4.7 land use and planning</p> <p>I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city’s established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.</p>
I-40-8	<p>4.10: utilities and service systems</p> <p>I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.</p>
I-40-9	<p>2.4.1 Aesthetics</p>

I-40-9 cont. | I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### 2.4.8 hydrology and water quality

I-40-10 | Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### 2.4.14 recreation

I-40-11 | I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

#### 2.4.16 utilities and service systems

I-40-12 | I disagree with the statement “therefore, impacts related to the construction of wastewater



I-40-12 cont.	<p>treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.</p>
	<p>4.1.6 project impacts</p>
I-40-13	<p>I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.</p>
I-40-14	<p>I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.</p>
	<p>4.1.10 cumulative impacts</p>
I-40-15	<p>I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.</p>

4.2.3.1 air pollutants and health effects

I-40-16

The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

I-40-17

As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

Table 4.7.B: Gen. plan consistency analysis ERC-A

I-40-18

I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-40-19

My husband and I trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Thank you for your consideration in modifying the plans in this matter.

Best Regards,

Cindy Corrigan

## **CINDY CORRIGAN**

Comment Code: I-40

Date: June 15, 2023

### **Response to Comment I-40-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-40-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

### **Response to Comment I-40-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the EIR should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

### **Response to Comment I-40-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

### **Response to Comment I-40-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent

properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-40-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-40-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-40-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-40-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-40-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-40-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-40-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment claims that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-40-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-40-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

**Response to Comment I-40-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment claims that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

**Response to Comment I-40-16**

This comment claims that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

**Response to Comment I-40-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

**Response to Comment I-40-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.

### **Response to Comment I-40-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.



**From:** [Tim Ryan](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Proposed Bolsa Chica Development  
**Date:** Thursday, June 15, 2023 4:18:47 PM

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I-41-1

My name is Tim Ryan. I live at [REDACTED] in the community of Brightwater, Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and [4972 Warner Avenue, Huntington Beach, CA](#). I would also like to be listed as a Interested Individual and receive all future correspondence, technical information and hearing notices.

I-41-2

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

1.4 significant and unavoidable impacts:

I-41-3

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

1.5.2 identification of the environmentally superior alternative:

I-41-4

I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I-41-5

I firmly disagree “the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site” zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.

4.1; aesthetics

I-41-6

I disagree with the statement “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city” the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.

4.7 land use and planning

I-41-7

I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city’s established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.

4.10: utilities and service systems

I-41-8

I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available

I-41-8 cont. | electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.

#### 2.4.1 Aesthetics

I-41-9 | I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### 2.4.8 hydrology and water quality

I-41-10 | Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### 2.4.14 recreation

I-41-11 | I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and

I-41-11 cont.

fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

I-41-12

#### 2.4.16 utilities and service systems

I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

I-41-13

#### 4.1.6 project impacts

I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-41-14

I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows

I-41-14  
cont. | would be cast on the residential properties to the east and west of the proposed development.

4.1.10 cumulative impacts

I-41-15 | I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

4.2.3.1 air pollutants and health effects

I-41-16 | The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

I-41-17 | As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

I-41-18 | Table 4.7.B: Gen. plan consistency analysis ERC-A

I-41-18 cont.

I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-41-19

We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Thank you,

sincerely,

Tim J. Ryan

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**TIM RYAN**

Comment Code: I-41

Date: June 15, 2023

**Response to Comment I-41-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**Response to Comment I-41-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

**Response to Comment I-41-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the EIR should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

**Response to Comment I-41-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

**Response to Comment I-41-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent



properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-41-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-41-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-41-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-41-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-41-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-41-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-41-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment claims that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-41-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-41-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

#### **Response to Comment I-41-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment claims that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

#### **Response to Comment I-41-16**

This comment claims that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

#### **Response to Comment I-41-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

#### **Response to Comment I-41-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.

### **Response to Comment I-41-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Niloufar](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach  
**Date:** Thursday, June 15, 2023 10:57:52 PM

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Dear Mr. Hayden,

I-42-1 My name is Niloufar Shaida, I live at [REDACTED] Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as a Interested Individual and receive all future correspondence, technical information and hearing notices.

I-42-2 First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

I-42-3 1.4 significant and unavoidable impacts:  
 I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

I-42-4 1.5.2 identification of the environmentally superior alternative:  
 I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I-42-5 I firmly disagree "the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site" zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.

I-42-6 4.1; aesthetics  
 I disagree with the statement "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city" the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.

I-42-7 4.7 land use and planning  
 I believe the project would cause a significant environmental impact due to the conflict with the existing

I-42-7 cont.	land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city's established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.
I-42-8	<p>4.10: utilities and service systems</p> <p>I disagree with the statement "the proposed project would have less than significant impacts associated with electric power and natural gas". The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.</p>
I-42-9	<p>2.4.1 Aesthetics</p> <p>I disagree with the statement "not create a source of substantial light or glare". Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.</p>
I-42-10	<p>2.4.8 hydrology and water quality</p> <p>Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.</p>
I-42-11	<p>2.4.14 recreation</p> <p>I disagree with the statement "the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR". The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.</p>
I-42-12	2.4.16 utilities and service systems

I-42-12 cont.	I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.
	4.1.6 project impacts
I-42-13	I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.
I-42-14	I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.
	4.1.10 cumulative impacts
I-42-15	I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.
I-42-16	4.2.3.1 air pollutants and health effects The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.
I-42-17	As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.
I-42-18	Table 4.7.B: Gen. plan consistency analysis ERC-A I disagree with the statement “these recreational and open-space elements would be for private use by



- I-42-18 cont.
- residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.
- I-42-19
- We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

Sincerely,  
Niloufar Shaida

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## **NILOUFAR SHAIDA**

Comment Code: I-42

Date: June 15, 2023

### **Response to Comment I-42-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-42-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

### **Response to Comment I-42-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the EIR should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment claims that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

### **Response to Comment I-42-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

### **Response to Comment I-42-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent

properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-42-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-42-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-42-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-42-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-42-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-42-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-42-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment claims that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-42-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-42-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

**Response to Comment I-42-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment claims that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

**Response to Comment I-42-16**

This comment claims that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

**Response to Comment I-42-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

**Response to Comment I-42-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-19 above.

### **Response to Comment I-42-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Robert Tummolo](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Proposed Development  
**Date:** Thursday, June 15, 2023 12:50:55 PM

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Dear Mr. Hayden,

I-43-1 My name is Robert Tummolo, I live at [REDACTED] Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA.

I-43-2 First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

I-43-3 My comments and concerns to the draft environmental impact report are as follows:

1.4 significant and unavoidable impacts:

I-43-3 cont. I firmly disagree with the statement “the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting” the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

1.5.2 identification of the environmentally superior alternative:

I-43-4 I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I-43-5 I firmly disagree “the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site” zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.



#### 4.1; aesthetics

I-43-6

I disagree with the statement “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city” the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.

#### 4.7 land use and planning

I-43-7

I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city’s established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.

#### 4.10: utilities and service systems

I-43-8

I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”.

I-43-8 cont. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.

#### I-43-9 2.4.1 Aesthetics

I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### I-43-10 2.4.8 hydrology and water quality

Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available

I-43-10 cont.

ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### 2.4.14 recreation

I-43-11

I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

#### 2.4.16 utilities and service systems

I-43-12

I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

#### 4.1.6 project impacts

I-43-13

I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-43-14

I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study

I-43-14 cont.

prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

I-43-15

#### 4.1.10 cumulative impacts

I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

I-43-16

#### 4.2.3.1 air pollutants and health effects

The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10

I-43-16  
cont.

miles from the proposed development.

I-43-17

As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

I-43-18

Table 4.7.B: Gen. plan consistency analysis ERC-A

I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

I-43-19

We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons

I-43-19  
cont.

stated above.

Thank you,

Robert Tummolo

A solid dark gray rectangular box used to redact the signature of Robert Tummolo.

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## **ROBERT TUMMOLO**

Comment Code: I-43

Date: June 15, 2023

### **Response to Comment I-43-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-43-2**

This comment expresses opposition to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also claims that the impact to the environment has not been reasonably assessed and that the proposed project is inconsistent with the City's zoning and will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

### **Response to Comment I-43-3**

This comment expresses disagreement with the statement EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the proposed project should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on of increasing maximum density, insufficient amount of parking, and long-term impacts to the sewer capacity and water capacity associated with future similar development in the area with development of similar future projects. The comment states claims that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

### **Response to Comment I-43-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

### **Response to Comment I-43-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the



surrounding circulation system due to the greater number of vehicle trips to and from the project site.” The comment also states that a zoning change at the project site similar to adjacent properties would result in less impacts than the proposed project while still achieving the City’s goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-43-6**

This comment expresses disagreement with the EIR’s conclusion that “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City” as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-43-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-43-8**

This comment expresses disagreement with the EIR’s conclusion that “the proposed project would have less than significant impacts associated with electric power and natural gas” as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-43-9**

This comment expresses disagreement with the EIR’s conclusion that the project would “not create a source of substantial light or glare” as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-43-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica

Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-43-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-43-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment states that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-43-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-43-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

#### **Response to Comment I-43-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment states that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

#### **Response to Comment I-43-16**

This comment states that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

#### **Response to Comment I-43-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

#### **Response to Comment I-43-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-18 above.

**Response to Comment I-43-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Debi Murray](#)  
**To:** [Beckman, Hayden](#)  
**Cc:** [Debi Murray](#)  
**Subject:** Proposed Senior Living project  
**Date:** Thursday, June 15, 2023 4:59:31 PM

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I-44-1

My name is Debi Murray , I live at [REDACTED] Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and [4972 Warner Avenue, Huntington Beach](#), CA. I would also like to be listed as a Interested Individual and receive all future correspondence, technical information and hearing notices.

I-44-2

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

1.4 significant and unavoidable impacts:

I-44-3

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

I-44-4

1.5.2 identification of the environmentally superior alternative:

I-44-4 cont.	I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.
I-44-5	I firmly disagree “the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site” zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.
I-44-6	<p>4.1; aesthetics</p> <p>I disagree with the statement “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city” the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.</p>
I-44-7	<p>4.7 land use and planning</p> <p>I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city’s establishd development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.</p>
I-44-8	<p>4.10: utilities and service systems</p> <p>I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.</p>

#### 2.4.1 Aesthetics

I-44-9

I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### 2.4.8 hydrology and water quality

I-44-10

Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### 2.4.14 recreation

I-44-11

I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

I-44-12

#### 2.4.16 utilities and service systems

I-44-12  
cont.

I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

#### 4.1.6 project impacts

I-44-13

I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-44-14

I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

#### 4.1.10 cumulative impacts

I-44-15

I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be



I-44-15 cont.	subject to redevelopment. This project is not compatible with the long-term established development standards in the area.
I-44-16	<p>4.2.3.1 air pollutants and health effects</p> <p>The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.</p>
I-44-17	<p>As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.</p>
I-44-18	<p>Table 4.7.B: Gen. plan consistency analysis ERC-A</p> <p>I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.</p>
I-44-19	<p>We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.</p> <p>Thank you,</p> <p>Debi Murray</p> <p>Brightwater Resident</p>

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Debi

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**DEBI MURRAY**

Comment Code: I-44

Date: June 15, 2023

**Response to Comment I-44-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**Response to Comment I-44-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

**Response to Comment I-44-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the proposed project should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment states that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

**Response to Comment I-44-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

**Response to Comment I-44-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent

properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-44-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-44-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-44-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-44-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-44-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-44-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-44-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment states that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-44-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-44-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

**Response to Comment I-44-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment states that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

**Response to Comment I-44-16**

This comment states that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

**Response to Comment I-44-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

**Response to Comment I-44-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-18 above.

### **Response to Comment I-44-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [James Murray](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Proposed Senior Living Project  
**Date:** Thursday, June 15, 2023 5:02:18 PM

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I-45-1 My name is James Murray , I live at [REDACTED] Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and [4972 Warner Avenue, Huntington Beach](#), CA. I would also like to be listed as a Interested Individual and receive all future correspondence, technical information and hearing notices.

I-45-2 First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

1.4 significant and unavoidable impacts:

I-45-3 I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

I-45-4 1.5.2 identification of the environmentally superior alternative:

I disagree with the alternate project, an alternate project could be proposed that complies



I-45-4 cont.	with the existing adjacent zoning that is consistent with the surrounding community.
I-45-5	I firmly disagree “the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site” zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.
I-45-6	<p>4.1; aesthetics</p> <p>I disagree with the statement “the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city” the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.</p>
I-45-7	<p>4.7 land use and planning</p> <p>I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city’s establishd development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.</p>
I-45-8	<p>4.10: utilities and service systems</p> <p>I disagree with the statement “the proposed project would have less than significant impacts associated with electric power and natural gas”. The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.</p>
I-45-9	2.4.1 Aesthetics

I-45-9 cont. | I disagree with the statement “not create a source of substantial light or glare”. Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

I-45-10 | 2.4.8 hydrology and water quality  
Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

I-45-11 | 2.4.14 recreation  
I disagree with the statement “the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR”. The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

I-45-12 | 2.4.16 utilities and service systems

I-45-12 cont.

I disagree with the statement “therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant”. Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

#### 4.1.6 project impacts

I-45-13

I disagree with the statement “given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site”. Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I-45-14

I also disagree with the statement “therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

#### 4.1.10 cumulative impacts

I-45-15

I disagree with the statement “approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city’s establish development standards and no mitigation would be required.” The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be

I-45-15 cont.	subject to redevelopment. This project is not compatible with the long-term established development standards in the area.
I-45-16	<p>4.2.3.1 air pollutants and health effects</p> <p>The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.</p>
I-45-17	<p>As stated in the initial study “occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease.” The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report “high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration.” Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.</p>
I-45-18	<p>Table 4.7.B: Gen. plan consistency analysis ERC-A</p> <p>I disagree with the statement “these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities.” The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.</p>
I-45-19	<p>We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.</p> <p>Thank you,</p> <p>James Murray</p>

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## **JAMES MURRAY**

Comment Code: I-45

Date: June 15, 2023

### **Response to Comment I-45-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

### **Response to Comment I-45-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

### **Response to Comment I-45-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the proposed project should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment states that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

### **Response to Comment I-45-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

### **Response to Comment I-45-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent

properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-45-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-45-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-45-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-45-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-45-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-45-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-45-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment states that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-45-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-45-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

#### **Response to Comment I-45-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment states that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

#### **Response to Comment I-45-16**

This comment states that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

#### **Response to Comment I-45-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

#### **Response to Comment I-45-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-18 above.



### **Response to Comment I-45-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

From: Marcie Zeller  
To: Marcie Zeller  
Cc: Marcie Zeller  
Subject: Bolsa Chica Senior Living Project HSR  
Date: Thursday, June 15, 2023 1:50:40 PM

Dear Mr. Hayden,

My name is Marcie Zeller, I live in the Brightwater neighborhood, Huntington Beach, CA. I would like to provide comments to the statements and findings of the Draft Environmental Impact Report Related to the proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach, CA. I would also like to be listed as an Interested Individual and receive all future correspondence, technical information and hearing notices.

First and foremost, I object to the general plan amendment to change the land use designation from CG to mixed-use (MU) and I object to the zoning map amendment to change the zoning from CG to specific plan (SP). I also object to the increase in allowable floor area ratio to 2.5 and I object to raising the maximum building height to 65 feet. I believe the impact to the environment has not been reasonably assessed and I have a strong disagreement to several statements made in the draft EIR. The project's inconsistency with the city of Huntington Beach policy and zoning will cause significant physical environmental impacts to our neighborhood.

My comments and concerns to the draft environmental impact report are as follows:

#### 1.4 significant and unavoidable impacts:

I firmly disagree with the statement "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" the proposed project would create a precedent for future development, the draft environmental impact report does not consider the approval of the project will open the door to future similar developments in the area. The effects of allowing a specific plan to subvert zoning regulations would cause extreme interest in developing surrounding projects of similar nature. This project needs to study the long-term accumulative impact of increasing the code required maximum density, the lack of code required parking and the effect on the adjoining neighborhood and the ability for the adjoining neighborhoods to absorb the street parking that would result in the deficiency of the required parking. The environmental impact report should also study the long-term effects of the sewer capacity and water capacity of the surrounding existing development of similar nature that could be redeveloped if this project were approved. The draft environmental impact report failed to provide a sewer capacity and water capacity study.

#### 1.5.2 identification of the environmentally superior alternative:

I disagree with the alternate project, an alternate project could be proposed that complies with the existing adjacent zoning that is consistent with the surrounding community.

I firmly disagree "the no project alternative would result in greater environmental impacts to air quality and transportation to the surrounding circulation system due to the greater number of vehicle trips to and from the project site" zoning similar to the adjacent properties would result in less impact than the proposed project but would still achieve the goal of providing senior housing.

#### 4.1: aesthetics

I disagree with the statement "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the city" the city has developed zoning standards which does not allow for a 65-foot-high building structure. The building structure would tower over the existing residence which are only 2 stories tall. The proposed structure is not compatible in proportion, scale or character to the adjoining uses.

#### 4.7 land use and planning

I believe the project would cause a significant environmental impact due to the conflict with the existing land use plan. Approval of this project would lead to approval of multiple projects in the area which would have a massive accumulative impact on the community which include aesthetics, traffic, noise, solar access, wind access, impacts to the infrastructure such as water and sewer capacities and street parking. The proposed project is inconsistent with the city's established development standards which have been used to design the surrounding infrastructure. The surrounding infrastructure was not designed to handle the proposed densities. I disagree that the overall impact to surrounding community would be less than significant when the cumulative effect of future developments similar to the proposed project is considered.

#### 4.10: utilities and service systems

I disagree with the statement "the proposed project would have less than significant impacts associated with electric power and natural gas". The cumulative effect of approving this project would cause a landslide of similar developments in the area which would have a major impact to the available electric energy and natural gas, the existing infrastructure did not consider increasing the bulk density and mass of the proposed development. Approval of this project would cause additional projects of a similar nature that would have a cumulative effect on the availability of electricity and gas.

#### 2.4.1 Aesthetics

I disagree with the statement "not create a source of substantial light or glare". Security and patio lighting on the 5<sup>th</sup> floor would be seen from the entire neighborhood. Nothing in the EIR evaluated the lighting spillover into the wetlands which requires dark sky. The Brightwater development respects the dark sky requirements of the Bolsa Chica Ecological Preserve, this project should address the impact to the Bolsa Chica Ecological Preserve. The proposed building elevations shown in the draft EIR appear to show exterior lighting fixtures that are not properly shielded. It is impossible to provide adequate lighting for the patio areas and shield all of the light spillover.

#### 2.4.8 hydrology and water quality

Bolsa Chica Road Street of Warner Avenue lacks sufficient storm drain facilities to capture runoff from the East that flows to the intersection of Bolsa Chica Street and Dunbar Avenue, as a result this intersection experiences flooding during normal rain events. The adjacent existing parking lot serves as an incidental detention basin and helps protect the surrounding properties. The EIR fails to analyze and address the effect of construction over the parking lot which would reduce the available ponding space and could cause flooding on adjacent properties. I believe this project will increase the depth of flooding at the intersection of Bolsa Chica Road and Dunbar Avenue.

#### 2.4.14 recreation

I disagree with the statement "the proposed project does not include recreational facilities nor require the construction or expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this draft EIR". The proposed project is significantly under parked according to existing zoning, the city of Huntington Beach has established parking standards that eliminate the need for street parking. If developed, this project would cause excessive street parking which would inhibit access to the trail system. There is already a shortage of parking for people who are visiting the Bolsa Chica wetlands, this project would severely impact the available street parking leading to the trailhead at the southerly terminus of Bolsa Chica Street. The proposed project only considers parking spaces for the residential units and fails to address the required parking spaces for the estimated 110 employees who will work at the proposed multiple restaurants, wellness centers and studio spaces. It is not reasonable to assume 62 units are parked at a ratio of 0.65 spaces per unit when there is no mechanism stated to control whether a unit is assisted living or normal senior housing. I believe the parking should be evaluated as worst-case senior housing and a separate calculation added for the multiple restaurant style dining venues, wellness centers and studio spaces. Due to the lack of parking this development does not support the protection and maintenance of environmental open-space resources. The lack of on-site parking will prohibit access to the Bolsa Chica trail system.

#### 2.4.16 utilities and service systems

I disagree with the statement "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant". Recently the Orange County sanitation District upgraded the sewer force mains and lift stations throughout the city, these systems should have been designed to comply with the existing zoning and did not consider the increased density this project is proposing. This project should consider the cumulative effect of increasing the density of existing sites within the vicinity to verify the additional sewer capacity is available to serve this site and future developments of this nature. The environmental impact report failed to provide an adequate sewer and water capacity study.

#### 4.1.6 project impacts

I disagree with the statement "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on an off-site". Increasing the maximum height of the building to 65 feet would block the skyline view from the public way, the open sky view at the corner of Bolsa Chica and Warner would be forever impacted and would effect every person visiting the neighborhood, the view would be replaced by a massive apartment building. Replacing a blue-sky view with an apartment building would have a negative impact on the community by destroying public view of the sky.

I also disagree with the statement "therefore, implementation of the proposed project would not result in significant shade or shadow impacts to nearby residential uses. The shade and shadow study prepared by CRTKL is seriously flawed, a 65 foot tall structure will cast a shadow in the easterly and westerly directions during sunrise and sunset during the spring and fall equinox, only the winter solstice was studied. This study proposes a shadow less than the building height. A study of the spring and fall equinox would prove Expensive shadows would be cast on the residential properties to the east and west of the proposed development.

#### 4.1.10 cumulative impacts

I disagree with the statement "approval of the general plan amendment and zoning amendment would render the proposed project consistent with the city's establish development standards and no mitigation would be required." The existing zoning has been adopted by the residents for years and has been relied on by the residents to protect the integrity of the community. Allowing the general plan amendment and the zoning map amendment to change the zoning from CG to specific plan would cause long-term environmental impacts to the community. If this project is approved there will be a landslide of similar developments that will forever change the density of the community, this is evidenced by the recent development at Bella Terra and downtown Huntington Beach. This project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment. This project is not compatible with the long-term established development standards in the area.

#### 4.2.3.1 air pollutants and health effects

The draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim California, approximately 10 miles from the proposed development.

As stated in the initial study "occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease." The air quality study fails to consider the proposed development and the residents who will be living in the proposed development. Bolsa Chica Street and Warner Avenue are both 3 lane major highways that produce a significant amount of emissions. The study should consider the effect of these emissions on the people who will be living in the proposed development. As stated in the environmental impact report "high-volume roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentration." Obviously, this site is not suitable for senior housing due to the proximity of the high-volume roadways.

#### Table 4.7.B: Gen. plan consistency analysis ERC-A

I disagree with the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities." The proposed project does nothing to maintain the current Park per capita ratio of 5.0 acres per 1000 persons, the proposed development does not include any public open space for parks.

We trust the city of Huntington Beach will not allow the certification of the environmental impact report and deny this project for the reasons stated above.

I-46-19  
cont.

Thank you,  
  
sincerely

**From:** Tricia Rose Simpson <triciarosesimpson@gmail.com>  
**Sent:** Wednesday, June 14, 2023 2:35 PM  
**To:** timschultz@impactaesthetics.com; kaylencks5@gmail.com; meeshryan@gmail.com; Magnoliac@gmail.com; Song@lavishclothinginc.com; breanna@apex-careers.com; jbonwit@earthlink.net; linda@lidointeriors.com  
**Cc:** Brian Thiens <Briant@thieneseng.com>; falangetti@me.com; debi@debimurray.com; jmurrayHB@gmail.com; celestelyonmaccr@gmail.com; macer4337@aol.com; jotoole@ocvibe.com; pattym@saftco.com; paulm@saftco.com; bfalangetti@gmail.com; ronit@cohtalent.com; ari.m.cohn@gmail.com  
**Subject:** Huntington Beach Senior Living Proposal / corner of Warner & Bolsa Chica

Good afternoon,

As most of you are aware, a developer has a proposal in with the city of HB for a five-story senior living apartment complex to be built at the corner of Warner & Bolsa Chica. We will strongly be opposing this project.

Brian is in the process of reviewing the Environmental Impact Report and will be sending you an email explaining why this project would not be good for our community. He will also let you know what we can do as a community to try and keep this proposal from being approved by the city.

Once you receive his email please feel free to forward it to anyone who would be interested in opposing this project.

Thank you,  
Marcie Zeller

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**MARCIE ZELLER**

Comment Code: I-46

Date: June 15, 2023

**Response to Comment I-46-1**

This comment is introductory and requests the commenter be listed as an interested individual and receive all future correspondence, technical information, and hearing notices related to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**Response to Comment I-46-2**

This comment expresses objections to the proposed General Plan Amendment, Zoning Map Amendment, increase in allowable Floor Area Ratio (FAR), and increase in the maximum building height. The comment also states that the proposed project's inconsistency with the City's zoning will cause significant physical environmental impacts to the surrounding neighborhood.

Refer to Response to Comment I-33-3 above.

**Response to Comment I-46-3**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not result in significant and unavoidable adverse impacts to the existing environmental setting" as the proposed project would create a precedent for similar future development. The comment also states that the proposed project should study the long-term cumulative impact of increasing development density, the lack of required parking and effect on adjoining street parking. The comment further states that the EIR should study the long-term effects on sewer capacity and water capacity associated with future similar development in the area. The comment states that the EIR failed to provide a sewer capacity and water capacity study.

Refer to Response to Comment I-33-4 above.

**Response to Comment I-46-4**

This comment expresses disagreement with the alternative project and states that an alternative project could be proposed at the project site that complies with the existing adjacent zoning and is consistent with the surrounding community.

Refer to Response to Comment I-33-5 above.

**Response to Comment I-46-5**

This comment expresses disagreement with the EIR's conclusion that "the no project alternative would result in greater environmental impacts to air quality and transportation impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site." The comment also states that a zoning change at the project site similar to adjacent

properties would result in less impacts than the proposed project while still achieving the City's goal of providing senior housing.

Refer to Response to Comment I-33-6 above.

#### **Response to Comment I-46-6**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would not conflict with relevant goals and policies in terms of preserving the visual quality in the City" as the proposed project would exceed the existing zoning standards pertaining to height at the project site. The comment also states that the proposed 65-foot-tall building is incompatible with the scale and character of the adjoining land uses.

Refer to Response to Comment I-33-7 above.

#### **Response to Comment I-46-7**

This comment reiterates the concern that the proposed project would cause a significant environmental impact due to a conflict with the existing land use plan and that development of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts to the environment and the surrounding infrastructure.

Refer to Response to Comment I-33-8 above.

#### **Response to Comment I-46-8**

This comment expresses disagreement with the EIR's conclusion that "the proposed project would have less than significant impacts associated with electric power and natural gas" as implementation of the proposed project would lead to similar future development in the area, which would result in significant cumulative impacts related to the availability of electric power and natural gas.

Refer to Response to Comment I-33-9 above.

#### **Response to Comment I-46-9**

This comment expresses disagreement with the EIR's conclusion that the project would "not create a source of substantial light or glare" as security and patio lighting on the fifth floor of the proposed community would be visible by the entire neighborhood. The comment also stated that the EIR did not evaluate lighting spillover into the wetlands and that the proposed building elevations show improperly shielded exterior lighting fixtures.

Refer to Response to Comment I-33-10 above.

#### **Response to Comment I-46-10**

This comment states that Bolsa Chica Road and Warner Avenue lack sufficient storm drain facilities to capture current runoff from the east, which results in flooding of the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events. The comment also states that the existing parking lot on the project site serves as an incidental detention basin that helps protect adjacent

properties from flooding. The comment states that the EIR failed to analyze the impact of construction of the existing parking lot which would reduce available ponding space resulting in flooding of adjacent properties and increased flooding at the intersection of Bolsa Chica Street and Dunbar Avenue during normal rain events.

Refer to Response to Comment I-33-11 above.

#### **Response to Comment I-46-11**

This comment expresses disagreement with the EIR's conclusion that "the proposed project does not include recreational facilities nor require the construction of expensing of recreational facilities that would result in a significant adverse physical effect to the environment, therefore project related impacts with respect to recreation are not evaluated further in this Draft EIR" as there is insufficient parking proposed as part of the project based on existing zoning. Insufficient parking, specifically insufficient parking for the estimated 110 employees, would result in excessive street parking which would impact the parking availability for visitors of the Ecological Reserve.

Refer to Response to Comment I-33-12 above.

#### **Response to Comment I-46-12**

This comment expresses disagreement with the EIR's conclusion that "therefore, impacts related to the construction of wastewater treatment or collection facilities would be less than significant" as the Orange County Sanitation District's recent updates to the sewer force mains and lift stations were designed to meet the needs of development under existing zoning, and could not have taken into consideration the change in zoning of the project site. The comment also expresses concern over the cumulative impacts associated with implementation of future developments of this scale on the city's sewer system. The comment states that the EIR failed to provide an adequate sewer and water capacity study.

Refer to Response to Comment I-33-13 above.

#### **Response to Comment I-46-13**

This comment expresses disagreement with the EIR's conclusion that "given the current visual quality of the project site, implementation of the proposed project consistent with the development standards and design guidelines specified in the specific plan would promote a cohesive community identity and enhance the visual quality of the project site to viewers on and off-site." The comment states that the proposed building height of 65-feet would block the view of the skyline from the public right-of-way and would have a negative impact on the community.

Refer to Response to Comment I-33-14 above.

#### **Response to Comment I-46-14**

This comment expresses disagreement with the EIR's conclusion that "therefore, implementation of the proposed project would not result in significant shade or shadow impact to nearby residential uses" as the Shade Studies prepared by CRTKL do not analyze the shadows cast by the proposed

building during the spring and fall equinoxes on the residential properties to the east and west of the proposed project.

Refer to Response to Comment I-33-15 above.

**Response to Comment I-46-15**

This comment expresses disagreement with the EIR's conclusion that "approval of the General Plan Amendment and Zoning Amendment would render the proposed project consistent with the City's established development standards and no mitigation would be required" as the proposed project is not compatible with the existing established development standards in the area. The comment states that approval of the General Plan Amendment and Zoning Amendment would result in long-term environmental impacts to the community and development of the proposed project would lead to similar future development in the area. The comment states that the project should evaluate the cumulative impact of all sites of similar nature that would be subject to redevelopment.

Refer to Response to Comment I-33-16 above.

**Response to Comment I-46-16**

This comment states that the Draft EIR failed to study the air quality in the vicinity of the project and used air quality data from Anaheim, California, approximately 10 miles away from the project site.

Refer to Response to Comment I-33-17 above.

**Response to Comment I-46-17**

This comment expresses concern with health impacts associated with poor air quality on the future residents of the proposed senior living community due to the project site's proximity to the highly trafficked Bolsa Chica Street and Warner Avenue.

Refer to Response to Comment I-33-18 above.

**Response to Comment I-46-18**

This comment expresses disagreement with the General Plan consistency analysis for Policy ERC-A regarding the maintenance of the current park per capita ratio of 5.0 acres per 1,000 persons and the statement "these recreational and open-space elements would be for private use by residents and not open to the public but are anticipated to reduce the strain on surrounding parks and open spaces as residents would be more likely to use the on-site facilities". The comment states that the proposed project does not maintain the current park per capita ratio as the proposed project does not include any public open space for parks.

Refer to Response to Comment I-33-18 above.

### **Response to Comment I-46-19**

This comment concludes the letter and reiterates opposition to the proposed project. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.



**From:** [GEORGE MACER](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Subject: Re: proposed Bolsa Chica Senior Living Community Project, SCH No. 2022110040 Located at 4952 and 4972 Warner Avenue, Huntington Beach  
**Date:** Thursday, June 15, 2023 3:57:54 PM

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I-47-1

Mr. Beckman:

We are residents of Brightwater, very close to the above proposed project.

We strongly oppose this community project as it will certainly negatively impact our community

Sent from my iPhone

## GEORGE MACER

Comment Code: I-47

Date: June 15, 2023

### **Response to Comment I-47-1**

This comment is introductory and expresses opposition to the proposed project as it would negatively impact the community. The comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR. No further response is required.

**From:** [Alison Meyer](#)  
**To:** [Beckman, Hayden](#)  
**Subject:** Re: Senior living at bolsa chica and Warner  
**Date:** Friday, June 16, 2023 8:07:49 AM

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Sent from my iPhone

> On Jun 12, 2023, at 11:20 AM, Alison Meyer <cookinkitty@icloud.com> wrote:

>

> Mr Beckmann

> I have lived in my home which is 2 blocks from that corner for 28 yrs. is the city of H B insane ????? Or greedy this is the most unnecessary project ever proposed !!!the impact on our already crowded community has the neighbors up in arms . No one wants this ridiculous project to be here . Would you want this next to your home??? Greedy developers

> It makes me sick we were all here before it's not fair to any of the local residents. The traffic is insane on Warner the infrastructure can't handle this density build it by the senior center on goldenwest there's plenty of open land there to develop i along with all my neighbors are vehemently against this project going through if seniors want to live near the beach move to leisure world. Please please please stop this stupidity...

> Alison Meyer

>

>

> Sent from my iPhone

I-48-1

## ALISON MEYER

Comment Code: I-48

Date: June 16, 2023

### Response to Comment I-48-1

This comment expresses opposition to the proposed project. The comment states that transportation infrastructure on Warner Avenue cannot accommodate the additional traffic resulting from implementation of the proposed project and suggests the proposed project be built next to the senior center on Goldenwest Street.

Refer to Section 2.1.2, Transportation/Traffic, for the Master Response to comments regarding the concern that development of the proposed project would increase congestion in the surrounding circulation system.

Given the developed nature of the City, there are limited properties that would be suitable in terms of size and availability for development of the proposed project. The Huntington Beach Senior Center located at 18041 Goldenwest Street is surrounded by existing recreational resources including Huntington Beach Central Park, the Huntington Beach Disc Golf Course, the Huntington Beach Sports Complex, and the Huntington Beach Central Park Equestrian Center, as well as other community centers such as the Shipley Nature Center and the Huntington Beach Central Library. There is currently no undeveloped “open land” available for development adjacent to the Huntington Beach Senior Center; therefore, this is not a feasible alternative location for the proposed project. No further response is required.

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