

County of Orange

Notice of Determination



Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder
50.00
* \$ R 0 0 1 1 1 6 3 0 2 2 \$ *
201985000998 9:34 am 09/30/19
381 OR05A Z01
0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

To: County Clerk, County of Orange
From: County of Orange
OC Public Works, OC Development Services/Planning
Subject: Notice of Determination Filing
per Public Resources Code Section 21108 or 21152
Planning Application Number (PA): PA 16-0055
State Clearinghouse Number (if applicable): 2019079044
Project Title: Chick-fil-A/In-N-Out 17th and Tustin

POSTED

SEP 30 2019

ORANGE COUNTY CLERK RECORDER DEPARTMENT

BY: [Signature] DEPUTY

Project Location(s): Northeast corner of North Tustin Avenue and East 17th Street, Orange County

Project Description: The project involves the construction of a 4,777 square-foot Chick-fil-A and 3,867 square-foot In-N-Out Burger restaurant buildings, associated drive-through facilities, and surface parking, as well as landscaping and required utilities. Additionally, the project proposes to remove/relocate/bury overhead electrical wires and one utility pole and construct an additional northbound deceleration and bus lane along North Tustin Avenue. The project site is listed pursuant to Government Code Section 65962.5.

Applicant or Agency Contact Person: Kevin Canning, OC Development Services/Planning

Applicant or Agency Carrying-Out Project: Chick-fil-A, Inc. (Project Contact: Ms. Jennifer M. Daw)

Address and Phone Number of Applicant or Agency:

Agency

OC Public Works, Development Services/Planning
601 North Ross Street
Santa Ana, CA 92701
Kevin Canning (714) 667-8847

Applicant

4G Development and Consulting
2153 Oak Hill Drive
Escondido, CA 92927
Robert Lombardi (858) 231-0071

Previously adopted or certified document: Not based on a previous document.

Document Number _____ adopted or certified on _____

The County of Orange, as Lead Agency, has made the following determination on the above-described project.

1. The project was approved by the Deputy Director, OC Development Services/Planning on September 13, 2019.
2. The Mitigated Negative Declaration was prepared and adopted pursuant to the provisions of CEQA.
3. The project will not have a significant effect on the environment because:
 - a. Mitigation measures, project design features, or both were incorporated into the project.
 - b. A Statement of Overriding Considerations was not adopted for this project.
 - c. Findings and Facts were not made pursuant to CEQA Guidelines 15091 (Statement of Facts and Findings).

A copy of the Mitigated Negative Declaration and the record of the project approval is on file and may be examined during regular business hours at the following location: OC Public Works, OC Development Services/Planning, 601 N. Ross Street, Santa Ana, CA 92701. (714) 667-8888.

Signature: [Signature]

Date: 9/30/19

Title: Contract Planner

Governor's Office of Planning & Research

SEP 30 2019

Fish & Wildlife Document Filing Fee: Exempt - No Effect Determination from CDFW

STATE CLEARINGHOUSE

Form Rev. 09.25.19

OC Public Works, 601 N. Ross Street, P.O. Box 4048, Santa Ana, CA 92701-4048

30-2019-0970

FILED
SEP 30 2019
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DEPUTY



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 www.wildlife.ca.gov

GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

Chick-fil-A, Inc.
 15635 Alton Parkway, Suite 350
 Irvine, CA 92618

CEQA Lead Agency: County of Orange, OC Public Works

Project Title: Chick-fil-A/In-N-Out 17th and Tustin - PA 160055

CEQA Document Type: Mitigated Negative Declaration

State Clearinghouse Number/local agency ID number: N/A

Project Location: The proposed project site is located in unincorporated Orange County, California, near the cities of Santa Ana and Tustin. The site is located within an unincorporated County island. Regionally, the site is located approximately 0.15-mile west of State Route 55 and approximately 0.9-mile northeast of Interstate 5. Locally, the site is located at the northeast corner of North Tustin Avenue and East 17th Street.

Brief Project Description: The project involves the construction of a 4,777 square-foot Chick-fil-A and 3,867 square-foot In-N-Out Burger restaurant buildings, associated drive-through facilities, and 104 surface parking spaces (57 parking spaces for In-N-Out Burger and 47 parking spaces for Chick-fil-A), as well as landscaping and required utilities. Additionally, the project proposes to remove/relocate/bury overhead electrical wires and one utility pole, and construct an additional northbound deceleration and bus lane along Tustin Avenue.

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 BY:  DEPUTY

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SEP 30 2019

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 BY:  DEPUTY

Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (i.e., State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

Approved by: Jennifer Turner Date: 07/16/2019
Signature
Jennifer Turner, Environmental Scientist
Name, Title

FOR COUNTY CLERK USE ONLY

Stamp or initial inside the box to indicate acceptance of this signed No Effect Determination in lieu of a CEQA Document Filing Fee.

County Clerk Stamp or Initial

POSTED

SEP 30 2019

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

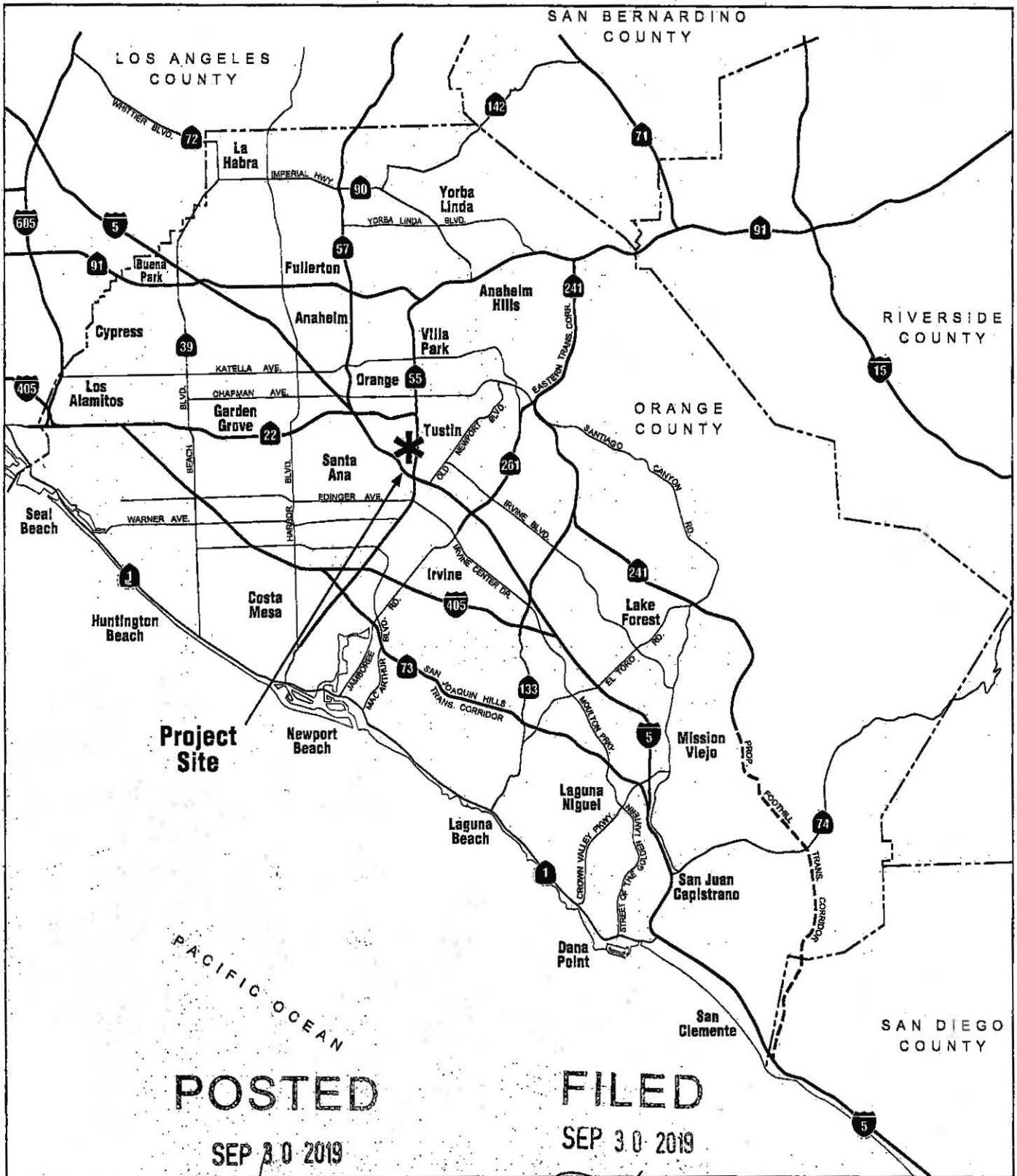
BY: [Signature] DEPUTY

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SEP 30 2019

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BY:  DEPUTY

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

NOT TO SCALE

Michael Baker
INTERNATIONAL

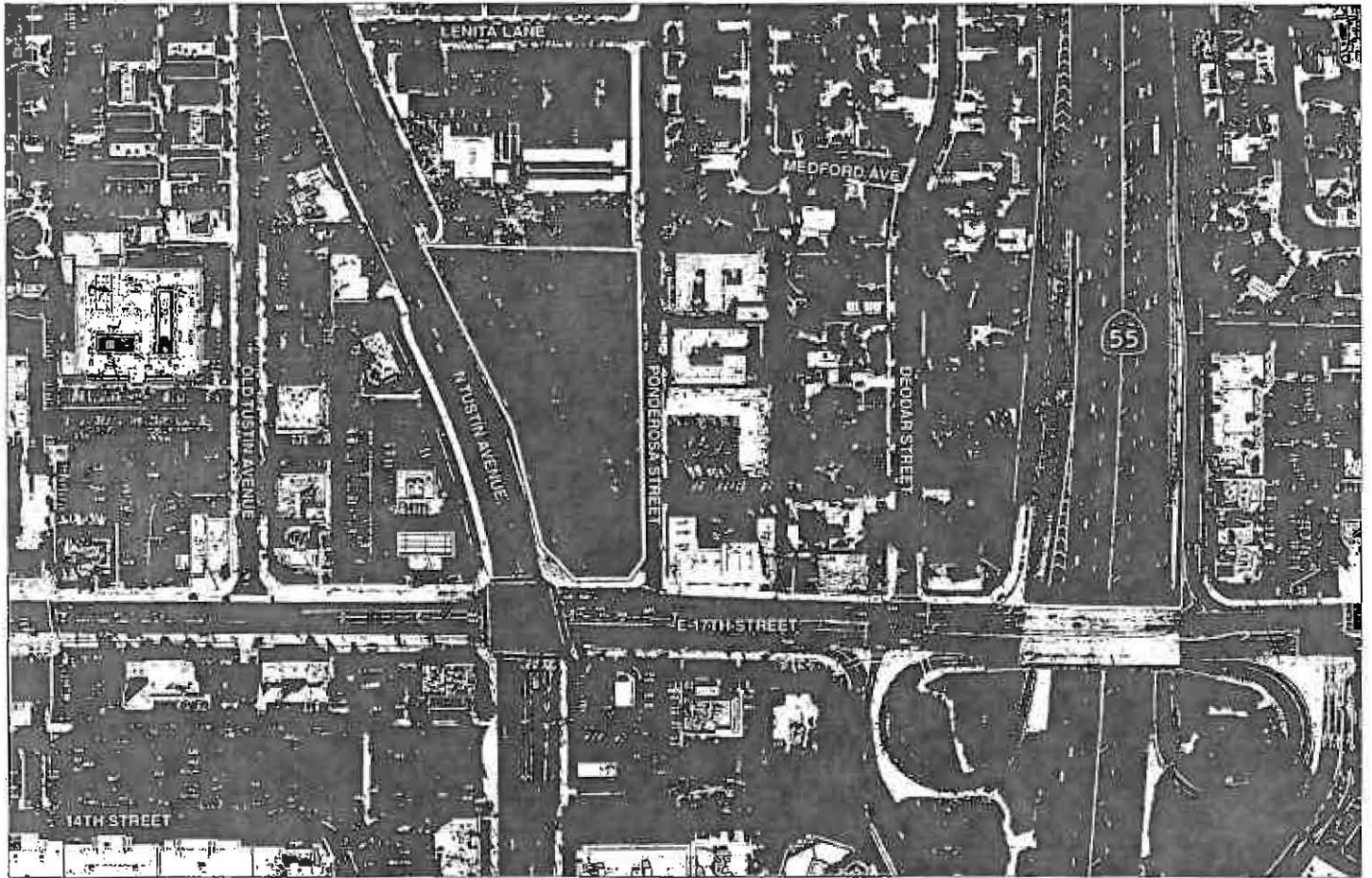


11/17 | JN 151600

CHICK-FIL-A/IN-N-OUT 17TH AND TUSTIN
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Regional Vicinity

Exhibit 3-1



Source: Google Earth, 2016.
 - Project Area

BY: *[Signature]*
 DEPUTY
 ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: *[Signature]*
 DEPUTY
 ORANGE COUNTY CLERK-RECORDER DEPARTMENT

CHICK-FIL-A/IN-N-OUT 17TH AND TUSTIN
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

NOT TO SCALE



SEP 30 2019

SEP 30 2019

Site Vicinity

FILED

POSTED

Exhibit 3-2



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/18) Previously DFG 753.5a

Print **Start Over** **Finalize & Email**

RECEIPT NUMBER:
 30-2019 0970
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY OC PUBLIC WORKS, DEVELOPMENT SERVICES/PLANNING	LEAD AGENCY EMAIL	DATE 09/30/2019
COUNTY/STATE AGENCY OF FILING Orange	DOCUMENT NUMBER 201985000998	

PROJECT TITLE
CHICK-FIL-A/ IN-N-OUT 17TH AND TUSTIN

PROJECT APPLICANT NAME 4G DEVELOPMENT SERVICES/PLANNING	PROJECT APPLICANT EMAIL	PHONE NUMBER (714) 667-8847
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PROJECT APPLICANT ADDRESS 2153 OAK HILL DRIVE	CITY ESCONDIDO	STATE CA	ZIP CODE 92927
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,112.00	\$	0.00
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input checked="" type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash
 Credit
 Check
 Other
 TOTAL RECEIVED
 \$ 50.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE DIANNA VELASQUEZ, DEPUTY CLERK
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Orange County
Clerk-Recorder's Office
Hugh Nguyen

601 N. Ross Street
92701

County

Finalization: 20190000347673
9/30/19 9:34 am
381 OR05A

Item	Title	Count
1	Z01	1
EIR: Exempt or Previously Paid Document ID		Amount
DOC# 201985000998		50.00
Time Recorded 9:34 am		

Total	50.00
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Payment Type	Amount
Check tendered # 232k	50.00

Amount Due 0.00

THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS

www.ocrecorder.com

