

**INITIAL STUDY FOR MITIGATED
NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
PLN-14-00239**

PROJECT NAME: The Commons at Gallatin Road

PROJECT LOCATION: 9516 Lakewood Blvd, Downey, CA 90240

PROJECT APPLICANT: Kin Wa Yung
Yung Architects
166 West Pomona Ave
Monrovia, CA 91016

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

Contact: David Blumenthal, Senior Planner
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PUBLIC REVIEW PERIOD: April 30, 2015 to May 20, 2015

This Negative Declaration and Initial Study Checklist have been prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Section 15000, et seq.).

Written comments regarding this Negative Declaration shall be made to the Lead Agency listed above prior to 5:00 p.m. on the last day of the Public Review Period.

SECTION I. INTRODUCTION**1. Description of project:**

The proposed project will demolish all existing structures on the site to accommodate two new restaurant buildings. The first building, which is located near the center of the site, contains 12,144 square feet of floor area. It is intended for a single restaurant use. The second building, which is located on the northwest corner of the site, is a 6,000 square foot building that is intended for three restaurant uses. A 4,000 square foot plaza on the east side of this building can accommodate outdoor dining for the patrons of the businesses. A drive-thru lane along the north and west side of this building serves one of the uses within this building. In addition to the new buildings, the proposed project includes 242 parking spaces and 22,108 square feet of landscaping.

2. Project Site:

The subject site is 3.53-acre rectangular shaped parcel that is located on the southeast corner of Lakewood Blvd and Gallatin Road. The parcel has a 489 foot frontage along Lakewood Blvd and a 160 foot frontage along Gallatin Road. Vehicle and pedestrian access to the site is available through multiple drive approaches on both Lakewood Blvd and Gallatin Rd. The property has a General Plan Land Use Designation of General Commercial. The majority of the parcel is zoned C-2 (General Commercial); however, the eastern 20' and southern 60' of the parcel are zoned P-B (Parking Buffer).

The project site was formerly occupied by a new car dealership (Downey Ford), which ceased operation in 2009. The original buildings were constructed in 1956 with additional buildings being added during the 1960's and 1970's. The site is currently developed with five buildings that include showroom, offices, and repair facilities. The total existing building area is 27,500 square feet. The remainder of the site is paved and was previously used for vehicle storage and display area.

3. Surrounding Properties:

The east and south sides of the project site are bounded by a single-family residential neighborhood. Specifically, there are seven homes on the east side of the site and three homes on the south side. The rear property line of each of these abuts to the subject site. These homes, as well as the entire neighborhood beyond, are zoned R-1 10,000 (Single-Family Residential) and have a General Plan Land Use Designation of Low Density Residential.

The north side of the site is bounded by Gallatin Road. Across Gallatin Road (northeast corner of Lakewood and Gallatin) is 'The Marketplace at Gallatin Road', a multitenant shopping center. Uses within the center include a grocery store (Ralphs), offices, restaurants, and a variety of retail uses. This property is zoned C-2 (General Commercial) and P-B (Parking Buffer) and has a General Plan Land Use Designation of General Commercial.

The west side of the project site is bounded by Lakewood Blvd. Across Lakewood is a vacant new car dealership. However, the City of Downey has a pending project for this site called 'Downey Crossroads'. The Downey Crossroads project involves demolishing more than half of the existing buildings and conducting a façade and interior renovation

to prepare for future retail uses. Furthermore, a new 3,186 square foot drive-thru restaurant will be constructed on the southeast corner of the site. This property is zoned C-2 (General Commercial) and P-B (Parking Buffer) and has a General Plan Land Use Designation of General Commercial.

On the northwest corner of Lakewood Blvd and Gallatin Rd is commercial development that includes a restaurant and a small office building. This commercial development is surrounded by a 46 unit townhome development. The commercial development is zoned C-2 (General Commercial) and has a General Plan Land Use Designation of General Commercial; whereas the residential development is zoned R-3 (Multi-Family Residential) and has a General Plan Land Use Designation of Medium Density Residential.

4. City Characteristics:

The City of Downey is 12.8 square mile community that is located in the southeastern part of Los Angeles County. The State of California Department of Finance estimated that City's population is 113,363, as of January 1, 2014. 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.

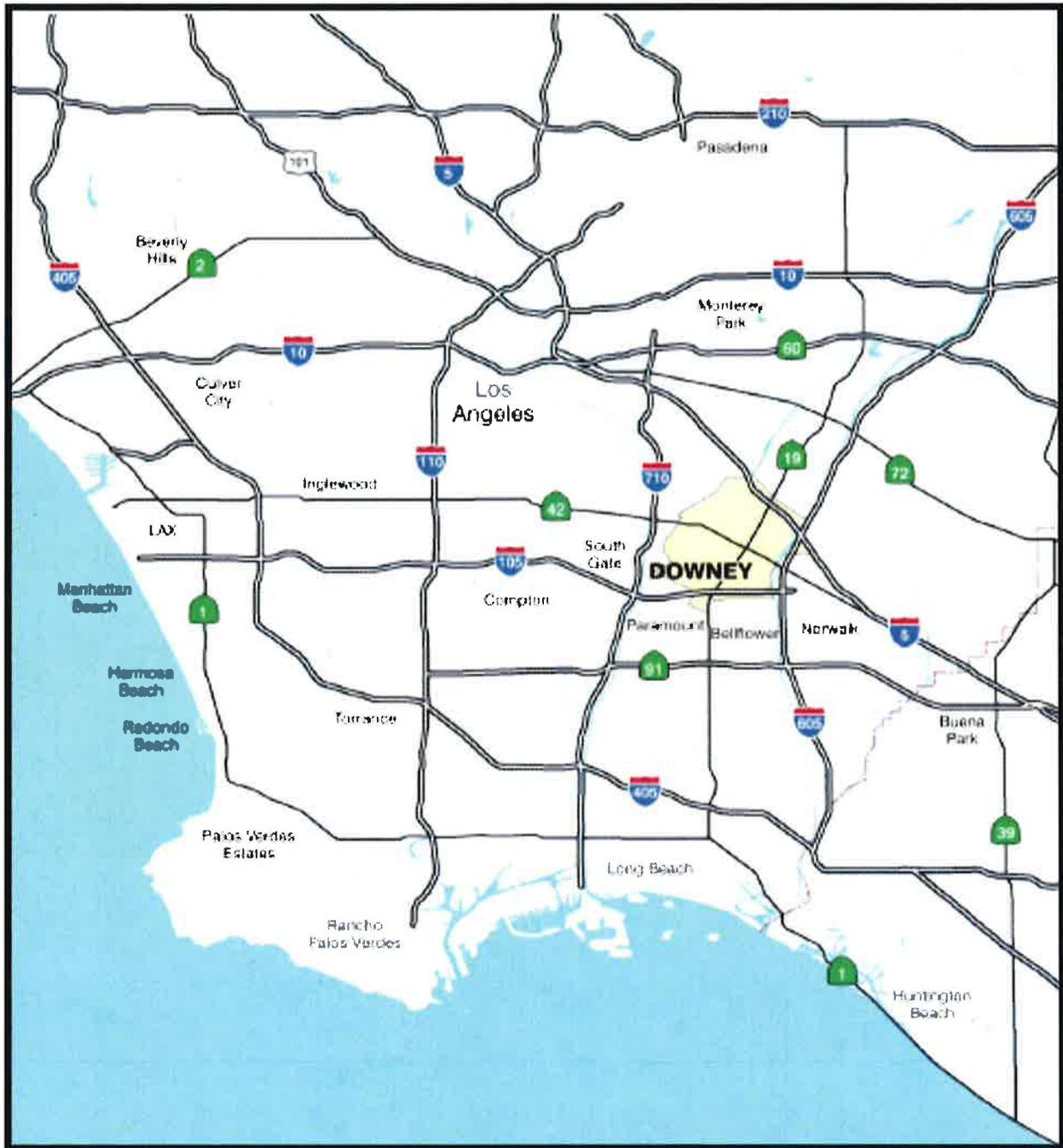
Regional access to and from the City of Downey is provided by the Santa Ana (I-5) Freeway; Glen Anderson Freeway (I-105) Freeway; the San Gabriel River Freeway (I-605) Freeways; and the Long Beach Freeway (I-710); MTA Green Line Light Rail passenger train services at the Lakewood Boulevard station, and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

The City of Downey is a Charter City with most municipal services being provided directly by the City. This includes City Police and Fire services, as well as, Planning, Building, Housing, Economic Development, Parks and Recreation, Library, and Public Works. Additionally, the City of Downey oversees operation of the Downey Civic Theater, the DowneyLINK Transit System, and the Farmer's Market.

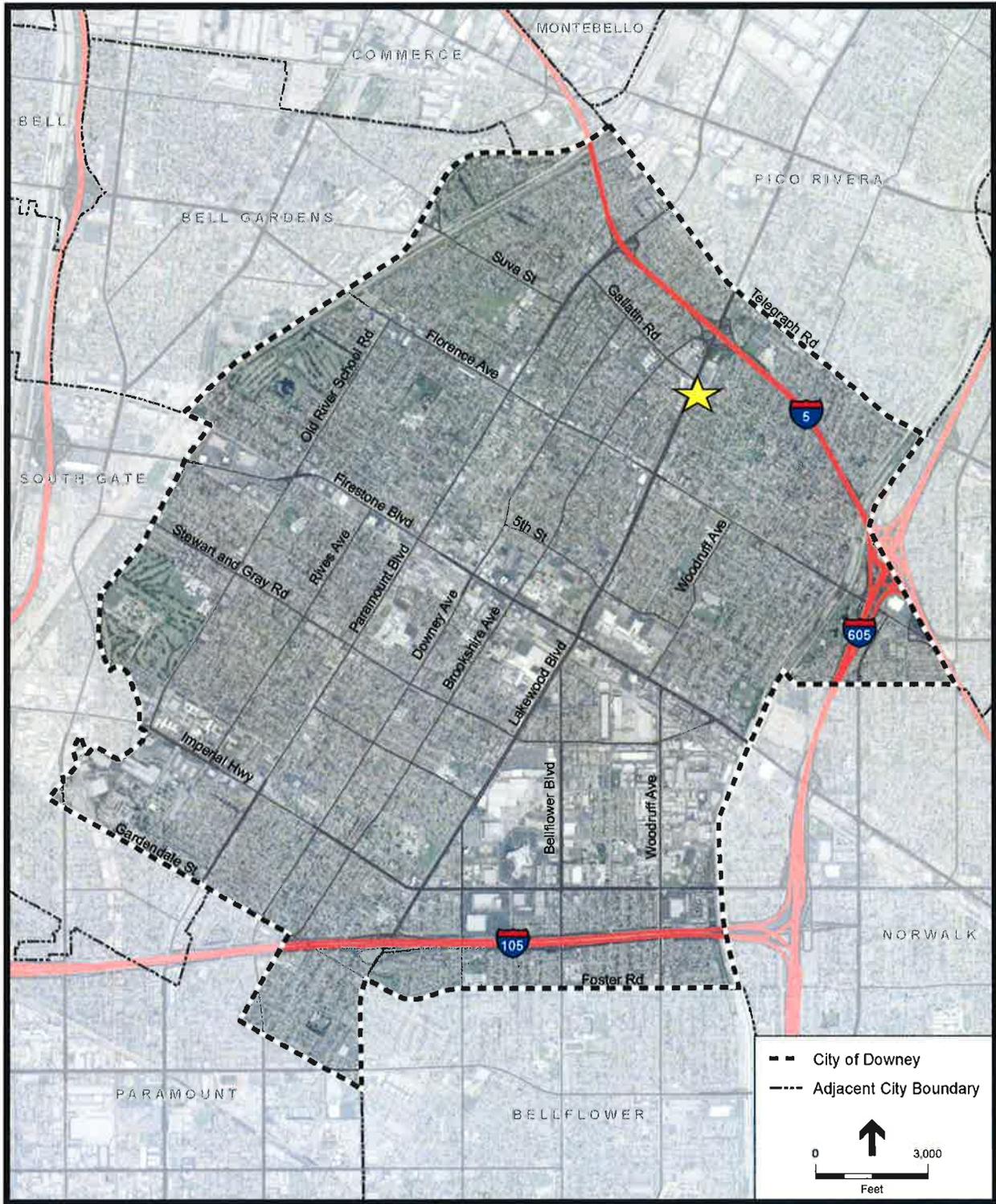
5. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement.)

None

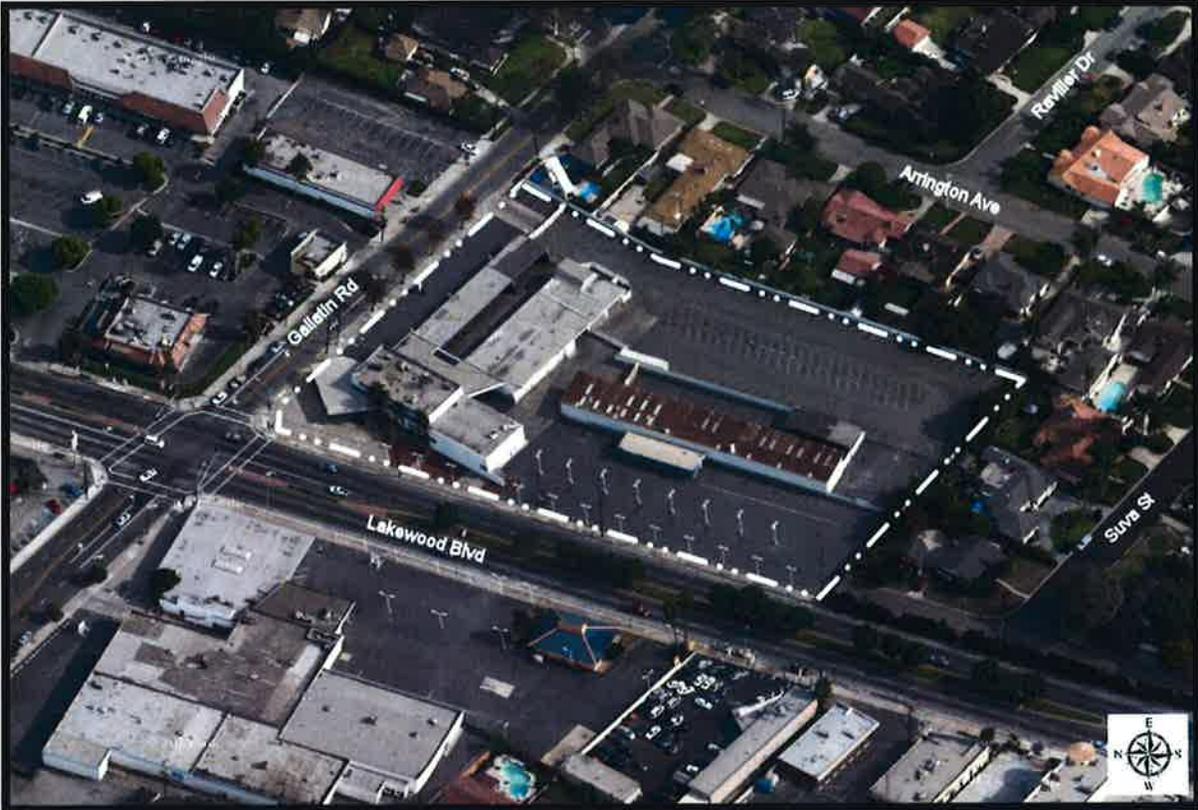
6. Location Map:



City of Downey Location in Regional Context



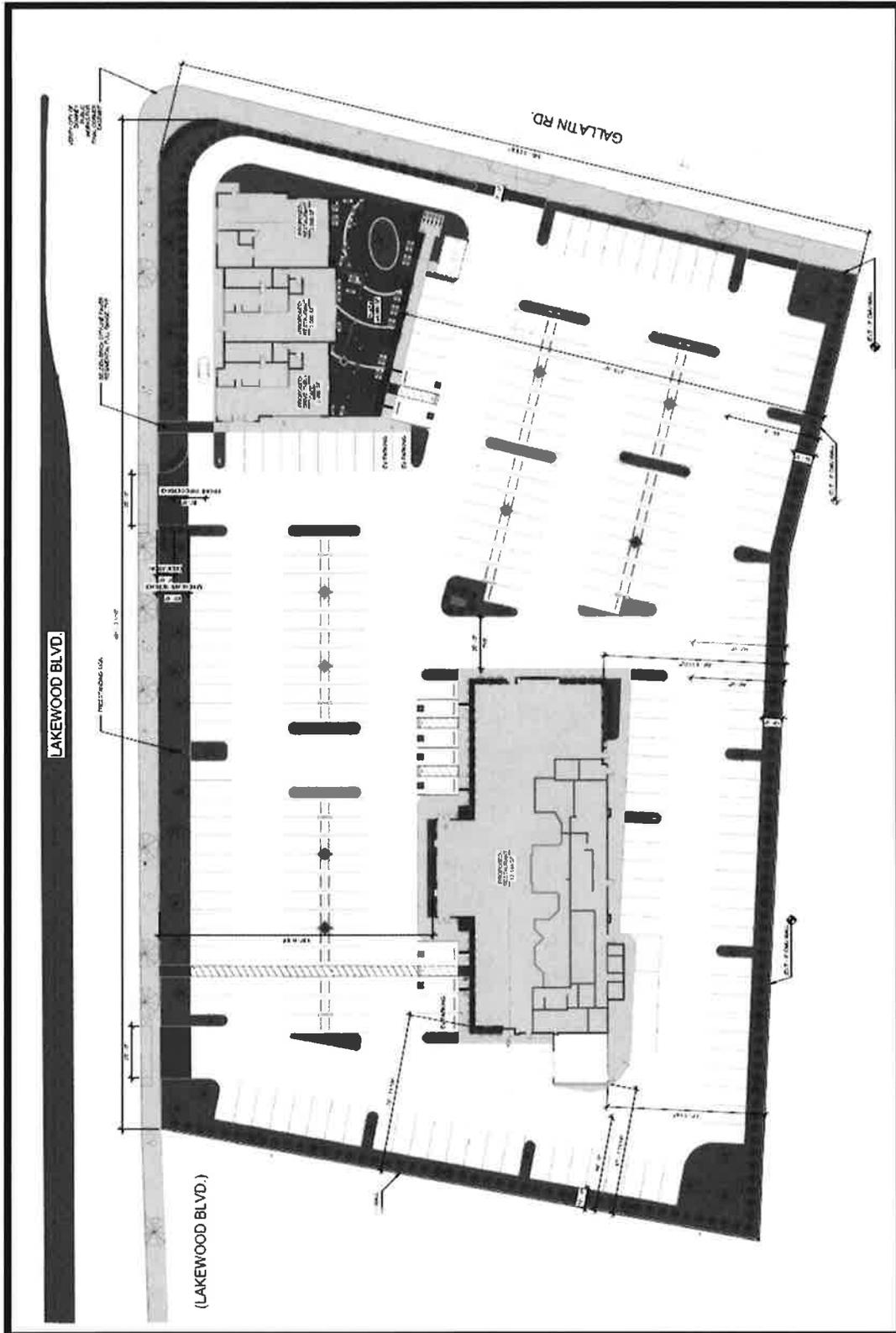
Project Location



Aerial Photograph



Site Photograph



Site Plan

**SECTION II. ENVIRONMENTAL FACTORS
POTENTIALLY AFFECTED**

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 checked="" type="checkbox"/> Air Quality | <input checked="" 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"/> Greenhouse Gas Emissions | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Hydrology & Water Quality | <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: April 23, 2015

SECTION III. INITIAL STUDY CHECKLIST AND 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
1. AESTHETICS. 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"/>

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a and b): No impact. The City of Downey, which is located in southeast Los Angeles County, is an urban environment. There are no scenic vistas, scenic resources or scenic highways within the City boundaries or any visible from within the City.¹ No impact would occur.

(c): No Impact. The proposed project will replace a former automotive dealership that ceased operation in 2009. The project uses traditional design elements (stucco, stone veneers, simulated wood) in a combination with contemporary elements (offset mullions, sloped roofs, steel awnings) to create an aesthetically pleasing architecture style. When taken in conjunction with the proposed landscape design, the site will provide an overall improvement to the area and the streetscape.

(d): No Impact. The proposal will remove all existing flood lights from the site and use new LED lights for the parking lot and building illumination. The LED lights provide the benefit of site lighting, while minimizing glare and light spillage. A photometric study was prepared as part of the application submittal. The study shows no light spillage from the on-site lighting onto the adjoining properties or public right-of-way.

Mitigation Measures:

None 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) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004 p. 8-1.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) 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, b and e): No impact. 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. The project will have no impact on converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. Furthermore, the City’s General Plan (Vision 2025) does not include provisions for agricultural uses in the future. While the City does have a variety of zoning districts, agricultural uses are only allowed in the Open Space (O-S) zone. The subject site is neither within or adjacent to the O-S zone. Therefore, no impacts to agricultural resources would occur with implementation of the proposed project.

(c): No impact. The City of Downey is an urbanized area that is mostly built out with only infill development potential. There are no forest or timberland lands within the City’s boundaries. Therefore the project will not conflict with existing zoning for, or cause rezoning of, forest land,² timberland,³ or timberland zoned Timberland Production.⁴

(d): No impact. The City of Downey is an urbanized area that is mostly built-out with only infill development potential. There are no forest lands within the City’s boundaries. Therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest use.

Mitigation Measures:

None Needed

3. AIR QUALITY. 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 type="checkbox"/>	<input checked="" 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"/>

² As defined in Public Resource Code 12220(g)

³ As defined in Public Resource Code 4526

⁴ As defined in Government Code Section 51104(g)

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a): No impact. The proposed project is located in the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is the regional agency responsible for air quality regulations within the SCAB including enforcing the California Ambient Air Quality Standards (CAAQS) and implementing strategies to improve air quality and to mitigate effects from new growth. The SCAQMD, in association with the California Air Resources Board (CARB) and the Southern California Association of Governments (SCAG), is responsible for preparing the Air Quality Management Plan (AQMP) that details how the region intends to attain or maintain the state and federal ambient air quality standards. The Final 2012 AQMP describes the SCAQMD's plan to attain the federal fine particulate matter less than or equal to 2.5 microns (µm) in diameter (PM_{2.5}) and 8-hour ozone (O₃) standards. Although the SCAQMD cannot directly regulate mobile source emissions, the Final 2012 AQMP requires the use of cleaner (as compared to "baseline") in-use (i.e., existing) off-road (i.e., non-highway) equipment. In 2007, CARB adopted a regulation to reduce diesel particulate matter and nitrogen oxides (NO_x) emissions from in-use (existing) off-road heavy-duty diesel vehicles. Consistency with the 2012 AQMP is determined when a project: (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation; (2) is consistent with the growth assumptions in the AQMP; and (3) does not conflict with the implementation of any of the control measures or strategies adopted in the AQMP. The purpose of the AQMP is to bring an area into compliance with the requirements of Federal and State air quality standards. The consistency review is as follows:

1. The project will result in short-term construction related pollutant emissions less than the CEQA significance emissions thresholds established by the SCAQMD, as determined in Response No. 3(b) below. Therefore, the project will not result in an increase in the frequency or severity of an air quality standards violation and will not cause a new air quality standard violation.
2. The project does not include a residential component that would result in any population growth and is consistent with the General Commercial land use designation. Therefore, the project is consistent with the growth assumptions utilized in the AQMP.
3. The pollution control strategies of the 2012 AQMP are mainly concerned with technologically based means of reducing emissions from mobile and stationary sources. Many of the control strategies are plans to develop regulations and rules that will specify future requirements for activities to reduce pollutant emissions. Examples of control strategies include increased industrial PM emissions control through baghouses, wet scrubbers, and other devices, volatile organic compounds (VOC) reductions in lubricants, and the light- and medium-duty vehicle high-emitters identification program to reduce NO_x and VOC emissions. There are no control strategies that are applicable to the project.

Based on this consistency analysis, no impact is anticipated relating to conflicts with the Air Quality Management Plan.

(b and c): Less than significant impact. Short-term air quality impacts can be anticipated from construction activities, although the proposed project does not anticipate violating any air quality standard or contribute substantially to an existing or projected air quality violation. All construction equipment is required to comply with CARB regulations, and construction activity is subject to the SCAQMD regulations. The California Clean Air Act, signed into law in 1988, established the CAAQS; all areas of the state are required to achieve and maintain the CAAQS by the earliest practicable date. Regions of the state that have not met one or more of the CAAQS are known as nonattainment areas, while regions that meet the CAAQS are known as attainment areas. The

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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proposed project would be located in the Los Angeles County sub-area of the SCAB. Los Angeles County is designated as a state nonattainment area for O₃, PM_{2.5}, and lead. The SCAQMD publishes thresholds of significance for these pollutants.⁵

In addition to the construction equipment operating at the site, the project will involve grading to prepare the site for construction of the buildings. In order to avoid significant impacts by stock-piling or transporting this soil, fugitive dust measures shall be addressed. This activity is subject to the regulations under SCAQMD's Rule 403 for fugitive dust control, which includes BMP's to mitigate fugitive dust from construction sites. Furthermore, the Final Environmental Impact Report (FEIR) that was prepared for the Downey Vision 2025 Comprehensive General Plan Update, which was certified on January 25, 2005, includes several mitigation measures intended to reduce air quality impacts from construction⁶. Since these mitigation measures are already required on the construction, no additional mitigation is required. Significant air quality impacts are not typically anticipated from the operation of the restaurants on the site.

(d): No impact. 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 indicates that sensitive receptors are within ¼ mile of the project site. Nevertheless, the operation of a restaurant does not create significant source of pollutants, let alone a pollution concentration.

(e): No impact. Projects that involve offensive odors may be a nuisance to a wide number of neighboring uses, including businesses, residences, sensitive receptors, and public areas. For example, heavy industrial projects, livestock farming operations, and food packaging operations involving high concentrations of vinegar or spices can create odors that have long term impacts to the neighbors. The proposed project will involve locating up to four restaurants on the site that will have food preparation. While the cooking of food can generate odors, it does not meet the objectionable odor threshold.

Mitigation Measures:

- AIR01:** The applicant shall comply with all mitigation measures contained in the City of Downey General Plan (Vision 2025) regarding air quality impacts.
- AIR02:** During construction, the applicant shall comply with all BMP's contained in SCAQMD's Rule 403 for fugitive dust control.

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 Department of Fish and Game or U.S. Fish and Wildlife Service?

⁵ South Coast Air Quality Management District, Air Quality Significance Thresholds, March 2015

⁶ City of Downey, Mitigation Monitoring Program for the Comprehensive General Plan Update Draft EIR. July 2004 p. 4-3

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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): No Impact. According to the Environmental Impact Report prepared for the City of Downey General Plan⁷, there are no species identified as a candidate, sensitive, or special species in local, regional, state, or federal documents within the City of Downey. Furthermore, the subject site is fully developed, of which the little landscaping that exists on the site is strictly ornamental in nature.

(b): No Impact. There are no riparian habitats or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Moreover, the three river channels that are located within the boundaries of the City of Downey (Rio Hondo Channel, Los Angeles River, and San Gabriel River) are cement- or riprap-lined and support limited vegetation. These rivers are separated from the project site by miles of residential, industrial, and commercial developments.

(c): No Impact. Based on an April 2015 review of the National Wetlands Inventory, there are no protected wetlands in the immediate area of the project site.⁸

(d): No Impact. The movement of any native resident or migratory fish or wildlife species or established native resident migratory wildlife corridors, or the uses of native wildlife nursery sites have not been identified in the City of Downey.⁹ Accordingly, the project would not impact the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors.

⁷ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update EIR Initial Study, March 2004 p. C-18

⁸ Verified on U.S. Fish and Wildlife Services National Wetlands Inventory Map (<http://www.fws.gov/wetlands/Wetlands-Mapper.html>) on April 21, 2015

⁹ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Initial Study. March 2004. p. C-19.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(e): No Impact. The City of Downey does not have any local ordinance to protect biological resources. No impact would occur.

(f): No Impact. There is no adopted Habitat Conservation Plan, Natural Community Plan or other habitat conservation plan. No impact would occur.

Mitigation Measures:

None Needed

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): No impact. The original buildings on site were built in 1956, thus exceeding the 50 year threshold for historical significance. Nonetheless, in order to determine if a structure has historical significance, it must either be associated with a significant person or event in history. The 50 year time frame is used so sufficient time has passed to make the determination that the person or event has historical significance. There is nothing in the City records that indicate these structures are associated with any person or event that has a historical significance.

Another factor that can be used in determining historical significance is if the structure represents a unique architectural feature, design, or construction. The buildings are a mid-century modern architectural style, of which there are numerous examples in the City and surrounding area. Therefore, the project will have no impact on historical resources as defined in CEQA Guidelines Section 15064.5.

(b): No impact. The project site is previously disturbed, and there are no known archeological resources on it. The project will have no impact on the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. Notwithstanding this, should any archeological resources be discovered on the site, the applicant is required to comply with the provisions set forth in CEQA Guidelines Section 15064.5 regarding archaeological sites.

(c): No impact. The project site is previously disturbed, and there are no known paleontological resources on it. The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Notwithstanding this, should any be discovered on the site, the applicant is required to comply with the provisions set forth in CEQA Guidelines Section 15064.5 regarding paleontological sites.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(d): No impact. The project is not expected to disturb any human remains "since all burials in the City have occurred in the Downey Cemetery since the late 1880's".¹⁰ Thus, the project will not disturb any human remains, including those interred outside of formal cemeteries. Notwithstanding this, should any be discovered on the site, the applicant is required to comply with the provisions set forth in CEQA Guidelines Section 15064.5 regarding human remains sites.

Mitigation Measures:

None Needed

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 Table 18-1-B of 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 and c): Less than significant impact. The City of Downey is not located within an Alquist-Priolo Earthquake Fault Zone, as indicated on the zone map issued by the State Geologist for the area, nor is it expected to involve strong seismic ground shaking or seismic-related ground failure. Construction on the site will not involve significant changes in topography. Nonetheless, the City of Downey is located in an area considered to be seismically active, as is most of Southern California. Major active fault zones are located southwest and

¹⁰ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004 p. 8-2

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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northeast of the City, with the Whittier fault being the fault with the greatest potential to impact the project site. It is located approximately 4-5 miles northeast of the project site and is capable of a maximum moment magnitude of 7.2.¹¹ Since the site is not located within the boundaries of an Earthquake Fault Zone and no faults are known to pass through the property, surface fault rupture within the site is considered unlikely. Impacts are considered to be less than significant since all new construction is already required to comply with the existing seismic standards of the Building Code, which already mitigates any potential significant impact.

Liquefaction is a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. The possibility of liquefaction is dependent upon grain size, relative density, confining pressure, saturation of the soils, strength of the ground motion and duration of ground shaking. In order for liquefaction to occur, three criteria must be met: underlying loose, coarse-grained (sandy) soils; a groundwater depth of less than about 50 feet; and a nearby large magnitude earthquake. The susceptibility of soil to liquefy tends to decrease as the density of the soil increases and the intensity of ground shaking decreases. Strong ground shaking will also tend to densify loose to medium dense deposits of partially saturated granular soils and could result in seismic settlement of foundations and the ground surface at the project site. The Building Code requires that the applicant prepare a soils report for all new structures on the site. The soils reports will set design standards to address any potential negative impact from liquefaction. Since this is already a Code requirement, the impact is considered to be less than significant.

(a4): No impact. Topographically, the property is essentially planar, sloping gently at about a one to two percent grade for water runoff. Elevations in the area are approximately 140 feet above sea level. Overall, the City of Downey has a relatively flat topography and the possibility of landslides is typically unlikely. The project site is not within a potential earthquake-induced landslide hazard zone, and due to the low gradient of the site, seismically induced landsliding is nil. Implementation of the proposed project would not result in the exposure of people or structures to the risk of landslides during a seismic event.

(b): No impact. The project will not result in substantial soil erosion or the loss of topsoil. The potential for soil erosion on the project site is low due to the existing planar topography of the project site. Furthermore, the disturbed area for construction is considered to be minimal and all trenched areas will be restored with grass.

(d): No impact. Expansive soils are typically composed of certain types of silts and clays that have the capacity to shrink or swell in response to changes in soil moisture content. Shrinking or swelling of foundation soils can lead to damage to foundations and engineered structures including tilting and cracking. The proposed project would comply with current City Code and CBC requirements and would not affect foundations or result in other structural or engineering modifications that could increase exposure of people or structures to risk associated with expansive soils.

(e): No impact. The City of Downey is an urban area that is served by a sanitary sewer system. New septic tanks are prohibited within the City. Nevertheless, the proposed project does not include new plumbing facilities, thus now sewer connection will be required.

Mitigation Measures:

None Needed

¹¹ Southern California Earthquake Data Center (<http://scedc.caltech.edu/significant/whittier.html>), April 22, 2015

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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7. GREENHOUSE GAS EMISSION. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Response:

(a): Less than significant impact. Greenhouse gas (GHG) emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. While no single project of this scale could generate enough GHG emissions to noticeably change the global average temperature, it is the combination of GHG emissions from past, present, and future projects that contribute substantially to the phenomenon of global climate change and its associated environmental impacts, and as such, is addressed only as a cumulative impact. Implementation of the proposed project would not substantially contribute to increases of GHG emissions that are associated with global climate change.

A common source of GHG for development sites similar is through the production of electricity to power operations of the site. The proposed project will demolish 27,600 square feet of building area and construct 18,144 square feet of building area. The new construction will comply with the strict conservation requirements of the California Energy Code, which includes using higher efficiency appliances, windows, and installation. IN addition, the applicant has proposed to use LED lighting for all parking lot illumination, which will reduce energy consumption over the flood lighting previously used for parking lot illumination. Taking this into consideration, while the proposed project will generate some GHG, it will be significantly less than using the existing buildings. Therefore, the impact is considered to be less than significant.

(b): Less than significant impact. As discussed in Response No. 7(a) above, GHG emissions that would occur from the installation and operation of the proposed project would be less than significant. The City does not have local policies or ordinances with the purpose of reducing greenhouse gas emissions. However, the City is subject to compliance with the Global Warming Solutions Act (AB 32). Therefore, compliance with AB 32 would ensure a less than significant impact.

Mitigation Measures:

None Needed

8. 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"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through c): No impact. The proposed project involves construction of new buildings and operations of commercial uses. This would not involve the use, handling, or storage of any potentially hazardous materials, nor would it involve excavation that could potentially disturb contaminated soils or groundwater. As such, the project will not 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. In addition, there are no schools located or proposed within one-quarter mile of the project site. Therefore, the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

(d): No impact. The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.¹²

(e and f): No impact. The City of Downey is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, the project would not result in a safety hazard for people residing or working in the project area.

(g): No Impact. The site is not a defined staging/evacuation area on any adopted emergency response plan or emergency evacuation plan. Furthermore, construction of the project will not impede street access, thus it will not create a hazard to emergency response in the area.

¹² Checked on Department of Toxic Substance Control website (<http://www.envirostor.dtsc.ca.gov/public>), April 22, 2015.

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(h): No impact. The project site is located in an urbanized and industrial area of the City and is not contiguous to a designated high fire area associated with any designated wildland area. Therefore, implementation of the proposed project would not result in the exposure of people or structures to hazards associated with wildland fires.

Mitigation Measures:

None Needed

9. 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 mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through f): No impact. The agency with jurisdiction over water quality within the project area is the Los Angeles Regional Water Quality Control Board (LARWQCB). The Clean Water Act (CWA) prohibits the discharge of pollutants to waters of the United States from any point source unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. In accordance with the CWA, the construction is required to comply with the NPDES, and as such, would not cause any violations associated with water quality standards or water discharge requirements.

(g through h): No impact. Pursuant to Flood Insurance Rate Map, Flood Zone Map No. 06037C1830F, effective on September 26, 2008, the project site is within Flood Zone X, which is not a 100 year flood zone. Due to the nature of the proposed project, it would not impede or redirect flood flows within the area and does not include a housing component.

(i): No impact. The subject site is located between the Rio Hondo Channel/ Los Angeles river and the San Gabriel river. According to the Vision 2025 FEIR, these flood control channels has been designed to meet or exceed the discharge capacity for a 100-year flood.¹³ Due to the distance between the project site and the levees constructed for these rivers, there is no possibility for there to be an impact.

(j): No impact. The City of Downey is relatively flat and is not located near a dam, lake, or ocean, and therefore, inundation by seiche, tsunami, or mudflow is not anticipated. Moreover, tsunamis and seiches do not pose hazards due to the inland location of the site and lack of nearby bodies of standing water.

Mitigation Measures:

None Needed

10. 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): No impact. The construction and operation of the proposed project will not physically divide an established community, as it is being placed on an existing commercial lot and will not block access to the surrounding sites. The project will not disrupt or divide the physical arrangement of an established community.

(b): No impact. The project will not conflict with any applicable land use plan, policy, or regulation of an agency

¹³ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004 p. 5-58

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with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is consistent with the current General Plan and zoning designations.

(c): No impact. There is no applicable habitat conservation plan or natural community conservation plan. Therefore, the project will not conflict with any applicable habitat conservation plan or natural community conservation plan, as there are no applicable conservation plans.

Mitigation Measures:

None Needed

11. 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): No impact. The project would not 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 or of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. There are no known mineral resources on the site. Therefore, the proposed project would not affect access to or the availability of valued mineral resources.

Mitigation Measures:

None Needed

12. 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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, b, and d): Potentially significant unless mitigated. During construction of the project, it is anticipated that there will be a temporary increase in noise levels and vibration. Pursuant to the City of Downey Municipal Code¹⁴ are permitted to be 65 db(A), as measured at the property line. However, the Municipal Code¹⁵ also exempts construction activity from this noise regulation from 7:00 a.m. until 9:00 p.m., seven (7) days a week. Due to the close proximity of residential property, late and weekend construction hours can create an impact on the residents. Mitigation is needed to reduce the hours of construction to 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. Saturday.

(c): Potentially significant unless mitigated. The site was previously used as a new car dealership that included automotive repair, which generates significant noise. Since the dealership ceased operation 2009, there has been minimal to no noise generated from the site. As the new businesses begin operations, a small increase in ambient noise levels will occur from activity on the site. This is typically considered to be less than significant and is still required to be below the Municipal Code limits. However, one potential increase to ambient noise that did not exist with the previous use is trucks idling on the site as they make deliveries. This is most particular on the east side of the larger restaurant building, which is closer to the adjoining homes. Mitigation needs to be incorporated to require the trucks to turn all engines off during deliveries.

(e and f): No impact. The project site 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. Therefore, there is no impact in this regard.

Mitigation Measures:

- NOI01:** Construction shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday; and 8:00 a.m. to 5:00 p.m., Saturdays. There shall be no construction activity on Sundays.
- NOI02:** Trucks making deliveries shall turn off all engines and not be allowed to idle on the site. A sign shall be posted in the loading area requiring all trucks to turn off engines.
- NOI03:** Signs shall be posted in the parking lot to remind patrons to be courteous to neighbors and keep noise down.

13. 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"/>
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¹⁴ City of Downey Municipal Code Section 4606.3

¹⁵ City of Downey Municipal Code Section 4606.5

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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): Less than significant impact. The proposed project does not include residential development; thus, will not result in additional people moving to the area. A small increase in long-term employment can be anticipated with the operation of the businesses on-site, but this increase is not considered to be substantial in comparison to the regional job availability. The jobs that can be anticipated do not typically induce people to move the region; they are typically filled by people who already live in the area instead. Furthermore, the project site is located within a developed area, and no new roads or extensions of existing roads or other growth-accommodating infrastructure are proposed.

(b): No impact. There are no existing residential properties on the project site. Implementation of the proposed project would not displace housing. Therefore, no impacts on housing would occur.

(c): No impact. The proposed project would not displace people, as it is proposed on a former new car dealership site.

Mitigation Measures:

None Needed

14. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a.1 through a.5): No impact. The City of Downey is an urban full service community, providing its own police service, fire protection, library system, and park and recreation services. The Downey Unified School District

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provides all public education in the area. These services will not be impacted by construction and operation of the project. This project will not induce growth and will only create minimal new jobs in the area. As such, no additional services will be required with the approval of this project.

Mitigation Measures:

None Needed

15. 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 type="checkbox"/> | <input checked="" 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): No impact. The proposed project will not create new households that could 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. The proposed project does not include development of recreational facilities nor does it include residential development that would increase demand for recreational facilities. The proposed project would not increase long-term employment such that increased demand for neighborhood and regional parks or other recreational facilities would occur. Therefore, the proposed project would not result in substantial physical deterioration of existing area recreational facilities or require the construction or expansion of recreational facilities. No impact would occur.

(b): No impact. The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. No impact would occur.

Mitigation Measures:

None Needed

16. 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"/> |

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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): No impact. In order analyze the project for potential traffic impacts, the City of Downey has prepared a traffic study, which was reviewed and approved by the City’s Traffic Engineer.¹⁶ This traffic study included analyzing potential impacts at seven separate intersections (Lakewood @ Telegraph, Lakewood @ Gallatin, Lakewood @ southbound I-5 off ramp, Lakewood @ northbound I-5 off ramp, Gallatin @ Brookshire, Lakewood @ Florence, and Lakewood @ Firestone). Based on the amount of traffic generated from the site and projected distribution of the vehicle trips, the report concluded that this project will not have an impact to traffic.

(c): No impact. The project will not alter existing air traffic patterns or create additional air traffic.

(e): No impact. Emergency access to the site will be provided through multiple driveways on Lakewood Blvd and on Gallatin Rd. 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): No impact. The proposed project involves all restaurant uses, which require one space for every 100 square feet of gross floor area. Based on the size of the proposed buildings (18,144 square feet) and the outdoor plaza area (4,000 square feet), the project is required to provide a minimum of 222 on-site parking spaces. The applicant is proposing to have 250 parking spaces, which exceeds the parking requirement 28 parking spaces.

(g): No impact. Currently, there are no adopted plans in the City of Downey supporting alternative transportation. Nevertheless, the City of Downey is currently working on a Bicycle Master Plan to promote bicycle usage in the City. The proposed project will not impact streets in the area; thus it will not have an impact upon future bicycle lanes in the area. Furthermore, the applicant has proposed providing bicycle racks on the site to encourage patrons of the businesses to ride their bikes instead of driving.

Mitigation Measures:

None Needed

17. 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"/>
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¹⁶ The Commons Development TIA, prepared by Atkins, Dated April 2015

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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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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, b and e): No impact. Since the project will have multiple restaurants operating on site, generation of wastewater will increase. However, the existing sewer system is in place and has sufficient capacity to accommodate the additional surcharge.

(c): No impact. The site is fully paved with few landscape areas to absorb any stormwater. This results in all stormwater being sent to the City's storm drain system. The proposed project is required by the Downey Municipal Code¹⁷ to retain the first 3/4 inch of rain water on site. This can be accomplished through infiltration basins, landscape areas, biofilters, and the like. As a result, less stormwater will leave the site, thus reducing the sites impact on the storm drain system.

(d): Potentially significant unless mitigated. Although the proposed project does not meet threshold to conduct a water supply assessment¹⁸, concerns arise when considering the prolonged drought that the State of California is suffering. Potable water is supplied to the site by the City of Downey Public Works Department, who reviewed the project and determined that there is sufficient supply to accommodate the project. Nevertheless, conservation of water is needed to mitigate future impacts. In order to conserve potable water on the site, recycled water should be used to irrigate all landscape areas.

(f and g): No impact. Solid waste disposal services are provided to the City of Downey by CalMet Services Inc. Solid waste collected in the City is taken to the Downey Area Recycling and Transfer Facility (DART), where recyclables are separated from the waste stream and the remainder is sent to landfills. There is sufficient capacity in the County landfills to accommodate the extra waste generated by this site.

¹⁷ City of Downey Municipal Code Section 5707(c)

¹⁸ State of California Water Code Section 10910 et. seq.

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

UTL01: All landscape areas on site shall be irrigated with recycled water.

18. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>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)?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a): No impact. As described throughout the preceding checklist sections, 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): No impact. Based on the analysis contained within this Initial Study, the proposed project is not anticipated to create impacts that are individually limited, but cumulatively considerable.

(c): No impact. Based on the analysis contained within this Initial Study, the proposed project will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation Measures:

None Needed

SECTION IV. REFERENCES

1. ACRONYMS

Air Quality Management Plan	AQMP
Carbon Dioxide	CO ₂
Carbon Monoxide	CO
Best Management Practices	BMP
California Air Resources Board	CARB
California Ambient Air Quality Standards	CAAQS
California Building Code	CBC
California Department of Transportation	CALTRANS
California Environmental Quality Act	CEQA
City of Downey General Plan	VISION 2025
Clean Water Act	CWA
Conditional Use Permit	CUP
Congestion Management Plan	CMP
Environmental Impact Report	EIR
Federal Highway Administration	FHWA
Final Environmental Impact Report	FEIR
Fine Particulate Matter	PM _{2.5}
Global Warming Solutions Act	AB 32
Greenhouse gases	GHGs
Household Hazardous Wastes	HHW
Housing and Community Development	HCD
Inhalable Particulate Matter	PM ₁₀
Light Emitting Diode	LED
Los Angeles County Metropolitan Transportation Authority	METRO
Los Angeles Regional Water Quality Control Board	LARWQCB
Methane	CH ₄
Metropolitan Water District	MWD
National Pollution Discharge Elimination System	NPDES
Nitrous Oxide	N ₂ O
Ozone	O ₃
Regional Water Quality Control Board	RWQCB
South Coast Air Basin	SCAB
South Coast Air Quality Management District	SCAQMD
Southern California Association of Governments	SCAG
Sulfur Dioxide	SO ₂

2. LIST OF PREPARERS



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3. BIBLIOGRAPHY

The following documents have been references in preparing this initial study and are incorporated by reference. Copies of the documents are available for review with the project file.

California Building Code, as adopted by the City of Downey
City of Downey. Downey Vision 2025 General Plan
City of Downey. Downey Vision 2025 General Plan EIR.
City of Downey Zoning Code
South Coast Air Quality Management District. SCAQMD Air Quality Significance
Thresholds. March 2011
South Coast Air Quality Management District. Rule 403 – Fugitive Dust. June 2005
The Commons Development Traffic Impact Analysis, prepared by Atkins, April 2015

SECTION V. MITIGATION MEASURES

The following is a summary of the mitigation measures contained in this document:

Air Quality:

- AIR01:** The applicant shall comply with all mitigation measures contained in the City of Downey General Plan (Vision 2025) regarding air quality impacts.
- AIR02:** During construction, the applicant shall comply with all BMP's contained in SCAQMD's Rule 403 for fugitive dust control.

Noise:

- NOI01:** Construction shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday; and 8:00 a.m. to 5:00 p.m., Saturdays. There shall be no construction activity on Sundays.
- NOI02:** Trucks making deliveries shall turn off all engines and not be allowed to idle on the site. A sign shall be posted in the loading area requiring all trucks to turn off engines.
- NOI03:** Signs shall be posted in the parking lot to remind patrons to be courteous to neighbors and keep noise down.

Utilities:

- UTL01:** All landscape areas on site shall be irrigated with recycled water.