

AGENDA ITEM: 2.

DATE: 11-15-10

**STAFF REPORT**

**CONDITIONAL USE PERMIT NO. 08-17**

DATE: November 15, 2010  
TO: Lancaster Planning Commission  
FROM: Planning Department  
APPLICANT: Sandra Yavitz, James Wood, and Patrick Wood  
LOCATION: Southeast corner of 15<sup>th</sup> Street West and Avenue J  
REQUEST: Alcoholic Beverage Control Type 21, Off-Sale General License (beer, wine and spirits) for a new drug store

RECOMMENDATION: Adopt Resolution No. 10-26 approving Conditional Use Permit No. 08-17.

BACKGROUND: On September 20, 2010, the Planning Commission continued the project indefinitely to allow the applicant to consider the conditions of approval. On August 16, 2010, the Planning Commission granted a 30-day continuance to allow the applicant additional time to consider the conditions of approval. On July 19, 2010, the Planning Commission voted to continue the case to the following Planning Commission meeting due to a noticing issue. On June 21, 2010, the Planning Commission granted a 30-day continuance to allow the applicant additional time to discuss the conditions with a Rite Aid representative. On February 17, 2009, the Planning Commission approved to continue Conditional Use Permit No. 08-17 indefinitely. The previous development was demolished in January 2009.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject location is designated C (Commercial) by the General Plan and is zoned C (Commercial), and consists of three adjoining parcels that are vacant. The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	Commercial	C	Retail and Office
EAST	Commercial	C	Retail and Office

SOUTH	MR2	HDR	Vacant
WEST	H	H	Hospital

PUBLIC IMPROVEMENTS: The site is located at the southeast corner of 15<sup>th</sup> Street West and Avenue J. Avenue J and 15<sup>th</sup> Street West are improved with two travel lanes in each direction. All utilities are available to serve the site.

ENVIRONMENTAL REVIEW: Review of pertinent environmental documents has disclosed no significant adverse impacts resulting from the proposed project after mitigation measures have been applied. Potential effects are discussed more fully in the attached initial study. The Initial Study prepared for the proposed project was sent to the State Clearinghouse (SCH #200901107) for public review. This 30-day public review ended on February 17, 2009. Based on this information, staff has determined that a mitigated Negative Declaration is warranted. Notice of intent to prepare a Mitigated Negative Declaration has been legally advertised.

LEGAL NOTICE: Notice of Public Hearing was mailed to all property owners within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in a newspaper of general circulation per prescribed procedure.

ANALYSIS: The applicant, Sandra Yavitz, James Wood, and Patrick Wood, on behalf of Rite Aid drug store, is requesting a conditional use permit for an Alcoholic Beverage Control Type 21, Off-Sale General License (beer, wine and spirits) for a new 15,485 square-foot Rite Aid with drive-thru service. The proposed sale of alcoholic beverages would be between the hours of 8:00 a.m. and 12:00 a.m., Sunday through Saturday. The applicant is proposing a 24-hour facility. The floor plan indicates 0.9 percent or 145 feet of the sales floor area will be used for the sale and display of alcoholic beverages for consumption off the premises, which is less than the 10 percent or 1,548 square feet maximum allowed under the ordinance. Alcohol sales are only offered as a convenience for customers. Incidental off-sale alcoholic beverage establishments are exempt from the distance requirements of the City code. The project has been conditioned to comply with operating conditions of Section 17.42.080. with some modifications to apply to the unique circumstances of this proposal. Staff has recommended additional conditions of approval to ensure the compatibility of the use with nearby uses by restricting the container type and size on alcohol products. Also, the Planning Director has the discretion to require on-site security in the future, if necessary.

Access would be provided from an existing 30-foot wide alley entrance in 15<sup>th</sup> Street West. The existing driveways in Avenue J would be removed, and a new driveway would be constructed at the northeast portion of the project. The driveway would also provide access to the retail/office building east of the project site to accommodate the closure of the driveway directly east of the site. The applicant is conditioned to provide additional dedication in 15<sup>th</sup> Street West for a right-turn lane at the intersection with Avenue J. The applicant is being conditioned only to provide the dedication for future improvements to Avenue J. Installing improvements on Avenue J is not warranted at this point, because it would not result in improved traffic circulation due to the lack of improvements and dedication along the frontage of the adjacent properties. Installation of future street

improvements on Avenue J will result in an ultimate eight-foot parkway planter. The applicant is conditioned to provide a three-foot wide raised median in Avenue J from 15 Street West to approximately 70 feet east of the project boundary. Striping east and west of the project would be revised as necessary to accommodate the new median, while maintaining the existing lane configurations.

The applicant is also conditioned to install and maintain a landscaped and irrigated 8-foot parkway planter adjacent to the curb on 15<sup>th</sup> Street West, and a 20-foot parkway planter adjacent to the curb on Avenue J. The applicant would be allowed to count the parkway planters to meet the required 15% landscape requirements. All parkway landscaping shall be maintained by the applicant so as not to interfere with necessary vehicular or pedestrian traffic lines of sight, including views of traffic signage and signals and clear views of vehicles within the roadbed or exiting driveways.

The retail use as proposed meets the municipal code standards for parking. The construction of the retail use would require one parking space for every 250 square feet of retail space. As proposed, the project would provide 61 parking spaces, which is one less than the 62 minimum required amount. The Planning Director is in concurrence with the applicant that a deficit of one parking space will not negatively affect the project. The parking area wraps around the building on two sides, and the drive-thru pharmacy is located on the south side of the building. As indicated on the site plan, two drive-thru lanes are proposed with a stacking depth of 600 feet, which meets the stacking requirement required by the municipal code. Adequate circulation exists to the project, within the project, and between the project site and the adjacent parcel to the east as shown on the site map.

Adequate landscaping would be provided for the project. The proposed parkway planter is approximately 8 feet wide along 15<sup>th</sup> Street West, and 20 feet wide along Avenue J. The on-site landscape planter between the sidewalk and the parking lot is approximately 7 feet wide on 15<sup>th</sup> Street West, and 6 feet wide on Avenue J. Landscaping would be provided by a series of tree wells and planters throughout the parking area. The addition of four diamond-shaped tree wells is required in the parking lot to provide for adequate trees. Landscaping would be provided on the east property line as well as used to screen the drive-thru.

Rite Aid is designed with a contemporary theme, finished in a light sand stucco finish, with a flat roof with a parapet wall. Rite Aid is proposed to have a prominent corner features facing the streetscape of Avenue J and 15<sup>th</sup> Street West, with a roof height of ranging from 19-21 feet. Special attention was paid to the entry of the store, with Rite Aid's signature entry design, the pop-out store front and windows, aluminum awnings, and building projections provide 360 architecture and interest to the building. Splitface CMU block travels along the base of the development, and vertical stone veneer wrap the columns, and is applied on the building projections to break up the building façade, as well as break up long walls and height of the building.

The proposed colors include a four-tone color scheme with proposed colors featuring (Sherwin Williams) a earth tone yellow (Napery) color on the main face of the building, a tan (Cardboard) color on the projections of the building face, a gold (Empire Gold) on the decorative cornice, and

veneer featuring (Eldorado Stone-Clifstone) in multiple colors (Lantana) wraps the columns, and is applied on the projections of the building, and a brown (Oak Split) color for the CMU block base. The aluminum awnings are proposed to be Rite Aid signature blue. The color palette provides a strong hierarchy of color and muted tones, which should support the depth of the building. Any roof-mounted equipment will be fully screened by the decorative cornice and parapet wall.

The project design was reviewed by staff, and received a recommendation for approval with certain modifications. The applicant has incorporated the recommended modifications into the project plans. The project site plan and architectural design is consistent with the Architectural and Design Guidelines for Commercial Projects concerning the issues of parking, landscaped parkways, pedestrian orientation, compatibility with surrounding development relevant to building design/architecture/materials/colors, lighting, signs, outdoor storage/service areas, and landscaping.

Hazardous waste studies were performed on the site, and eleven mitigation measures are required prior to approval of grading plans, as stated in the attached mitigation monitoring plan.

Staff believes that the project will establish a commercial/retail building that will augment the variety of goods and services that are currently available in this area of Lancaster. Staff feels that the proposed conditions of approval will ensure that the commercial/retail building operates in a manner consistent with contemporary retailing strategies of customer convenience. The project is consistent with the provisions of the C Zone, and in conformance with the General Plan Policy 19.2.3(a), which states: "Through the development review process, apply Community Design guidelines that support redevelopment efforts to rehabilitate and revitalize declining districts and neighborhoods". Further, this will allow for the re-use of a former site. Therefore, staff is recommending that the Commission approve the request subject to the proposed conditions of the project based on the site having sufficient area to accommodate the proposed development, adequate access and services being available for the use, and the lack of significant adverse effects on the surrounding areas.

Respectfully submitted,

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Christopher Aune, Assistant Planner

cc: Applicant  
Engineer

## RESOLUTION NO. 10-26

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 08-17

WHEREAS, a conditional use permit has been requested by Sandra Yavitz, James Wood, and Patrick Wood, on behalf of Rite Aid drug-store, for the issuance of an Alcoholic Beverage Control Type 21, Off-Sale General License (beer, wine and spirits) for a new drug store. The proposed project is located in the C Zone on 1.50± gross acres of land at the southeast corner of 15<sup>th</sup> Street West and Avenue J, as shown on the attached site map; and

WHEREAS, an application for the above-described conditional use permit has been filed pursuant to the regulations contained in Article I of Chapter 17.32, and Chapter 17.42 of the Lancaster Municipal Code; and

WHEREAS, a notice of intention to consider the granting of a Conditional Use Permit has been given as required in Article V of Chapter 17.32 of the Lancaster Municipal Code, and in Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended approval of this conditional use application, subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on February 17, 2009, June 21, 2010, July 19, 2010, August 16, 2010, September 20, 2010, and November 15, 2010; and

WHEREAS, the initial study was performed for this project in accordance with the requirements of CEQA; and

WHEREAS, this Commission hereby finds that the Initial Study determined that the proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, this Commission hereby finds, pursuant to Section 21082.1 of the Public Resource Code, that the Mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster; and

WHEREAS, this Commission hereby certifies that it has reviewed and considered the information contained in the Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act, and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of this application:

1. The proposed 15,485 square-foot commercial/retail center will be in conformance with the General Plan land use designation of C (General Commercial) for the subject property, and with the following various goals, objectives, policies, and specific actions of the General Plan:
  - Policy 17.1.3 “Provide a hierarchical pattern of attractive commercial developments which serve regional, community, and neighborhood functions with maximum efficiency and accessibility.”
  - Specific Action 18.2.1(b) “Encourage the efficient use of infill parcels in neighborhood revitalization efforts.”
  - Policy 19.2.3(a) “Through the development review process, apply Community Design guidelines that support redevelopment efforts to rehabilitate and revitalize declining districts and neighborhoods.”
  - Policy 19.3.1 “Promote high quality development by facilitating innovation in architecture/building design, site planning, streetscapes, and signage.
2. The requested use at the location proposed will not:
  - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, because sufficient landscape buffers and parking will be provided for the project.
  - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because City development standards will be met, and adequate parking and landscaping will be provided. The proposed buildings are of a height compatible with the height limits of the commercial zones and are designed with adequate setbacks from the adjacent street.
  - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, drainage, and improvements will be part of the project.
3. The proposed 1.50± gross acres is adequate in size and shape to accommodate building setback, 61 parking spaces, and landscaping, and other development features prescribed in the Zoning Ordinance or as is otherwise required in order to integrate said use with the uses in the surrounding areas.

4. The proposed site is adequately served:
  - a. By 15<sup>th</sup> Street West and Avenue J, which will be of sufficient width and improved as necessary to carry the anticipated 1,024 daily vehicle trips such use would generate; and
  - b. By other public or private service facilities, including sewer, water, fire, and police services are required.
5. The proposed use will not result in a significant effect on the environment because all potential impacts have been found to not be significant or can be mitigated as noted in the environmental review section of the staff report prepared for this project.
6. There is a need for the proposed commercial/retail center because the project will augment the variety of goods and services that are currently available in this area.
7. The proposed 15,485 square-foot drug store will be in conformance with the General Plan land use designation of C (General Commercial) for the subject property, and is located within a zone which permits alcoholic beverages to be sold, served, or given away for off-sale consumption.

WHEREAS, this Commission hereby adopts the following Conditional Use Permit findings per Section 17.42.050 in support of approval of this application:

1. The proposed use is located within the (C) Commercial Zone which permits alcoholic beverages to be sold, served or given away for on-sale or off-sale consumption with a conditional use permit and would be subject to Chapter 17.42 (alcoholic Beverage Establishments).
2. The requested alcohol use at the location proposed will not:
  - a. Adversely affect the nearby residents and facilities primarily devoted to use by children, families, and the general public, after giving consideration to the distance or proximity of the proposed alcoholic beverage establishment because the request is for the sale and display of alcoholic beverages for consumption off the premises. The applicant is approved for 145 square feet of floor area for the display and sales for alcoholic beverages. The incidental off-sale of alcoholic beverages are exempt from the established distance requirements to residential districts, the hours of operation would be 24 hours a day however, alcohol sales would be limited to the hours between 8:00 a.m. to 12:00 a.m., Sunday through Saturday.
3. The proposed 15,485 square-foot drug store serves the public convenience and necessity based upon all factors outlined in Chapter 17.42.060.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby approves the Mitigated Negative Declaration prepared for this project with the finding that although the proposed Conditional Use Permit could have a significant effect on the environment, there will not be a significant effect on the environment after mitigation measures have been applied to the project.

2. This Commission hereby adopts the Mitigation Monitoring Program, Exhibit "A".

3. This Commission hereby approves Conditional Use Permit No. 08-17 and the incidental off-sale of alcoholic beverages, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 15<sup>th</sup> day of November 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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BRIAN S. LUDICKE, Planning Director  
City of Lancaster



**ATTACHMENT TO PC RESOLUTION NO. 10-26**  
**CONDITIONAL USE PERMIT NO. 08-17**  
**CONDITIONS LIST**  
**November 15, 2010**

**GENERAL ADVISORY**

1. All standard conditions as set forth in Planning Commission Resolution Number 10-23 for Conditional Use Permit shall apply.

**STREETS**

2. Per the direction of the Director of Public Works, dedicate and improve 15<sup>th</sup> Street West at 48 feet from centerline.
3. Per the direction of the Director of Public Works, dedicate right of way on Avenue J at 56 feet from center line. Reconstruct curb, gutter, and sidewalk along Avenue J to remove existing driveways. New sidewalk shall be designed and installed at its ultimate location.
4. Per the direction of the Director of Public Works, remove the existing driveway on Avenue J that is immediately east of the project site in front of parcel 3123-015-033 and replace with new curb, gutter and sidewalk.
5. Per the direction of the Director of Public Works, provide additional dedication and improvement for a right-turn lane on 15<sup>th</sup> Street West at the intersection with Avenue J. The lane shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
6. Per the direction of the Director of Public Works, install a 3-foot raised median in Avenue J from 15<sup>th</sup> Street West to approximately 70 feet east of the project boundary. Striping east and west of the project will have to be modified as necessary to accommodate the new median while maintaining the existing lane configurations.
7. Prior to approval of a grading permit, the applicant shall record an ingress/egress easement to grant access to the adjacent property owner to allow ingress/egress to the proposed driveway, as approved by the Planning Director and the City Attorney.
8. Per the direction of the Planning Director, install an eight-foot-wide parkway planter on 15<sup>th</sup> Street West adjacent to the curb.
9. Per the direction of the Planning Director, install a twenty-foot parkway planter on Avenue J adjacent to the curb. The future street improvements on Avenue J will result in an ultimate eight-foot landscape planter.
10. Per the direction of the Planning Director, the owner of private property adjoining the public right-of-way shall be responsible for installation and maintenance of parkway landscaping free and clear of refuse, noxious weeds, hazardous materials and plants bearing thorns, stickers or other potentially injurious parts. Plants, mulches and inorganic groundcover materials shall not be allowed to overgrow or spill over the edge of the sidewalk or curb.

11. Per the direction of the Director of Public Works, reconstruct alley.
12. Per the direction of the Director of Public Works, for purposes of pedestrian and vehicular safety, all parkway landscaping shall be maintained so as not to interfere with necessary vehicular or pedestrian traffic lines of sight, including views of traffic signage and signals and clear views of vehicles within the roadbed or exiting driveways. Such standards, which include limitations on taller landscape elements within street intersection areas, shall be determined by the City Traffic Engineer.

### **ALCOHOL**

13. Per the direction of the Planning Director, the applicant shall comply with Chapter 17.42 and Section 17.42.080 (Conditions of Approval for Off-Sale Alcoholic Beverage Establishments) except for Section 17.42.42.080.F to be replaced with, "The sale of alcoholic beverages shall be from 8:00 a.m. to 12:00 a.m., Sunday through Saturday." Any reference to beer and wine shall apply to all alcoholic beverages. In addition, Section 17.42.080.K shall be replaced with, "No sales of separated packages of alcoholic beverages (i.e. individual containers, cans or bottles) shall be allowed.
14. The applicant is approved for 145 square feet of floor area for the display and sales for alcoholic beverages. The Planning Director is authorized to make minor modifications of this sales floor area within the intent of the Planning Commission approval.

### **OTHER**

15. Per the direction of the Director of Public Works and Planning Director, the trash enclosure shall be stuccoed and painted to match the building and a metal trellis shall be installed over the trash enclosure.
16. Per the direction of the Director of Public Works, comply with all disabled access requirements.
17. Per the Planning Director, the applicant shall install a thickened concrete apron in front of the Trash Enclosure.
18. Per the direction of the Directors of Planning and Public Works, at the time of project construction, the applicant shall be required to comply with all Ordinances adopted to address the balance of water supply to water demand.
19. The applicant shall contact Los Angeles County Waterworks District and comply with all their requirements. The proposed development will also be required to pay all applicable District fees.

20. The development shall comply with all requirements of Ordinance No. 907 (Water Efficient Landscaping Requirements).
21. Per the Planning Director, the easterly landscape planter strip adjacent to the parking lot shall be curbed on both sides of the planter.
22. Per the Planning Director, install 3 diamond cut-outs to provide trees within the parking lot.
23. Per the Planning Director, in the event remediation equipment is required to be placed on the site, the Planning Director is authorized to approve the location and design of said equipment. The intent of the Commission is that any such equipment shall be screened and placed in a non-prominent location.
24. Per the Planning Director, install a hedge around the parking lot to be maintained in perpetuity at 3 feet high.
25. The applicant shall ensure that rooftop equipment is screened by the building parapet. If rooftop equipment is visible from the street, the applicant shall raise the parapet to screen the equipment.

#### **MITIGATION MEASURES**

Per the Planning Director and the hazardous materials studies, the following are the required mitigation measures:

26. Sampling of suspect asbestos or lead-based paint containing materials by a licensed California Certified Asbestos and Lead-Based Paint Consultant shall be required prior to demolition activities to assess whether asbestos or lead-based paint is present. If asbestos or lead-based paint is found, an asbestos and lead-base paint abatement contractor shall remove all such material in accordance with applicable rules and regulations prior to demolition of the building.
27. A survey of soil gas in the vicinity of the proposed building-footprint shall be required to determine if soil gas/vapor diffusion issues are identified. If identified, the applicant shall install a sub-slab barrier beneath the building.
28. A survey of soil gas shall be required in the vicinity of the former dry cleaner facility (located south of the inactive car wash) to determine whether release of chlorinated solvents may have occurred during the period in which it was operated between the years of 1966 – 1971. All recommendations identified in the survey/report shall be followed with respect to soil contamination and remediation.

29. The applicant shall inform the contractor involved in on site construction activities of the possibility of encountering residual contamination in soil.
30. The applicant shall remove all existing USTs including the waste oil UST, the dispenser islands and the associated product piping.
31. As part of the UST/dispenser island removal/demolition process, an evaluation shall be conducted to evaluate possible soil impacts associated with product piping. All recommendations identified in the survey/report shall be followed with respect to soil contamination and remediation.
32. The applicant shall preserve the existing groundwater monitoring and vapor extraction wells; the applicant shall abandon and relocate if necessary the groundwater monitoring well (MW-2).
33. The applicant shall provide access to ENSR for the purpose of conducting quarterly groundwater monitoring and sampling in accordance with regulatory requirements.
34. The applicant shall remove and relocate the remediation compound in order to accommodate the proposed development.
35. The applicant shall engage in discussions regarding future remediation plans in an effort to minimize disruptions regarding future remediation plans, to minimize disruptions to the proposed development, and to coordinate any necessary construction of remediation facilities with the site development.

**MITIGATION MONITORING PLAN (Exhibit A)**  
**Conditional Use Permit 08-17**

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
<b>HAZARDS AND HAZARDOUS MATERIALS</b>							
1	Sampling of suspect asbestos or lead-based paint containing materials by a licensed California Certified Asbestos and Lead-Based Paint Consultant shall be required prior to demolition activities to assess whether asbestos or lead-based paint is present. If asbestos or lead-based paint is found, an asbestos and lead-based paint abatement contractor must first remove this item prior to the disturbance of the site.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a licensed California Certified Asbestos and Lead-Based Paint Consultant advising site free from lead-based paint.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
2	A survey of soil gas in the vicinity of the proposed building footprint shall be required to determine if soil gas/vapor diffusion issues are identified. If identified, the applicant shall install a sub-slab barrier beneath the building.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising site free from gas/vapor diffusion issues or that a sub-slab barrier beneath the building will be constructed.	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
3	A survey of soil gas shall be required in the vicinity of the former dry cleaner facility (located south of the inactive car wash), to determine whether release of chlorinated solvents may have occurred during the period in which it was operated between the years of 1966 – 1971. All recommendations identified in the survey/report shall be followed with respect to soil contamination and remediation.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising site free chlorinated solvents.	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			

**MITIGATION MONITORING PLAN (Exhibit A)**  
**Conditional Use Permit 08-17**

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
4	The applicant shall inform the contractor involved in on site construction activities of the possibility of encountering residual contamination in soil.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a document proving that the contractor(s) involved in the on-site construction activities are aware of the possibility of encountering residual contamination in soil.	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
5	The applicant shall remove all existing USTs including the waste oil UST, the dispenser islands, and the associated product piping.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising site free of USTs including the waste oil UST, the dispenser islands, and the associated product piping.	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
6	As part of the UST/dispenser island removal/demolition process, an evaluation shall be conducted to evaluate possible soil impacts associated with product piping. All recommendations identified in the survey/report shall be followed with respect to soil contamination and remediation.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising possible soil impacts associated with product piping.	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			

**MITIGATION MONITORING PLAN (Exhibit A)**  
**Conditional Use Permit 08-17**

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
7	The applicant shall preserve the existing groundwater monitoring and vapor extraction wells.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising that the existing groundwater monitoring and vapor extraction wells are being preserved	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
8	The applicant shall provide access to ENSR for the purpose of conducting quarterly groundwater monitoring and sampling in accordance with regulatory requirements.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising process is in place to provide access to ENSR to conduct quarterly groundwater monitoring and sampling	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
9	The applicant shall abandon and relocate the groundwater monitoring well (MW-2), if necessary.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising the abandonment and relocation of the groundwater monitoring well (MW-2), if necessary	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			

**MITIGATION MONITORING PLAN (Exhibit A)**  
**Conditional Use Permit 08-17**

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
10	The applicant shall remove and relocate the remediation compound in order to accommodate the proposed development.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising the remediation compound is removed and relocated	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
11	The applicant shall be engaged in discussions regarding future remediation plans in an effort to minimize disruptions regarding future remediation plans, to minimize disruptions to the proposed development, and to coordinate any necessary construction of remediation facilities with the site development.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a geologist advising the remediation compound is removed and relocated	Prior to final approval of grading plan, issuance of a stockpile permit or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			



CITY OF LANCASTER  
INITIAL STUDY

1. Project title and File Number: Conditional Use Permit No. 08-17
2. Lead agency name and address: City of Lancaster  
Planning Department  
44933 Fern Avenue  
Lancaster, California 93534
3. Contact person and phone number: Christopher Aune  
(661) 723-6100
4. Applicant name and address: Davies Properties  
Tom Davies  
2225 Glastonbury Road  
Westlake Village, CA 91361  
(805) 496-6449
5. Location: 1.33± gross acres located at the southeast corner of Avenue J and 15<sup>th</sup> Street West
6. General Plan designation: Commercial
7. Zoning: Commercial
8. Description of project: The project consists of the demolition of an existing 1,010 square foot gasoline station, (last occupied by a market), a 1,316 square foot self-serve car wash, an unoccupied 2,993 square foot commercial building, a 5,994 square foot commercial building, and the construction of a 15,485 retail building. Access to the proposed project would be taken from Avenue J and 15<sup>th</sup> Street West. [The proposed project would provide 62 parking spaces, which is the minimum requirement.](#)
9. Surrounding land uses and setting: The subject property consists of three adjoining parcels located at the southeast corner of ~~West~~ Avenue J and 15<sup>th</sup> Street West and is currently developed. ~~The parcel at 1354 Avenue J is located at the northwest corner of the property. The property~~ It is ~~currently~~ developed ~~with as~~ a gasoline station, ~~and includes an approximately 1,010 square foot building,~~ last occupied by a market, ~~a.~~ ~~The parcel at 44322 15<sup>th</sup> Street West is located at the southwest corner of the property. A closed self-serve car wash is located on the north side, and an unoccupied commercial building on the south side, and a commercial building on the east side. The car wash structure is approximately 1,316 square feet and the commercial building is approximately 2,993 square feet. The parcel at 1340 West Avenue J is located on the east side of the property. It is developed with an approximately 5,964 square foot commercial building. Parking areas were observed to the east, south and west of the commercial building. The area to the east of the car wash structure was not paved.~~ The property to the south is vacant, zoned HDR (High Density Residential 15.1 – 30 DU/AC) and designated MR2 (15.1 – 30 DU/AC) ~~by the General Plan~~. The properties to the north and east include retail and office uses and are zoned C (Commercial) and designated Commercial ~~by the General Plan~~. West of the subject property is a

| Hospital and is zoned H (Hospital) and designated H (Hospital) ~~by the General Plan~~. The project is relatively flat with a gentle slope to the north-northwest.

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

Approvals from other public agencies for the proposed project include, but are not limited to, the following:

- Los Angeles County Sanitation District No. 14 (connection to sewer system)
- Southern California Edison (street lights)
- Los Angeles County Fire Department (fire access and life safety equipment)
- Los Angeles County Waterworks District No. 40 (connection to the water system)

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 on the following pages.

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

DETERMINATION - 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED 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 “potentially significant impact” or “potentially significant unless mitigated” impact 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. 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, because all potentially significant effects (a) have been analyzed adequately in a earlier EIR or NEGATIVE DECLARATION pursuant to applicant standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation measures. For effects that are “Less than Significant with Mitigation Measures Incorporated”, describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
I. <u>AESTHETICS</u> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
II. <u>AGRICULTURE RESOURCES</u> : 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 prepared by the California Dept. 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?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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?				X
III. <u>AIR QUALITY</u> -- 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?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
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)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
IV. <u>BIOLOGICAL RESOURCES</u> -- 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?				X



	Potentially Significant Impact	Less Than Significant With Mitigation	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, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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?				X
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?				X
V. <u>CULTURAL RESOURCES</u> -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
<b>VI. GEOLOGY AND SOILS</b> -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, involving:				
i) 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? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for disposal of waste water?				X
<b>VII. <u>HAZARDS AND HAZARDOUS MATERIALS</u> -- Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably fore-seeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X		
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?				X
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?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	X
VIII. <u>HYDROLOGY AND WATER QUALITY</u> – Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
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)?			X	
c) 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 substantial erosion or siltation on- or off-site?			X	
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?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?			X	
f) 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?				X
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
h) 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?				X
i) Inundation by seiche, tsunami, or mudflow?				X
<u>IX. LAND USE AND PLANNING</u> -- Would the project:				
a) Physically divide an established community?				X
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?				X
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X
<u>X. MINERAL RESOURCES</u> -- 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?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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?				X
XI. <u>NOISE</u> -- 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?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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?				X
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?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XII. <u>POPULATION AND HOUSING</u></b> -- 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)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<b>XIII. <u>PUBLIC SERVICES</u></b>				
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:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XIV. <u>RECREATION</u> --</b>				
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?				X
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?				X
<b>XV. <u>TRANSPORTATION / TRAFFIC</u> -- Would the project:</b>				
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)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
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?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X



	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
<b>XVI. UTILITIES AND SERVICE SYSTEMS --</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
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?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing resources, or are new or expanded entitlements needed?			X	
e) Have 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?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XVII. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u> -</b>				
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?		X		X
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)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

**DISCUSSION OF ENVIRONMENTAL CHECKLIST**

I. a. Views of scenic vistas are not available from the roadways and area surrounding the project site as listed by the General Plan (LMEA Figure 12.0-1). The proposed project consists of the demolition of ~~an the existing 1,010 square foot gasoline station, (last occupied by a market), a 1,316 square foot self serve car wash, an unoccupied 2,993 square foot commercial building, a 5,964 square foot commercial building, structures~~ -and the construction of a 15,485 retail building. With implementation of the proposed project, the available views would not change ~~and would continue to be available from the public streets~~. Therefore, no impacts to scenic vistas would occur as a result of the proposed project.

b. The proposed project consists of approximately 1.33 acres of developed land. ~~The parcel at 1354 Avenue J is located at the northwest corner of the property. It is developed as a gasoline station and includes an approximately 1,010 square foot building, (last occupied by a market). The parcel at 44322 15<sup>th</sup> Street West is located at the southwest corner of the property. A closed self-serve car wash is~~

~~located on the north side, and an unoccupied commercial building on the south side. The car wash structure is approximately 1,316 square feet and the commercial building is approximately 2,993 square feet. The parcel at 1340 West Avenue J is located on the east side of the property. It is developed with an approximately 5,964 square foot commercial building.~~ The project site does not contain any historic buildings or rock outcroppings. Additionally, the project site is not located along a State Scenic Highway. No scenic resources exist on the site therefore, no impacts would occur.

c. Development of the site as proposed would change the visual character of the site in that it would result in the demolition of the existing ~~structures 1,010 square foot gasoline station (last occupied by a market), a 1,316 square foot self serve car wash, an unoccupied 2,993 square foot commercial building, a 5,964 square foot commercial building,~~ and the construction of a 15,485 retail building. However, the proposed project is in conformance with the City's General Plan and zoning requirements for the area. Therefore, impacts would be less than significant.

d. Currently, there is lighting generated by the project site because the site is developed. The lighting currently generated by the development on the project site is similar to what would be generated by the proposed development. ~~Additionally, the proposed project would not introduce substantial amounts of glare as the development would be constructed primarily from non-reflective materials. Therefore, impacts would be less than significant.~~

II. a-c. There is no evidence that the site has been previously used for agricultural production. The site is not identified as Prime or Unique Farmland, contains no Williamson Act Contract, and is not located in proximity to any existing agricultural operation. Therefore, the project would not have an impact on agricultural resources.

III. a. Development proposed under the City's General Plan would not create air emissions that exceed the Air Quality Management Plan (GPEIR p. 5.6-1 to 2). The proposed project is consistent with the General Plan and Zoning Code. Therefore, the project itself would not conflict with or obstruct implementation of the Air Quality Management Plan and no impacts would occur.

b. Construction of the proposed project would generate emissions associated with grading, use of heavy equipment, construction worker vehicles, etc. However, these are not anticipated to exceed the construction emission thresholds established by the local air district due to its small size.

The project would generate approximately ~~591~~ 1,024 new vehicle trips per day according to the Institute of Transportation Engineers' (ITE) manual Trip Generation, 7<sup>th</sup> Edition. ~~the City's Traffic Engineer.~~ These trips would generate air emissions; however, due to its small number, these emissions would not be sufficient to create or significantly contribute towards violations of the air quality standards. Therefore, emissions associated with the (occupancy or operation) of the proposed development would be less than significant.

c. The project would, in conjunction with other development as allowed by the General Plan, result in a cumulative net increase of pollutants. However, since emissions associated with the proposed project are less than significant due to its small size, its contribution would not be cumulatively considerable. Impacts would be less than significant.

d. The closest sensitive receptor is a hospital located approximately 100 feet west of the project site. Based upon the amount of traffic expected to be generated by the proposed project, no significant

traffic impacts would be anticipated. Therefore, substantial pollutant concentrations would not occur and impacts would be less than significant.

e. —Construction and operation of the proposed project is not anticipated to produce significant objectionable odors. Construction equipment may generate some odors, but these odors would be similar to those produced by the vehicles traveling on Avenue J and 15<sup>th</sup> Street West. Most objectionable odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products and other strong smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. These types of uses are not part of the proposed project. Odors may also be generated by typical commercial activities. However, these odors are considered to be less than significant. Therefore, impacts associated with odors would be less than significant.

IV. a. The project site has been completely paved~~disturbed~~ and is developed with an existing gasoline station ~~with an approximately 1,010 square foot building (last occupied by a market), a closed 1,316 square foot self-serve car wash, and an unoccupied 2,993 square foot commercial building, and a 5,964 square foot commercial building.~~ No habitat exists on the project site. Therefore, no impacts would occur.

b. The project site does not contain any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, no impacts would occur.

c. There are no federally protected wetlands on the project site that fall under the provisions of Section 404 of the Clean Water Act. Therefore, no impacts would occur.

d. The project site is not part of an established migratory wildlife corridor. Therefore, no impacts would occur.

e-f. The project site is not located within an area designated under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Additionally, there are no local policies or ordinances protecting biological resources which are applicable to this site. Therefore, no impacts would occur.

V. a-d. The project site has been complexly paved ~~disturbed~~ and developed. ~~with an existing gasoline station with an approximately 1,010 square foot building (last occupied by a market), a closed 1,316 square foot self-serve car wash, an unoccupied 2,993 square foot commercial building, and a 5,964 square foot commercial building.~~ Since the site has been previously developed, it is not anticipated to contain any prehistoric or historic period sites or resources. The existing structures are not considered historic resources. Due to the existing development of the site, archaeological resources are not anticipated to occur. The proposed development of the site would not directly or indirectly destroy a unique paleontological resource, site, or geologic feature. No human remains, including those interred outside of formal cemeteries, were discovered on the site. In the event unanticipated cultural materials or features are encountered during construction activities, all work shall cease until a qualified archaeologist determines the proper disposition of the resource.

VI. a. The site is not identified as being in or in proximity to a fault rupture zone (LMEA Figure 2.0-7) and the site is not identified as being subject to liquefaction (SSHZ maps). The site is within Seismic Zone 1 and is, therefore, subject to severe seismic shaking. However, the proposed project would be constructed in accordance with the seismic requirements of the Uniform Building Code

(UBC) as adopted by the City, which would render any potential impacts to less than significant. The site is generally level and is not subject to landslides (SSHZ Map).

b. The site is rated as having a high risk for soil erosion (USDA SCS maps) when cultivated or cleared of vegetation. However, the site is currently developed. There remains a potential for water and wind erosion during construction. The project would be required, under the provisions of Lancaster Municipal Code (LMC) Chapter 8.16, to adequately wet or seal the soil to prevent wind erosion. Water erosion controls must be provided as part of the project grading plan to be reviewed and approved by the City's Engineering Division. These provisions, which are a part of the project, would ensure impacts from soil erosion are less than significant.

c. The project site is not known to be within an area subject to fissuring, sinkholes (LMEA Figure 2.0-6) or liquefaction (SSHZ Map). Therefore, no impacts would occur.

d. The soil is characterized by a high-shrink-swell potential (LMEA p. 2.0-13 and Figure 2.0-5) A soils report on the property within the subdivision shall be submitted to the City by the project developer prior to grading of the property and recommendations of the report shall be incorporated into development of the property. Therefore, impacts would be less than significant.

e. Sewer would be available to serve the project site from Los Angeles County Sanitation District No. 14 and would be utilized by the proposed project (ref. Item XVI.b and letter from the Sanitation District). The use of septic tanks or other alternative waste water disposal systems is not necessary and would not be incorporated into the development. Therefore, no impacts would occur.

VII. a-b. The proposed project consists of the demolition of ~~the existing structures an existing 1,010 square foot gasoline station, last occupied by a market, a 1,316 square foot self serve car wash, an unoccupied 2,993 square foot commercial building, a 5,964 square foot commercial building,~~ and the construction of a 15,485 retail building. The proposed project could involve the routine use, transport, or disposal of hazardous materials. However, use of such materials would be in accordance with applicable regulations. Typical construction materials would be utilized during development of the project. The proposed project is adjacent to 15<sup>th</sup> Street West which has not been identified as a hazardous waste transportation corridor (LMEA p. 9.1-20 through 9.1-22) however, Avenue J has been identified as a hazardous waste transportation corridor. The transportation of hazardous materials is regulated by the U.S. Department of Transportation through National Safety Standards. The Federal Safety Standards are also included in the California Administrative Code, Environmental Health Division. The California Health Department regulates industrial waste haulers and the California Highway Patrol (CHP) is responsible for the enforcement of motor carriers hauling hazardous materials. Enforcement of these standards by regulatory agencies will reduce potential impacts to a level of insignificance.

The project site is currently developed with an existing gasoline station with an approximately 1,010 square foot building, last occupied by a market, a closed 1,316 square foot self-serve car wash, an unoccupied 2,993 commercial building, and a 5,964 square foot commercial building.<sup>1</sup> ~~TRC had performed a~~An asbestos survey of the ~~buildings on the~~ property ~~was performed~~ in March-April 2008. Asbestos fibers were found in ~~three of the -buildings building-~~(1340-West Avenue J, 1343 West Avenue J, ~~and in building and~~ 44322 15<sup>th</sup> Street West). All asbestos containing materials were observed in good

<sup>1</sup> "Phase I Environmental Site Assessment Report for the Property at: 1340 & 1354 West Avenue J and 44322 15<sup>th</sup> Street West Planned Rite Aid Store #5840-06 Lancaster California 93534", November 1, 2008, TRC.

condition. Additionally, due to the age of the buildings, there is the possibility that lead based paint would be present in the structures. All ACM identified through the TRC survey will require removal by a certified asbestos removal contractor prior to building demolition.

The demolition activities would have the potential to expose individuals or the environment to asbestos containing materials or lead-based paint. Therefore, the following mitigation measure is required to reduce impacts to less than significant levels.

1. ~~1.~~ Sampling of suspect asbestos or lead-based paint containing materials by a licensed California Certified Asbestos and Lead-Based Paint Consultant shall be required prior to demolition activities to assess whether asbestos or lead-based paint is present. If asbestos or lead-based paint is found, an asbestos and lead-base paint abatement contractor ~~must first remove this item prior to the disturbance of the site.~~ shall remove all such material in accordance with applicable rules and regulations prior to demolition of the building.

c. The project site is located within a quarter mile of an existing or proposed school. Specifically, Sunnydale is located at 1233 ~~West~~ Avenue J-8. However, as indicated in Item VII.a, the proposed project would only utilize minimal amounts of hazardous materials, which are typically found in residential/commercial developments. The proposed project would not emit hazardous emissions or handle hazardous/acutely hazardous materials, substances, or waste. Therefore, impacts would be less than significant.

d. A Phase I Environmental Site Assessment was prepared for the proposed project by TRC. The findings of the study are documented in a report entitled "Phase I Environmental Site Assessment For the Property at: 1340 & 1354 West Avenue J and 44322 15<sup>th</sup> Street West Planned Rite Aid Store #5840-06 Lancaster, California 93534" and dated November 1, 2008. As part of the environmental site assessment, a site visit was conducted on October 23, 2008. The subject property consists of three adjoining parcels located at the southeast corner of Avenue J and 15<sup>th</sup> Street West and is currently developed. The parcel at 44322 West Avenue J is located at the northwest corner of the property. It is developed as a gasoline station and includes a 1,010 square foot building, last occupied by a market. The parcel at 44322 15<sup>th</sup> Street West is located at the southwest corner of the property. A closed self-serve car wash is located on the north side, and an unoccupied commercial building on the south side. The car wash structure is 1,316 square feet and the commercial building is approximately 2,993 square feet. The parcel at 1340 West Avenue J is located on the east side of the property. It is developed with a 5,964 square foot commercial building. Parking areas were observed to the east, south and west of the commercial building. The area to the east of the car wash structure was not paved.

No use of hazardous materials or petroleum products was observed at the time of the site inspection. However, residual fuel might still be stored within the underground storage tanks. The northwestern part of the property has been used as a gasoline station since 1956. Two 12,000-gallon tanks and a 500-gallon waste oil tank are located towards the southwestern part of the 1354 15<sup>th</sup> Street West parcel. The previous gasoline tanks (two 6,000-gallon tanks) were located to the east of the station building. No visual evidence indicating past or present aboveground storage tanks (ASTs), such as the presence of a concrete foundation or containment walls, pedestals, or steel support structures, was apparent during the site visit. The review of regulatory documents revealed no ASTs on the property, for the storage of hazardous materials or petroleum project.



~~TRC had performed an asbestos survey of the property in March-April 2008. Asbestos fibers were found in building 1340 West Avenue J, 1343 West Avenue J, and in building 44322 15<sup>th</sup> Street West. All asbestos-containing materials were observed in good condition. All ACM identified through the TRC survey will require removal by a certified asbestos removal contractor prior to building demolition.~~

Previous environmental investigations and remediation activities have determined that soil and groundwater are impacted at the site. Subsequently, a Phase II Environmental Site Assessment was prepared for the proposed project by TRC. The findings of the study are documented in a report entitled "Limited Phase II Environmental Site Assessment Report Rite Aid Store 5840-06 1354 West Avenue J Lancaster, California" and dated October 29, 2008. On October 14, 2008, two borings (TRC-1 and TRC-2) were advanced to depths of 68 and 71 [feet below grade](#), respectively. On October 14, 2008 three borings (TRC-3, TRC-4 and TRC-5) were advanced to depths of 66, 15 and 40 [feet below grade](#), respectively. Borings TRC-1 and TRC-2 were advanced in the area of the former fuel dispensers. Borings TRC-3, TRC4 and TRC-5 were advanced in the area of the existing USTs.

Given the presence of subsurface soil and groundwater contamination in the general vicinity of the former USTs, the future location of the proposed Rite-Aid building could be subject to the diffusion of vapors from the subsurface to indoor air. Therefore, the following mitigation measures are required to reduce impacts to less than significant levels.

2. A survey of soil gas in the vicinity of the proposed building footprint shall be required to determine if soil gas/vapor diffusion issues are identified. If identified, the applicant shall install a sub-slab barrier beneath the building.
3. A survey of soil gas shall be required in the vicinity of the former dry cleaner facility (located south of the inactive car wash) to determine whether release of chlorinated solvents may have occurred during the period in which it was operated between the years of 1966 – 1971. [Any recommendations in the study shall be followed.](#)

Based on the historical use of the subject property and the presence of petroleum hydrocarbons in the soil, it is possible that site grading and excavation could encounter hydrocarbon impacted soil. Impacted soils are most likely to be encountered beneath the existing dispenser islands and product piping. Therefore, the following mitigation measure is required to reduce impacts to less than significant levels.

4. The applicant shall inform the contractor involved in on site construction activities of the possibility of encountering residual contamination in soil.

At least one UST and one of the dispenser islands are located within the portion of the property that would be dedicated to the City of Lancaster. The results indicated that no release has occurred in the location of the existing USTs or the waste oil UST, however the results did not provide an evaluation of possible soil impacts associated with product piping. Therefore, the following mitigation measures are required to reduce impacts to less than significant levels.

5. The applicant shall remove the existing USTs including the waste oil UST, the dispenser islands and the associated product piping.
6. As part of the UST/dispenser island removal/demolition process, an evaluation shall be conducted to evaluate possible soil impacts associated with product piping.

There are a number of existing groundwater monitoring wells on the former service station property. While it may be possible to proceed with redevelopment of the property before formal regulatory closure of the UST case is issued by the Agency, the existing groundwater monitoring and vapor extraction wells need to be preserved. Therefore, the results indicated that no release has occurred in the location of the existing USTs or the waste oil UST, however the results did not provide an evaluation of possible soil impacts associated with product piping. Therefore, the following mitigation measures are required to reduce impacts to less than significant levels.

7. The applicant shall preserve the existing groundwater monitoring and vapor extraction wells.
8. The applicant shall provide access to ENSR for the purpose of conducting quarterly groundwater monitoring and sampling in accordance with regulatory requirements.
9. The applicant shall abandon and relocate if necessary the groundwater monitoring well (MW-2).

A remediation compound is located on the eastern portion of the former Service Station. —The remediation compound includes various utilities (e.g. electricity and natural gas) that were installed in order to operate the VES equipment. In addition, subsurface conveyance piping that connects various extraction wells to the remediation system compound is located in this area. Based on the proposed layout of the Rite-Aid facility, it appears that the footprint of the remediation compound lies within the limits of the proposed Rite-Aid facility. —Therefore, the following mitigation measure is required to reduce impacts to less than significant levels.

- 10. The applicant shall remove and relocate the remediation compound in order to accommodate the proposed development.
11. The applicant shall ~~be engaged~~ in discussions regarding future remediation plans in an effort to minimize disruptions regarding future remediation plans, to minimize disruptions to the proposed development, and to coordinate any necessary construction of remediation facilities with the site development.

In addition to the site visit, a regulatory records review was conducted for the project site. The database search was conducted using publicly available regulatory records detailed in the Environmental Data Resources, Inc. (EDR) report. Sites within standard distances were reviewed to identify adjacent and surrounding sites that might potentially impact the soil and/or ground water conditions beneath the property. The subject property was identified as a hazardous materials use, storage, disposal, or release site ([see discussion above](#)). ~~A list of the sites within the standard distances is listed in table 1. Based on the status of the site it was determined that the listings would not impact the site. Therefore, impacts are less than significant.~~

There was only one site within 650 feet radius from the subject property, listed on one or more of the databases search by EDR:

Antelope Valley Hospital, 1600 Ave. J, Lancaster: This site is located to the west of the property, as observed during the site inspection. It is located at a cross-gradient location with respect to groundwater flow. This site was listed on the Historical Underground Storage Tank (Hist. UST) database, on the UST database and on the Haznet database. Based on the lack of any reported leak, and the cross-gradient



location with respect to groundwater flow, it is unlikely that this site would have affected the subject property. Therefore, impacts would be less than significant.

**Table 1  
Environmental Database Review Results**

Site	Regulatory List	Distance/Gradient	Status
High Desert Medical Group 1669 Avenue J	RCRA-SQG	West of the property	
Arco #6180 44407 10 <sup>th</sup> Street West	Cortese	East of the property	
Mobil Service Station #10-MMW 44358 10 <sup>th</sup> Street West	Cortese	East of the property	
E & E Recycling 44358 10 <sup>th</sup> Street West	SWRCY	East of the property	
LA CO Sheriff Lancaster Station 1010 West Avenue J	LUST	East of the property	Leak being confirmed
ARCO #6180 44407 10 <sup>th</sup> Street West	LUST	East of the property	Case closed
Mobil Service Station #10-MMW 44358 10 <sup>th</sup> Street West	LUST	East of the property	Case closed
Antelope Valley Hospital 1600 W. Ave. J	Historic—Underground Storage Tank—(HISTUST)-Database	West of the property	No reported leak

*Source: Phase I Environmental Site Assessment For the Property at: 1340 & 1354 West Avenue J and 44322 15<sup>th</sup> Street West Planned Rite Aid Store #5840-6 Lancaster, California, November 1, 2008.*

e-f. The proposed project is not located within an airport land use plan, or within two miles of a public airport, public use airport, or private airstrip. The closest airports are United States Air Force Plant 42 which is located more than 4 miles southeast of the project site and General William Fox Airfield, which is located more than 4 miles northwest of the project site. Therefore, the proposed

project would not result in a safety hazard for people residing or working the project area and no impacts would occur.

g. The project site is located along 15<sup>th</sup> Street West and Avenue J. 15<sup>th</sup> Street West has not been identified as an evacuation route (LMEA Figure 9.1-3), however Avenue J has been identified as an evacuation route. However, the traffic generated by the proposed project is not sufficient to cause impacts at any of the significant intersections in the area. Therefore, the proposed project would not impair or physically block any identified evacuation routes and would not interfere with any adopted emergency response plan. No impacts are anticipated.

h. The site ~~could~~ would not be subject to localized brush fires because the surrounding property is developed ~~adjacent land to the south is undeveloped~~. ~~However~~ Additionally, the site is within the urban service range of Los Angeles County Fire ~~Station No~~ Station No. 33, located at 44947 Date Avenue, which would be able to provide rapid response in the event of a fire. Impacts are therefore, less than significant.

VIII. a. The proposed project consists of the demolition of the existing structures ~~an existing 1,010 square foot gasoline station, last occupied by a market, a 1,316 square foot self serve car wash, and an unoccupied 2,993 square foot commercial building~~, and the construction of a 15,485 retail building. As such, the proposed project would not generate wastewater which would violate water quality standards or exceed waste discharge requirements.

Additionally, the project site is not in area with an open body of water or watercourse and is not in an aquifer recharge area (LMEA p. 10.1-5 to 7). There would be no discharge into a water body or the aquifer as a result of surface runoff from the project. Additionally, the proposed project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) Program, including Best Management Practices. Therefore, impacts would be less than significant.

b. The proposed project would not include any groundwater wells or pumping activities. All water supplied to the proposed project would be obtained from the Los Angeles County Water District No. 40 (LACWD), which has indicated that it can serve the project site (see letter in case file). Additionally, as indicated in VIII.a., the proposed project would not impact any groundwater recharge areas. Therefore, the proposed project would not deplete groundwater supplies or interfere with groundwater recharge and impacts would be less than significant.

c-e. Development of the site would increase the amount of surface runoff as a result of impervious surfaces from the retail building being constructed. The project would be designed, on the basis of a hydrology study, to accept current flows entering the property and to handle the additional incremental runoff from the developed site. Therefore, impacts from drainage and runoff would be less than significant.

f. The proposed project does not involve the placing of housing within a 100-year flood hazard. Therefore, no impacts would occur.

g. The site is not within the 100- year flood zone as identified on the FIRM. Therefore, no impacts would occur.

h. ~~—~~The project site does not contain and is not downstream from a dam or levee. Therefore, no impacts would occur from flooding as a result of the failure of a dam/levee.

i. The project site is not located within a coastal zone. Therefore, tsunamis are not a potential hazard. The project site is relatively flat and does not contain any enclosed bodies of water and is not located in close proximity to any other large bodies of water. Therefore, the proposed project would not be subject to inundation by seiches or mudflows. No impact would occur.

IX. a. The proposed project is not of the scale or nature that could physically divide an established community. The proposed project consists of the demolition of ~~an the existing structures 1,010 square foot gasoline station, last occupied by a market, a 1,316 square foot self-serve car wash, and an unoccupied 2,993 square foot commercial building,~~ and the construction of a 15,485 retail building in an area zoned as Commercial. Adjoining properties have been developed with office building or retail stores to the north and east and a hospital to the west. Undeveloped land exists south of the project site. The proposed project would not block a public street, trail, or other access route or result in a physical barrier that would divide the community. Therefore, no impacts would occur.

b. The proposed project is consistent with the City's General Plan and must be in conformance with the Lancaster Municipal Code. The project will be in compliance with the City-adopted UBC (Item VI.a.) and erosion-control requirements (Item VI.b.). Therefore, no impacts would occur.

c. As noted under Item IV.e-f., the project site is not subject to a habitat conservation plan or natural communities conservation plan. Therefore, no impacts would occur.

X. a-b. The project site does not contain any current mining or recovery operations for mineral resources and no such activities have occurred on the project site in the past. According to the LMEA (Figure 2.0-9), the project site is designated as Mineral Reserve Zone 1 (contains no known resources). Therefore, no impacts to mineral resources would occur.

XI. a. The City's General Plan (Table III-1) establishes an outdoor maximum CNEL of 70 dBA for commercial and industrial uses. The current noise level on Avenue J between 15<sup>th</sup> Street West and 10<sup>th</sup> Street West is approximately 67.0 dBA (LMEA Table 8.0-9). This noise level is consistent with the standards of the General Plan. Therefore, potential noise impacts associated with traffic from the proposed development and operational activities would be less than significant.

b. The proposed project consists of the demolition of the existing ~~structures 1,010 square foot gasoline station, last occupied by a market, a 1,316 square foot self-serve car wash, and an unoccupied 2,993 square foot commercial building,~~ and the construction of a 15,485 retail building. It is not anticipated that construction of the proposed project would require the use of machinery that generates ground-borne vibration as no major subsurface construction (e.g., parking garage) is planned. No ground mounted industrial-type equipment that generates ground vibration would be utilized during occupancy of the proposed residences. Therefore, no impacts associated with ground-borne vibration/noise are anticipated.

c. Permanent increases in area levels would occur once the proposed project is completed and occupied. These noise levels would be generated by normal activities that occur in an auto repair setting and from motor vehicles (see discussion under XI.a.). Although the traffic generated by the project would contribute to an increase in noise levels in the area, the project's contribution would be minimal because the current and future projected noise levels would remain essentially unchanged with or without the project. Therefore, impacts would be less than significant.

d. There would be a temporary increase in noise levels in the area during construction of the project. This noise would be generated by construction vehicles and equipment. Construction activities of the project are regulated by Section 8.24.040 of the Lancaster Municipal Code, which limits the hours of construction work to between sunrise and 8:00 p.m. Monday through Saturday. Effects are not considered significant because they are temporary and construction times are limited to daylight hours.

e-f. The site is not in proximity to an airport or a frequent overflight area and would not experience noise from these sources (also see Item VII.e-f). Therefore, no impacts would occur.

XII. a. The proposed project would create temporary construction jobs during the construction of the development. These construction jobs would not be expected to result in any substantial population growth in the area. The work requirements of most construction projects are highly specialized so that construction workers remain at a job site only for the time frame in which their specific skills are needed. Therefore, project-related construction workers would not be likely to relocate their household's place of residence as a consequence of working on the proposed project. Employees for the proposed development would come from the local area and individuals would not relocate to the area in order to fill the jobs. Therefore, the proposed project would not induce substantial population growth in the area and impacts would be less than significant.

b-c. The project site is currently vacant. No housing or people would be displaced necessitating the construction of replacement housing elsewhere. Therefore, no impacts would occur.

XIII. The project would incrementally increase the need for fire and police services; however, the site is within the current service area of both these agencies and the additional time and cost to service the site is minimal. The project would not induce substantial population growth (see Item XII) and, therefore, would not substantially increase demand on parks or other public facilities.

XIV. a-b. The proposed project would not generate additional population growth and would not contribute on an incremental basis to the use of the existing park and recreational facilities. Therefore, no impacts would occur.

XV. a. [According to the Institute of Transportation Engineers' \(ITE\) manual Trip Generation, 7<sup>th</sup> Edition](#)~~According to the City's Traffic Engineer~~, the proposed project could generate approximately ~~594~~ [1,024](#) daily vehicle trips. It is anticipated that the additional traffic would not adversely affect traffic flow on any of the adjoining public streets, and the improvements to be provided as part of the project would ensure necessary, adequate circulation and safety levels for both project-related traffic and long-term cumulative increases. These improvements are identified as conditions of project approval and implementation of these improvements would ensure that impacts are less than significant.

b. There are no county congestion management agency designated roads or highways in the vicinity of the project. No impacts would occur.

c. The project site does not contain any aviation related uses, and the proposed project would not include the development of any aviation related uses. Thus, the proposed project would not have an impact on air traffic patterns.

d. 15<sup>th</sup> Street West and Avenue J would be improved to City standards adjacent to the site as part of the project. No hazardous conditions would be created by these improvements. Therefore, no impacts would occur.

e. The project would have adequate emergency access from 15<sup>th</sup> Street West and Avenue J. Interior circulation would be provided in accordance with the requirements of the Los Angeles County Fire Department; therefore, no impacts would occur.

f. The proposed project consists of the demolition of the existing ~~structures 1,010 square foot gasoline station (last occupied by a market), a 1,316 square foot self-serve car wash, and an unoccupied 2,993 square foot commercial building, a 5,964 square foot commercial building,~~ and the construction of 15,485 retail building. The proposed 15,485 retail building is required to provide 1 parking space for every 250 square feet for a total of 62 parking spaces. The proposed project would provide 62 parking spaces, which is the minimum requirement. Therefore, no parking impacts would occur.

g. The proposed project does not conflict with or impede any of the General Plan policies or specific actions related to alternative modes of transportation (Lancaster General Plan pgs. V-20 to V-25). Therefore, no impacts would occur.

XVI. a. The proposed project would discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' West Side Truck Sewer, located in 15<sup>th</sup> Street West at Avenue J. ~~Project wastewater would be treated at the Lancaster Water Reclamation Plant. Project wastewater would be treated at the Lancaster Water Reclamation Plan. As the proposed project is a commercial development, it would not exceed the wastewater treatment requirements and impacts would be less than significant.~~

~~The proposed project involves the demolition of the existing 1,010 square foot gasoline station (last occupied by a market), a 1,316 square foot self-serve car wash, and an unoccupied 2,993 square foot commercial building, a 5,964 square foot commercial building, and the construction of 15,485 retail building. The proposed project would comply with all rules and regulations with respect to industrial wastewater discharge. Therefore, the proposed project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board and impacts would be less than significant.~~

b. Wastewater from the proposed project would be treated at the Lancaster Water Reclamation Plant, which has a design capacity of 16 million gallons per day (gpd) and is currently processing an average of 14.5 mgd. The proposed project is anticipated to generate approximately 1,549 gallons of wastewater per day, which is within the available capacity of the treatment plant (see LACSD letter). The proposed project would not require the expansion of existing facilities or the construction of new facilities. Therefore, impacts would be less than significant.

c. See Items VIII.c and VIII.d.

d. The Los Angeles County Waterworks District No. 40 has not indicated any problems in supplying water to the proposed project from existing facilities upon connection (~~see LACW letter~~reference letter in case file). No new construction of water treatment facilities or new or expanded entitlements would be required. Therefore, water impacts would be less than significant.

e. See Item XVI.b.

f-g. The project would generate additional solid waste, which would contribute to an overall cumulative impact on the landfill service the site (GPEIR pgs. 5.9.4-3 to 9); although this project's individual contribution is considered minimal. The project would be required to have trash collection services in accordance with City contracts with waste haulers over the life of the project. The trash

haulers are required to be in compliance with applicable regulations on solid waste transport and disposal, including waste stream reduction mandated under Assembly Bill (AB) 939, which was enacted to reduce, recycle, and reuse solid waste generated in California to the maximum extent feasible. Therefore, impacts would be less than significant.

XVII. a. Ref. Items I, III, IV, V, VII, XI, XVI.

b. The proposed project does not have any impacts that are individually limited by cumulatively considerable. Ref. Items III, XI, XV.

c. Ref. Items III, VI, VII, VIII, XI, XII, XIII, XIV, XV, XVI.

List of Referenced Documents and Available Locations\*:

ESA:	Phase I Environmental Site Assessment For the Property at 1340 & 1354 West Avenue J and 44322 15 <sup>th</sup> Street West Planned Rite aid Store #5840-06 Lancaster, California 93534, TRC, November 1, 2008	PD
ESA:	Limited Phase II Environmental Site Assessment Report Rite Aid Store 5840-06 1354 West Avenue J Lancaster, California, TRC, October 29, 2008	PD
FIRM:	Flood Insurance Rate Map	
GPEIR:	Lancaster General Plan Environmental Impact Report	PD
LACSD:	Los Angeles County Sanitation District Letter, December 2, 2008 (CUP 08-17)	PD
LACW:	Los Angeles County Waterworks District Letter, <a href="#">November 24, 2008</a> <del>December 18, 2008</del> (CUP 08-17)	PD
LGP:	Lancaster General Plan	PD
LMC:	Lancaster Municipal Code	PD
LMEA:	Lancaster Master Environmental Assessment	PD
SSHZ:	State Seismic Hazard Zone Maps	PD
TE	City of Lancaster Traffic Engineer Letter, December 5, 2008	PD
USGS:	United States Geological Survey Maps	PD
USDA SCS:	United States Department of Agriculture Soil Conservation Service Maps	PD

- \* PD: Planning Department
- PW: Public Works Department  
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