

# METRO EAST

# MIXED USE OVERLAY ZONE

Final Environmental Impact Report  
SCH No. 2006031041

*Volume I*  
Metro East Mixed Use Overlay Zone

*Prepared for*  
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# Preface

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This document, in its entirety (Volumes I and II), constitutes the Draft Environmental Impact Report (Draft EIR) for the Metro East Mixed Use Overlay Zone (Overlay Zone) and the First and Cabrillo Towers project. All “projects” within the State of California are required to undergo an environmental review to determine the environmental impacts associated with implementation of the project in accordance with the California Environmental Quality Act (CEQA).<sup>1</sup> CEQA was enacted in 1970 by the California Legislature to disclose to decision makers and the public the significant environmental effects of proposed activities and the ways to avoid or reduce the environmental effects by requiring implementation of feasible alternatives or mitigation measures. CEQA applies to all California government agencies at all levels, including local agencies, regional agencies, and state agencies, boards, commissions, and special districts. As such, the City of Santa Ana is required to conduct an environmental review to analyze the potential environmental effects associated with the Proposed Project. The City is the lead agency for the preparation of this Draft EIR in accordance with CEQA.

This Metro East Mixed Use Overlay Zone EIR is composed of two volumes. They are as follows:

**Volume I Metro East Mixed Use Overlay Zone EIR and Technical Appendices**—This volume describes the existing environmental setting in and around the proposed mixed use overlay zone; analyzes the potential impacts on that setting due to implementation of Metro East; identifies mitigation measure that could avoid or reduce the magnitude of significant impacts; evaluates cumulative impacts that would be caused by the project in combination with other future projects or growth that could occur in the region; analyzes growth-inducing impacts; and provides a full evaluation of the alternatives to the proposed project that could eliminate, reduce, or avoid project-related impacts.

**Volume II First and Cabrillo Tower EIR and Technical Appendices**—This volume provides project-specific analysis of the First and Cabrillo Towers, a component of the Metro East Mixed Use Overlay Zone. This volume describes the existing environmental setting on the First and Cabrillo Towers project site and in the vicinity of that project site; analyzes the potential impacts on that setting due to construction and operation of the First and Cabrillo Towers; identifies mitigation measures that could avoid or reduce the magnitude of significant impacts; evaluates cumulative impacts that would be caused by the project in combination with other future projects or growth that could occur in the region; analyzes growth-inducing impacts; and provides a full evaluation of the alternatives to the proposed project that could eliminate, reduce, or avoid project-related impacts.

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<sup>1</sup> CEQA, Public Resources Code (PRC), §21000 et al., 2006.

## REVIEW PROCESS

Due to necessary modifications to the Overlay Zone, two versions of the Initial Study/Notice of Preparation (IS/NOP) were circulated for public review. The first IS/NOP was circulated for a 30-day public review period from March 10, 2006 to April 10, 2006. A Community Information and EIR Scoping Meeting for the proposed project was also held on March 20, 2006 at Remington Elementary School. The second IS/NOP public review period was conducted between September 5, 2006 and October 4, 2006. Comments, both written and verbal, that were received during both the public review periods were incorporated into the analysis of this EIR and are included as Appendix A to Volume I.

This Draft EIR for the Metro East Mixed Use Overlay Zone, including First and Cabrillo Towers, was issued on December 22, 2006, and is currently circulating for public review and comment for a 45-day period schedule to end on February 5, 2007. Although not required by CEQA or the *CEQA Guidelines*, a Public Meeting for the EIR to discuss and take public comment regarding the proposed project is scheduled for January 22, 2007 at 5:30 p.m. at the Santa Ana City Hall Council Chambers (22 Civic Center Plaza in Santa Ana).

## TYPE OF EIR/RELATIONSHIP BETWEEN VOLUMES I AND II

The Metro East Mixed Use Overlay Zone is a land use plan that guides the physical development within the boundaries of the Overlay Zone. It is not an implementation plan, and adoption of the Overlay Zone does not constitute a commitment to any specific project, construction schedule, or funding priority. Rather, it provides for an alternative to an existing office and commercial zoning designations in the area that may result in mixed-use/residential development if property owners wish to exercise the provisions of the Overlay Zone. Each development proposal undertaken during the planning horizon of the Overlay Zone must be approved individually by the City of Santa Ana Planning Department, the City Planning Commission, and the City Council, in compliance with CEQA. Therefore, the Metro East Mixed Use Overlay Zone EIR is a program-level environmental assessment that evaluates the effects of implementation of the entire Overlay Zone. The environmental assessment for the Overlay Zone is provided in this volume (Volume I) of the Metro East Mixed Use Overlay Zone EIR.

As previously described, preparation of the Overlay Zone converged with a project-specific proposal, First and Cabrillo Towers, to provide a mixed use development on the northwest corner of First Street and Cabrillo Park Drive. The proposed First and Cabrillo Towers development is described in detail, including the project-specific environmental analysis, in Volume II of the Metro East Mixed Use Overlay Zone EIR.

With respect to individual development projects that may be proposed during the Overlay Zone planning horizon, Section 15168(c) of the CEQA Guidelines states that subsequent activities should be examined in light of the Program EIR to determine whether additional environmental documentation must be prepared. If a later activity would have effects that were not examined in the Program EIR, subsequent environmental documentation must be prepared, consistent with Sections 15162 through 15164 of the CEQA Guidelines. If no new effects would occur and no new mitigation measures would be required,

the subsequent activity could rely on the scope of the environmental analysis provided in the Program EIR, and no additional environmental documentation would be required.