



## 2.0 INTRODUCTION

This Environmental Impact Report (EIR) has been prepared to evaluate environmental impacts associated with the proposed Cypress City Center Project (proposed project) in Cypress, California. The City of Cypress (City) is the “public agency which has the principal responsibility for carrying out or approving the project”<sup>1</sup> and, as such, is the “Lead Agency” for the proposed project under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). CEQA requires the Lead Agency to consider the information contained in the EIR prior to taking any discretionary action on the proposed project. This EIR is intended to serve as an informational document to be considered by the City and any Responsible Agencies during deliberations on the proposed project. CEQA Section 21069 defines a “Responsible Agency” as a public agency other than the Lead Agency that has responsibility for carrying out or approving a project. The approvals and permits associated with the proposed project are described in Chapter 3.0, Project Description.

The City, as Lead Agency, determined that the proposed project may have a significant effect on the environment and that an EIR would be required to more fully evaluate potential adverse environmental impacts that may result from development of the proposed project. As a result, this EIR has been prepared in accordance with CEQA and the *State CEQA Guidelines* (California Code of Regulations [CCR], Title 14, Section 15000 et seq.). This EIR also complies with the procedures established by the City for the implementation of CEQA.

Questions regarding the preparation of this document and City review of the proposed project should be referred to the following person:

Jeff Zwack, Project Planner  
City of Cypress Community Development Department  
5275 Orange Avenue  
Cypress, CA 90630  
Phone: (714) 229-6720  
Email: [projectplanner@cypressca.org](mailto:projectplanner@cypressca.org)

### 2.1 PURPOSE AND TYPE OF EIR/USES OF THE EIR

This EIR has been prepared to evaluate potential environmental impacts that could result from implementation of the proposed project. As the Lead Agency, the City has the principal responsibility for approving the proposed project. In that capacity, the City has decided to prepare this EIR and, after the public review process, will decide whether to certify the Final EIR.

The City and any Responsible Agencies have the authority to make decisions on discretionary actions relating to development of the proposed project. As stated previously, this EIR is intended to serve as an informational document to be considered by the City and Responsible Agencies during deliberations on the proposed project. This EIR evaluates a reasonable worst-case scenario of potential impacts associated with the proposed project and identifies feasible mitigation and alternatives for any identified potentially significant impacts.

---

<sup>1</sup> As defined in Public Resources Code Section 21067.



This EIR will serve as a project EIR pursuant to *State CEQA Guidelines* Section 15161. According to Section 15161 of the *State CEQA Guidelines*, a project EIR is appropriate for specific development projects and should examine the environmental impacts that could result from all phases of the project, including planning, construction, and operation.

As the Lead Agency for the proposed project under CEQA, the City must consider the information contained in the Final EIR prior to taking any discretionary action with respect to the proposed project. This EIR provides information to the Lead Agency and other public agencies, the general public, and decision-makers regarding the potential environmental impacts from construction and operation of the proposed project. The purpose of the public review of this EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. *State CEQA Guidelines* §15151 states the following regarding the standards from which adequacy is judged:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

Public Resources Code Section 21002.1(a) states:

“The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.”

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the *State CEQA Guidelines* and provides the information needed to assess the environmental consequences of a proposed project. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts.

## 2.2 PUBLIC REVIEW PROCESS

In compliance with CEQA and the *State CEQA Guidelines*, the City has taken steps to promote opportunities for the public and other public agencies to participate in the environmental review process. The City conducted the scoping process, issued a Notice of Preparation (NOP), and determined that an EIR was required to evaluate the potentially significant environmental effects of the proposed project and related actions. Additionally, a public scoping session was conducted, as discussed below.

### 2.2.1 Notice of Preparation/Scoping Meeting

On November 22, 2019, an NOP for the proposed project was distributed by the City via the State Clearinghouse (SCH) and was circulated for review from November 22 to December 23, 2019. The



SCH issued a project number for this EIR (SCH No. 2019110458). In accordance with *State CEQA Guidelines* Section 15082, the NOP was circulated to the agencies and individuals that were provided in Appendix A, and was posted at the Orange County Clerk's Office for a period of 30 days, during which time written comments were solicited pertaining to environmental issues/topics that this EIR should evaluate. The NOP was also made available for public review at the City's Planning Department and on the City's website during the review period. The City held a public scoping meeting at the Cypress Community Center on Wednesday, December 11, 2019, to present the proposed project and to solicit input from interested parties regarding environmental issues that should be addressed in this EIR.

Responses to the NOP were received from the following agencies:

- City of Los Alamitos
- California Department of Transportation (Caltrans District 12)
- Governor's Office of Planning and Research, State Clearinghouse
- Native American Heritage Commission (NAHC)
- Orange County Transportation Authority (OCTA)
- South Coast Air Quality Management District (SCAQMD)

In addition, the following organizations and interested parties submitted written comments on the NOP:

- Angie Mizrahi
- Bill Wostenberg
- Brent Marino
- Brooke Nafarrete
- Carlo Nafarrete
- Christine Scheichl
- Clyde Schechter
- Cynthia O'Malley
- Deanna and Alex Borodayko
- Donna Ballard
- George Pardon
- Heidi Butcher
- Howard Nista
- Jane Lench
- Jimmy Fuller
- Joe and Judy Yenawine
- Jon and Yolie Miasnik
- Lector and Carolyn Orrick
- Leo Friedland
- Linda Lawrence
- Linda Zimmerman
- Lynn Pardon
- Marcela Valencia
- Melody Nista
- Millage House, Jr.
- Peter Korody
- Rincon Band of Luiseño Indians
- Robin and Larry Itzler
- Shaunna Hargrave
- Star Johnson
- Steven Mauss
- TR Maccauley
- Tracy Mackey
- Trisha Ovabuena
- Wayne M. Comeau
- Wayne Yenawine
- William Hutchins
- Yvette and Louis Krebs



### 2.2.2 Areas of Controversy

Issues and concerns raised in response to the NOP or at the scoping meeting included:

- **Traffic:** Concerns about additional traffic in the Cities of Cypress and Los Alamitos, specifically on Katella Avenue, north of Katella Avenue in the vicinity of existing schools, intersections along Katella Avenue, Walker Street, and Lexington Drive, and specific intersections (Katella Avenue/Los Alamitos Boulevard, Katella Avenue/I-605, Valley View Street/I-405). Concerns about traffic on Katella Avenue during peak hours and about additional traffic generated by students. Request to evaluate the potential traffic impacts on Katella Avenue due to its inclusion as part of the Congestion Management Program Highway System. Request that the City of Cypress work with the City of Los Alamitos to establish a mitigation fee program designed to pay for the future maintenance of Katella Avenue within the City of Los Alamitos.
- **Population and Housing:** Concerns about the lack of affordable housing in the City and about overpopulation in the City. Concerns about the population generation from the proposed apartment, hotel, retail, and commercial uses. Suggestion that higher household sizes should be considered in the analysis because higher rents in Orange County are leading to the overcrowding of residential units.
- **Noise:** Suggestion about adding landscaping along all sides of the property to reduce noise on the project site from surrounding sources and general concern about noise impacts.
- **Aesthetics:** Concerns about the height of the four-story apartment structure. Concern that the residential structure and parking garage would not be aesthetically representative of the City. Concern about off-site blighted retail buildings and off-site City maintenance of buildings.
- **Land Use:** Opposition to zoning changes to allow residential uses on the project site. Concerns related to the density of the residential structure and zoning changes to allow residential uses and higher density development. Suggestion that the residential structure be moved to the Winners Circle side of the project site. Concerns that parking will be underprovided.
- **Air Quality:** Concerns about air quality impacts from the proposed project and from increased traffic on Katella Avenue. Suggestions to adhere to guidelines from the SCAQMD and its Air Quality Handbook and recommendations on the identification of mitigation measures, alternatives, permits, and appropriate data sources.
- **Alternatives:** Suggestions to evaluate a reduced density alternative, and alternatives with the replacement of the apartment structure with a family-friendly entertainment center, a high-end grocery store, or senior apartments. Suggests an alternative with a decrease height of the residential structure to two stories and the elimination of the parking garage.
- **Hydrology:** Concern was raised about existing ponding along Siboney Street and on the project site. Requested that drainage facilities convey stormwater so as not to result in ponding on the Los Alamitos Racetrack property to the north.



- **Public Services:** Concern that schools in the City cannot accommodate students generated by the proposed project. Concern about increased demand for fire, police, library, emergency services, school, and park facilities/services. Concern about impacts on emergency services from traffic impacts on Katella Avenue.
- **Recreation:** Suggestions that parkland/public parks be provided on the project site. Concern about the amount of green space in the City and about impacts on existing parks.
- **Utilities and Service Systems:** Concern about increases in energy demand. Concern about added load to the power grid and water supply.

This is not an exhaustive list of areas of controversy, but rather key issues that were raised during the scoping process. This EIR addresses each of these areas of concern or controversy in detail, examines project-related and cumulative environmental impacts, identifies significant adverse environmental impacts, and proposes mitigation measures and/or alternatives designed to reduce or eliminate potentially significant impacts. Appendix A to this EIR includes the NOP and copies of written comments received in response to the NOP, as well as written comment cards received at the public scoping meeting. Appendix A also includes a comment summary.

### 2.2.3 EIR Public Review Period

This EIR is being distributed to numerous public agencies and other interested parties for review and comment. This EIR is also available at the following locations and on the City's website for the proposed project (add website location):

City of Cypress	Cypress Branch Library
Community Development Department	5331 Orange Avenue
5275 Orange Avenue	Cypress, CA 90630
Cypress, CA 90630	

All comments received from agencies and individuals on this EIR will be accepted during the public comment period, which will not be less than 45 days, in compliance with CEQA and *the State CEQA Guidelines*. All comments on this EIR should be sent to the following City contact person:

Jeff Zwack, Project Planner  
City of Cypress Community Development Department  
5275 Orange Avenue  
Cypress, CA 90630  
Email: [projectplanner@cypressca.org](mailto:projectplanner@cypressca.org)

Following the close of the public comment period, the City will prepare written responses to all written comments received during the public comment period and will compile these comments and responses, together with any text changes to this EIR, into a Final EIR that includes all of the information required pursuant to *State CEQA Guidelines* Section 15132. The Final EIR will be provided to all public agencies that submitted comments on this EIR at least 10 days prior to certification of the Final EIR. The Final EIR shall consist of the EIR or a revision of the draft;



comments and recommendations received on the EIR either verbatim or in summary; a list of persons, organizations, and public agencies commenting on the EIR; the response of the City to significant environmental points raised in the review and consultation process and in comments submitted on the Draft EIR; and any other information added by the City.

The City will make findings regarding the extent and nature of the impacts as presented in the Final EIR. The Final EIR must be certified as complete by the City Council prior to making a decision on the requested entitlements for the proposed project. Public input is encouraged at all public hearings regarding the proposed project.

### 2.3 SCOPE OF THIS EIR

As required by *State CEQA Guidelines* Section 15128, this EIR must identify the effects of the proposed project that are determined to be significant. Environmental topics addressed in this EIR include: Aesthetics; Air Quality; Biological Resources; Cultural Resources; Energy, Geology and Soils and Paleontological Resources; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services; Recreation; Transportation and Traffic; Tribal Cultural Resources; and Utilities and Service Systems.

### 2.4 FORMAT OF THE EIR

This EIR contains the information and analysis required by CEQA and the *State CEQA Guidelines*, including Section 15122–15131, and is generally organized as follows:

- **Chapter 1.0: Executive Summary.** Chapter 1.0 contains the Executive Summary of this EIR, which lists all significant project impacts, feasible mitigation measures that have been recommended to reduce any significant impacts of the proposed project, and the level of significance of each impact following feasible mitigation. The summary is presented in a table format.
- **Chapter 2.0: Introduction.** Chapter 2.0 contains a discussion of the purpose and intended use of this EIR.
- **Chapter 3.0: Project Description.** Chapter 3.0 includes a discussion of the proposed project's geographical setting, the project site's previous uses and approvals, and the proposed project's objectives, characteristics, components, and construction phases, as well as the anticipated discretionary and ministerial permits and approvals for the proposed project.
- **Chapter 4.0: Environmental Impact Analysis.** Chapter 4.0 includes an analysis of the proposed project's environmental impacts. It is organized into the following topical sections: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation, tribal cultural resources and utilities and service system. The environmental setting discussions describe the "existing conditions" of the environment on the project site and in the vicinity of



the site as they pertain to the environmental issues being analyzed (*State CEQA Guidelines* §15125).

The impact discussions identify and focus on the potentially significant environmental effects of the proposed project. The direct and indirect effects of the proposed project on the environment are identified and described, giving due consideration to both the short-term and long-term effects, as necessary (*State CEQA Guidelines* §15126.2[a]).

Chapter 4.0 also includes within the analysis of each environmental topic a discussion of the cumulative effects of the proposed project when considered in combination with other projects causing related impacts, as required by *State CEQA Guidelines* §15130. Cumulative impacts are based on the build out of the proposed project and the known relevant approved and proposed projects in the surrounding area.

The discussions of mitigation measures identify and describe feasible measures that could minimize or lessen potentially significant impacts for each significant environmental effect identified in this EIR (*State CEQA Guidelines* §15126[e]). The levels of significance before and after mitigation are provided. Significant unavoidable adverse effects are identified where mitigation is not expected to reduce the effects to less than significant levels.

- **Chapter 5.0: Alternatives to the Proposed Project.** In accordance with CEQA, the alternatives discussion in Chapter 5.0 describes a reasonable range of alternatives that could feasibly attain the basic objectives of the proposed project and are capable of eliminating or substantially reducing any of the proposed project's significant unavoidable adverse environmental effects or reducing them to a less than significant level. The alternatives analyzed in Chapter 5.0 include three alternatives: (1) the No Project Alternative, (2) the Reduced Project Alternative, and (3) the Commercial/Retail Alternative.
- **Chapter 6.0: Other CEQA Considerations.** Chapter 6.0 contains discussions on the following topics as required by *State CEQA Guidelines* §15126: (1) growth-inducing impacts of the proposed project; and (2) whether there are any significant irreversible environmental changes caused by the proposed project, adverse environmental impacts associated with the proposed project for which either no mitigation or only partial mitigation is feasible.
- **Chapter 7.0: Mitigation Monitoring and Reporting Program.** *State CEQA Guidelines* §15091(d) requires that public agencies adopt a mitigation monitoring and reporting program for any changes that it has either required in a project or made a condition of approval to avoid or substantially lessen significant environmental effects. Chapter 7.0 provides a list of all proposed project mitigation measures, defines the parties responsible for implementation and review/, and identifies the timing for implementation of each mitigation measure.
- **Chapter 8.0: Significant Unavoidable Impacts.** Chapter 8.0 summarizes the significant unavoidable adverse impacts that cannot be avoided or mitigated identified in Chapters 4.0 and 6.0.



- **Chapter 9.0: List of Preparers.** Chapter 9.0 provides the organizations and persons contacted during preparation of this EIR, the EIR preparers and technical report authors, and other experts involved in the preparation of this EIR.
- **Chapter 10.0: References.** Chapter 10.0 provides the references used in this EIR.

## 2.5 INCORPORATION BY REFERENCE

An EIR may incorporate by reference all or portions of another document that is a matter of public record or is generally available to the public, consistent with *State CEQA Guidelines* §15150. Informational details from the documents that have been incorporated by reference are summarized in the appropriate sections of this EIR, along with descriptions regarding how the public may review these documents. All documents are available for review at the City of Cypress, Community Development Department. These documents include:

- City of Cypress General Plan (available online at: <https://www.cypressca.org/government/departments/community-development/planning-division/city-plans>)
- City of Cypress Municipal Code (available online at: <https://qcode.us/codes/cypress/>)
- Proposed Cypress Business and Professional Center Specific Plan Amendment