



# City of Downey

FUTURE UNLIMITED

## INITIAL STUDY FOR NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

### I. INTRODUCTION:

**1. Project Title:**

City Ventures @ Lakewood and Gallatin – PLN-12-00100

**2. Lead Agency Name and Address:**

City of Downey  
Community Development Department, Planning Division  
11111 Brookshire Avenue  
Downey, CA 90241

**3. Contact person and phone number:**

David Blumenthal, Senior Planner -- (562) 904-7155

**4. Project Location:**

Northwest corner of Lakewood Blvd and Gallatin Road @ 8605 Gallatin Road. Refer to Exhibit 'A' for location map.

**5. Property Owners and Representatives:**

Property Owner: Ford Motor Credit Company  
C/O Dealer Status  
9930 Federal Dr  
Colorado Springs, CO 80921

Applicant: City Ventures  
Attn: Joe Oftelie  
1900 Quail St  
Newport Beach, CA 92266

**6. General Plan Designation:**

Existing: General Commercial

Proposed: Medium Density Residential

**7. Zoning:**

Existing: C-2 (General Commercial)

Proposed: R-3 (Multi-Family Residential)

**8. Description of project:**

PLN-12-00100 – General Plan Amendment, Zone Change, Tentative Tract Map, Site Plan Review, and Planned Unit Development, a request to: 1) Change the General Plan Land Use Designation from General Commercial to Medium Density Residential; 2) Rezone the property from C-2 (General Commercial) to R-3 (Multi-Family Residential); and 3) Subdivide the lot and construct 46 townhomes, swimming pool, and cabana in a gated community. Refer to Exhibit 'B' for site plan.

**9. Description of project site (as it currently exists):**

The 2.6 acre site consists of four separate parcels that are assembled in somewhat of a 'U' shape. The site was formally used for motor vehicle sales, repair, and storage. The site is currently improved with a 2,010 square foot sales office that was built in 1939 and a 4,725 square foot automotive repair building that was built in 1995. Both buildings are located on the north side of the site. Other than the buildings and landscape setbacks that are adjacent to the north property line, Lakewood Blvd and Gallatin Road, the site is void of vegetation and covered with asphalt concrete paving. Refer to Exhibit 'C' for existing site photographs and aerial photograph.

**10. Description of surrounding properties:**

**North:** On the north side of the subject site is a single parcel that has a General Plan Land Use Designation of Medium Density Residential and is zoned R-3 (Multi-Family Residential). The site is improved with a 104 unit apartment building. Beyond this apartment complex is the I-5 freeway.

**West:** On the west side of the subject site is four parcels that have a General Plan Land Use Designation of Medium Density Residential and are zoned R-3 (Multi-Family Residential). Each of these parcels is improved with apartment buildings that have a combined total of 172 dwelling units.

**South:** The south side of the site is bordered by Gallatin Rd. Across Gallatin Rd is the former Downey Lincoln Mercury dealer. The site is improved with an approximate 62,000 square foot building. This site has a General Land Use Designation of General Commercial and is within the C-2 (General Commercial) zone.

**East:** The east side of the site is bordered by Lakewood Blvd. Across Lakewood Blvd is a multi-tenant shopping center that has approximately 85,000 square feet of leasable area. The shopping center contains retail stores, office space, and restaurants. This site has a General Land Use Designation of General Commercial and is within the C-2 (General Commercial) and P-B (Parking Buffer) zones.

**Corner:** Due to the shape of the parcel, the site wraps around two parcels on the northwest corner of Lakewood and Gallatin. One parcel is improved with a restaurant and the other is improved with an office building. Both parcels have a Land Use Designation of General Commercial and are within the C-2 (General Commercial) zone.

**11. City Characteristics:**

The City of Downey is 12.8 square mile community that is located in the southeastern part of Los Angeles County. According to the State of California Department of Finance estimates, on January 1, 2012, the population of the City of Downey is 112,201 persons. The City of Downey is located about 12 miles southeast of downtown Los Angeles and is bounded by: the Rio Hondo River on the west; Telegraph Road on the north; the San Gabriel River on the east; and Gardendale Street and Foster Road on the south. Cities bordering Downey include: Pico Rivera on the north and Santa Fe Springs on the northeast, Norwalk on the east, Bellflower and Paramount on the south, South Gate on the southwest and west and Commerce on the northwest.

Regional access to and from the City of Downey is provided by the Santa Ana (I-5) Freeway; Glen Anderson Freeway (I-105) Freeway; the San Gabriel River Freeway (I-605) Freeways; and the Long Beach Freeway (I-710); and MTA Green Line Light Rail passenger train services at the Lakewood Boulevard station.

12. **Other public agencies whose approval is required:** (e.g., permits, financing approval, or participation agreement.)

None

**II. ENVIRONMENTAL CHECKLIST OF POTENTIALLY AFFECTED ISSUES:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist in section III.

- |   |  |
|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Land Use and Planning       |
| <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Mineral Resources           |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Noise                       |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Population and Housing      |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Public Services             |
| <input type="checkbox"/> Geology and Soils                  | <input type="checkbox"/> Recreation                  |
| <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Transportation/Traffic      |
| <input type="checkbox"/> Hydrology & Water Quality          | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance |  |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or “potentially significant unless mitigated”. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature:   
 David Blumenthal, Senior Planner  
 for the City of Downey

Date: July 25, 2012

### III. DISCUSSION OF ENVIRONMENTAL EVALUATION

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and answers are provided according to the analysis undertaken as part of the Initial Study. They outline the following issues:

- |                                    |  |
|------------------------------------|--|
| 1. Aesthetics                      | 10. Mineral Resources                  |
| 2. Agriculture Resources           | 11. Noise                              |
| 3. Air Quality                     | 12. Population and Housing             |
| 4. Biological Resources            | 13. Public Services                    |
| 5. Cultural Resources              | 14. Recreation                         |
| 6. Geology and Soils               | 15. Transportation and Traffic         |
| 7. Hazards and Hazardous Materials | 16. Utilities and Service Systems      |
| 8. Hydrology and Water Quality     | 17. Mandatory Findings of Significance |
| 9. Land Use and Planning           |  |

The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

1. **No Impact.** Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.
2. **Less Than Significant Impact.** The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.
3. **Potentially Significant Impact Unless Mitigated.** The development will have the potential to generate impacts which will have a significant effect on the environment; however, mitigation measures will be effective in reducing the impacts to levels that are less than significant.
4. **Potentially Significant Impact.** Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. AESTHETICS.</b> Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Response:**

**(a and b):** The City of Downey is an urban environment with no scenic vistas or scenic highways.

**(c):** The site is currently vacant automotive dealership. Approval of the project will allow a new 46 unit townhouse development to be constructed, which will include enhancing the streetscape on Lakewood Blvd and Gallatin Rd. No impact is expected since the project will upgrade the existing visual character or quality of the site and its surroundings.

**(d):** New lights will be added to the site as part of the project; however, it is not anticipated that the amount of light from the site would affect views in the area. Nevertheless, the City of Downey Municipal Code Section 9520.06 prohibits the lights from illuminating other properties or the public right-of-way. Since the Municipal Code provides these restrictions, no additional mitigation is needed.

**2. AGRICULTURE RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use or a Williamson act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a through c):** The City of Downey is an urbanized area that is mostly built out with only infill development potential. There are no agricultural lands within the City’s boundaries. Furthermore, the City’s General Plan (Vision 2025) does not include provisions for agricultural uses in the future. While the City has a variety of zoning districts, in which agricultural uses are only allowed in the Open Space (O-S) zone. This property does not serve as agriculture land or contain Open Space zoning

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a through c):** Short term air quality impacts can be anticipated from construction equipment operating on the site and dust created during grading operations. Nevertheless, these impacts are considered less than significant due to the short term nature of the construction, construction equipment is already required to comply with the California Air Resource Board’s (CARB) regulations, and all construction activity is subject to the South Coast Air Quality Management District’s (SCAQMD) regulations regarding fugitive dust. Furthermore, the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, includes several mitigation measures intended to reduce air quality impacts from construction. Since these mitigation measures are already required on the construction, no additional mitigation is required.

Long term air quality impacts are not typically anticipated from the 46 dwelling units. In considering this, the only known potential source of air pollution comes from the increase in vehicle trips to and from the site. It is anticipated that the project will generate a maximum 267 average daily vehicle trips, which is considered insignificant in comparison to the amount of vehicles that currently travel on Lakewood Blvd, Gallatin Rd, and the I-5 Freeway. Accordingly, these impacts are considered less than significant.

**(d):** Sensitive receptors include day care centers (adult & child), schools, hospitals, churches, rehabilitation centers, and long-term care facilities (i.e. assisted living facilities). A review of the area shows that there are sensitive receptors, including two schools (Gallatin Elementary & Edith Unsworth Elementary) and a park (Dennis the Menace) within ¼ mile of the subject site. While short-term construction impacts can occur to the sensitive receptors, the FEIR for the General Plan Update contains several mitigation measures intended to reduce these types of air quality impacts. Since these mitigation measures are already required on the construction, no additional mitigation is required.

**(e):** Residential dwelling units do not typically create objectionable odors; as such not impact is anticipated.

**4. BIOLOGICAL RESOURCES.** Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Department of Fish and Game or U.S. Fish and Wildlife Service?				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources? (i.e. tree preservation ordinance).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a through f):** The City of Downey is an urbanized area that is mostly built out with only infill development potential. According to the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, there are no known species identified as a candidate, sensitive, or special status species; no known wetlands; and no known native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or native wildlife nursery sites within the City. Furthermore, the City of Downey does not have any local policies or ordinances protecting biological resources, nor is there any adopted Habitat Conservation, Natural Community Conservation, or other approved local, regional or state habitat conservation plans.

**5. CULTURAL RESOURCES.** Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines 5064.85?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 5064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a):** The subject site contains two structures, one of which is over 70 years old. A review of the aerial

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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photographs of the site show that prior to being converted to a commercial site, the property was use as a residential development. Notwithstanding this, there is no known event in history that occurred at the site that would qualify it for historical preservation. Furthermore, the architecture of the buildings is not unique nor does it represent an illustrative sample of a particular architectural style. As such, no impacts to historical resources are anticipated.

**(b and c):** Archaeological and/or paleontological resources are not typically encountered within the City of Downey and there are no known archaeological or paleontological resources on the site. Nevertheless, should any be discovered on the site, the applicant is required to comply with the provisions set forth Section 15064.5 of Title 14, Chapter 3 of the California Code of Regulations (CEQA Guidelines).

**(d):** Since burials within the City of Downey have occurred in the Downey Cemetery since the late 1880's, human remains are not typically encountered during construction. Nevertheless, should any be discovered on the site, the applicant is required to comply with the provisions set forth Section 15064.5 of Title 14, Chapter 3 of the California Code of Regulations (CEQA Guidelines).

**6. GEOLOGY AND SOILS.** Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

2) Strong seismic ground shaking?

3) Seismic-related ground failure, including liquefaction?

4) Landslides?

b. Result in substantial soil erosion or the loss of topsoil?

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d. Be located on expansive soil, as defined in the California Building Code, creating substantial risks to life or property?

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of water?

**Response:**

**(a1 though a3):** The City of Downey is not located within an Alquist-Priolo Earthquake Fault Zone. Nevertheless, the City, like much of Southern California, is located in an area that is considered seismically active. The nearest known fault to the City is the Whittier fault, which is approximately 5 miles from the City's boundaries. According to the Southern California Earthquake Data Center, the maximum probable earthquake that can be generated by the Whittier Fault is a magnitude 7.2.

This impact is considered to be less than significant since, the Final Environmental Impact Report (FEIR) that

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, includes a mitigation measure that requires all construction is required to be designed and built to the seismic safety standards set forth in the Building Code, which will minimize the risk of loss, injury, or death due to seismic activity. No additional mitigation measures are required.

**(a4):** The City of Downey is relatively flat with no landslides being anticipated.

**(b):** Long term loss of topsoil and/or soil erosion is not expected since the entire site will be improved with the dwelling units, streets, or landscaping. Moreover, construction activities are required to incorporate Best Management Practices (BMP's) to prevent soil erosion during construction.

**(c and d):** Prior to the issuance of building permits, the applicant is required to submit a soil and geological report. Said report shall demonstrate how the project will mitigate any soil stability issued, including lateral spreading, subsidence, liquefaction, and expansive soils.

**(e):** The City of Downey is an urban area that is served by a sanitary sewer system. New septic tanks are prohibited within the City.

**7. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				
<b>Response:</b>				
<b>(a through c):</b> Approval of the proposed project will allow the construction of 46 residential dwelling units on the subject site. Use, transportation, storage, and/or emission of hazardous material are not associated with the construction or occupancy of residential dwelling units. As such, no impacted is anticipated.				
<b>(d):</b> Government Code Section 65962.5 requires the State of California Department of Toxic Substance Control to maintain a list of known sites that contain hazardous waste and substances (Cortese List). On July 24, 2012, the City consulted the Cortese List (found at <a href="http://www.envirostor.dtsc.ca.gov/public/">http://www.envirostor.dtsc.ca.gov/public/</a> ), in which it was noted that the subject site is not listed.				
<b>(e and f):</b> The City of Downey is not located within an airport land use plan nor is it within two miles of an airstrip.				
<b>(g):</b> Emergency response and/or evacuation plans may utilize both Gallatin Rd and Lakewood Blvd. While the construction of the 46 units may require partial road lane closures, they will not need to close the entire street, nor will the construction create a significant traffic back-up which could hinder first responders. As such, any impact created by construction will be considered less than significant.				
<b>(h):</b> The City of Downey is within an urbanized area in the southeast portion of Los Angeles County. There are no wild lands within the vicinity.				

**8. HYDROLOGY AND WATER QUALITY.** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Place housing within a 100-year flood hazard area as   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a through f):** The proposed project, as with all construction within the City of Downey, is required to comply with the National Pollution Discharge Elimination System (NPDES). This includes retaining storm water from the impervious areas created by the project and allowing it to recharge into the ground. By retaining the water on site, there will be no violations to water quality standards, no additional impact to the storm water system, and no alterations to existing drainage patterns from the site and surrounding area.

**(g and h):** Pursuant to Flood Zone Map No. 0606450005A, as revised on January 11, 2002, the subject site is in Zone X, which is a 500-year flood zone. Accordingly, impacts from a 100-year flood event are not anticipated.

**(i):** The subject site, as with most of the City, is located between the San Gabriel River and the Rio Hondo Channel. According to the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, both of these flood control channels have been designed to meet or exceed the discharge capacity for a 100-year flood. Furthermore, the FEIR notes that there are no concerns with a potential levee break on either channel.

**(j):** The City of Downey is relatively flat and is not located near a dam, lake, or ocean. As such, impacts from a seiche, tsunami, or mudflow are not anticipated.

**9. LAND USE AND PLANNING.** Would the project:

a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a):** The subject site is within a fully developed area of the City of Downey and was formally used for automotive uses (sales, repair, and storage). Surrounding land used include residential, retail, restaurant, and office. The construction of the 46 units will not create an impediment to the surrounding community and will not block access to the surrounding sites. As such, no impact is anticipated.

**(b):** The proposed 46 unit development will be consistent with the proposed General Plan Land Use Designation and zone. Furthermore, the proposal includes a Planned Unit Development application, which is intended to allow a more flexible method whereby appropriately located land areas can be developed employing more

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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innovative and imaginative land planning concepts than would be possible through the strict application of conventional zoning and subdivision regulations. It is with this flexibility that the proposed project will meet all intent and purposes of the zoning code. In any case, the proposed project will not prevent the implementation of regulations that are intended to mitigate environmental impacts.

**(c):** The City of Downey is an urbanized area that is fully developed with only a few sites for infill development available. There are no habitat conservation plans or natural community conservation plans that have jurisdiction over the area.

**10. MINERAL RESOURCES.** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Response:**

**(a and b):** The subject site was currently improved with a vacant automotive dealership, with no known mineral resources on the site. Accordingly, approval of the project will not result in the loss of any mineral resources with local, regional, or State-wide importance.

**11. NOISE.** Would the project result in:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Response:**

**(a through d):** During the grading and construction phase of the project, increases in noise are anticipated. These increases are considered to be less than significant due to the short term nature of the impact.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Nevertheless, project conditions should limit the hours of construction from 7:00 a.m. to 7:00 p.m., Monday through Friday, thereby avoiding the noise impacts to surrounding residences on the weekend. Even though, long term noise impacts are not anticipated from the homes, all noise generated from the site is subject to the restrictions set fourth in Municipal Code Section 4600 et. Seq.

**(e and f):** The City of Downey is not located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip.

**12. POPULATION AND HOUSING.** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Response:**

**(a):** The proposed project is to construct 46 new homes on the subject site. According to the 2010 Census, the average household size for the City of Downey is 3.48 persons per unit. The potential population growth that may result by this project should not exceed 160 people. By any reasonable means of consideration, this is not considered a substantial growth in a city with a population of over 100,000 persons. As such, any potential impact is considered less than significant.

**(b and c):** The subject site is currently improved with a vacant automotive dealership and does not have any housing. Therefore, the proposed project will not displace existing housing or people.

**13. PUBLIC SERVICES.**

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                          |                          |                                     |                                     |
| 1) Fire protection?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2) Police protection?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3) Schools?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 4) Parks?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5) Other public facilities?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Response:**

**(a1):** Fire protection in the area is provided by the City of Downey Fire Department, who has reviewed the project. It was the determination that the existing fire services have sufficient capacity to accommodate the proposed project and will not require new or altered facilities.

**(a2):** Police protection in the area is provided by the City of Downey Police Department, who has reviewed the project. It was the determination that the existing police services have sufficient capacity to accommodate the proposed project and will not require new or altered facilities.

**(a3):** An insignificant amount of growth will occur as a result of the construction of the 46 units, and as such is not expected to significantly increase the demand on the school system. Nevertheless, the developer is required to pay school impact fees, which the school district has adopted to mitigate any unknown impacts. No additional mitigation is required.

**(a4):** The project includes a shared recreation facility (pool and cabana) that will be available to all residents of the development. Even though no significant growth will occur as a result of this project, the shared facility will mitigate any potential impacts to the City’s parks.

**(a5):** The project is located in a fully developed area of the City of Downey. All other public facilities are in place and have sufficient capacity to accommodate any minimal growth resulting from the project.

**14. RECREATION.**

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Response:**

**(a and b):** The project includes a shared recreation facility (pool and cabana) that will be available to all residents of the development. Even though no significant growth will occur as a result of this project, the shared facility will mitigate any potential impacts to the City’s parks and other recreational facilities.

**15. TRANSPORTATION/TRAFFIC.** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a, b, and d):** As part of the application submittal, the applicant prepared a traffic study, which was reviewed and approved by the City’s Traffic Engineer. This traffic study included analyzing potential impacts at four separate intersections (Lakewood @ Gallatin, Lakewood @ southbound I-5 off ramp, Lakewood @ northbound I-5 off ramp, & Gallatin @ Brookshire) and at Gallatin at the project entrance. The report concluded that the proposed project will not have an impact on existing traffic. In fact, the report showed that the Level of Service for these intersections, when projected forward to 2035, is the same with or without the project.

**(c):** The project will not alter existing air traffic patterns or create additional air traffic

**(e):** Emergency access to the site will be provided through the main access on Gallatin and a secondary access (emergency access only) on Lakewood Blvd. The Fire Department has reviewed the access points and on site circulation for emergency vehicles and has determined that there will be no impact.

**(f):** Parking requirements for multi-family dwelling units is two spaces for each unit and ½ space per unit for guest parking. Considering the 46 units being proposed, the project requires 115 parking spaces, which is what the applicant is proposing.

**(g):** Gallatin Rd is currently constructed at its maximum right-of-way width; however, additional street dedication is required along Lakewood Blvd. The design of the proposed project included all required dedication along the Lakewood Blvd right-of-way so the project is not expected to impact adopted policies, plans, or programs supporting alternative transportation.

**16. UTILITIES AND SERVICE SYSTEMS.** Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?				
f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**(a and g):** The proposed project is within a fully developed urban community. All water, sewer, storm water, and solid waste services are provided directly or through contracts by the City of Downey. The existing systems are in place and have sufficient capacity to accommodate the proposed 46 unit development.

**17. MANDATORY FINDINGS OF SIGNIFICANCE.**

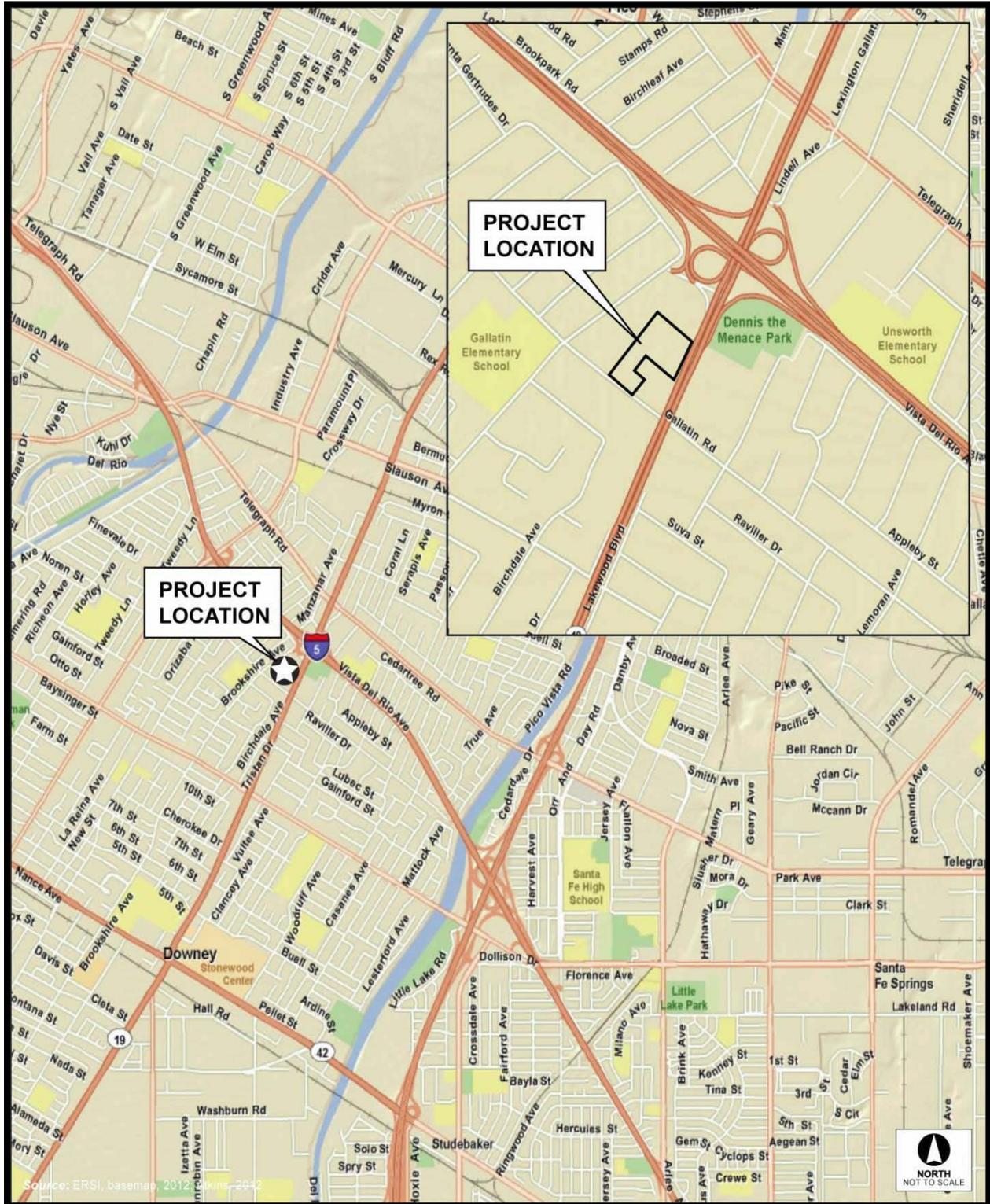
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? “Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

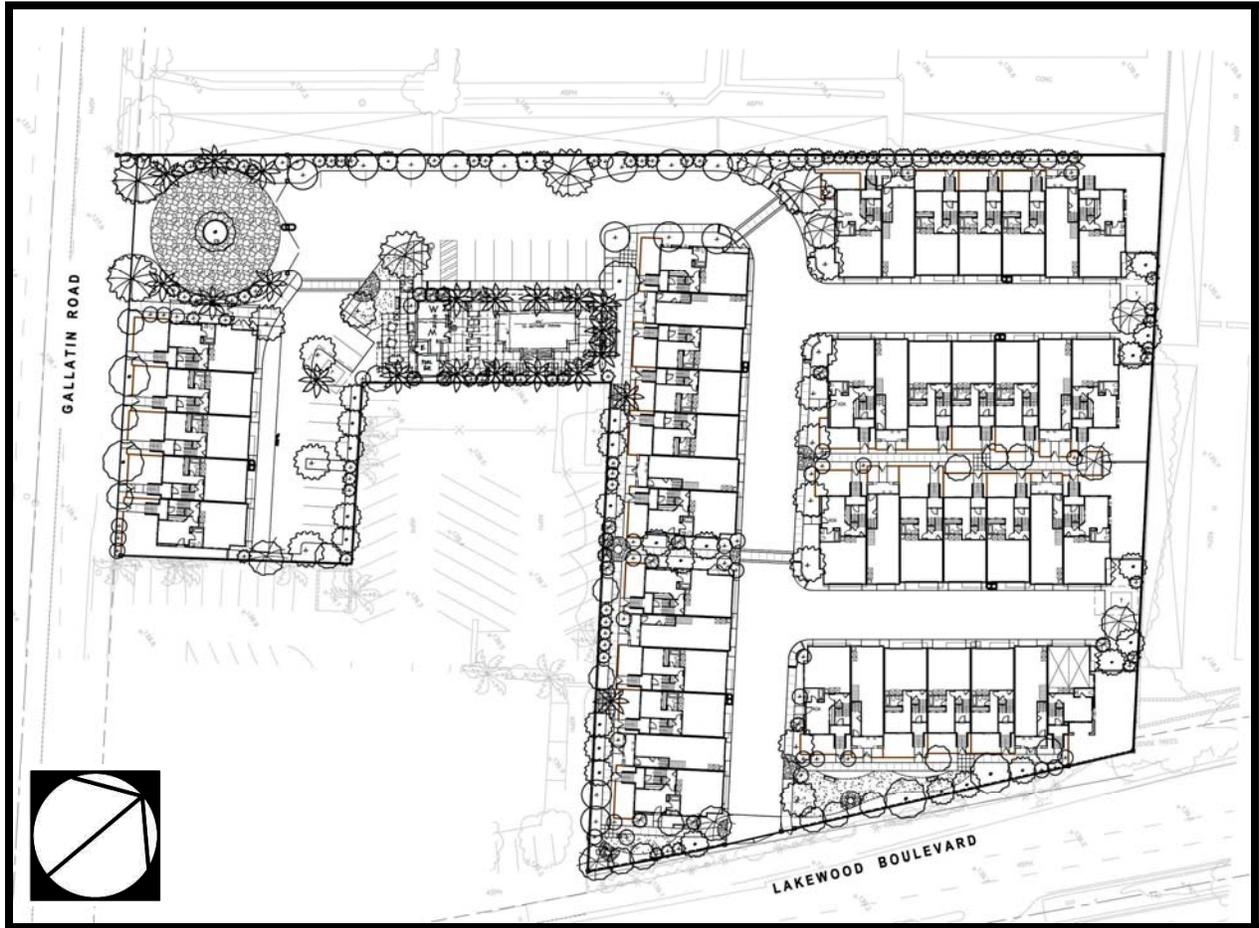
**(a):** The City of Downey is an urbanized area that is mostly built out with only infill development potential. According to the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update (SCH #2004031159), which was certified on January 25, 2005, there are no known species identified as a candidate, sensitive, or special status species. Additionally, there are no known wetlands, as defined by Section 404 of the Clean Water Act, within the City. As such, the proposed project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

**(b and c):** Based on the analysis contained within this initial study, the proposed project is not anticipated to create a significant impact. When considered with past, current, and other proposed projects in the City, it is unlikely that the project will contribute towards any cumulative impact. Therefore, the project will not cause a substantial adverse effects on human beings, either directly or indirectly

### Exhibit 'A' Location Map



### Exhibit 'B' Site Plan



### Exhibit 'C' Site Photographs





