



## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

In compliance with section 15072 of the California Environmental Quality Act (CEQA) Guidelines and the County of Orange Procedures, notification is hereby given to responsible agencies, trustee agencies, interest groups and the general public, that the County of Orange **shall adopt the attached Mitigated Negative Declaration (MND)** for the proposed Chick-fil-A/In-N-Out restaurants. **File Number PA 160055.**

### **PUBLIC REVIEW:**

The proposed MND is being circulated for public review for 30 days from July 15, 2019. The attached IS/MND may be adopted by the County of Orange and become **final unless written comments on its appropriateness or adequacy are received by the office listed below by 4:00 p.m.** on the ending date of the public review period (August 13, 2019).

**CONTACT PERSON:** Kevin Canning

**PHONE:** (714) 667-8847

**EMAIL:** [kevin.canning@ocpw.ocgov.com](mailto:kevin.canning@ocpw.ocgov.com)

The proposed project will be reviewed for approval by a decision-maker listed below.

**DECISION MAKER:** Director, OC Development Services/Planning

**DATE:** On or about August 27, 2019

In the event that there is no MND attached to this notice, the MND and supporting attachments are available for review at the offices of the County of Orange, OC Public Works, Development Services/Planning, 300 North Flower Street, Santa Ana, California 92703 and on the County's website.



**DATE POSTED: July 15, 2019**

**DATE FINAL:**

**MITIGATED NEGATIVE DECLARATION  
OC PUBLIC WORKS  
300 N. FLOWER STREET  
P. O. BOX 4048  
SANTA ANA, CALIFORNIA 92702-4048**

In accordance with Orange County Board of Supervisor's policies regarding implementation of the California Environmental Quality Act, the County of Orange has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment. On the basis of that study, the County of Orange hereby finds that the proposed project will not have a significant adverse effect on the environment and does not require the preparation of an Environmental Impact Report because either the proposed project:

- has or creates no significant environmental impacts requiring mitigation; or
- will not create a significant adverse effect, because the Mitigation Measures described in the initial study have been added to the project.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and hereby made a part of this document.

**PROJECT:**

**Title:** Chick-fil-A/In-N-Out 17th and Tustin

**File No:** PA160055

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**Location:** The 3.32-acre project site is located in unincorporated Orange County, near the cities of Santa Ana and Tustin. 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 N. Tustin Avenue and E. 17th Street.

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**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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**Project Proponent or Applicant:** Chick-fil-A, Inc. and In-N-Out Burger

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**Division/Department Responsible for Proposed Project:** Development Services/Planning

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**Address:** 300 North Flower Street, Santa Ana, CA 92703

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**Contact Person – Project** Kevin Canning (kevin.canning@ocpw.ocgov.com) **Telephone:** (714) 667-8847

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**Contact Person – CEQA** Kevin Shannon (kevin.shannon@ocpw.ocgov.com) **Telephone:** (714) 667-1632

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**NOTICE:** The Mitigated Negative Declaration may become final unless written comments are received by the office listed above by **4:00 p.m. on August 13, 2019**. If you wish to provide comments on the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references.

**Dated:** July 15, 2019 **Signed:** 

**NOTE:** This document and supporting attachments are provided to the general public for review. This is an information document about environmental effects only. Supplemental information is on file and may be reviewed in the office listed above. The decision-making body will review this document and potentially many other sources of information before considering the proposed project.