

## Comments Pertaining to Draft EIR- Banning Ranch



**Newport Heights Improvement Association**

and Donald Krotee

Tuesday, November 08, 2011

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These comments are made on behalf of Newport Heights Improvement Association, a c-3 not for profit California Corporation, and all who join and consult with it. The Corporation is afforded the protections under the laws of the State of California and the corporate protections and strengths offered it by the laws of the United States of America. The comments made herein are offered and sent before the deadline of 5pm, November 8, as indicated in the City of Newport Beach's CEQA notice signed 9-6-11.

The comments ask that the City respond to each inquiry/interrogatory/ comment with a CEQA and or legal response as the implications of each question provide foundation and guidance for the State's CEQA environmental process but, also for the future remedies affecting this Association, and all that join it, in all regard to this development of land and any significant impacts associated with that development. The responses to each comment shall be offered for each alternative. The following are those comments:

1. The traffic from auto travel across the intersections at Newport Boulevard and into Newport Heights will most probably bring school children to Newport Heights Elementary, Ensign Middle School and Newport Harbor High School. Show the impacts to each intersection.
2. In regard to the same traffic, provide a statement from the Newport Mesa Unified School District indicating their plans to receive those students and the current student population(s).
3. In regard to the same traffic, based on that statement and any other data accumulated or relevant, provide a before and after accounting using the 2003-2005 ADT computed as part of the St. Andrews development, wherein the City provided a public record of the then current ADT across the neighborhood of Newport Heights.
4. In regard to the same traffic, compare the cumulative development totals projected under the project and show the actual ADT acquired with all other contemporary public record data gathering that the City may have, in the general project area.
5. In regard to density and aesthetics, show clearly the architectural and massing impact to all adjacent development with site cross sectional drawings (or view simulations) showing the typical heights of such densities and the manner in which the projected developments will be

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constructed. Compare to any and all existing development that borders the development. For example, if larger densities might require 4 or more stories over two levels of sub-terranean parking (to achieve reasonably a stated density), show sample existing developments achieving those densities and show cross sectional drawings next to the proximity of the existing development showing the impact of each density above 20 units per acre for each of the following:

- a. Loss of light
  - b. Comparative height as it impacts aesthetics
  - c. general size difference
  - d. Sound and noise
  - e. The 'onto site views' from Pacific Coast Highway, Hoag Memorial Hospital and all intersections on the development.
6. In regard to the environmental maintenance and the continuing expense of it's upkeep, for all alternatives, show the amount of resources committed by the developer for the next 10 years, for the reasonable maintenance and stewardship of all items intended to be serviced, the cost of that service, any personnel contemplated in regard to the reasonable maintenance of all remaining open space.
  7. In regard to natural habitat, please state the distance from which all development must respect or stay from any of the many natural habitats shown in the EIR. Please provide these distances in table form for each species experiencing impact.
  8. In regard with the CEQA *development of alternative*, provide an explanation for or the lack of a development alternative of 'no development'. In consideration of present economic circumstances and the real value of the property. The value and expense of acquiring the land shall be provided examination as contributing to the selection of an alternative in CEQA and be examined based on the current real assessment of land value and not aged estimates.