



**IMPERIAL STATIONS**  
**PLANNING APPLICATION No. 2017-62**

Conditional Use Permit No. 2020-10  
Commercial Design Review No. 2020-09

**CLASS 32 CATEGORICAL EXEMPTION CHECKLIST**

Prepared By:  
**CITY OF LAKE ELSINORE**  
130 South Main Street  
Lake Elsinore, CA 92530

Applicant:  
**DAVID BERRI, IMPERIAL STATIONS, INC.**  
3199 Red Hill Avenue Ste. B  
Costa Mesa, CA 92626

Project Location:  
**31800 Mission Trail**

APN:  
**363-172-016**

**February 2022**

**SURROUNDING LAND USES AND SETTING:**

The project site is located at 31800 Mission Trail between Diamond Drive and Malaga Road. The project site is currently vacant and has street frontage along Mission Trail and Casino Drive. The project site has a General Plan Land Use and Zoning Designation of Commercial Mixed Use (CMU). Existing land uses surrounding the proposed project include commercial uses and a church to the north (Winston Plaza), commercial uses and a preschool to the south (Mission Trail Plaza), commercial uses to the west (La Laguna Mercado Shopping Center), and commercial development to the east across Casino Drive.

**PROJECT DESCRIPTION:**

The project proposes to establish a new 3,000 sq. ft. convenience store with the concurrent sale of beer and wine (Type 20 ABC), a 4,400 sq. ft. canopy with 18 fueling stations, and a 5,739 sq. ft. self-serve carwash on an approximately 1.8-acre site ('Project'). The Project will provide 49 parking spaces that include 22 standard spaces, two (2) accessible spaces, and 25 vacuum spaces.

The proposed convenience store is a single-story building with a height of 28'-6" and the proposed carwash building is a two-story building with a height of 27'-6". The buildings would incorporate architectural elements (such as parapets) of different heights and staggered exterior wall planes. Exterior building finish materials of the convenience store would include smooth stucco, foam trim finished with stucco, aluminum doors with tempered glass, and a metal awning. Exterior building finish materials of the carwash building will include smooth stucco, foam trim finished with stucco, aluminum composite roof fascia, metal siding, metal awnings, metal accent roofing, tempered glass windows, and steel canopy columns. Exterior colors of the buildings will include various shades of gray and red accent.

The Project would include approximately 11,944 sq. ft. of landscaped area, or 15.1 percent coverage of the lot area. New landscaping would be installed along the Project frontage on Mission Trail and Casino Drive to provide effective screening for the Project. Access to the site will be provided by two 30-foot driveways (with full ingress and/egress) at Mission Trail. The proposed site plan is shown in Figure 2.

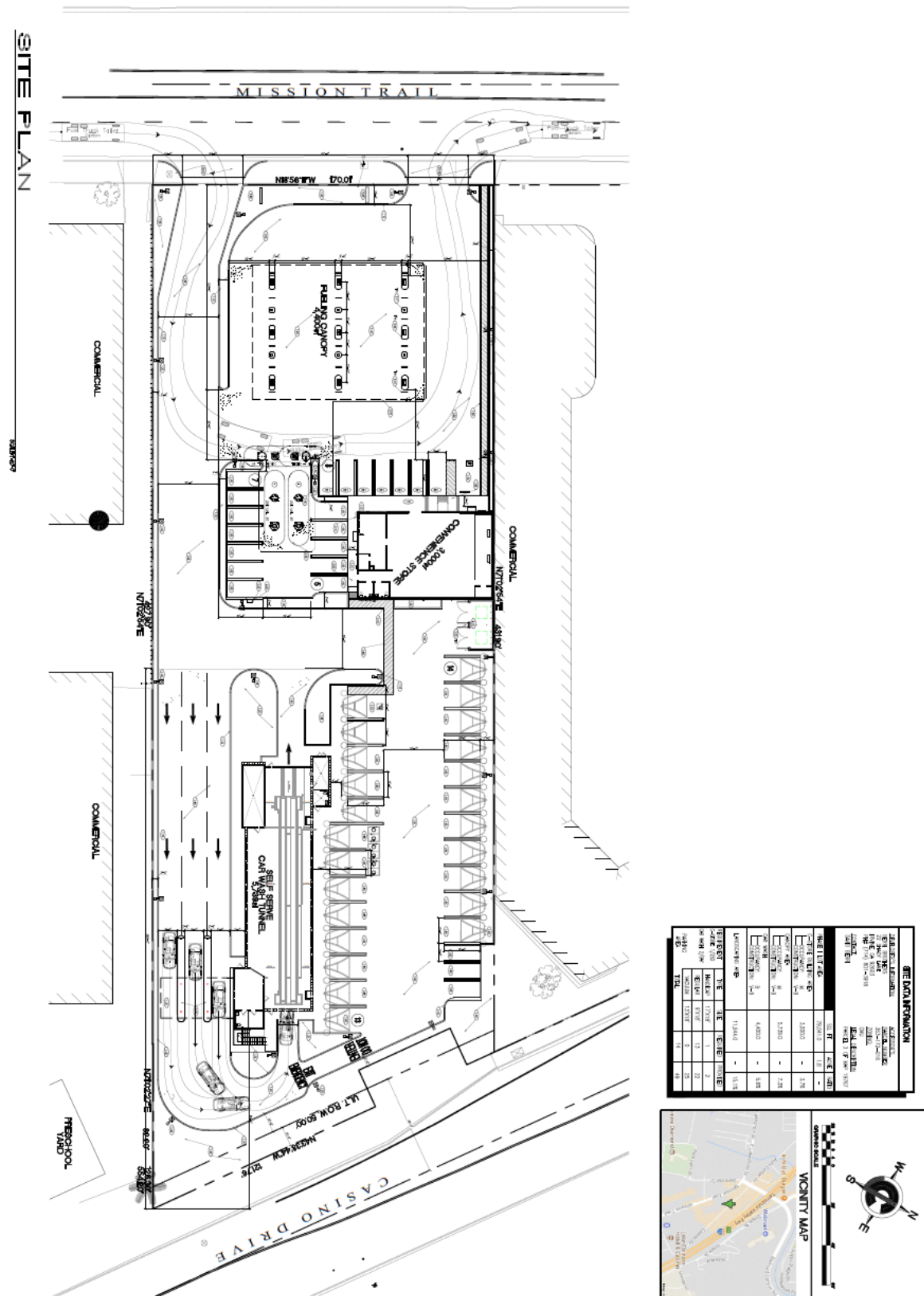
**GENERAL PLAN DESIGNATION:** Commercial Mixed Use (CMU)

**ZONING:** Commercial Mixed Use (CMU)

Figure 1 – Aerial/Vicinity Map



### Figure 2 – Site Plan



**INFORMATION DEMONSTRATING THAT THE PROJECT SATISFIES THE CONDITIONS DESCRIBED IN SECTIONS 15300.2 AND 15332 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS:**

**Criterion (a): Is the project consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations?**

The Project site has a General Plan Land Use and Zoning Designation of Commercial Mixed Use (CMU). The CMU Land Use Designation provides for a mix of residential and non-residential uses within a single proposed development area, with an emphasis on retail, service, civic and professional office uses. The proposed Project, a gasoline dispensing establishment and carwash, is a permitted use subject to a Conditional Use Permit under the CMU zoning land use regulations. The Project complies with all applicable development standards of the CMU zone. Therefore, the Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

**Criterion (b): Is the proposed development located within the City limits on a Project site of no more than five acres substantially surrounded by urban uses?**

The approximately 1.8-acre Project site is entirely located within Lake Elsinore city limits, within a developed portion of the Lake Elsinore Hills District and is surrounded by various nonresidential urban uses, as shown in Figure 1.

**Criterion (c): Does the Project site have value as habitat for endangered, rare or threatened species?**

The Project site is entirely disturbed does not contain suitable habitat for any candidate, sensitive, or special status plant or wildlife species. The Project site has been disked for weed abatement purposes. Moreover, the Project site is surrounded by existing urban development. Furthermore, the Project site is not located within a Criteria Cell of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and was not required to be processed through the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) processes. The Project complies with the MSHCP and is consistent with all applicable requirements of the MSHCP.

**Criterion (d): Would approval of the Project result in any significant effects relating to traffic, noise, air quality, or water quality?**

**I. Traffic**

The following review of potential traffic impacts is based on the Traffic Impact Analysis prepared by STE dated June 4, 2021 (included as Appendix A) for the proposed Project. The purpose of the Traffic Impact Analysis is to assess the potential effects of the Project on the transportation system by estimating changes to Level of Service (LOS) for nearby road intersections and changes to vehicle miles traveled (VMT) per capita.

A summary of the Transportation Impact Analysis is provided below:

- The Project does not change existing LOS at nearby intersections which will continue to operate at LOS C or better under Existing Plus Ambient Plus Project Conditions. This level of service does not fall below the City's minimum LOS of D or better. Therefore, the Project does not cause a significant impact to LOS.
- The Project's incremental VMT per capita change is presumed to be less than significant because the Project meets the City's impact screening criteria. The City's Traffic Impact Analysis guidelines provide that local serving retail Projects less than 50,000 square feet may be presumed to result in less than significant VMT impacts. Therefore, the Project would not cause a significant impact to VMT per capita.

Conclusion: The Project would not significantly impact the City transportation system because (1) affected intersections will continue to operate at acceptable levels above the City minimum, and (2) the Project's changes to VMT per capita may be assumed to be less than significant under the City's adopted Traffic Impact Analysis guidelines. For additional information, refer to the Traffic Impact Analysis and VMT memorandum included as Appendix A to this report.

## **II. Noise**

The following review of potential noise impacts is based on the Noise and Vibration Impact Analysis prepared by LSA dated November 2021 (included in Appendix B) for the Project. Under Appendix G of the State CEQA Guidelines, the proposed Project would create significant impacts if the Project would result in:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Generation of excessive groundborne vibration or groundborne noise levels; or
- Expose people residing or working in the Project area to excessive noise levels if the Projects is located within the vicinity of a private airstrip or 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

The purpose of the Noise and Vibration Impact Analysis is to assess the potential noise and vibration impacts resulting from the Project construction and operation, in addition to evaluating whether the Project would expose people to excessive noise levels. A summary of the Noise and Vibration Impact Analysis is provided below:

- Construction of the Project would not exceed the City's construction noise standards. Therefore, the Project would not result in significant noise impacts from construction activities.
- Operation of the Project would not exceed the City's exterior noise standards. Therefore, the Project would not result in significant noise impacts from operational activities.

- Construction and operation of the Project would not generate excessive groundborne vibration or groundborne noise levels. Therefore, the Project would not result in significant vibration impacts.
- The Project site is located outside the applicable noise contours of nearby airports. Therefore, the Project would not expose people working in the Project area to excessive noise levels and not create significant impacts.

Conclusion: Construction of the Project would result in temporary noise impacts from transportation of construction crews and equipment to and from the Project site, and noise from construction activities including operation of mobile and stationary construction equipment. However, any temporary increases in ambient noise levels caused by construction would not exceed the City's mobile and stationary construction noise standards. Therefore, impacts from construction noise would be less than significant. Although not required to mitigate any significant impacts under CEQA, the City will require the Project to comply with the following Conditions of Approval to minimize noise from Project construction as recommended in the Noise and Vibration Impact Analysis:

- The construction contractor shall erect a minimum 14-foot high temporary construction barrier to shield the playground associated with the preschool from mobile construction equipment and a minimum 8 ft high portable temporary construction barrier immediately to the southeast for all onsite stationary construction equipment. The barrier shall be continuous with no gaps or holes and may be any material that has a minimum Sound Transmission Class (STC) rating of 28
- The construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site whenever feasible
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and the noise-sensitive receptors nearest the Project site during all Project construction whenever feasible

Operation of the Project would result in an increase in ambient noise levels from the car wash, fueling activities, parking activities, heating, ventilation, and air conditioning (HVAC) noise equipment, and truck deliveries and Project-related traffic. However, the increases in ambient noise levels caused by operation would not exceed the City's exterior noise standards. Therefore, impacts from operational noise would be less than significant.

The nearest airport facility to the Project site is a private airstrip located 1.5 miles away to the south of the Project site. However, the airport conditions are not optimal to service frequent or significant levels of air traffic. Therefore, the Project would not result in significant impacts because the Project would not expose people working in the Project area to excessive noise levels.

Lastly, the Project would not generate excessive groundborne vibration or groundborne noise levels during construction or operation of the Project because vibration and groundborne noise resulting from the Project would not exceed applicable Federal guidelines relating to vibration impacts on sensitive receptors. Therefore, no significant vibration impacts would occur.

For additional information, refer to the Noise and Vibration Impact Analysis included as Appendix B to this report.

### **III. Air Quality**

The following review of potential air quality impacts is based on the Air Quality and Greenhouse Gas Analysis prepared by LSA dated November 2021 (included in Appendix C) for the Project. Under Appendix G of the State CEQA Guidelines, the proposed Project would create significant impacts if the Project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- 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;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people

The purpose of the Air Quality and Greenhouse Gas Analysis is to assess the potential air quality impacts resulting from the Project construction and operation, in addition to evaluate the Project's compliance with applicable criteria pollutant thresholds established by the South Coast Air Quality Management District (SCAQMD). A summary of the Air Quality and Greenhouse Gas Analysis is provided below:

- Construction and operation of the Project would not emit criteria pollutants exceeding the daily emissions thresholds established by SCAQMD. Therefore, the Project would not result in any regionally significant air quality impacts from Project construction and operation.
- Construction and operation of the Project would not emit pollutants in excess of localized significance thresholds established by SCAQMD. Therefore, Project would neither result in any localized significant air quality impacts from Project construction and operation nor expose nearby sensitive receptors to substantial pollutant concentrations.
- The proposed Project would not result in substantial increases in CO concentrations at intersections in the Project vicinity that would result in the exceedance of federal or State CO concentration standards.
- Construction and operation of the Project would not result in significant odor impacts.
- The proposed Project would not conflict with any applicable air quality plans including Lake Elsinore Climate Action Plan, SCAQMD Air Quality Plan, and the Southern

California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy. Given this consistency, it is concluded that the proposed Project's impact to the climate from GHG emissions would not be cumulatively considerable.

Conclusion: Project construction would result in emissions from equipment exhaust, fugitive dust, and architectural coatings. Both regional and localized construction emissions from Project construction would fall below SCQAMD daily significance thresholds. Therefore, the Project would not result in significant regional or localized air quality impacts due to Project construction.

Project operation would result in regional impacts from increase in Project trip generation, and localized impacts from natural gas use for heating and emissions from on-site movement of motor vehicles. Regional and localized emissions from Project operation would fall below SCQAMD daily significance thresholds. Therefore, the Project would not result in significant regional or localized air quality impacts due to Project operation.

Moreover, the Project does not have the potential to expose sensitive receptors to substantial pollutant concentrations, result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, or conflict with or obstruct implementation of any air quality plan. In conclusion, the Project would not result in any significant air quality impacts.

For additional information, refer to the Air Quality and Greenhouse Gas Analysis included as Appendix C to this report.

#### **IV. Water Quality**

The Project site is located within the San Jacinto River Sub-watershed of the Santa Ana Watershed region of Riverside County. The Santa Ana Regional Water Quality Control Board (SARWQCB) sets water quality standards for ground and surface waters within the region. Water quality standards are defined under the Clean Water Act to include both the beneficial uses of specific water bodies and the levels of water quality that must be met and maintained to protect those uses (water quality objectives).

Construction of the proposed Project would include grading, excavation, installation of subsurface infrastructure, and other earthmoving activities that have the potential to cause erosion that could degrade surface or ground water quality and/or violate water quality standards. The use of heavy construction equipment could result in the accidental release of hazardous materials (e.g., oils, fuels, and other water quality pollutants) that also could potentially affect surface and/or ground water quality. As required by the Clean Water Act, the Project would comply with the Santa Ana Municipal Separate Storm Sewer (MS4) NPDES Permit. The NPDES MS4 Permit Program, which is administered in the Project area by Riverside County and is issued by the SARWQCB, regulates storm water and urban runoff discharges from developments to natural and constructed storm drain systems in the City. Since the proposed Project would disturb one or more acres of soil, construction activities would be subject to the Construction General Permit (NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ, adopted September 2, 2009 and

effective as of July 2, 2010) issued by the SWRCB. The Construction General Permit requires implementation of a Storm Water Pollution Prevention Plan (SWPPP) for site clearing, grading, and disturbances such as stockpiling or excavation. The SWPPP would generally contain a site map showing the construction perimeter, proposed buildings, storm water collection and discharge points, general pre- and post-construction topography, drainage patterns across the site, and adjacent roadways.

The Project site is currently vacant and consists of undeveloped, pervious surface. The existing drainage runoff are collected by concrete gutters and flow west to Casino Dr. by gravity. The proposed Project is a Carwash building with parking lots, driveway, and landscape areas.

**Conclusion:** A Project Specific Water Quality Management Plan (FWQMP-2020-00007) dated April 2, 2020 (Revised October 13, 2020) has been prepared for the Project to address the increase in polluted runoff that would occur from the proposed Project by describing the site design, source control and treatment control Best Management Practices (BMPs) that will be implemented and maintained throughout the life of the Project. The onsite stormwater runoff will be collected by an onsite biofiltration system where it would pass through a filter and then be temporarily retained in the soil media. The plants and biological activity in the root zone would then function to take up pollutants and runoff, thus filtering the water before it is released into the storm drain system that eventually leads to Lake Elsinore. The SWPPP must also include construction-phase BMPs to protect against stormwater runoff. Through implementation of both the WQMP and SWPPP BMPs, along with regulatory compliance, the Project would meet applicable standards and discharge regulations. Therefore, the Project would not otherwise substantially degrade surface or ground water quality and any water quality impacts resulting from the proposed Project would be less than significant.

For additional information, refer to the Water Quality Management Plan included as Appendix D to this report.

**Criterion (e): Can the Project site be adequately served by all required utilities and public services?**

**Fire Protection:** Development of the Project would be subject to City policies and ordinances relating to hazard mitigation and fire prevention. The Project would be required to comply with applicable fire code requirements for construction and access to the site and as such, will be reviewed by the City Fire Department to determine the specific fire requirements applicable to ensure compliance with these requirements. Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the benefit of the citizens whereby as a condition to the issuance of a building permit or certificate of occupancy by the City, the property owner or land developer is required to pay development impact fees or provide other consideration to the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which will benefit such new development. Section 16.74.049 includes a "fire facilities fee" to mitigate the additional burdens created by new development for City fire facilities. Since the proposed Project includes new housing, impacts must be offset through the payment of the appropriate development impact fees. The Project would incrementally increase demands for

fire protection services associated with service calls, inspections, etc. The increase in demand for fire protection services from this increase is not anticipated to require the construction of new facilities or infrastructure. Therefore, the proposed Project would not result in substantial adverse physical impacts related to fire protection, and impacts would be less than significant.

**Police Protection:** Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which would benefit such new development. The proposed Project would participate in this development impact fee program to mitigate potential impacts to police protection resources. Additionally, the Project would be required to comply with applicable law enforcement requirements and standards to ensure adequate law enforcement protection is available to serve the Project site. Potential impacts would be considered incremental and can be offset through the payment of the development impact fee and compliance with regulatory requirements. The proposed Project would not result in substantial adverse physical impacts related to police protection. Therefore, potential impacts associated with police Protection would be less than significant.

**Schools:** The proposed Project site is located within the Lake Elsinore Unified School District (LEUSD). The Project would be required to pay school impact fees as levied by the LEUSD, which would provide funding for school facilities. The proposed Project does not propose new housing which could generate new students who would require LEUSD facilities and services. Therefore, any potential impacts would be considered incremental and would be offset through the payment of the appropriate development impact fees for schools. Based on the above, the proposed Project will not result in substantial adverse physical impacts related to schools. Any impacts would be less than significant

**Parks:** The proposed Project does not propose residential uses so it would not generate additional residents who would need park facilities or services. Therefore, a direct increase in park usage is not expected as a result of the Project. New commercial development may cause incremental indirect impacts to park facilities from the occasional use of a park by employees during a lunch or dinner break. Section 16.34.060 in Chapter 16.34 (Required Improvements) for the LEMC requires that prior to the issuance of a building permit, the property owner or developer must pay fees for the purposes set forth in that section. Paragraph D of Section 16.34.060 describes the City's Park Capital Improvement Fund and describes that the City Council has the option to request dedication for park purposes or in lieu thereof, request that the property owner or developer pay a fee for the purpose of purchasing the land and developing and maintaining the City park system. As a commercial Project, the proposed Project would be required to pay park fees to the City for the purpose of establishing, improving and maintaining park land within the City. Since the Project does not propose new housing so any potential impacts would be considered incremental and would be offset through the payment of the appropriate park fees. Based on the above, the proposed Project would not result in substantial adverse physical impacts related to parks. Any impacts would be less than significant.

**Other Public Facilities:** The City is part of the Riverside County Library System. Section

16.34.060 in Chapter 16.34 (Required Improvements) of the LEMC requires that prior to the issuance of a building permit, the property owner or developer must pay fees for the purposes set forth in that section. Paragraph B of Section 16.34.060 describes the City's Library Mitigation Fee and states that an in-lieu fee for future construction of library improvements shall be paid to the City to assure the necessary library facilities are provided to the community. Since the proposed Project would include new housing, potential impacts must be offset through the payment of the appropriate library mitigation fees. Therefore, potential impacts associated with libraries would be less than significant.

Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which would benefit such new development. Section 16.74.048 includes an "Animal shelter facilities fee" to mitigate the additional burdens created by new development for animal facilities. In addition, the property owner would be required to pay City Hall & Public Works fees, Community Center Fees, and Marina Facilities Fees prior to the issuance of building permits. Therefore, potential impacts associated with other public services and facilities would be less than significant.

**Wastewater/Sewer:** The Project site is located within the wastewater/sewer service boundary of the Elsinore Valley Municipal Water District (EVMWD). The Project site's development plan proposes to connect to the EVMWD wastewater/sewer system. Connections to local sewer mains will involve temporary and less than significant construction impacts that will occur in conjunction with other on-site improvements. In addition, the Project will be required to pay sewer connection fees. Implementation of the proposed Project will not require, or result in, the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Any impacts will be less than significant.

**Storm Water Drainage:** On-site grading and drainage improvements proposed in conjunction with the proposed site work would be required to comply with provisions of the National Pollutant Discharge Elimination System (NPDES) program, including Waste Discharge Requirements (WDR), and the 2010 Santa Ana Municipal Separate Sewer Permit (MS4) Permit, as enforced by the Santa Ana Regional Water Quality Board (SARWQCB). Pursuant to the City's Municipal Code, all construction Projects shall apply Best Management Practices (BMPs) to be contained in the Project applicants submitted Stormwater Pollution Prevention Plan (SWPPP). The proposed Project was required to submit a Project-specific Water Quality Management Plan (WQMP) in identifying post-construction BMPs that include drainage controls such as infiltration pits, detention ponds, bioswales, berms, rain gardens, and pervious pavement. In addition, the proposed Project was required to submit a drainage study to ensure onsite and offsite drainage is accurately assessed and sufficient infrastructure is required for construction of the Project. During the grading and construction phase, the applicant will need to comply with the conditions of approval placed on the Project. With adherence to the Project-specific WQMP, the proposed Project will not substantially alter the existing drainage pattern of the site or area, nor will it require new or expanded off-site storm drain facilities the construction

or relocation of which could cause significant environmental effects. Any impacts would be less than significant.

**Water Supplies:** The Project site is located within the water service boundary of the Elsinore Valley Municipal Water District (EVMWD). The Project's development plan proposes to connect to the EVMWD water supply system. Connections to local water mains will involve temporary and less than significant construction impacts that will occur in conjunction with other on-site improvements. In addition, the Project will be required to pay water connection fees and comply with Water Efficient Guidelines. Implementation of the proposed Project will not require, or result in, the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Given the proposed Project's relatively small size, any potential impacts are considered nominally incremental and less than significant.

**Solid Waste Disposal:** All development within the City of Lake Elsinore is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991), AB 939 (CalRecycle), and other local, state, and federal solid waste disposal standards. The California Integrated Waste Management Act of 1989 (AB 939) requires every city and county in the state to prepare a Source Reduction and Recycling Element (SRRE) to its Solid Waste Management Plan, that identifies how each jurisdiction will meet the mandatory state diversion goal of 50% by and after the year 2000. The purpose of AB 939 is to "reduce, recycle, and re-use solid waste generated in the state to the maximum extent feasible." The Project site's development plan is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991), AB 939, and other applicable local, state, and federal solid waste disposal standards as a matter of regulatory policy as standard condition of approval, thereby ensuring that the solid waste stream to the waste disposal facilities is reduced in accordance with existing regulations. Any potential impacts will be less than significant.

**Electricity, Natural Gas, Telephone, Television:** The Project site is located in a developed, urban setting. The site and the surrounding properties are fully served by various utility service providers. There are no anticipated significant service or system upgrades required to serve the Project. Any increase in the demand for public utilities by the Project would be less than significant.

**DETERMINATION:**

I find that the answers given above are adequately supported by the information sources cited following each question and that the effects of the proposed Project are typical of those generated within that class of Projects (*i.e.*, Class 32 – Infill Development Projects) characterized as in-fill development meeting the conditions of Section 15332 of Title 14 of the California Code of Regulations. The proposed Project will not cause a significant effect on the environment and is, therefore, categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act.

Kevin Beery

2/1/2022

Kevin Beery, Associate Planner

Date

**Appendices:**

The following documents were used as information sources during preparation of this document. They are available for public review at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530, ph. (951) 674-3124.

- A) Traffic Impact Analysis prepared by STE dated June 4, 2021
- B) Noise and Vibration Impact Analysis prepared by LSA dated November 2021
- C) Air Quality and Greenhouse Gas Analysis prepared by LSA dated November 2021
- D) Water Quality Management Plan prepared by Ronie Dema-ala dated April 2, 2020  
(Revised October 13, 2020)