

Banning Ranch **Defenders**



Patrick J. Alford, Planning Manager
City of Newport Beach, Community Development Department
3300 Newport Boulevard
P.O. Box 1768
Newport Beach, California 92658-8915

Dear Mr. Alford:

Thank you for the opportunity to comment on a draft environmental impact report (DEIR) (State Clearinghouse No. 2009031061) for the proposed Newport Banning Project. These comments are submitted on behalf of the Banning Ranch Defenders (BRD) organization.

The Banning Ranch Defenders is an organization that is working to preserve the entire parcel of coastal open space. The BRD has concerns that the proposed development will devastate the rich and abundant biological habitat, increase adverse traffic congestion through the streets of Costa Mesa, and the heights of the higher density portions of the Village Colony building are too high thus restricting and sealing off sights, sounds, smells and breezes of the Pacific Ocean from Westside Costa Mesa residents.

We support the option as identified in the city of Newport Beach's General Plan which is to maintain 100% of Banning Ranch as open space.

Biological

As documented by top biologists Banning Ranch is an area where many species of interests that are protected and Environmentally Sensitive Habitat Areas (ESHA) exist. This species include the California Gnatcatcher, Least Bell's Vireos , Cactus Wren and the Burrowing Owl. It should be noted that the developers, to no surprise, have denied the existence of the Burrowing Owl on the Banning Ranch property, however, evidence overwhelmingly indicates that the Burrowing Owls to thrive on the land.

The Banning Ranch property is vital to coastal scrub habitat and encelia scrub. This coastal scrub is essential to the survival of the California Gnatcatcher. Due to the illegal mowing that has been occurring on Banning Ranch, the aforementioned coastal and encelia scrub was disturbed. It is this organization's opinion that the mowing was conducted to eliminate any and all habitat; therefore, the developers could argue the property is a barren wasteland and not the thriving ecosystem that it actually is.

The city of Newport Beach and the developers are not in compliance with the California Coastal Act which states all ESHA's must be fully protected. The proposed Bluff Road and other proposed roads will either fragment, or entirely destroy the ESHA's that exist on the property. This devastation is the reason why the California Coastal Commission correctly denied any and all permits for the first section of Bluff Road and Sunset Ridge Park.

Traffic

Placentia and Victoria Avenues cannot accommodate any increase in vehicular traffic. An estimated 34,000 vehicle trips per day will be added to our streets. An estimated 75% of project trips will be routed through Costa Mesa. The Westside of Costa Mesa is the only area regionally that does not have cut-through traffic. 15th, 16th, and 17th streets may require widening, in order to accommodate the increased traffic flow. 17th and 19th streets, in Costa Mesa, already have low LOS standards. The increase of traffic to these intersections will result in Level-of-Service standard F.

While the Newport Banning LLC has downplayed the 19th Street bridge being necessary for project; the bridge is still on the Orange County Master Plan of Arterial Highways.

The continuing problems with the SR-55 and Newport Boulevard will not be cured in the near future. Current estimates have any major improvements on the SR-55 not occurring before 10-15 years. Therefore, the SR-55 cannot accommodate satisfactorily any increase in traffic loads.

Building Heights

The higher density portions of the development are to be abutted next to Costa Mesa. Height requirements are 60' which equates to 4 to 5 story buildings. This higher density phase is being called the "Urban Flats" however there is nothing "flat" about the project as it is a mountain sized building. Due to the height, width, and length of the building it will block the ocean views, smells, sounds and breezes of the Pacific Ocean. Costa Mesa is working to revitalize its Westside and is dependent on the views of the ocean.

Truly,

Chris Bunyan
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