

RIVERSIDE COUNTY PLANNING DEPARTMENT

Juan C. Perez TLMA Director/Interim Planning Director

DATE: June 17, 2014

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Desert Office

SUBJECT: CHANGE	OF ZONE	NO. 7710	CONDITIONAL	USE PERMIT	NO.	3623 -	10 DA	Y NOH
(DUE TO PROPOSED	CHANGE	OF ZONE)					

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

Place on Administrative Action (Receive & File; EOT)	Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
Labels provided If Set For Hearing	Publish in Newspaper:
 🗌 10 Day 🔲 20 Day 🔲 30 day	(4th Dist) Desert Sun and Press Enterprise
Place on Consent Calendar	Mitigated Negative Declaration
Place on Policy Calendar (Resolutions; Ordinances; PNC)	🖾 10 Day 🛛 20 Day 🛛 🖾 30 day
Place on Section Initiation Proceeding (GPIP)	Notify Property Owners (app/agencies/property owner labels provided)
	Controversial: 🔲 YES 🖾 NO

Documents to be sent to County Clerk's Office for Posting within five days:

Notice of Determination

California Department of Fish & Wildlife Receipt (CFG05520)

Do not send these documents to the County Clerk for posting until the Board has taken final action on the subject cases.

July 15th Board Date

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office · 77-588 Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



SUBJECT: CHANGE OF ZONE NO. 7710 / CONDITIONAL USE PERMIT NO. 3623 – Adopt Mitigated Negative Declaration for Environmental Assessment No. 42166 - Applicant: Ino Cruz – Fourth/Fourth Supervisorial District – Mecca Zoning District – REQUEST: **Change of Zone No. 7710** proposes to modify the Light Agriculture – 5 Acre Minimum (A-1-5) zone to the Scenic Highway Commercial (C-P-S) zone on an existing 14 acre lot. **Conditional Use Permit No. 3623** proposes to construct and operate an automobile and truck travel center consisting of a 13,600 square foot convenience store with 24 hour retail sale of gasoline and diesel fuel, food/beverages, and the concurrent sale of beer and wine for off-premises consumption with Type 20 ABC License (No PN&C required). Additionally, the proposed automobile and truck travel center includes 1,152 square foot car wash, 5,350 square foot gasoline canopy with eight (8) pumps and 3,570 square foot diesel fuel canopy with six (6) pumps, and up to three (3) drive-thru restaurants and two (2) sit down restaurants totaling approximately 15,905 square feet. The proposed project includes a 200 square foot freestanding sign up to 35 feet in height, a separate 100 square foot pricing and directory monument sign, as well as wall and fuel canopy signage. Total on-site parking consists of 203 vehicle spaces and 19 truck spaces.

RECOMMENDED MOTION: That the Board of Supervisors:

Initials JCP:jo

DATE

M. GU

NTHIA

SY

Change Order

4/5 Vote

COUNSE

APP

FOR BY

Positions Added

A-30

(continued on next page)

Juan C. Perez, TLMA Director/ Interim Planning Director

For Fiscal Year:

N/A

FINANCIAL DATA	Curre	ent Fiscal Year:	Next	Fiscal Year:		Total Cost:		01	ngoing Cost:	POLICY/C (per Exe	
COST	\$	N/A	\$		N/A	\$	N/A	\$	N/A	Concert 🗖	
NET COUNTY COST	\$	N/A	\$		N/A	\$	N/A	\$	N/A	Consent 🗆	Policy 🗆
SOURCE OF FUNDS: N/A Budget Adjustment: N/A											

C.E.O. RECOMMENDATION:

County Executive Office Signature

	MINUTES	OF THE	BOARD	OF SUPER	VISORS
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Agenda Number:



SUBMITTAL DATE: June 24, 2014

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA FORM 11: Change of Zone No. 7710 / Conditional Use Permit No. 3623 DATE: June 24, 2014 PAGE: 2 of 3

1. <u>ADOPT</u> a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42166** and the **MITIGATION MEASURES** set forth herein based on the findings incorporated in the initial study, the staff report, and the conclusion that the project will not have a significant effect on the environment; and,

2. <u>APPROVE</u> CHANGE OF ZONE NO. 7710, amending the zoning classification for the subject property from the Light Agriculture – 5 Acre Minimum (A-1-5) zone to the Scenic Highway Commercial (C-P-S) zone in accordance with Exhibit #3, based upon the findings and conclusions incorporated in the staff report; and,

3. <u>APPROVE</u> CONDITIONAL USE PERMIT NO. 3623, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

4. <u>ADOPT</u> Ordinance No. 348.4783 amending the zoning in the Mecca District shown on Map No. 33.010 Change of Zone No. 7710, attached hereto and incorporated herein by reference.

BACKGROUND:

The project was heard before the Planning Commission on May 21, 2014. A Memo was provided to the Planning Commissioners with attached building elevation changes, recommended changes to the conditions of approval, and copy of a single public comment letter.

Planning Department staff and the 4th District Planning Commissioner worked with the applicant to add additional architectural elements to the exterior building sides prior to the Planning Commission hearing which are now incorporated in the Board Package. The site plan was also corrected to eliminate reference to detention basin along the easterly and southerly project boundary.

Based on consultation with Planning Department and Transportation Department, staff also incorporated amendments to recommended Conditions of Approval (COA) with regards to Rights-of Way (ROW) Dedications (COA's 80.Trans.4, 90.Trans.31) and Fences/Berms (COA 90.Planning.41). The main purpose of these condition changes was to ensure Caltrans ROW along State Highway 86 and 66th Avenue (State Highway 195) be kept clear of structures and remain undeveloped. Conditions of Approval 80.Planning.34 and 90.Planning.47 were deleted since the Caltrans ROW Dedication is not required with the CUP.

Staff also received a public comment letter received May 19, 2014 which is incorporated into the Board Package. The public comment letter was a general information inquiry about the location of project, whether it was a private development, and if there were any potential effects on surrounding properties. Staff responded with a written response on June 19, 2014. This person did not attend the PC hearing.

No one from the public spoke in favor, neutral, or opposition to the project at the Planning Commission hearing on May 21, 2014.

The Planning Commission recommends approval/adoption of the zone change and conditional use permit.

Impact on Citizens and Businesses

An environmental assessment has been completed for this proposed project. The impact on the local citizens and businesses has been slightly increased with the proposed 14 acre truck stop, but are reduced below a level of significance with recommended conditions of approval including, but not limited to, perimeter treatment including fencing and landscaping, architectural design of the buildings, and road improvements.

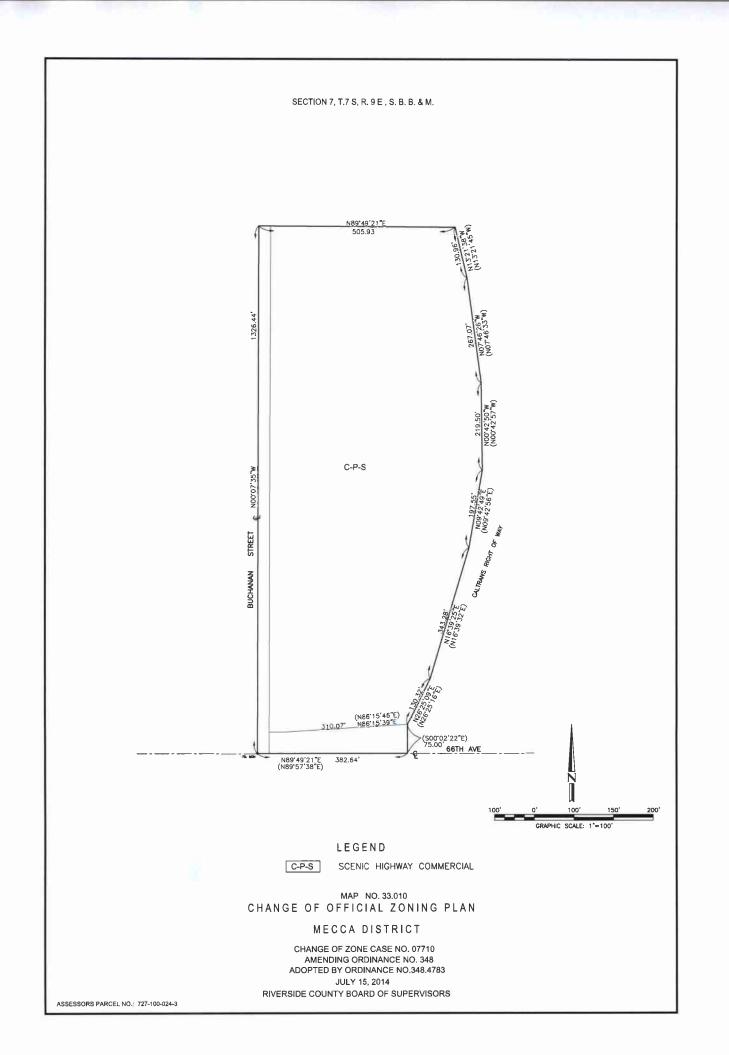
SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA FORM 11: Change of Zone No. 7710 / Conditional Use Permit No. 3623 DATE: June 24, 2014 PAGE: 3 of 3

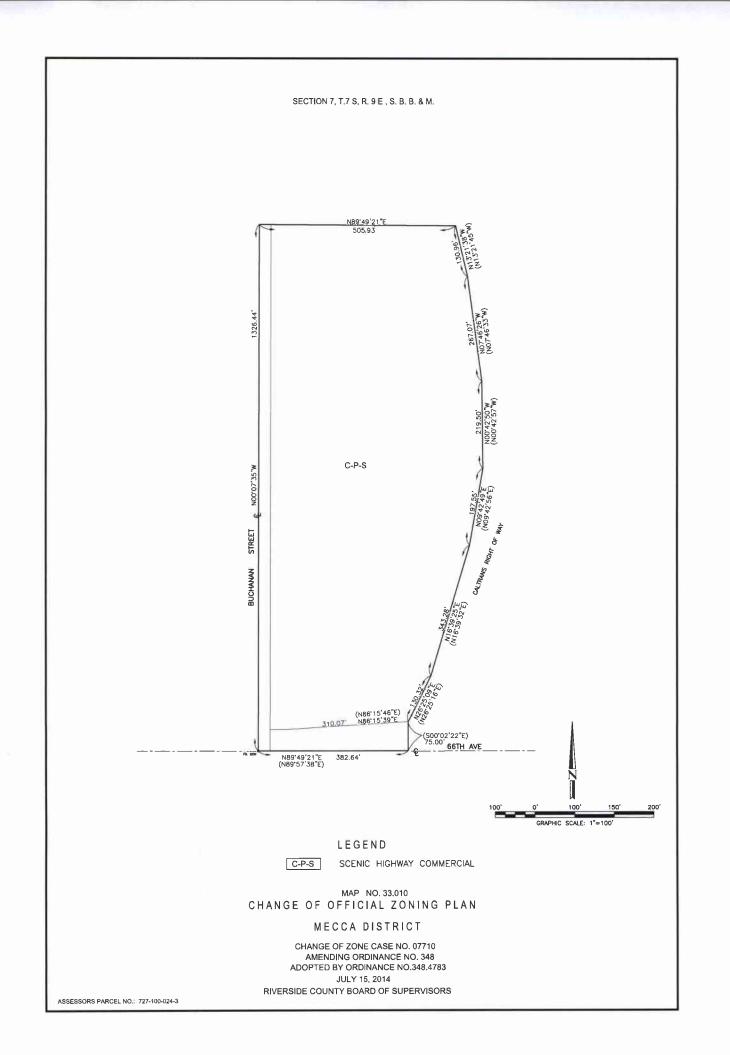
SUPPLEMENTAL:

Additional Fiscal Information N/A

Contract History and Price Reasonableness N/A

1	<u>ORDINANCE NO. 348.4783</u>					
2	AN ORDINANCE OF THE COUNTY OF RIVERSIDE					
3	AMENDING ORDINANCE NO. 348 RELATING TO ZONING					
4	The Board of Supervisors of the County of Riverside ordains as follows:					
5	Section 1. Section 4.1 of Ordinance No. 348, and Mecca District Zoning Plan Map No.					
6	33. as amended, are further amended by placing in effect in the zone or zones as shown on the map					
7	entitled "Change of Official Zoning Plan, Mecca District, Map No. 33.010 Change of Zone Case No.					
8	7710," which map is made a part of this ordinance.					
9	Section 2. This ordinance shall take effect 30 days after its adoption.					
10						
11	BOARD OF SUPERVISORS OF THE COUNTY OF PIVEPSIDE STATE OF CALIFORNIA					
12	OF RIVERSIDE, STATE OF CALIFORNIA					
13	By: Chairman, Board of Supervisors					
14	Chairman, Board of Supervisors					
15	ATTEST: Kecia Harper-Ihem					
16	Clerk of the Board					
17	By:					
18	Deputy					
19						
20	(SEAL)					
21	APPROVED AS TO FORM					
22	July <u>2</u> , 2014					
23						
24	Bu Sulti M G. Dal					
25	By: <u>MMMA M. GUNZEL</u> SYNTHIA M. GUNZEL					
26	Deputy County Counsel					
27 28	SMG/MD 07/02/14 G:\PROPERTY\MDUSEK\CZ ZONING ORD & FORM11\FORMAT.348\4783.DOC					





Agenda Item No.: 3.1 Area Plan: Eastern Coachella Valley Zoning District: Mecca Supervisorial District: Fourth/Fourth Project Planner: Jay Olivas Planning Commission: May 21, 2014 CHANGE OF ZONE NO. 7710 CONDITIONAL USE PERMIT NO. 3623 E.A. Number: 42166 Applicant: Thermal Service Station, LP Representative: Ino Cruz

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Change of Zone No. 7710 proposes to modify the Light Agriculture – 5 Acre Minimum (A-1-5) zone to the Scenic Highway Commercial (C-P-S) zone on an existing 14 acre lot.

Conditional Use Permit No. 3623 proposes to construct and operate an automobile and truck travel center on a 14 acre site to include 13,600 square foot convenience store up to 28 feet in height with 24 hour retail sale of gasoline and diesel fuel, food/beverages, and concurrent sale of beer and wine for off-premises consumption with Type 20 ABC License (No PN&C required). Additionally, the proposed automobile and truck travel center includes 1,152 square foot car wash, 5,350 square foot gasoline canopy with eight (8) pumps and 3,570 square foot diesel fuel canopy with six (6) pumps, and up to three (3) drive-thru restaurants and two (2) sit down restaurants totaling approximately 15,905 square feet. The proposed project includes 200 square foot freestanding sign up to 35 feet in height, separate 100 square foot pricing and directory monument sign, plus wall and fuel canopy signage. Total on-site parking consists of 203 vehicle spaces and 19 truck spaces.

The development is proposed to be constructed in three (3) phases as identified on Exhibit P for the proposed project. Phase 1 consists of developing within the areas labeled on Exhibit P as: 1) Pad 3 which includes a convenience store, a McDonald's restaurant, an eight (8) dispenser gasoline canopy, a six (6) diesel dispenser canopy with truck scale and a self-service car wash; and 2) Pad 4 which includes the water treatment retention basin and water tank with pump and chlorinating system. Phases 2 and 3 consist of developing the areas within Pad 1 and 2, respectively, with restaurant buildings and drive-thru areas.

Off-site access is along Buchanan Street via State Highway 86 and 66th Avenue (State Highway 195). The project site is located northerly of 66th Avenue (State Highway 195), southerly of Avenue 65, easterly of Buchanan Street, and westerly of State Highway 86 in the Eastern Coachella Valley.

ISSUE OF POTENTIAL CONCERN:

Issues of potential concern consist of traffic, drainage, and proposed liquor license for the sale of beer and wine for off-premises consumption within the proposed convenience store.

Traffic and drainage issues were resolved as the result of required studies and clearances obtained along with recommended conditions of approval.

The proposed liquor license is located within 1,000 feet radius of an existing business to the east that currently has an active off-site alcohol beverage control license.

There are no schools, parks or churches within the 1,000 foot vicinity of the project. According to the California Department of Alcoholic Beverage Control (ABC), there are 11 on-sale and eight (8) off-sale alcoholic beverage licenses within census tract 456.04. According to the ABC, a Type 20 license is a

CHANGE OF ZONE NO. 7710 CONDITIONAL USE PERMIT NO. 3623 PC Staff Report: May 21, 2014 Page 2 of 6

retail license. A determination of Public Necessity and Convenience is not required since there is no over concentration of licenses within the census tract according to ABC's email of April 15, 2014.

With the lack of impacts to schools, parks, and churches in the immediate vicinity, staff finds that the Type 20 license would not have a negative impact to the community, and therefore supports concurrent sale of beer and wine for off-premises consumption for this proposed travel center/truck stop.

BACKGROUND:

The subject property is currently vacant. The only previous planning review for the site was Pre-Application Review No. 1093 (PAR 1093) in 2007. PAR 1093 consisted of an initial conceptual design of the travel center/truck stop that is currently proposed with CUP 3623.

The project was initially applied for in 2009. However, major studies such as Traffic, Hydrology/Drainage, Amended Exhibits, and CEQA Initial Study were not completed until 2013/2014.

SUMMARY OF FINDINGS:

1_{\times}	Existing General Plan Land Use (Ex. #5):	Commercial Tourist (.2035 Floor Area Ratio)
2.	Surrounding General Plan Land Use (Ex. #5):	Commercial Tourist, Commercial Retail, Agriculture, Rural Residential
3.	Existing Zoning (Ex. #3):	Light Agriculture – 5 Acre Minimum (A-1-5)
4.	Proposed Zoning (Ex. #3):	Scenic Highway Commercial (C-P-S)
5.	Surrounding Zoning (Ex. #3):	Scenic Highway Commercial (C-P-S), Light Agriculture – 5 Acre Minimum (A-1-5), Light Agriculture – 10 Acre Minimum (A-1-10)
6.	Existing Land Use (Ex. #1):	Vacant
7	Surrounding Land Use (Ex. #1):	Truck Stop to the east (CUP 3309R1).
8.	Project Data:	Total Acreage: 14 Gross / Net Total Number of Proposed Buildings: 8 Total Proposed Building Square Footage: 38,500 Total Auto Parking Spaces: 203 Liquor License Type: ABC 20 Off-Sale Beer/Wine
9.	Environmental Concerns:	See attached environmental assessment

RECOMMENDATIONS:

THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

<u>ADOPT</u> a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESMENT NO. 42166** and the **MITIGATION MEASURES** set forth herein based on the findings incorporated in the initial study, the staff report, and the conclusion that the project will not have a significant effect on the environment; and,

TENTATIVELY APPROVE CHANGE OF ZONE NO. 7710 amending the zoning classification for the subject property from the Light Agriculture – 5 Acre Minimum (A-1-5) zone to the Scenic Highway Commercial (C-P-S) zone in accordance with Exhibit #3, based upon the findings and conclusions incorporated in the staff report; pending final adoption of the zoning ordinance by the Board of Supervisors; and,

<u>APPROVE</u> CONDITIONAL USE PERMIT NO. 3623, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, and in the attached environmental assessment, which is incorporated herein by reference.

- 1. The General Plan land use designation for the project site is Community Development: Commercial Tourist (CD: CT) (.20 - .35 Floor Area Ratio) within the Eastern Coachella Valley Area Plan.
- 2. The proposed use, a travel center/truck stop, is consistent with the Community Development: Commercial Tourist (CD: CT) (.20. - .35 Floor Area Ratio) land use designation in that the travel center is a tourist-related commercial development where automobile and truck travelers along the adjacent State Highway 86 could frequent the site.
- 3. The project site is surrounded by properties which are designated Community Development: Commercial Tourist (CD: CT) (.20 -.35 Floor Area Ratio) to the north and south, Community Development: Commercial Retail (CD: CR) and Rural Residential (Rural: RR) to the east; and Agriculture: (AG) (10 Acre Minimum) to the west.
- 4. The existing zoning for the subject site is Light Agriculture 5 Acre Minimum (A-1-5) proposed to be changed to Scenic Highway Commercial (C-P-S).
- 5. The proposed automobile and truck travel center consists of the following uses: convenience store, gasoline station, car wash, and restaurants, which are further described in the project description. Each of these individual uses are permitted uses with an approved conditional use permit in the proposed C-P-S zone, Section 9.50.b. of Ordinance No. 348.
- 6. The proposed change of zone will make the zoning consistent with the General Plan. The allowance of travel and tourist services is established by the General Plan and area plan.
- 7. The project site is surrounded by properties which are zoned Scenic Highway Commercial (C-P-S) and Light Agriculture (A-1-5; A-1-10).
- 8. The proposed use, a travel center/truck stop, is consistent with the development standards set forth in the Scenic Highway Commercial (C-P-S) Zone in the following ways:

a. The proposed project's building heights are allowed up to 50 feet in this zone and the maximum height of the proposed convenience store building is up to approximately 28 feet, below the height limit allowed by the C-P-S zone, as indicated in Section 9.53c. of Zoning Ordinance No. 348.

b. The proposed project's travel center buildings are not subject to yard requirements (setbacks) since all buildings do not exceed 35 feet in height in accordance with Section 9.53b. of Zoning Ordinance No. 348.

c. Automobile storage spaces are provided in accordance with Section 18.12 of Zoning Ordinance No. 348 in that the proposed project provides 203 vehicle parking spaces and 19 truck parking spaces.

d. The proposed project is conditioned to screen all roof mounted equipment as required in Section 9.53e. of Zoning Ordinance No. 348.

e. Signage is proposed with the project including a freestanding sign up to 200 square feet and up to 35 feet in height which is within the size limits as indicated by Section 19.4e of Zoning Ordinance No. 348.

- 9. Within the vicinity of the proposed project site there is an existing automobile and truck travel center immediately to the east across State Highway 86, along with vacant and agriculture land to north, south, and west.
- 10. A traffic study dated March 17, 2009, and dated revised July 3, 2013, was prepared by Darnell & Associates to analyzed potential traffic impacts. Based on review of the report, mitigation measures and conditions were added to the proposed project to resolve all potential traffic impacts.
- 11. A drainage study dated September 2009, and dates revised February 2013, was prepared to analyze potential drainage impacts. Based on review of the report, mitigation measures and conditions were added to the proposed project to resolve all potential drainage impacts.
- 12. The population for Census Tract 456.04 was approximately 13,694 persons according to the US Census Bureau.
- 13. The proposed project will be consistent with the objectives of Type 20 Off-Sale licensing requirements (Alcoholic Beverage Control Act: California Business and Professions Code 23357).
- 14. Per the Email received April 11, 2014 from ABC, there are 11 on-sale and eight (8) off-sale ABC licenses currently in Census Tract 456.04.
- 15. Per the Email received April 15, 2014 from the ABC, a Public Necessity and Convenience finding is not required since there is no over concentration of alcohol licenses in Census Tract 456.04.
- 16. The proposed project is conditionally consistent with the objectives of Section 18.48 (Alcoholic Beverage Sales) of Ordinance No. 348.
- 17. The proposed project is not located within 1,000 feet of an established place of religious worship.

- 18. No schools are located within 1,000 feet from the project site.
- 19. The proposed project is not located within 1,000 feet of an existing or planned public park or playground.
- 20. The proposed project will not be situated in such a manner that the facility will cause undue vehicle traffic impacts to any school, church, public park or playground.
- 21. The project is adjacent to State Highway 86 and 66th Avenue (State Highway 195), which are designated state highways under jurisdiction of CALTRANS. The project would also provide direct access from Buchanan Street (78' ROW). The project will provide appropriate street improvements and off-site traffic mitigation, such as, Transportation Uniform Mitigation (TUMF) fees, in compliance with the requirements of the circulation element of the General Plan.
- 22. The proposed project is approximately three miles from a fire station. The project will provide appropriate fire protection measures in conformance with the fire services policies of the General Plan.
- 23. Domestic water and sewer is provided by the Coachella Valley Water District. Domestic water and sanitation shall be provided in conformance with the water and sewer land uses standards of the General Plan.
- 24. Visual impacts have been addressed with project landscaping, building setbacks, walls/fences, use of trellis structures for the drive-through restaurants, and frontage of Buildings E & F at the corner of 66th and Buchanan Street.
- 25. The project is located within the boundaries of the Mecca Community Council and was brought to the January 2013 community council meeting for informational purposes.
- 26. The project is within the Coachella Valley Multiple Species Habitat Conservation Plan, but is not specifically located within a Conservation Area.
- 27. Environmental Assessment No. 42166 identified the following potentially significant impacts:
 - a) Geology Soils
 - b) Hydrology/Water Quality
 - c) Transportation/Traffic
 - d) Paleontological Resources

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, conditions of approval, and attached letters. No other significant impacts were identified.

CONCLUSIONS:

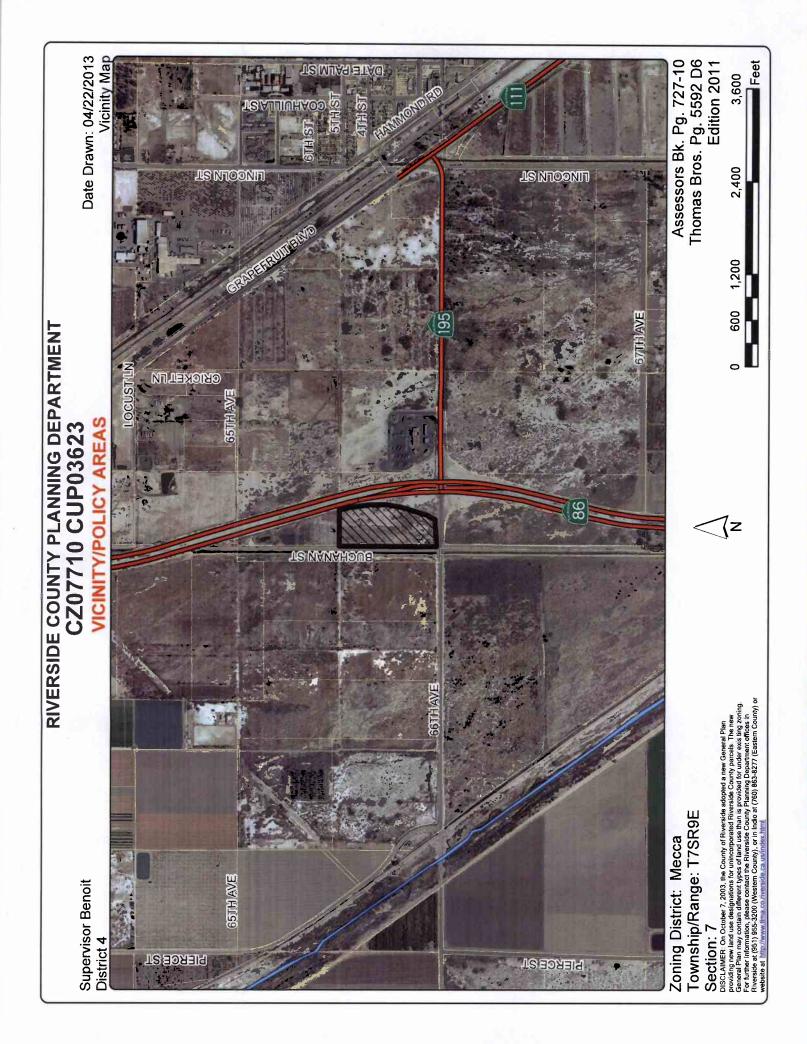
1. The proposed project is in conformance with the Community Development: Commercial Tourist (CD: CT) (.20 - .35 Floor Area Ratio) land use designation, and with all other elements of the Riverside County General Plan.

CHANGE OF ZONE NO. 7710 CONDITIONAL USE PERMIT NO. 3623 PC Staff Report: May 21, 2014 Page 6 of 6

- 2. The proposed project is consistent with the proposed change of zone to the Scenic Highway Commercial (C-P-S) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
- 3. The public's health, safety and general welfare are protected through project design.
- 4. The proposed project is compatible with the present and future logical development of the area.
- 5. Based on the whole record, the proposed project will not have a significant effect on the environment and the mitigated negative declaration reflects the County's independent judgment and analysis.

INFORMATIONAL ITEMS:

- 1. As of this writing (4/21/14), no public letters, in support or opposition have been received.
- 2. The project site is <u>not</u> located within:
 - a. An Historic Preservation District;
 - b. Agriculture Preserve;
 - c. A Redevelopment Area;
 - d. A High Fire area;
 - e. An Airport Influence Area;
 - f. A Conservation Area.
- 3. The project site is located within:
 - a. Areas of Flooding Sensitivity;
 - b. An Area subject to the Mt. Palomar Lighting Ordinance No. 655 (Zone B);
 - c. An Area of Liquefaction Potential (High);
 - d. An Area Susceptible to Subsidence;
 - e. A Low Paleontological Sensitivity Area; and,
 - f. The boundaries of the Palm Springs Unified School District.
- 4. The subject site is currently designated as Assessor's Parcel Number 727-100-024.

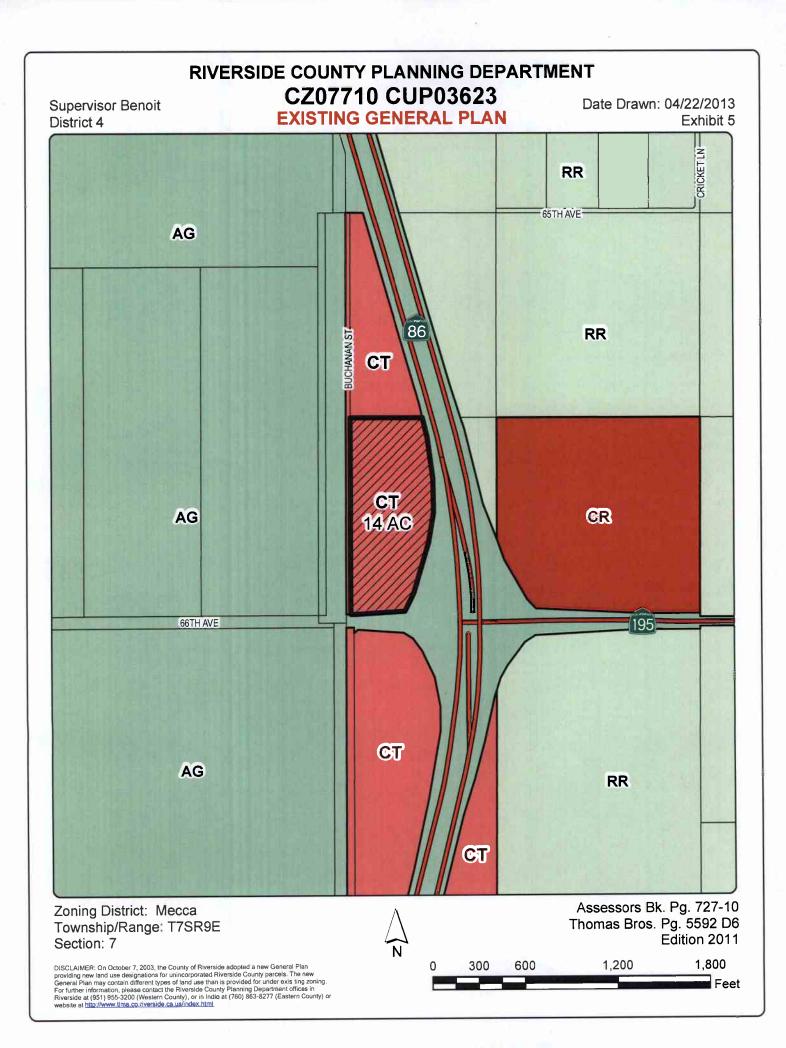


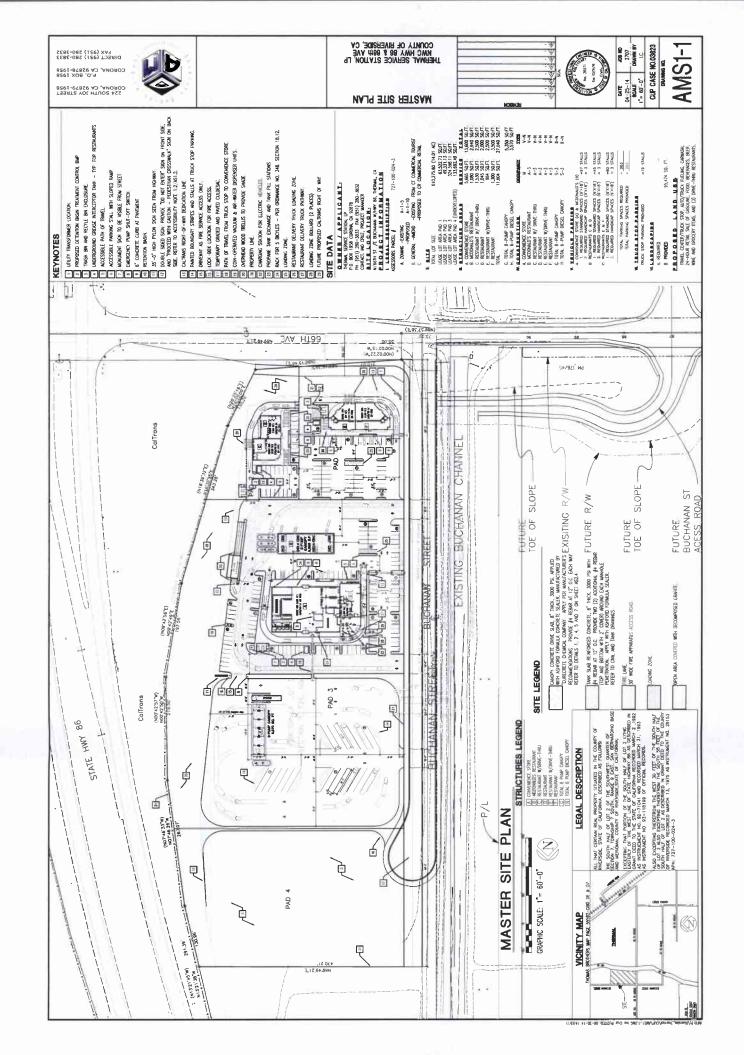


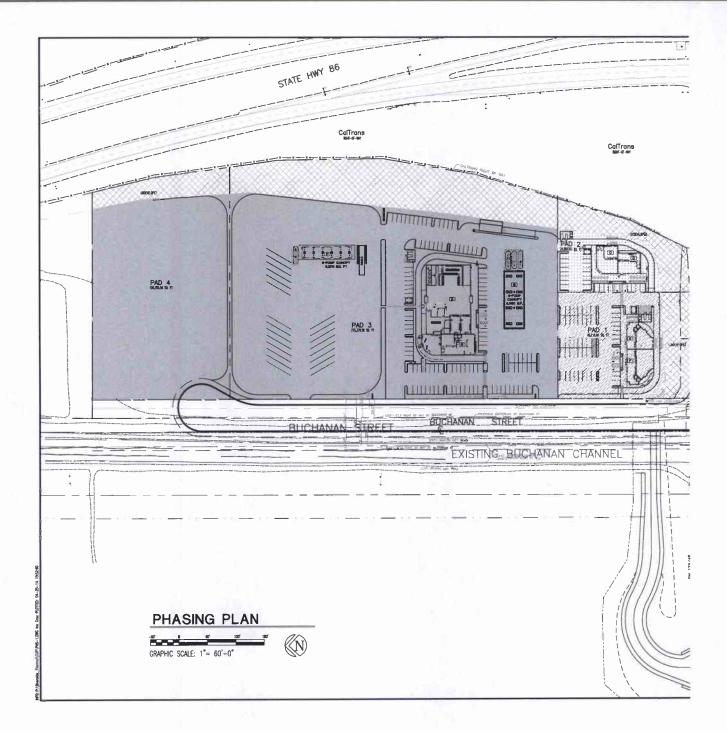
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Rise may contain different types of land use than is provided for under exist ling zoning. For turther information, please contact the Riverside County Planning Department offices in Riverside at (1951) 555-200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.line.co.thranide.ca.uatiodax.html.

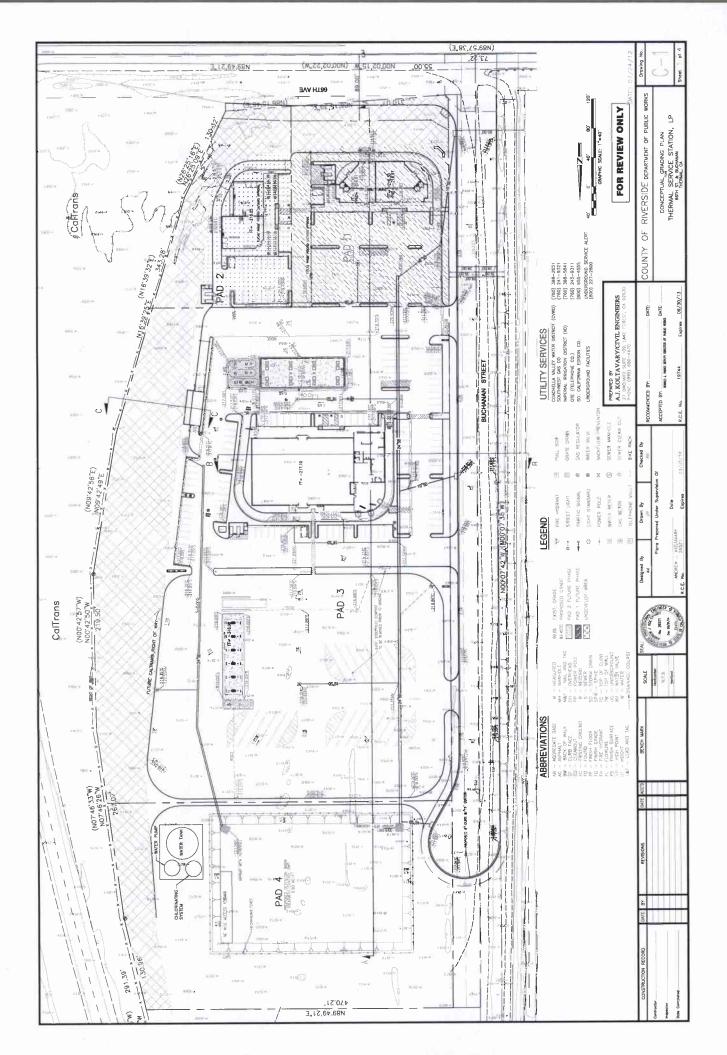
1,800 1,200 Feet

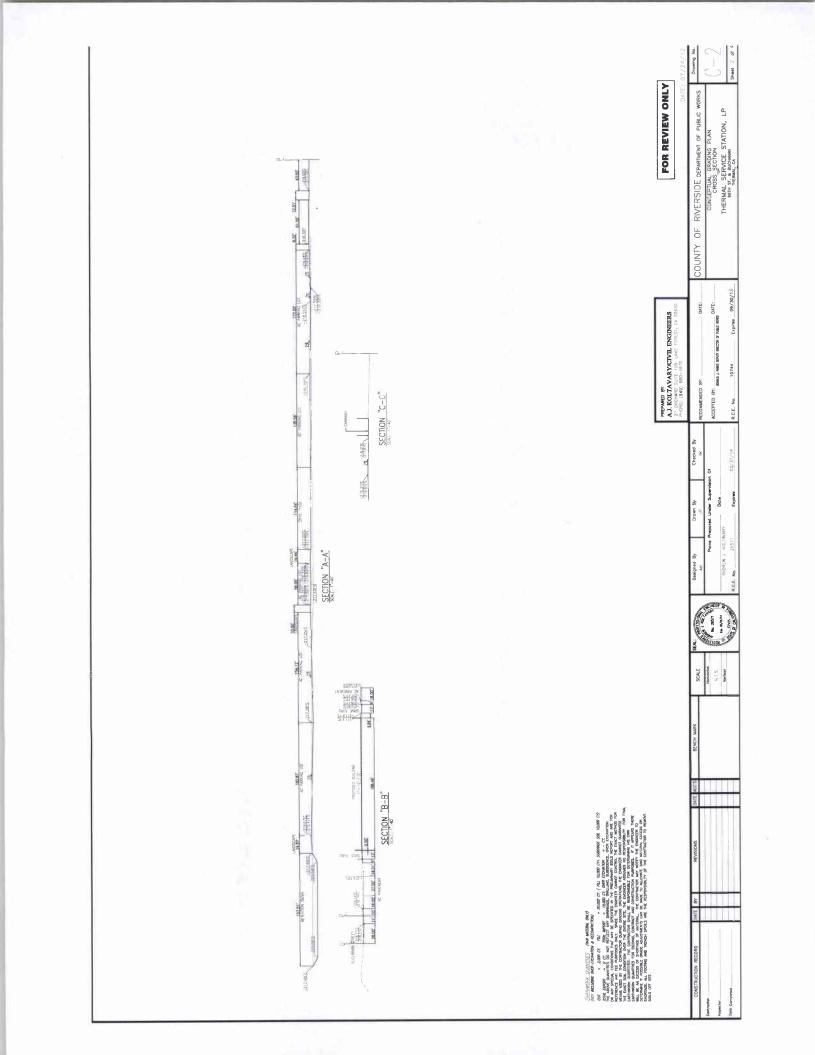


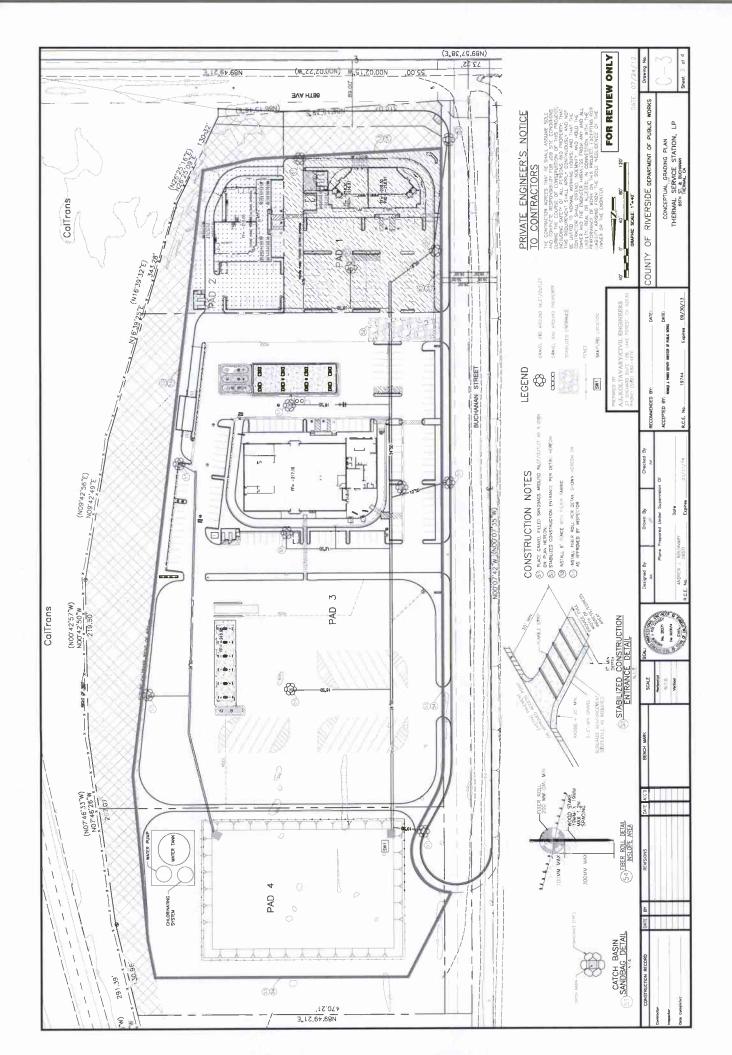


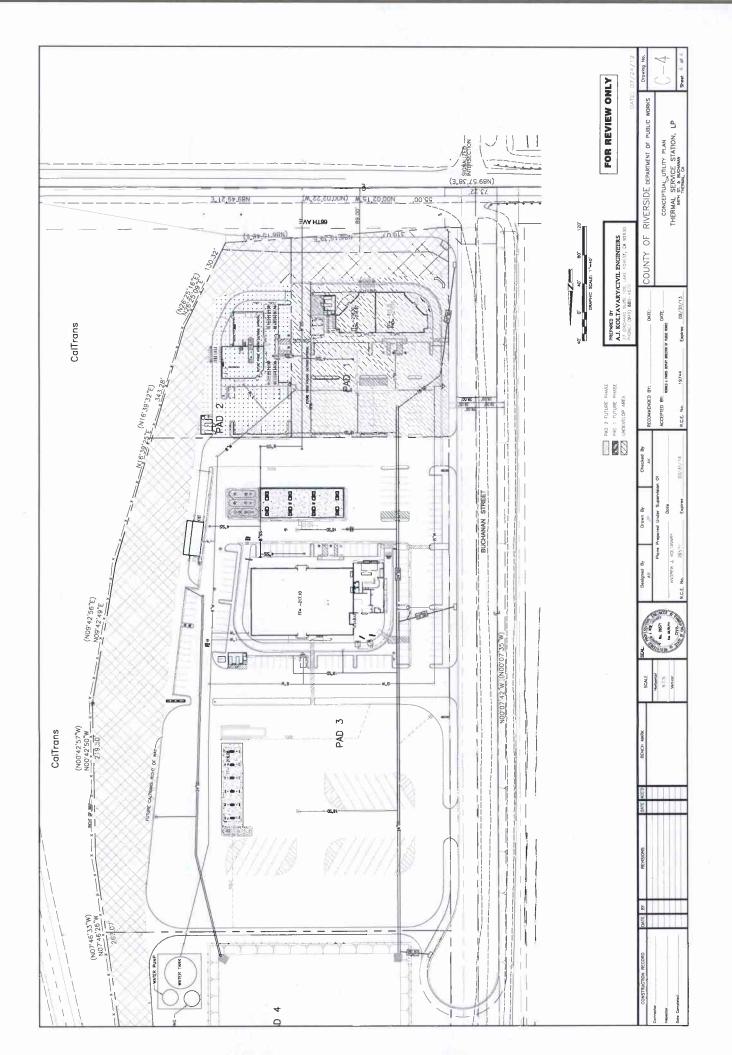


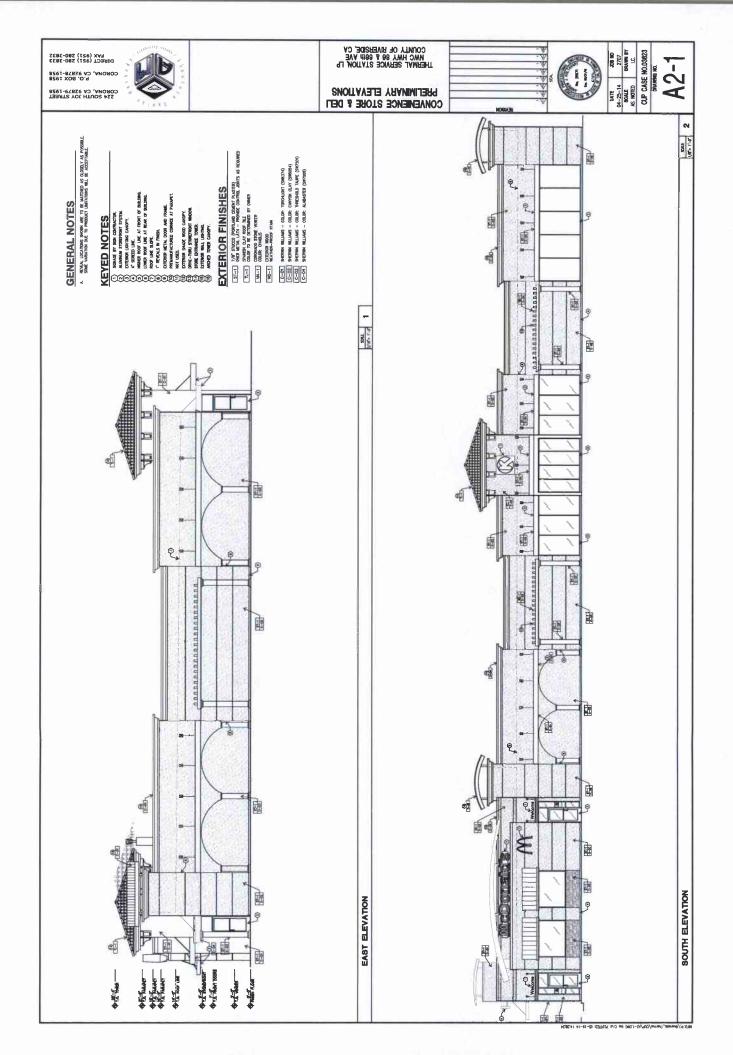


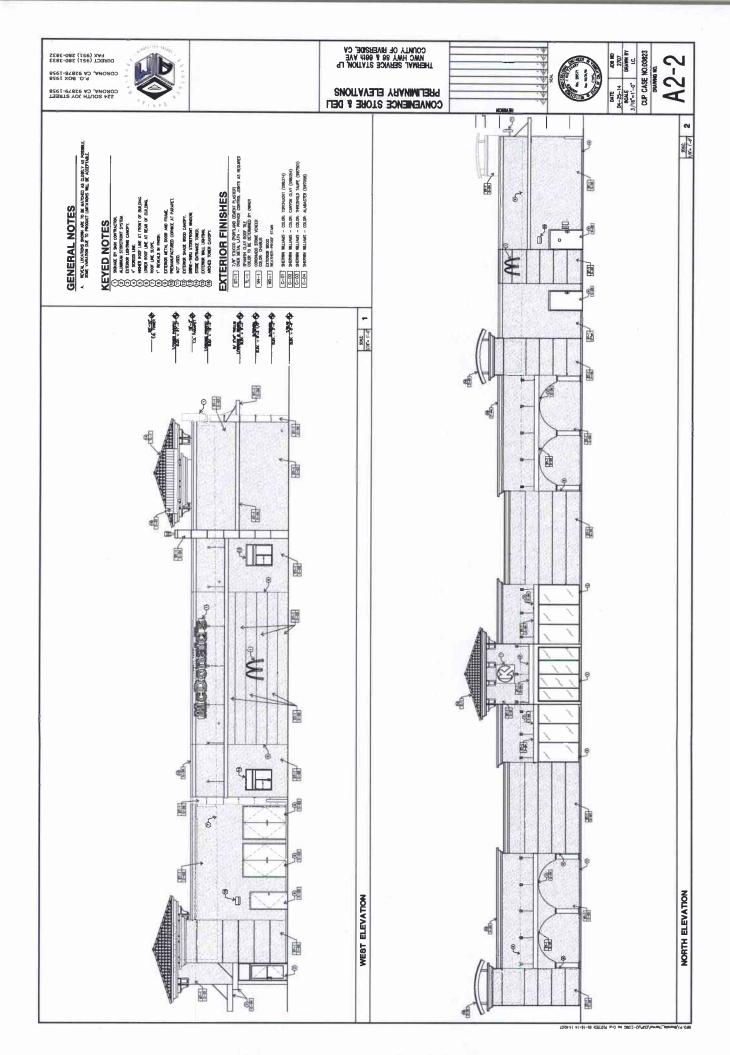


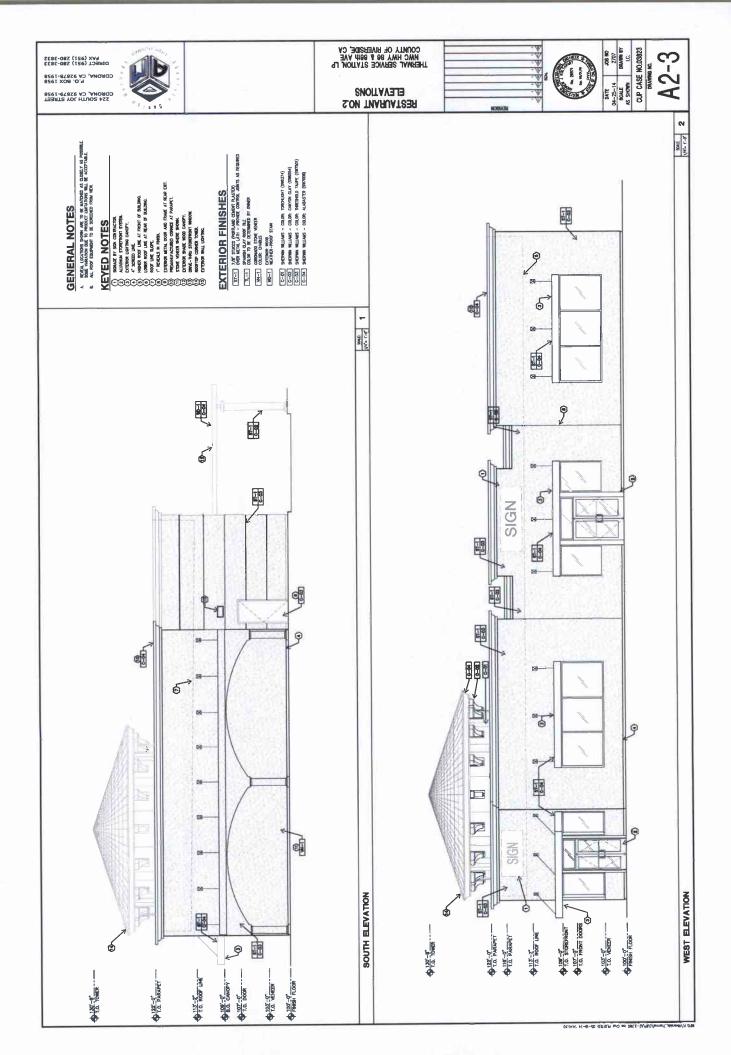


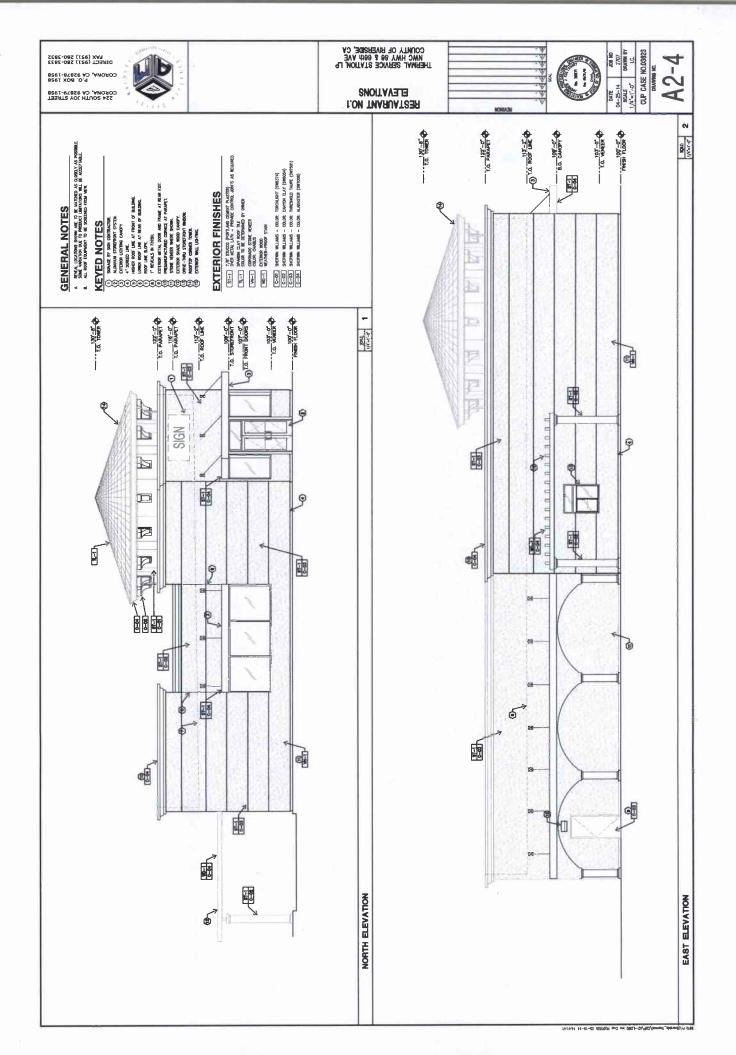


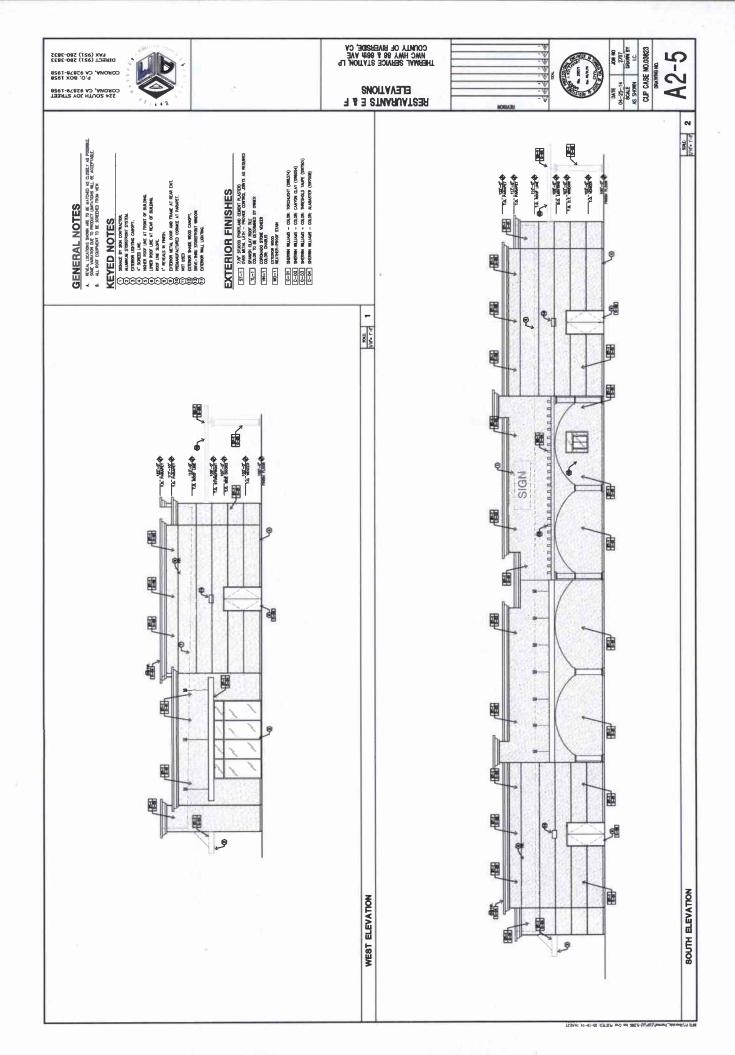


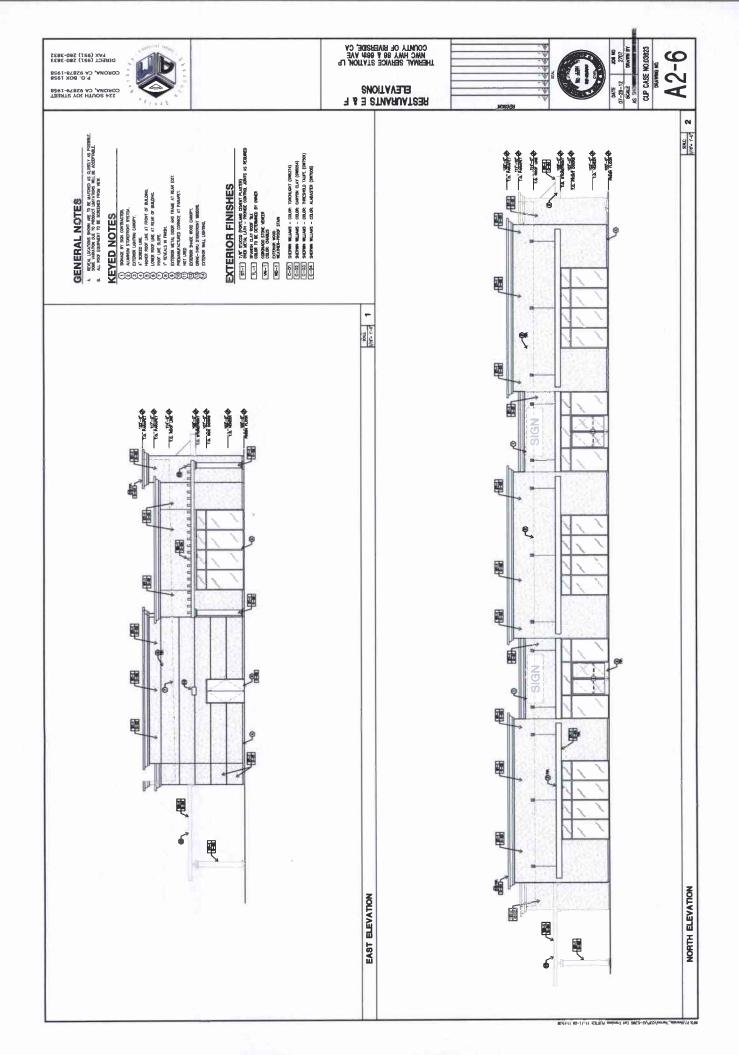


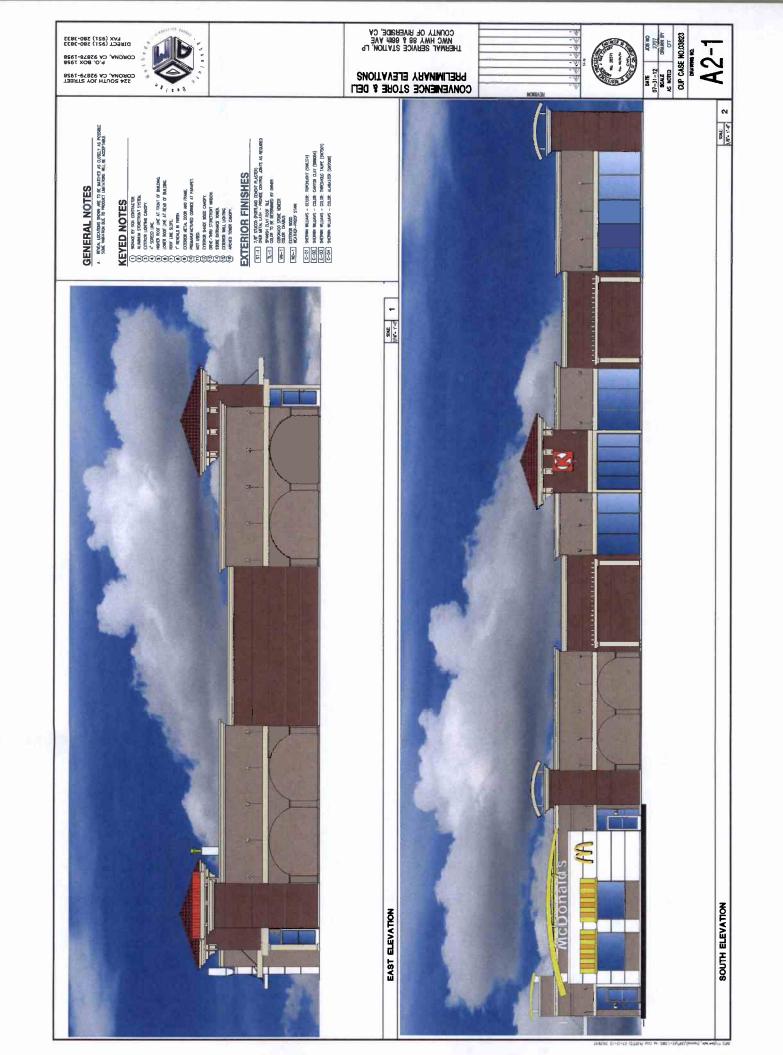


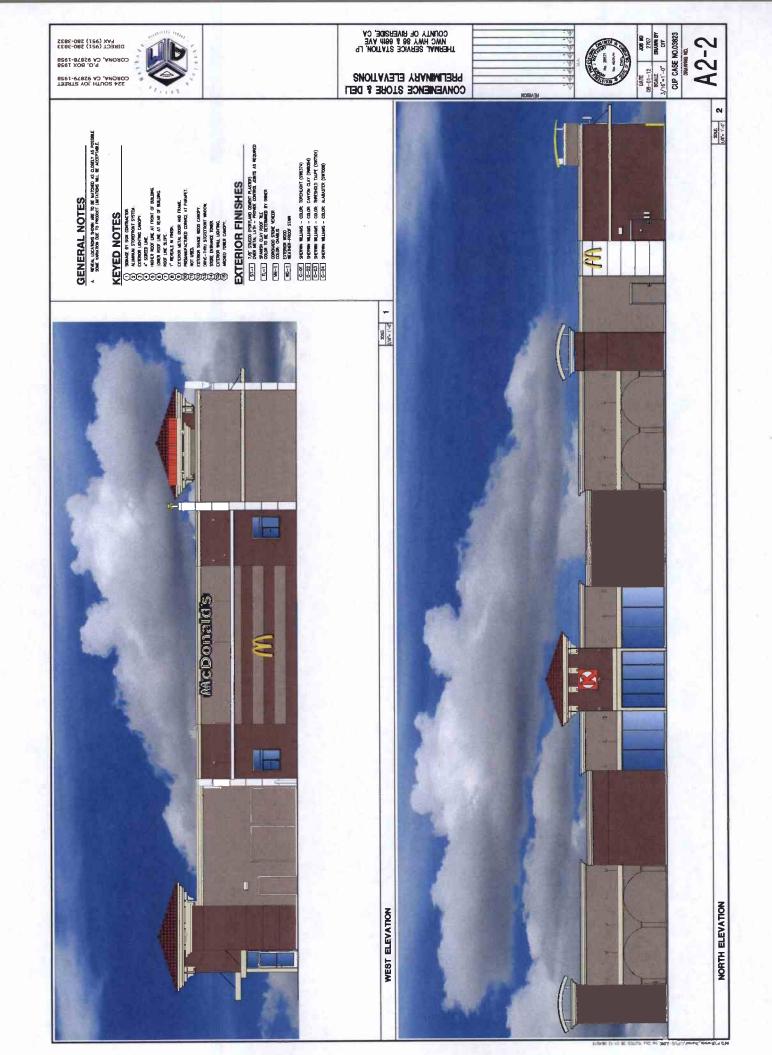


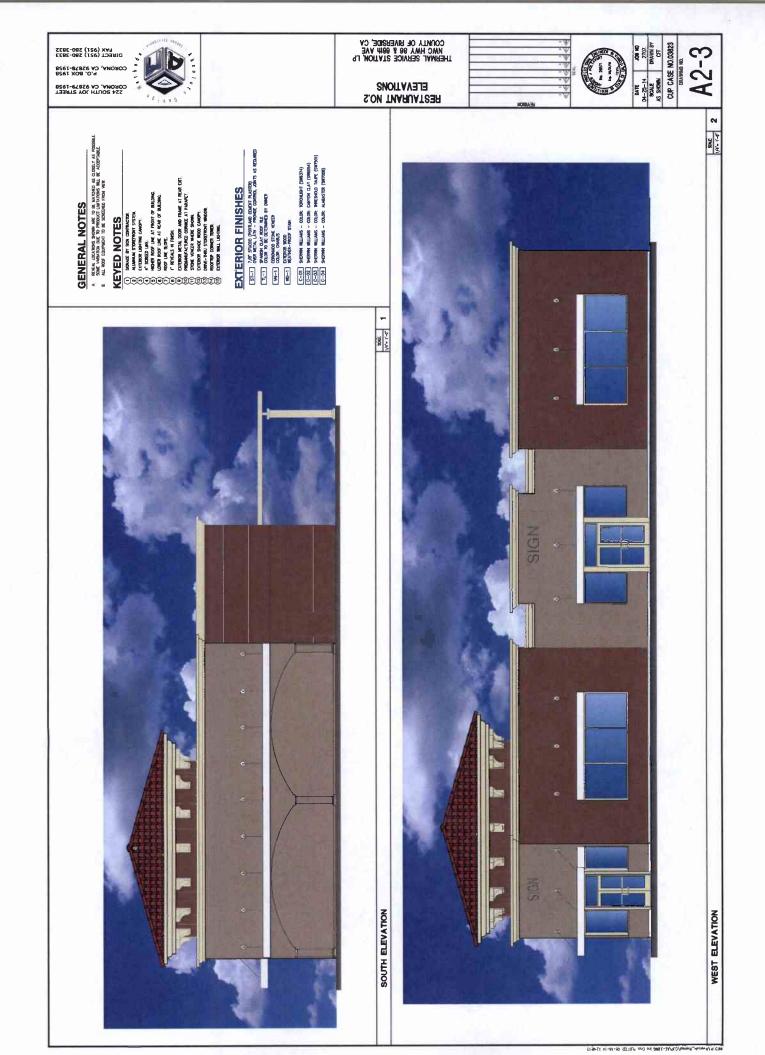


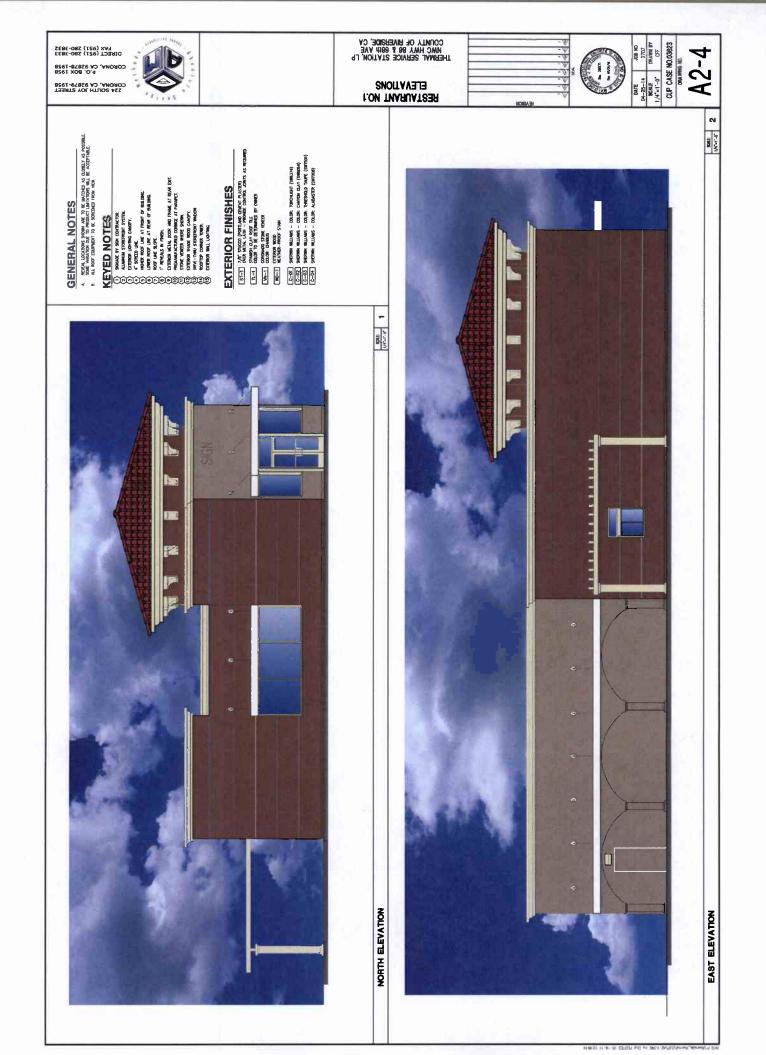


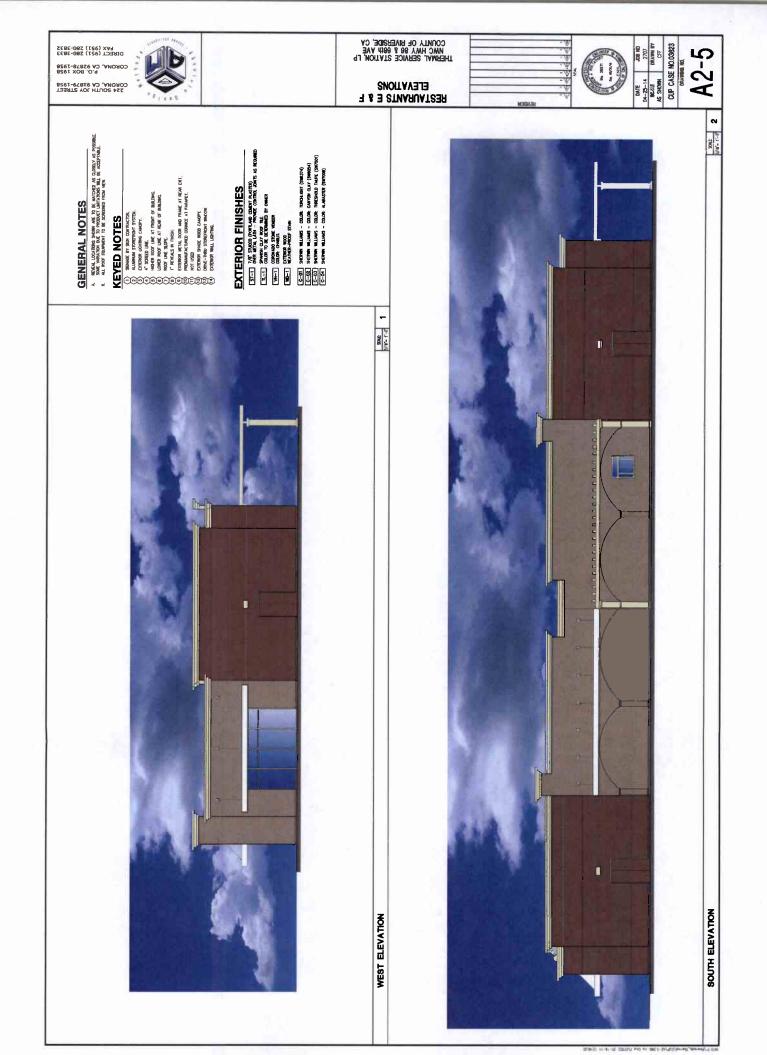






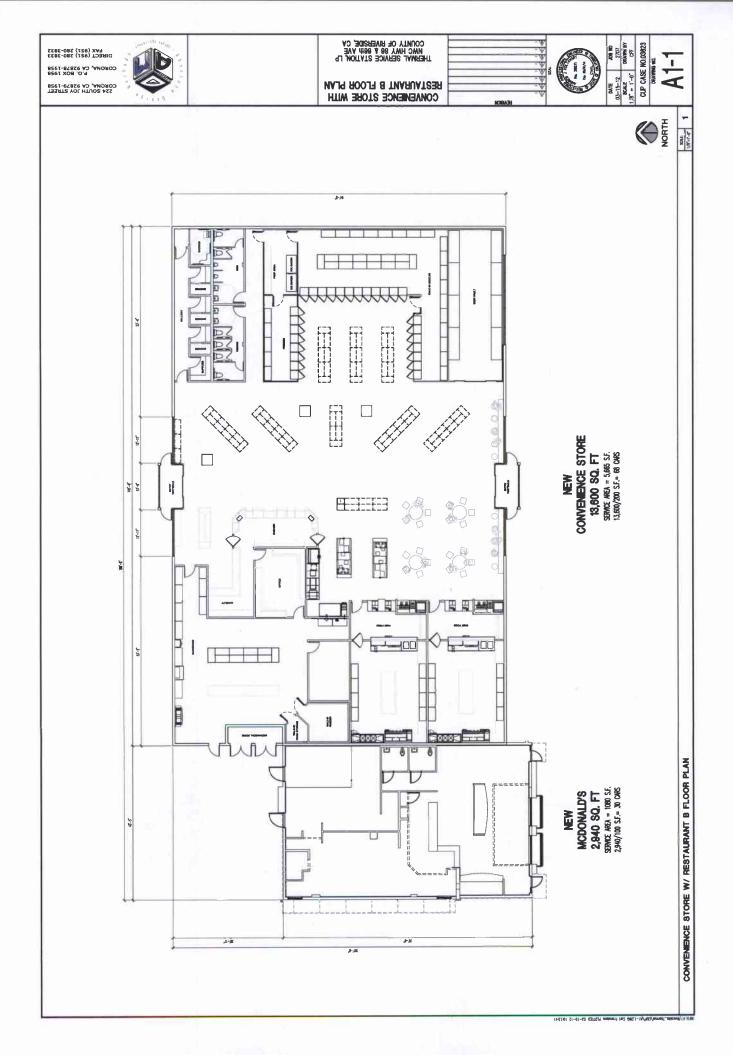


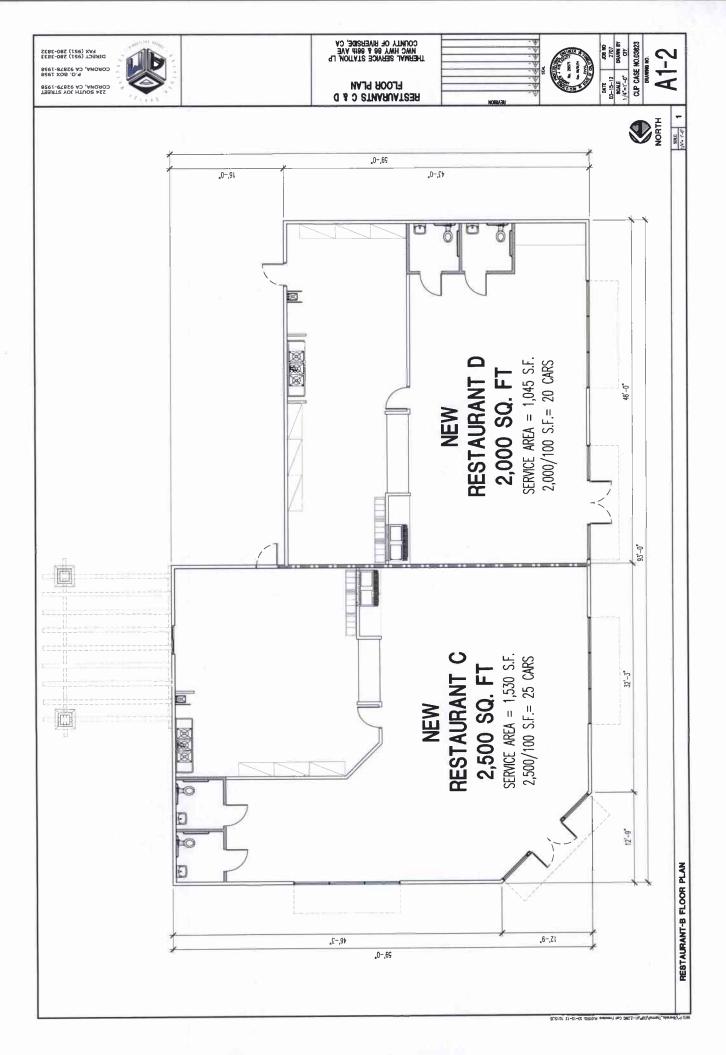


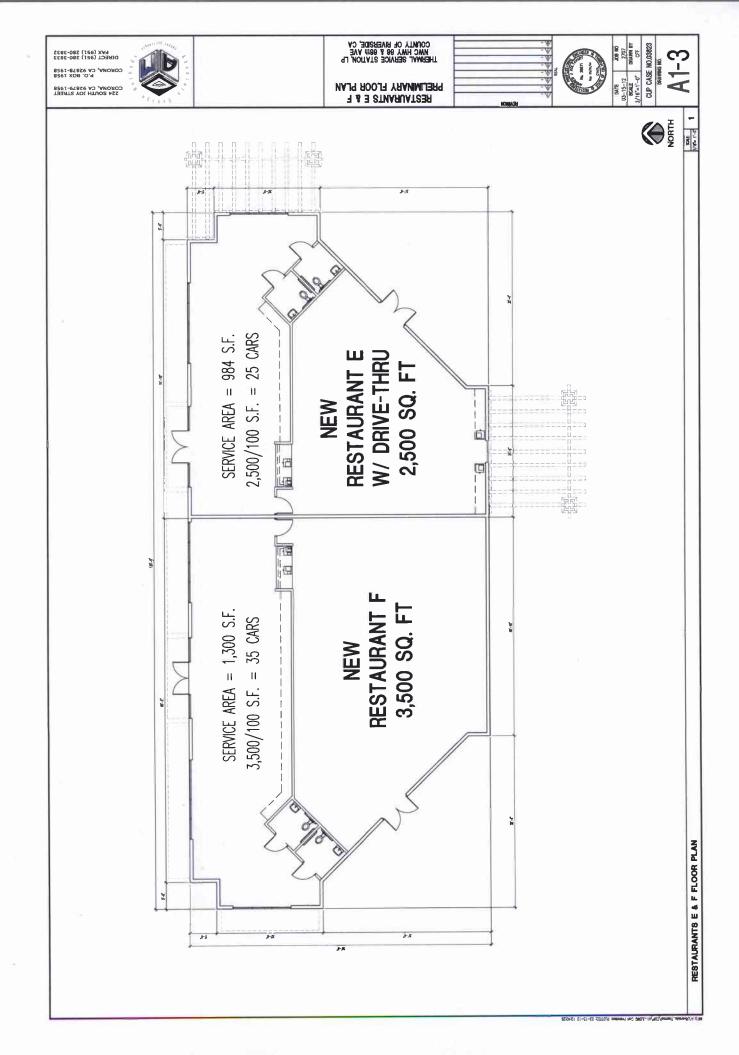


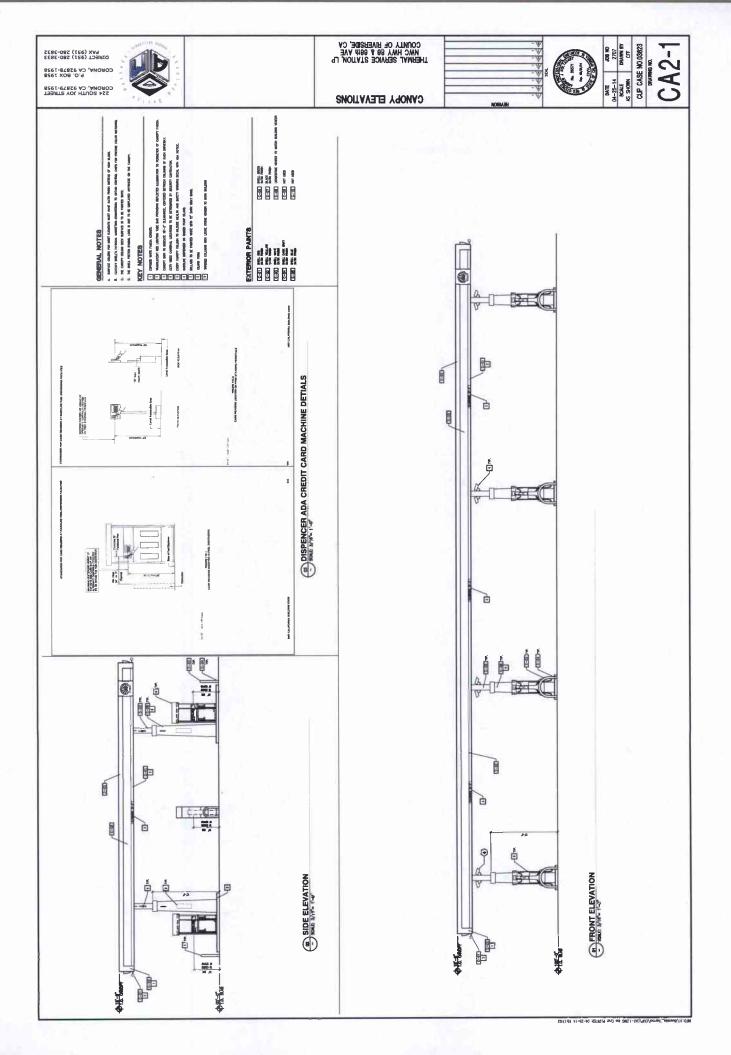


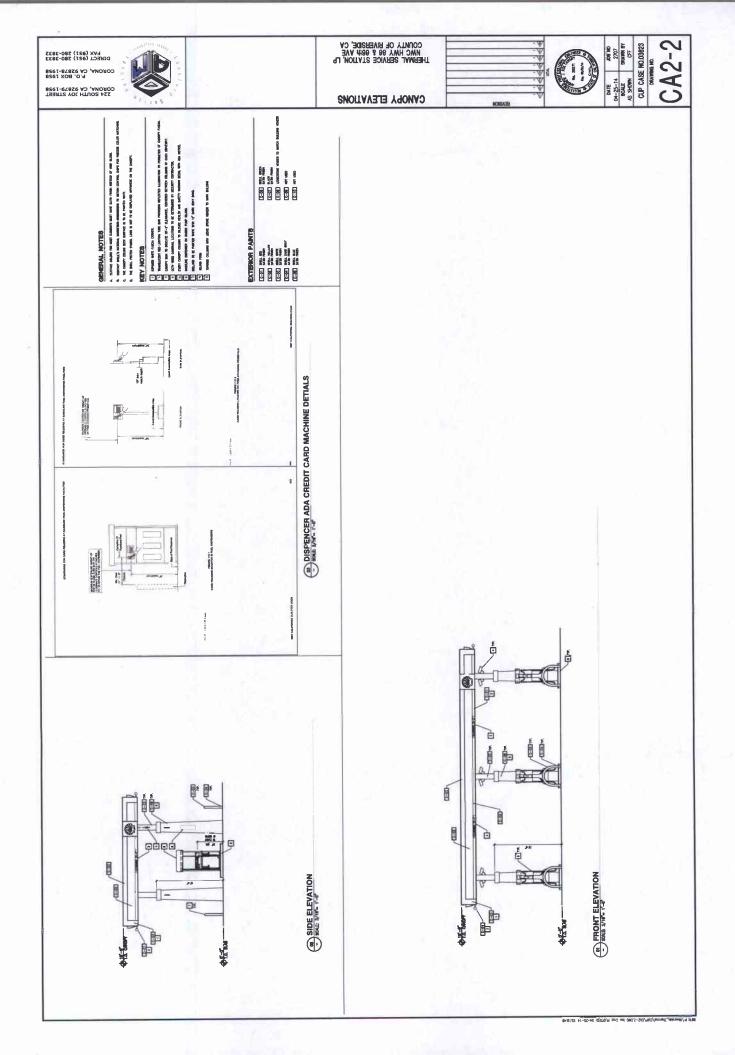


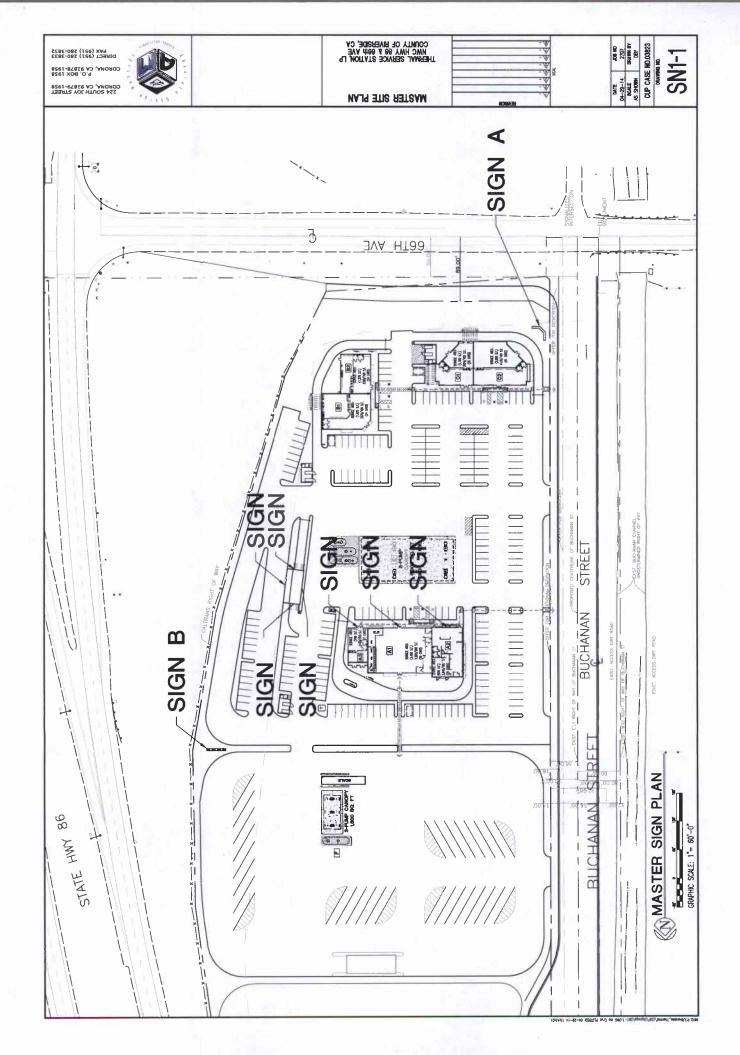


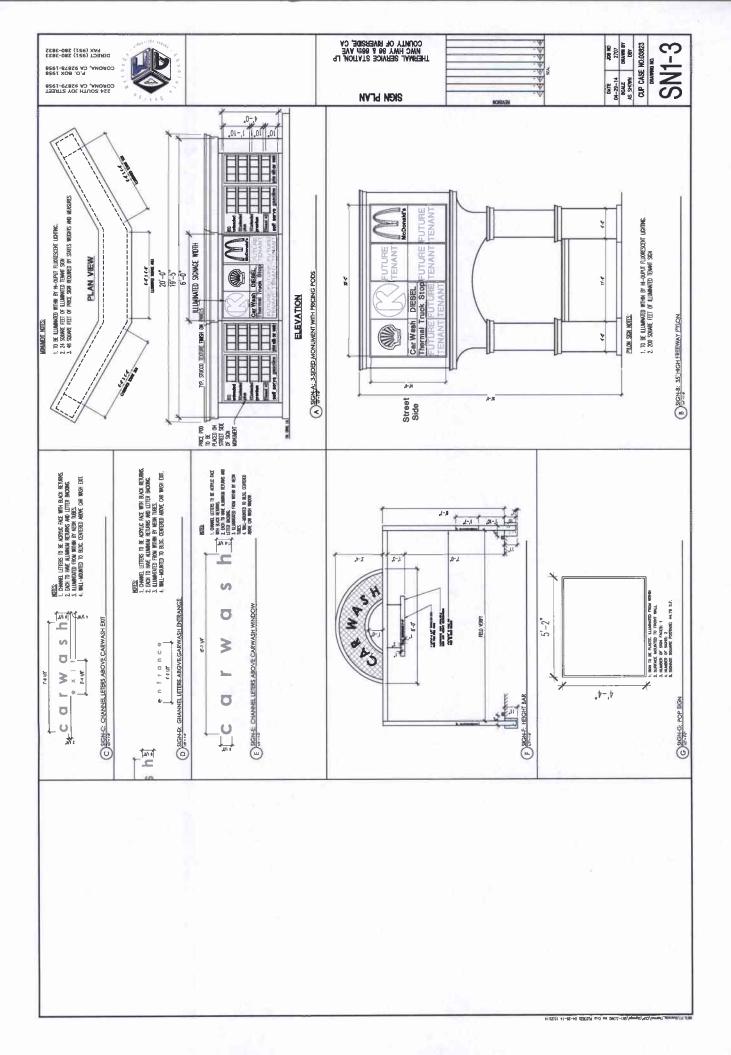


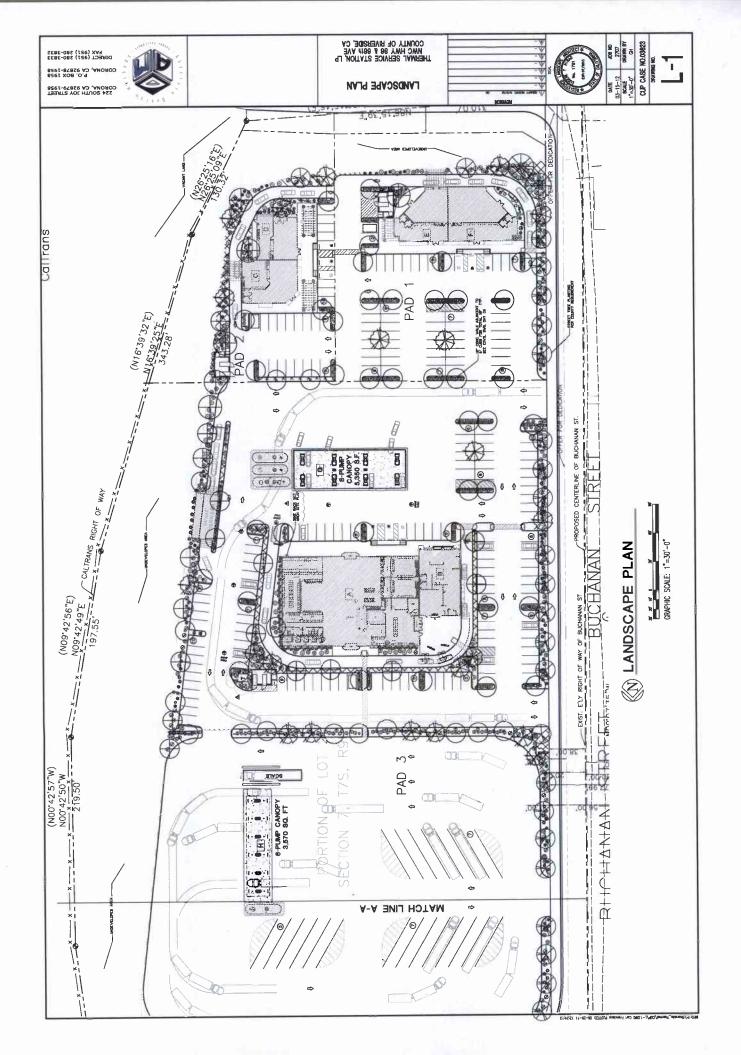


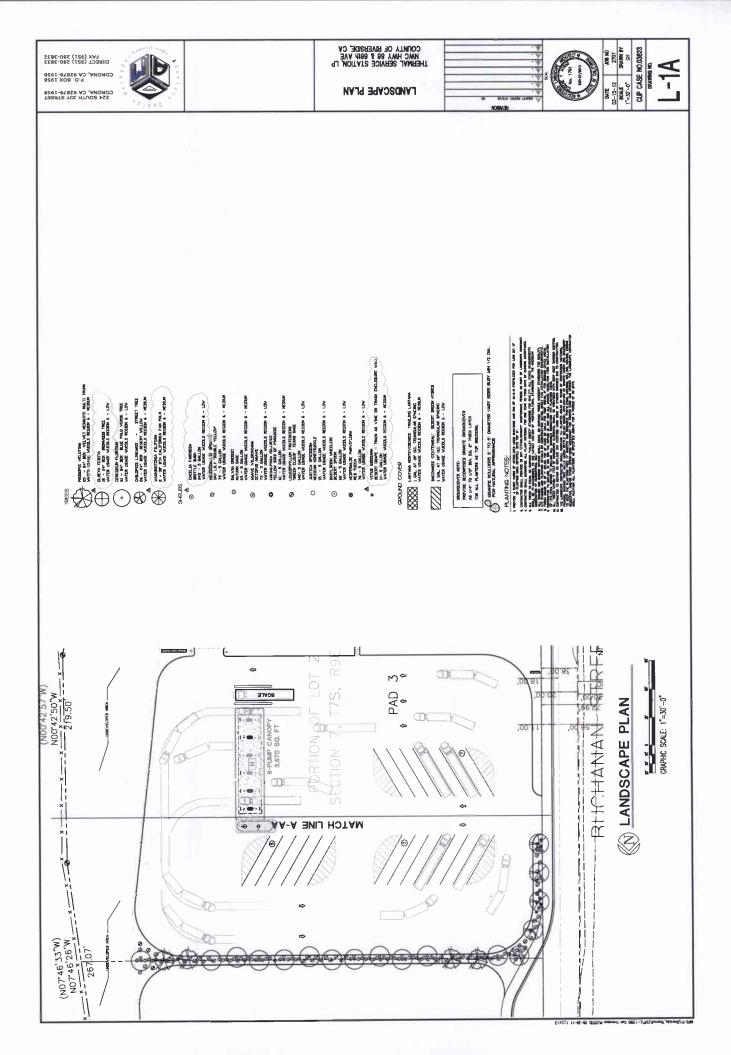


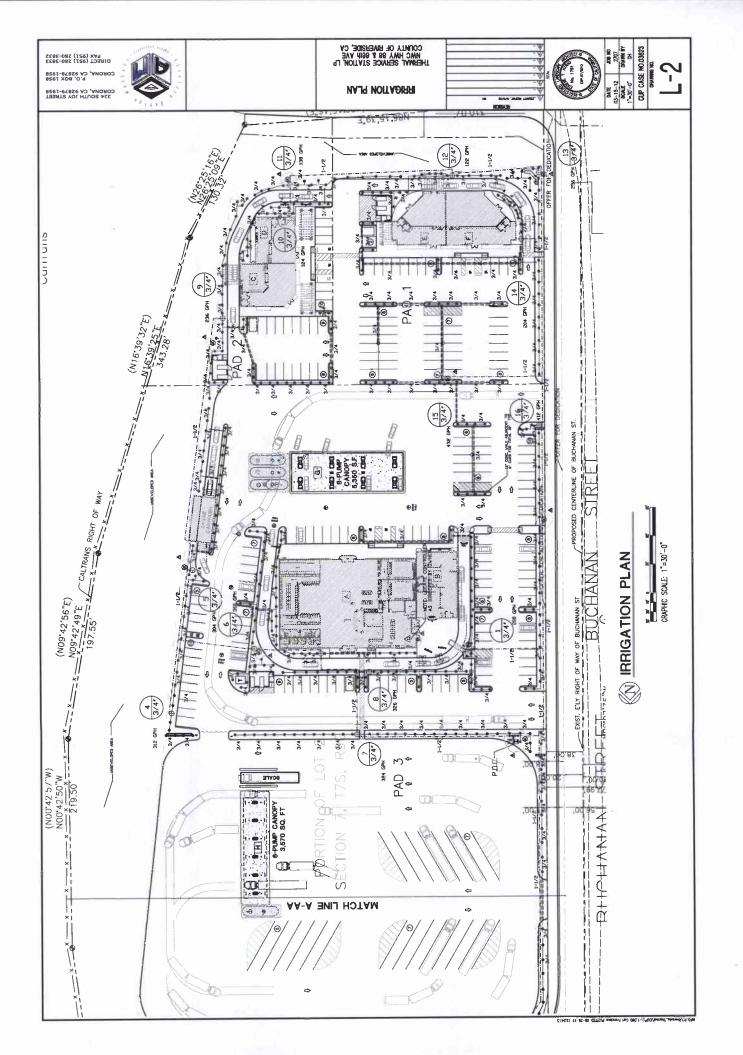


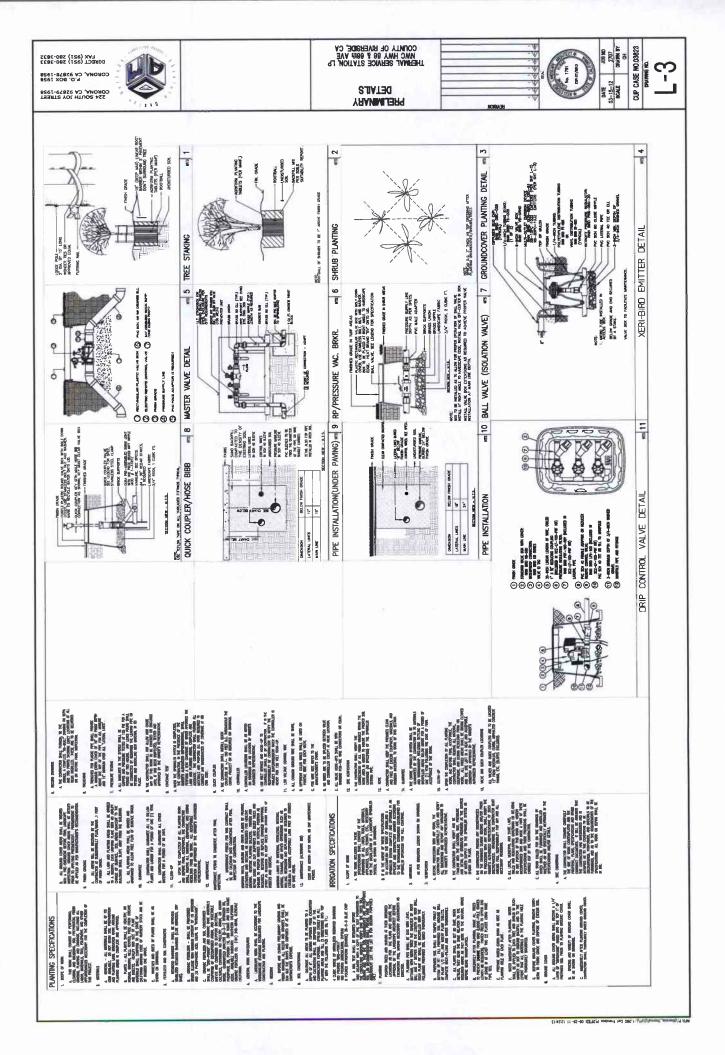


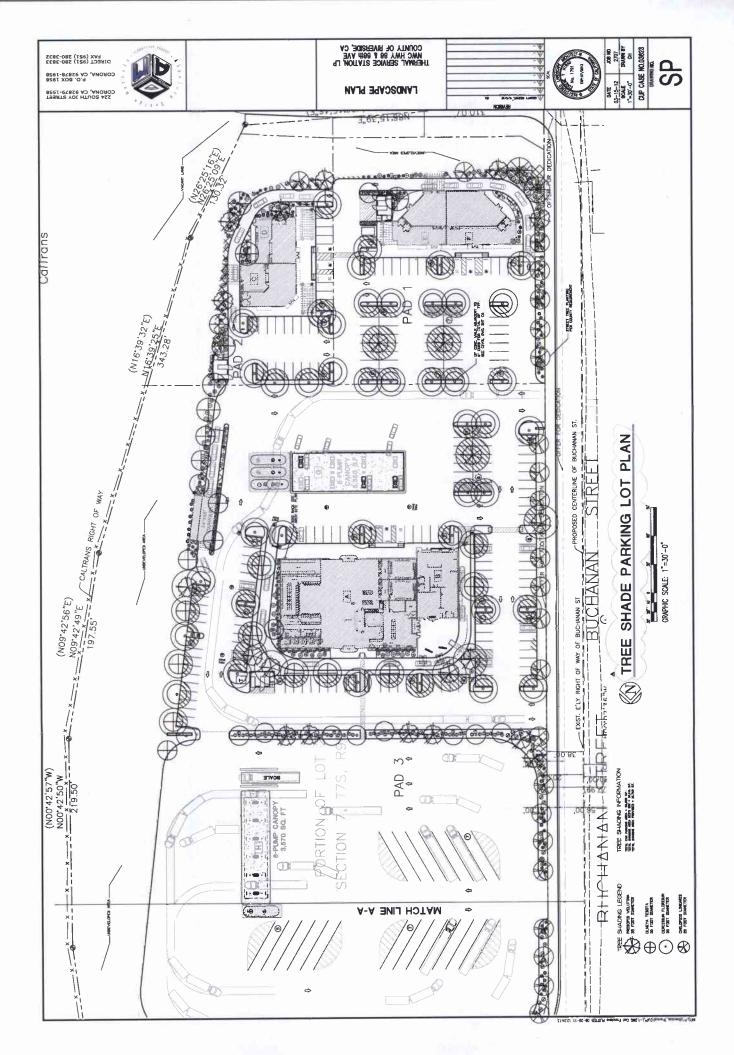












COUNTY OF RIVERSIDE ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 42166 Project Case Type (s) and Number(s): Change of Zone No. 7710; Conditional Use Permit No. 3623 Lead Agency Name: County of Riverside Planning Department Address: 77588 El Duna Court, Ste. H, Palm Desert, CA 92211 Contact Person: Jav Olivas, Project Planner Telephone Number: (760) 863-7050 Applicant's Name: Ino Cruz (for Thermal Service Station, LP) Applicant's Address: 224 South Joy Street, Corona, CA 92879 Engineer's Name: Absolute Design Methods, Inc. Engineer's Address: P.O. Box 1958, Corona, CA 92878

1. **PROJECT INFORMATION**

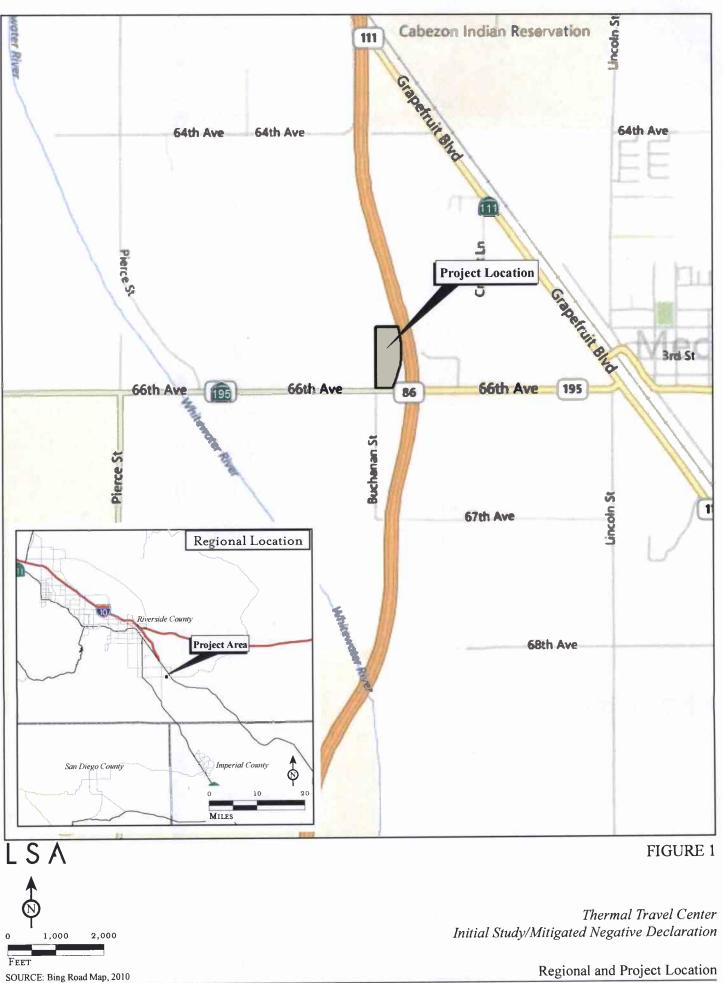
- A. Project Description: Change of Zone No. 7710 proposes to modify the Light Agriculture -5 Acre Minimum (A-1-5) zone to the Scenic Highway Commercial (C-P-S) zone on an existing 14 acre lot. Conditional Use Permit No. 3623 proposes to construct and operate an automobile and truck travel center on a 14 acre site to include 13,600 square foot convenience store up to 28 feet in height with 24-hour retail sale of gasoline and diesel fuel, food/beverages, and concurrent sale of beer and wine for off-premises consumption with Type 20 ABC License (No PN&C required). Additionally, the proposed automobile and truck travel center includes 1,152 square foot car wash, 5,350 square foot gasoline canopy with eight (8) pumps, 3,570 square foot diesel fuel canopy with six (6) pumps, up to three (3) drive-thru restaurants, and two (2) sit down restaurants totaling approximately 15,905 square feet. The proposed project also includes a signage program. Total on-site parking consists of 203 vehicle spaces and 19 truck spaces. The development is proposed to be constructed in three (3) phases with separate area to remain undeveloped. Off-site access is proposed along Buchanan Street via State Highway 86 and 66th Avenue (State Highway 195). The project site is currently designated as Commercial Tourist (CT) in the General Plan and the uses proposed are consistent with this land use designation. The Buchanan Channel, an irrigation canal, is located on the west side of Buchanan Street. The project site encompasses approximately 14.0 acres on one parcel. The proposed project site is undeveloped and is located in a predominantly undeveloped desert area with some areas formally used for agriculture. Regional-scale roadways in the vicinity of the project site include Avenue 66 (State Highway 195; east-west) and State Highway 86 (north-south).
- **B.** Type of Project: Site Specific X; Countywide \square ; Community \square ; Policy .
- C. Total Project Area: 14.0 Gross Acres

Residential Acres: 0	Lots: 0	Units: 0	Projected No. of Residents: 0
Commercial Acres: 14.0	Lots: 1	Sq. Ft. of Bldg. Area: 39,577	Est. No. of Employees: 229
Industrial Acres: 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: 0
Other:			

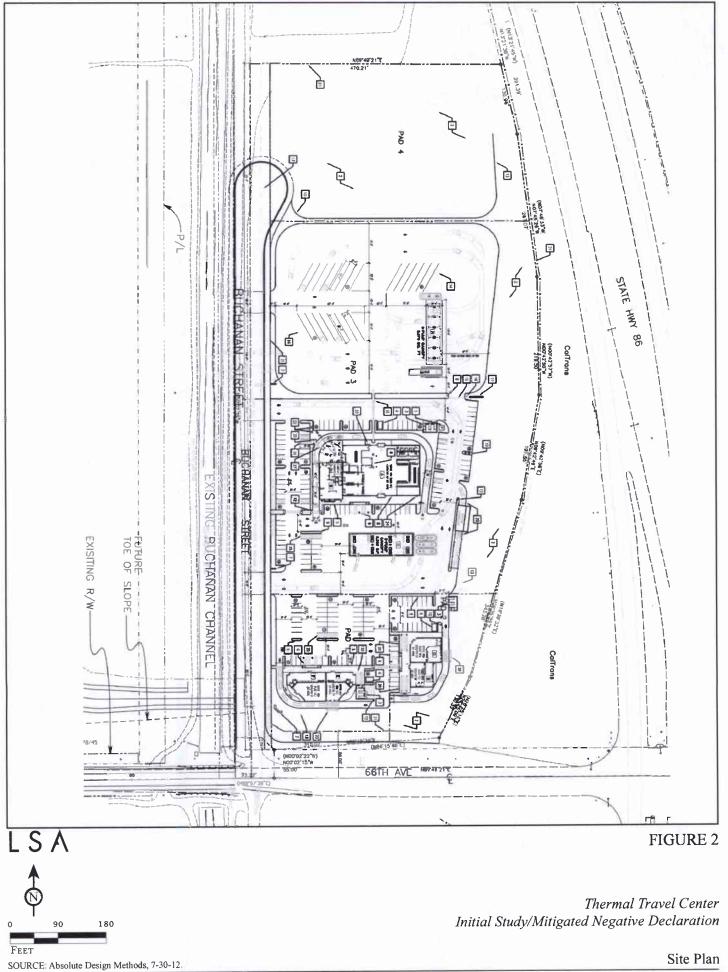
- D. Assessor's Parcel No(s): 727-100-024
- E. Street References: Northerly of Avenue 66 (State Highway 195), southerly of Avenue 65, easterly of Buchanan Street, and westerly of State Highway 86.

F. Section, Township & Range Description or reference/attach a Legal Description: Township 7 South, Range 9 East, Section 7

Brief description of the existing environmental setting of the project site and its surroundings: The project site contains no existing structures or improvements. The sites elevation is approximately 180-190 feet below mean sea level, and the relatively level terrain exhibits a slight incline to the northwest. The ground surface appears to have been plowed or disked in the past, but has a substantial regrowth that is especially dense in the western and southwestern portions of the project area. The vegetation includes saltbush, cattle brush, rabbit brush, salt cedars, arrow weeds, palm trees, mesquite, and small desert shrubs and grasses. Soils are predominantly a fine, brownish-grey sandy loam with evidence of freshwater shells, typical of the Coachella Valley desert floor. A row of wooden power poles is located along the southern boundary of the project site. Currently an unpaved roadway is located along the westerly perimeter of the project site, adjacent to the County's Buchanan Channel (irrigation channel). The project site is bordered to the north by an agricultural property, which at one time was a palm tree nursery, followed by a manure farming operation. Uses to the east consist of State Highway 86 and the Mecca Travel Center (east side of State Highway 86). The Mecca Travel Center consists of a gas station/truck stop, fast-food restaurant uses, and a commercial use (Western Union office). Land uses to the south of the project site include State Highway 195 (Avenue 66) with undeveloped vacant land south of State Highway 195. Agricultural land is located to the west beyond Buchanan Channel. The project site is located within the Coachella Valley Multiple Species Conservation Plan (CVMSHCP) limits; however, it is not located within or adjacent to a designated Conservation Area. Refer to Figure 1 for the regional and project location. Refer to Figure 2 for the site plan.



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Site Plan

I. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

- **1. Land Use:** The proposed project is located within the Commercial Tourist land use designation. The proposed project is in conformance with the Land Use Element of the General Plan.
- 2. Circulation: The project has adequate circulation to the site along Avenue 66 and includes improvements to Buchanan Street with curbs, gutters, and sidewalks and other local intersections as conditions of approval. Therefore, it is consistent with the Circulation Element of the General Plan. The proposed project meets all other applicable circulation policies of the General Plan.
- 3. Multipurpose Open Space: No natural open space land was required to be preserved within the boundaries of this project. The proposed project meets with all other applicable Multipurpose Open Space element policies.
- 4. Safety: The proposed project is located within Areas of Flooding Sensitivity (FEMA Zone D). Proposed retention basins mitigate flood impacts from the incremental increased runoff. The proposed project has allowed for sufficient provision of emergency response services to the tenants of this project through the project design and payment of development impact fees. The proposed project meets with all other applicable Safety element policies.
- 5. Noise: The project will not generate noise levels in excess of standards established in the General Plan or noise ordinance. The project meets all other applicable Noise Element Policies.
- 6. Housing: The proposed project is not subject to Housing Element Policies as no housing is proposed under this project.
- 7. Air Quality: The proposed project will not conflict with any applicable Air Quality element policies.
- B. General Plan Area Plan(s): Eastern Coachella Valley
- C. Foundation Component(s): Community Development
- **D. Land Use Designation(s):** Commercial Tourist (0.20-0.35 FAR)
- E. Overlay(s), if any: Not Applicable
- F. Policy Area(s), if any: Not Applicable
- G. Adjacent and Surrounding Area Plan(s), Foundation Component(s), Land Use Designation(s), and Overlay(s) and Policy Area(s), if any: The project site and surrounding area are all part of the Eastern Coachella Valley Area Plan. Adjacent Foundation Components consist of Community Development, Rural, and Agriculture. Land use designations to the north and south of the site consist of Commercial Tourist. Land use designations to the west of the project site consist of Agriculture. Commercial Retail designations are located to the east across State Highway 86. Lands to the northeast and

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southeast across State Highway 86 are designated Rural Residential. No Area Plans are located adjacent to the site.

H. Adopted Specific Plan Information

- 1. Name and Number of Specific Plan, if any: Not Applicable
- 2. Specific Plan Planning Area, and Policies, if any: Not Applicable
- I. Existing Zoning: Light Agriculture (A-1-5)
- J. Proposed Zoning, if any: Scenic Highway Commercial (C-P-S)
- K. Adjacent and Surrounding Zoning: The project site is surrounded by properties which are zoned Agriculture (A-1-5, A-1-10) to the north, south, and west while areas to the east are designated Agriculture (A-1-5) to the east across State Highway 86. A parcel at the junction of State Highway 86 and State Highway 195 (northeast quadrant) is zoned Scenic Highway Commercial (C-P-S).

II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (x) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

Aesthetics	Hazards & Hazardous Materials	Recreation
Agriculture & Forest Resources	Hydrology / Water Quality	Transportation / Traffic
Air Quality	Land Use / Planning	Utilities / Service Systems
Biological Resources	Mineral Resources	Other: Paleontological
		Resources
Cultural Resources	Noise	Other:
🛛 Geology / Soils	Population / Housing	Mandatory Findings of
Greenhouse Gas Emissions	Public Services	Significance

III. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED

□ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.

☐ I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

□ I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a SUBSEQUENT ENVIRONMENTAL IMPACT REPORT is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration: (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

Signature

Jay Olivas, Project Planner Printed Name April 28, 2014

Date

For Juan C. Perez, Interim Planning Director

IV. ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS Would the project				
 Scenic Resources a) Have a substantial effect upon a scenic highway corridor within which it is located? 				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?				

Source: Riverside County General Plan Figure C-9 "Scenic Highways"

Findings of Fact:

- a) The project site is located along Avenue 66 (State Highway 195) and Buchanan Street and is adjacent and west of State Highway 86. None of these highways or roadways are designated as a scenic highway corridor nor are any of these highways or roadways eligible for designation as a scenic highway corridor. The nearest officially designated State Scenic Highway is State Route 74 (SR-74) located approximately 18 miles west of the project site east of the San Jacinto and Santa Rosa Mountains. State Route 111 (SR-111) is identified as an Eligible State Scenic Highway and is located approximately 0.8 mile east of the project site. While eligible scenic highways are located in the vicinity of the project site, development of the project site with the proposed uses would not affect views or scenery that are afforded from this highway. Therefore, there would be no impact.
- b) Development of the proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features, or obstruct a prominent scenic vista or view open to the public, as these features do not exist on the project site. The project incorporates a variety of colors, textures, and attractive architectural features. The project would not result in the development of an aesthetically offensive site open to public view as the project would include a landscape plot plan indicated by Condition of Approval (COA) 80.Planning.28, screening of mechanical equipment (COA 90.Planning.13), trash enclosures (COA 90.Planning.20), project signage (COA 10.Planning.48) and placement of utilities underground (COA 90.Planning.15). The project also incorporates the County's Mecca Design Guidelines¹ including design features such as

¹ Mecca Design Guidelines, Riverside County Planning Department, adopted July 21, 2009.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impac
varied rooflines. Because the proposed project designated scenic resources, impacts associated wi	would not th this issue	cause signi are less than	ificant imp significant.	act to
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.		1		
 Mt. Palomar Observatory a) Interfere with the nighttime use of the Mt. Paloma Observatory, as protected through Riverside County Ordinance No. 655? 				
 a) Riverside County Ordinance 655 restricts the perm light into the night sky that may have a detrimenta research. This ordinance establishes two zones: Zo Palomar Observatory; Zone B is the area that exter miles from Palomar Observatory. The project site is Palomar Observatory and is not located within Zone proposed project does not have the potential to in Therefore, there would be no impact. 	al effect on a ne A is the a ends from the located appr B establishe	astronomical rea within a e outer limit oximately 46 ed by Ordinar	observatio 15-mile rac of Zone A .8 miles fro nce No. 655	n and lius of to 45 m Mt. 5. The
 a) Riverside County Ordinance 655 restricts the permission light into the night sky that may have a detrimental research. This ordinance establishes two zones: Zo Palomar Observatory; Zone B is the area that extermiles from Palomar Observatory. The project site is Palomar Observatory and is not located within Zone proposed project does not have the potential to in Therefore, there would be no impact. 	al effect on a ne A is the a ends from the located appr B establishe	astronomical rea within a e outer limit oximately 46 ed by Ordinar	observatio 15-mile rac of Zone A .8 miles fro nce No. 655	n and lius of to 45 m Mt. 5. The
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due to the size and scope of the project. Construction is not anticipated to occur at night; therefore, no construction lighting at night is required. There are no residential properties located adjacent to the project site. The project is required to adhere to Section 8.80.050 of the County's Municipal Code which establishes standards for outdoor lighting. Therefore, any existing or new lighting is conditioned to be hooded thereby reducing any lighting impacts to less than significant (Condition of Approval [COA] 10.Planning.3). Furthermore, the project site

Potentially	Less than	Less	No
Significant	Significant	Than	Impact
Impact	with	Significant	
	Mitigation	Impact	
	Incorporated		

plan is designed with landscaped setbacks in accordance with the County Development Code which would further reduce light interference to adjacent properties. Glare that may reflect off of reflective materials are not expected to adversely affect daytime views in the area. Impacts are less than significant.

b) Surrounding adjacent land uses include roadways and vacant land. There is an existing travel center located east of State Highway 86. There are no residential uses in the project vicinity. The amount of light that will be created is consistent with existing levels that exist in the project area (specifically at the existing travel center east of State Highway 86) and is not considered substantial; therefore, surrounding properties will not be exposed to unacceptable light levels. Impacts to light levels are considered less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

AGRICULTURE & FOREST RESOURCES Would the project		
4. Agriculture a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?		
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?		
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?		
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?		

<u>Source:</u> Riverside County General Plan Figure OS-2 "Agricultural Resources," GIS database, California Department of Conservation Farmland Mapping and Monitoring Program, and Project Application Materials

Findings of Fact:

a-b) Important farmland maps are compiled by the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP), pursuant to the provisions of Section 65570 of the California Government Code. These maps utilize data from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) soil survey, and current land use information using eight mapping categories and represent an inventory of agricultural resources within the State. The maps depict currently urbanized lands and a qualitative sequence of agricultural designations. Maps and statistics are produced biannually using a process that integrates aerial photo interpretation, field

Potentially	Less than	Less	No
Significant Impact	Significant with	Than Significant	Impact
	Mitigation Incorporated	Impact	

mapping, a computerized mapping system, and public review. Mapping of County farmland categories is conducted every two years.

Based on the FMMP, the project site is mapped as Farmland of Local Importance. Therefore, the proposed project will not result in the conversion of land designated as Prime, Unique, or Statewide Important Farmland. Because the proposed project will not result in the conversion of land designated as Prime, Unique, or Statewide Important Farmland, no impact will result from implementation of the proposed project.

While the project site is zoned for agricultural use (A-1-5), there is no Williamson Act contract in effect. The proposed project would not affect land under an existing Williamson Act contract. Therefore, there would be no impact.

c-d) The project site is currently zoned for agricultural use (A-1-5) as well as the land adjacent to the project site (A-1-10). However, there is no existing active agricultural activity currently occurring on the project site nor is there existing active agricultural activity occurring on adjacent sites. Furthermore, the existing zoning designation does allow for the development of other uses on the project site, including but not limited to, public parks and golf courses, mining operations, churches, temples libraries, etc. Ordinance No. 625 ("Right-to-Farm") provides a nuisance defense for certain agricultural activities, operations, and facilities. The Ordinance defines "agricultural activity, operation, or facility, or appurtenances thereof" as including, but not limited to,

"the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity, including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market."

Development of the project site would not result in the loss of an existing agricultural activity as no agricultural activity is currently occurring on the project site. As previously noted, there is no existing active agricultural activity occurring on adjacent sites. Based on the definition of what constitutes "agricultural activity, operation, or facility, or appurtenances thereof," as defined in Ordinance No. 625, no lands within 300 feet of the project site are involved in agricultural activity, operation, or contain agricultural facilities; therefore, implementation of the proposed project would not conflict with the provisions stipulated in Riverside County Ordinance No. 625. Impacts are less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required

		K.		
	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5. Forest a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code sec- tion 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?				
b) Result in the loss of forest land or conversion of forest land to non-forest use?				\boxtimes
c) Involve other changes in the existing environment which, due to their location or nature, could result in con- version of forest land to non-forest use?				\boxtimes

Source: Riverside County General Plan Figure OS-3 "Parks, Forests and Recreation Areas," and Project Application Materials.

Findings of Fact:

a) The project is not located within the boundaries of a forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g)). Therefore, the proposed project will not impact land designated as forest land, timberland, or timberland zoned Timberland Production.

b) According to General Plan, the project is not located within forest land and will not result in the loss of forest land or conversion of forest land to non-forest use; therefore, no impact will occur as a result of the proposed project.

c) The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

AIR QUALITY Would the project				
 Air Quality Impacts a) Conflict with or obstruct implementation of the applicable air quality plan? 				
b) Violate any air quality standard or contribute	_			
substantially to an existing or projected air quality violation?			\boxtimes	
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?				
Page 12 of 74		Ε	EA #42166	