

**ADDENDUM TO MND 08-01  
BREA PLAZA RENOVATIONS**

***Conditional Use Permit 08-01  
Precise Development Permit 08-01***

**November 25, 2009**

## Introduction

In June 2008, the City of Brea Planning Commission approved Conditional Use Permit 08-01 and Precise Development Plan 08-01, to authorize a number of improvements and renovations to Brea Plaza, a neighborhood commercial center located at the northwestern corner of Imperial Highway and Associated Road, in northeast Brea. Integral to the plan was a County-approved project to replace the open Loftus Channel in the eastern edge of the site with a buried box structure, to provide additional usable ground space for parking, landscaping and drainage improvements for the Plaza. At that time, the project included the following modifications:

### Previously Approved Project

- Demolition and removal of three structures, totaling 10,300 square feet (sf) of building area
- Construction of two new buildings: a single-story, 8,460 sf structure near the corner of Imperial Highway/Associated Road to be occupied by a cell phone retailer and a coffee shop that already leased space in the plaza, and a two-story, 13,050 sf structure in the northeastern part of the site, with no identified tenants. These buildings would increase the total building area within the center by 11,200 sf to a total of 158,742 sf.
- Reconfiguration of drive aisles, landscape islands and parking spaces, plus creation of approximately 133 new parking spaces in the eastern side of the site. This would increase total parking on site to 766 spaces.
- New right in/right-out only vehicular access to Associated Road, at the northeastern corner of the site. This would also provide access to the Mercury Insurance Company campus on the adjacent property
- A minimum 50-foot deep landscape zone along Associated Road, including a specially designed bio-swale drainage feature that will provide natural filtration of storm runoff from the entire center, prior to discharge into the backbone storm drainage system.

### Proposed Project Revisions

The owner of Brea Plaza has submitted revised plans to renovate and expand this commercial center, and the Conditional Use Permit and Precise Development Permit require re-approval by the Brea Planning Commission. Changes to the project are described below. The revised site plan and building space allocations are illustrated in Exhibits 1 and 2.

- Partial or full demolition of seven buildings, totaling 31,297 sf
- Construction of four new buildings and expansion of one existing building, totaling 36,595 sf of new building area, a net increase of 3,248 sf over the amount previously approved, and a net increase of 14,448 sf compared to the existing building area

- Revised parking and internal circulation design, with 757 on-site parking spaces
- New right in/right-out only vehicular access to Associated Road, at the northeastern corner of the site. This would also provide access to the Mercury Insurance Company campus on the adjacent property
- A minimum 50-foot deep landscape zone along Associated Road, including a specially designed bio-swale drainage feature that will provide natural filtration of storm runoff from the entire center, prior to discharge into the backbone storm drainage system.

### Project Objectives

The current project is intended to accomplish the same objectives as the previously approved project. These include:

- Provide enhanced pedestrian access from the neighborhood to Brea Plaza
- Eliminate an 'unsightly' view of the existing open flood control channel
- Enhance the general appearance of Brea Plaza as an important community element
- Create more green space within the extended Plaza area
- Provide a naturalistic "bio-swale" to capture and filter parking lot runoff before discharge to the channel
- Provide adjacent parking for the proposed larger retail building
- Expand overall parking available for customers at Brea Plaza

### **Environmental Impact Analysis**

As required under the California Environmental Quality Act, the previously approved plan was analyzed for environmental impacts in an Initial Study/Mitigated Negative Declaration assigned City case number ND 08-01. The conclusion of that report was that the project would not result in any significant environmental effects, with routine construction phase mitigation measures to reduce dust and exhaust emissions and to protect potential archaeological resources that might be uncovered during site excavation. An assessment of the environmental effects resulting from the proposed changes to the Brea Plaza renovation plans is provided below and in the following pages. This assessment focuses on the incremental effects of the revised plan, to determine whether there could be additional negative impacts or a significant worsening of impacts previously identified in ND 08-01.

### *Aesthetics*

ND 08-01 determined that there are no scenic vistas or scenic resources that would be affected by the project, and that the project would have less than significant impacts involving changes in the site's visual character and quality or light and glare.

The revised plans are highly similar to the approved plans, in terms of the site layout, building heights/massing, and outdoor lighting. Changes in building footprints in the southwest and northeast corners of the site would have minimal visual impact. Landscaping would be nearly identical, including a deeply landscaped zone along Associated Road. A different architectural theme is proposed, and this will also enhance the appearance of the entire commercial center.

The revised project would result in similar, less than significant aesthetic impacts.

### *Agricultural Resources*

There are no agricultural resources within or adjacent to this developed commercial center, thus there could be no adverse impacts to agricultural resources with the previously approved or revised plans.

### *Air Quality*

ND 08-01 determined that the previously approved project would have no effect on implementation of the regional air quality management plan, would not contribute to any existing or projected air quality violations, and would not generate offensive odors. It also determined that the plaza expansion would generate less than significant levels of additional criteria pollutants, during construction and long-term operations phases, and increase local pollutant levels by a minor amount.

Total building demolition area in the revised project would increase by approximately 21,000 square feet, and total net new building square footage would be approximately 3,248 square feet, compared to the previously approved plan. These are minor changes that would result in an insignificant increase in the levels of air pollutant emissions during the construction and operational phases. Routine dust and exhaust emissions controls measures will be implemented during the construction phases, as specified in Mitigation Measure 1 of ND 08-01.

### *Biological Resources*

ND 08-01 determined that there are no sensitive or protected biological resources within the developed shopping center site; therefore, there would be no impacts to important biological resources with the previous plan or the revised plan.

### *Cultural Resources*

ND 08-01 determined that the modern era plaza, built in the 1970s, does not meet the criteria of an important historical resource or a unique cultural resource, and that this site is not within an area considered likely to yield fossil resources. A routine mitigation measure was imposed (Mitigation Measure 2) to require construction site monitoring by a qualified archaeologist, if potential archaeological resources are uncovered during site excavations. This mitigation measure will also apply to the revised project and no impacts to cultural resources are anticipated.

### *Geology and Soils*

ND 08-01 determined that there are no significant seismic hazards or other ground instability hazards affecting site development, and that routine soils engineering and building construction procedures would assure safe and stable building sites. No significant geology and soils-related impacts were identified. The revised plan would entail the same kinds of excavation, site clearance and construction procedures and would not result in any different impacts involving surface or subsurface geological and soils conditions.

### *Hazards and Hazardous Materials*

ND 08-01 determined that the previous project would not introduce activities involving regular transport, usage, storage, generation or disposal of dangerous amounts of hazardous materials and wastes, that there is minimal risk of accidental release of dangerous substances into the environment, that there would be no effects related to air traffic, and no impact on emergency response plans or services. This urbanized area is not affected by wildland fire hazards.

The revised project would require additional building demolition and expand the total new building space by a minor level, but would otherwise be similar in all respects to the previously approved project. The same land use restrictions will apply; thus, there would be no difference in the less than significant hazards involving the range of permitted businesses that handle small amounts of common hazardous materials, such as a hair salon. The revised project would not increase risks or introduce new risks involving environmental hazards and/or hazardous materials.

### *Hydrology and Water Quality*

ND 08-01 determined that the previous project would likely improve the quality of site runoff into the Loftus Channel, due to the benefits of the deep landscape zone along Associated Road, which would include a specially designed bio-swale to provide natural filtration of the most concentrated runoff from the plaza parking lot during a "first-flush" storm. The site drainage control network was designed to provide 100-year storm protection and to limit discharges to no

more than the levels already discharging into the channel. With shallow excavations to accomplish the necessary demolitions and site improvements, there would be no impact on any groundwater resources. The 'footprint' of the existing 100-year flood hazard along the Loftus Channel would be fully contained within the new in-channel box structure to be built prior to the plaza renovation and the site would not be affected by a significant flood hazard. No significant hydrology/water quality impacts were identified.

Composition, volumes and rates of site runoff would be similar, if not identical, to the runoff that could occur with the previous project, since the amount of impervious surfaces would be nearly the same and the drainage pattern would not change. The revised project includes the same storm drainage plan, designed to the same criteria, including the bio-swale filtration feature along Associated Road. Similar levels of shallow excavation would be required and the revised project would have no effect on groundwater resources. Construction permits have been issued for the in-channel box structure to replace the open Loftus Channel, and this is to be built prior to construction of the plaza renovation improvements, as it was previously planned. No significant hydrology/water quality impacts would result from the revised project.

#### *Land Use and Planning*

ND 08-01 determined that the previous project would have no effect on the physical framework of an established community, would be consistent with all applicable land use plans and policies and that there is no habitat conservation plan in place that affects the project site or surroundings. The revised project is a minor increase in total building area from what was previously approved and would be of the same land use character and intensity. No different land use impacts would occur.

#### *Mineral Resources*

There are no mineral resources on or near this developed shopping center site; therefore, there could be no impacts to such resources with any plaza renovation plan.

#### *Noise*

ND 08-01 determined that the previous project would generate less than significant increases in traffic noise along Associated Road and Imperial Highway, with no significant effects to the nearest residential neighborhoods, such as the Glenbrook community. Periodic noise from vehicular movements, trash pick-ups, etc. in the new parking area could be audible off-site, but would not significantly affect ambient noise levels at neighboring homes and commercial properties. Short-term construction activities would generate less than significant levels of ground borne noise and vibrations. The project site and vicinity are not significantly affected by air traffic noise.

As discussed later, in the assessment of Transportation/Traffic impacts, the revised project would generate approximately 4,376 vehicle trips a day more than the previous project. Based on a traffic distribution of 75% to Imperial Highway and 25% to Associated Road, this added traffic represents approximately 6 % of average daily traffic on Imperial Highway and 9% of daily traffic on Associated Road. Since a doubling of daily traffic volumes is required to generate a noticeable change in roadway noise levels, this minor increase in daily traffic would not result in a significant change in roadway noise. Since land use restrictions for the Plaza are the same, there would be no difference in the potential kinds of noise that could occur in parking lots, loading areas, etc. The revised project would not result in new or more severe noise impacts than the previous project.

### *Population and Housing*

Neither project would require any displacement of housing units or households and neither would expand major infrastructure, build new housing, or create a new job center that could be growth inducing.

### *Public Services*

ND 08-01 determined that the previous renovation project would not significantly affect the demand for public services and would not require any new facilities or expansion of existing facilities to maintain desired levels of service. It was further determined that this minor expansion of an existing commercial center would have no effect on schools or parks.

The revised project is intended to achieve the same objectives as the previous project, with a minor increase in total new building space. This would have no effect relative to demand for public services and related facilities.

### *Recreation*

There are no parks or other public recreation resources on site and ND 08-01 determined that the previous project would have no effect on existing or planned recreation resources elsewhere. The revised project would occur within the same land area and would also have no effect on existing or planned recreation resources.

### *Transportation/Traffic*

A traffic impact and parking analysis was prepared as part of ND 08-01 (Kimley-Horn and Associates, March 28, 2008). The analysis specifically accounted for the unique effects of a drive-thru Starbucks Coffee shop that was to be relocated into the new building at the corner of Imperial Highway and Associated Road. It was determined that the previous project would add approximately 1,000 net new trips a day to the local streets/highway network, and that this would have a less than significant impact on the levels of service at

six intersections along Imperial Highway, two intersections along Associated Road or three SR 57 interchanges. A shared parking analysis determined that the 766 on-site parking spaces, together with 116 additional spaces available within the adjacent edge of the Mercury Insurance Company property, would be sufficient to handle the peak seasonal demands at the Plaza. No significant impacts were anticipated with respect to emergency access, design features or alternative modes of travel. A new right-in/right-out only access to Associated Road, in the northeast corner of the site, was found to comply with the City's design standards to ensure adequate sight-distance for incoming/departing motorists. The construction phasing plan contained adequate provisions to ensure full emergency access from two locations, throughout the entire construction period.

An updated traffic and parking analysis was prepared to assess the revisions in the proposed project (Kimley-Horn and Associates, November 16, 2009) with respect to impacts on the transportation network and off-street parking needs. This updated analysis includes the unique traffic and parking effects of a "MedSpa" business that is to relocate from another spot in Brea, on State College Boulevard, into Building G within Brea Plaza. This would include a variety of beauty and medical services such as laser skin therapy, BOTOX injections, waxing, facials, hair styling and nail care. The updated traffic and parking analysis also accounts for re-occupancy of an existing movie theatre in Building F that has been vacant for several years. The theater interior would be renovated, with up to 1,250 seats and would offer "late first-run" movies at discount prices. The updated traffic study indicates such theaters typically attract lower volumes of patrons than a mainstream first run movie theatre.

Results of the updated traffic analysis indicate the revised project would generate approximately 4,376 additional average daily trips, 246 more morning peak hour trips and 177 more evening peak hour trips than the totals estimated for the previous project. Near-term and long term traffic impacts were analyzed at the same arterial intersections and it was determined that the revised project would not result in significant congestion impacts, for either time horizon. As noted in ND 08-01, this project is required to pay fair share traffic impact fees to benefit the City's entire transportation network, in accordance with the City Ordinance No. 966. Payment of this standard fee will offset the revised project's contribution to cumulative traffic impacts.

The revised project includes 757 on-site parking spaces, compared to 766 in the previous project. As noted earlier, Brea Plaza has an agreement with Mercury Insurance Company to use up to 116 surface parking spaces within the adjacent edge of the Mercury property, near Plaza Building F, where the indoor movie theatre is to be re-occupied. An updated shared parking analysis was conducted to determine peak weekday and weekend parking requirements, based on the mix of uses expected to be occupied at those times. The analysis concluded that there would be a peak weekday demand for 746 spaces, with 757 available on site, and peak weekend demand of 840, when the available parking, including those on the Mercury Insurance Co. site, would be 873.

Sufficient on-site and adjacent site parking, therefore, will be available to support the peak parking demands of the revised project.

Since the new drive entrance at Associated Road would be in the same location as the previous project, there would be no adverse impacts due to design/location of that new access. An identical construction phasing program is proposed, including provisions to ensure there are two locations for emergency access to the Plaza at all times. The revised project, therefore, would not result in significant impacts involving design features or emergency access. There have been no changes in conditions involving alternative modes of travel to the Plaza and the revised project has identical features in terms of site access and improvements along Associated Road; therefore, the revised project would have no effect on alternative transportation.

#### *Utilities and Service Systems*

ND 08-01 determined that the previous project would have no impact with respect to wastewater treatment requirements regulated by the Regional Water Quality Control Board, would not require any new or expanded water or wastewater facilities, would not require any additional water supplies or entitlements, would not conflict with solid waste disposal laws and practices and have a less than significant impact on existing storm drainage and landfill capacities.

The minor amount of additional building space proposed would not significantly increase the total water demand or wastewater generation potential of the Plaza, and would not trigger a need to construct any new water or wastewater facilities, or to acquire supplemental water supplies or entitlements. Site runoff would be similar to runoff associated with the previous plan and would not result in any new or more severe impacts to the local and regional storm drainage network. No off-site storm drain improvements would be required. Construction/demolition wastes must be recycled, pursuant to City Ordinance No. 1097. Volumes of solid waste generated at the Plaza could increase somewhat, due to more building space that can be occupied. With the same land use restrictions, no new uses that could have peculiar and exceptionally high levels of waste generation could locate in the additional space. No new methods of waste disposal would be required and the revised project would not result in early closure of any landfills, or any conflicts with solid waste disposal laws and practices.

#### *Mandatory Findings of Significance*

ND 08-01 determined that the previous project would result in less than significant impacts in all impact categories analyzed. It was concluded that it would not degrade the quality of the environment and would not adversely affect important biological, cultural or paleontological resources. The relatively small scale of the proposed improvements would not have cumulatively considerable impacts, during construction or over the long-term of the finished project. Finally,

the plaza renovations would not result in substantial adverse effects on human beings.

Given the strong similarity in the site design, land use character and intensity, and the minor increase in total building area, the proposed project would not result in any new or more severe impacts than those anticipated for the previous project.

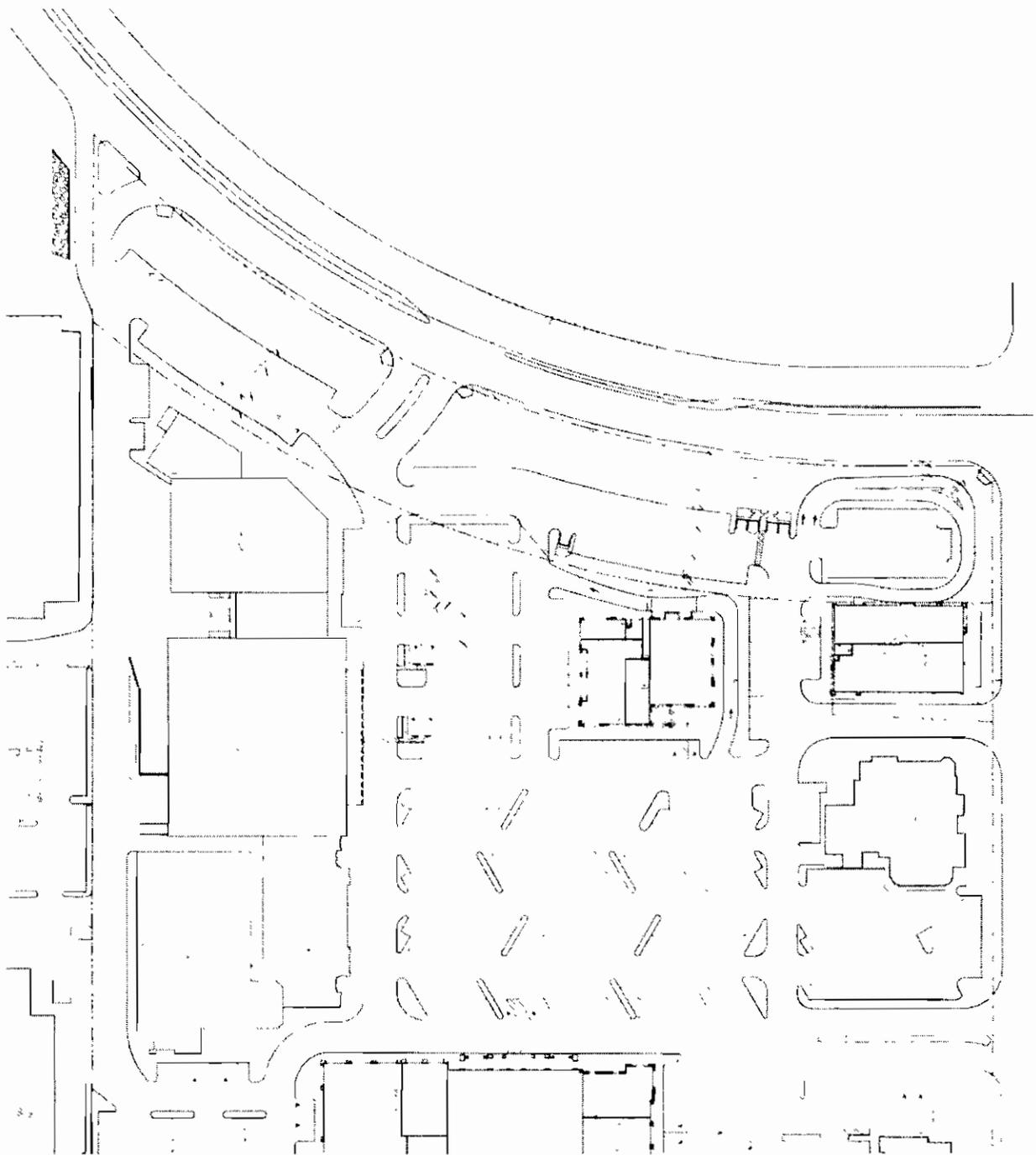
## **Conclusion**

Section 15164 of the California Environmental Quality Act Guidelines permits a Lead or Responsible Agency to prepare an addendum to a previously certified Negative Declaration or Mitigated Negative Declaration if some minor changes or additions to that (M)ND are necessary, but none of the conditions exist that necessitate preparation of a Subsequent MND or EIR, as set forth in Section 15162. Based on the preceding analysis, it is concluded that the proposed revisions to Conditional Use Permit/Precise Development Permit 08-01 represents a minor change in the project approved by the Planning Commission in June 2008, and that preparation of a Subsequent MND or EIR is not warranted. More specifically, this conclusion rests on the following findings:

a) Additional building demolition and building construction elements would not result in new or more severe impacts that would require major revisions to the previous MND to properly estimate the changes in impact potential.

b) There have been no significant changes in the circumstances under which the Brea Plaza renovations project is to be undertaken; therefore there is no indication that there could be any new or more severe impacts than previously anticipated. One noteworthy update is that construction plans for the replacement of the open Loftus Channel as an underground box structure have been approved, permits obtained from the Regional Water Quality Control Board, and provisions for funding that project are moving forward. .

c) The property owner has indicated that agreements have been reached to lease spaces to a discount late-first-run movie theatre and a beauty salon business that were not identified at the time ND 08-01 was approved. These were permitted uses then and do not represent significant new information that would substantially affect the assessment of environmental impacts. An updated traffic/parking impact analysis for the revised project has accounted for these specific tenants and their unique traffic and parking requirements and found that there would be no significant traffic impacts and a sufficient supply of off-street parking for weekday and weekend peak parking demands. No alterations to the revised project design or additional mitigation measures are required to avoid or reduce any significant impacts.



### Brea Plaza Building Areas (SF)

Building	Retail	Food	Theatre	Salon	Grocery	Total
C					13,000	13,000
D	27,450					27,450
E	9,438	1,183				10,621
F			18,425			18,425
G				11,175		11,175
H	17,936					17,936
J	3,353	4,182				7,535
K		7,500				7,500
L	4,000	3,502				7,502
M		5,458				5,458
O		9,264				9,264
P	686	8,235				8,921
T	4,707	3,767				8,474
U	3,000					3,000
V	3,200					3,200
W	2,529					2,529
<b>Totals</b>	76,299	43,091	18,425	11,175	13,000	<b>161,990</b>
Parking Provided						<b>757 stalls</b>
Parking Ratio						<b>4.7/1,000 sf</b>
Mercury Insurance Shared Parking						116 stalls (NIC)



Source. Architects Orange. October 2009

## Exhibit 2 Building Area and Parking

Brea Plaza Renovation - Addendum to ND 08-01  
Brea, CA