



REPORT TO PLANNING COMMISSION

To: Honorable Chair and Members of the Planning Commission

From: Justin Kirk, Principal Planner

Prepared By: Grant Taylor, Community Development Director

Date: June 5, 2018

Subject: Review of Conditional Use Permit No. 2001-05 Modification to Conditions of Approval - Lake Elsinore Motorsports Park, 20700 Cereal Street, APN 370-030-012

Applicant: Bruce Keeton

Recommendation

Adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING MODIFICATION OF CUP NO. 2001-05 FOR THE LAKE ELSINORE MOTORSPORTS PARK FACILITY LOCATED AT 20700 CEREAL STREET, APN 370-030-12.

Project Request and Location

Staff is requesting that the Planning Commission review the motorsports park facility pursuant to Conditional Use Permit No. 2001-05 Modification, Condition of Approval #2 which states in part "the Conditional Use Permit shall be reviewed periodically, but not less than annually, by the Planning Commission to evaluate the findings set forth in Section 17.168.060 of the Lake Elsinore Municipal Code, including (i) the consistency of the use with the City's General Plan, applicable Specific Plan and Zoning Ordinance, (ii) the compatibility with neighboring uses, and (iii) compliance with the conditions of approval."

The applicant has requested modification of two Conditions of Approval by requesting an additional track on the approved site plan (COA #17) and modifying the annual review provision (COA#2).

The subject property is an irregular shape located on the west side of Mission Trail and Corydon Street that totals approximately 93 acres with an 80-acre overflow parking area.

Environmental Setting

The subject property is located at 20700 Cereal Street within the East Lake Specific Plan and is surrounded by undeveloped vacant lands, an airport, commercial uses, and an industrial park with the following general plan, zoning and land use designations.

	EXISTING LAND USE	ZONING	GENERAL PLAN
Project Site	Existing motocross off-road vehicle facility	East Lake Specific Plan Planning Area (PA) 2, Action Sports, Tourism, Commercial & Recreation (ASTCR) w/Industrial Overlay	East Lake Specific Plan
South	Skydive Elsinore Private Airport	East Lake Specific Plan PA 3, ASTCR	East Lake Specific Plan
East	Industrial Park & Vacant Land	East Lake Specific Plan PA 2, ASTCR	East Lake Specific Plan
West	Summerly	East Lake Specific Plan PA 1, Residential Neighborhood	East Lake Specific Plan
North	Commercial & Vacant Land	East Lake Specific Plan PA 2, ASTCR w/Mixed Use Overlay	East Lake Specific Plan

Project Description and Background

The subject property is currently developed with a 93-acre motocross and off-road vehicle facility that includes a variety of tracks to include but not be limited to a pee wee track, 60/80 track, vet track, UTV/quad track, main track, and short course track. In addition, a ticket booth, administrative trailer, security trailer, bleachers, canopies, temporary structures and accessory equipment are part of the facility operations. Special events are regularly conducted including the Lucas Oil Pro Motocross Nationals, Lucas Oil Off-Road Racing, and Mud Runs. Adjacent to and south of the motocross is an 80-acre parcel used as overflow parking for large and/or special events. The motocross facilities and overflow parking area total 173 acres.

Motocross and off-road activities were entitled pursuant to Conditional Use Permit No. 96-8 that was approved on February 4, 1998 and a Mitigated Negative Declaration was adopted.

Improvement plans (grading plan #324) were approved by the Riverside County Flood Control and Water Conservation District as the District determined that the plans satisfied the conditions of the Army Corp of Engineers 404 Permit. The improvement plans were also submitted to and approved by the California Regional Water Quality Control Board (RWQCB) and the Army Corp of Engineers (ACOE). The RWQCB determined that no Streambed Alteration Agreement was required for the project and water quality certification requirements were waived. The ACOE issued a letter in December of 1998 which authorized the work per the Lake Management Project and that the project activity was in compliance with a Nationwide Permit.

Conditional Use Permit No. 2001-05 was approved on August 17, 2002 subject to Conditions of Approval and a new Mitigated Negative Declaration was adopted.

Conditional Use Permit No. 2001-05 was modified by the Planning Commission on August 17, 2010 and forty (40) Conditions of Approval implemented. Condition of Approval #2 requires that the Planning Commission periodically review the facility at least annually.

August 17, 2011 the City was notified that Vision Quest Enterprises, Inc. had acquired the motocross facility from the previous operator and was re-opening the motor sports park. The operator agreed to all Conditions of Approval.

October 15, 2013 the Planning Commission reviewed Conditional Use Permit No. 2001-05.

February 2, 2016 the Planning Commission reviewed Conditional Use Permit No. 2001-05.

January 11, 2018 East Lake Specific Plan Amendment #11 became law and designated the subject property as Planning Area 2, with zoning of "Action Sports, Tourism, Commercial and Recreation" with an "Industrial Overlay".

Staff has worked with the property owner and facility manager monitoring the facility to ensure compliance with CUP 2001-05 and applicable Conditions of Approval. Staff conducted a walk through inspection with the owner and manager on May 29, 2018.

Analysis and Discussion

Condition of Approval #2 of CUP 2001-05 MOD requires the Planning Commission to evaluate the project pursuant to the findings set forth in Municipal Code Section 17.168.060 (CUP Findings), which states, "The Commission shall make the following findings before granting a conditional use permit:

- A. That the proposed use, on its own merits and within the context of its setting, is in accord with the objectives of the General Plan and the purpose of the planning district in which the site is located.

The ELSP is consistent with the goals and policies of the Lake Elsinore General Plan.

- B. That the proposed use will not be detrimental to the general health, safety, comfort, or general welfare of persons residing or working within the neighborhood of the proposed use or the City, or injurious to property or improvements in the neighborhood or the City.

Conditions of Approval and applicable code provisions is implemented and maintained will mitigate potential impacts to insignificant levels and protect the general public.

- C. That the site for the intended use is adequate in size and shape to accommodate the use, and for all the yards, setbacks, walls or fences, landscaping, buffers and other features required by this title.

The motocross and off-road vehicle facility total 93 acres plus an extra 80 acres for overflow parking for large events and special events. The properties and more than adequate in size to accommodate all development standards and Conditions of Approval.

- D. That the site for the proposed use relates to streets and highways with proper design both as to width and type of pavement to carry the type and quantity of traffic generated by the subject use.

Cereal Street and the access drive is sufficient to accommodate all traffic for all events. In addition, secondary access is available from Mission Trail.

- E. That in approving the subject use at the specific location, there will be no adverse effect on abutting property or the permitted and normal use thereof.

The facility is adjacent to an industrial park that has tenants who manufacture and warehouse various goods and create noise, dust, ground vibration, and odors. The Summerly residential subdivision to the west is approximately half developed with later construction phases adjacent to the facility. It is imperative that the Lake Elsinore Motorsports Park comply with all Conditions of Approval and other applicable regulations at all times to protect the health, safety and welfare of the Summerly residents.

- F. That adequate conditions and safeguards pursuant to LEMC 17.168.050 have been incorporated into the approval of the conditional use permit to ensure that the use continues in a manner envisioned by these findings for the term of the use."

The Planning Commission conditions of approval if implemented and maintained will protect the public safety and welfare and mitigate potential impacts.

Condition of Approval #2 (i) requires "consistency of the use with the City's General Plan, applicable Specific Plan and Zoning Ordinance." Staff has determined that the General Plan designation is Specific Plan and the East Lake Specific Plan Amendment #11 allows the motocross and off-road facilities subject to a Conditional Use Permit. The facility has demonstrated substantial compliance with the Municipal Code although a modification is required for Conditions of Approval #2 (approved site plan) and #17 (annual review).

Condition of Approval #2 (ii) requires "compatibility with neighboring uses." Staff has received several complaints of noise and dust during larger events from Summerly residents. Staff has notified the motorsports park property owner to ensure watering the facility daily, compliance with hours of operation, comply with all Conditions of Approval, and respect the Summerly residents quiet and privacy.

Condition of Approval #2 (iii) requires "compliance with Conditions of Approval." CUP 2001-05 MOD has 40 Conditions of Approval. The facility is in substantial compliance with their mandated Conditions of Approval (COA) although this modification would modify two COA's as follows:

- COA #2 requires annual review of CUP 2001-05 which staff determined should be modified to review the CUP as needed. Staff recommends the following revision. ~~The applicant acknowledges that the uses permitted by the Conditional Use Permit are not consistent with the long-term development goals of the project site and neighboring properties and that The Conditional Use Permit shall be reviewed periodically, but not less than annually, as determined by the Community Development Director,~~ by the Planning Commission to evaluate the findings set forth in Section 17.168.060 of the Lake Elsinore Municipal Code,...

With adoption of East Lake Specific Plan Amendment #11 the motocross is now a legal and conforming use. Annual reviews are not necessary but periodic reviews should be conducted to protect the public health, safety and general welfare, especially if significant complaints are received or non-compliance observed.

- COA #17 states "all site improvements shall be constructed as indicated on the approved site plan (Exhibit A) unless modified by Planning Commission action. Minor revisions to approved plans shall be subject to discretion of the Community Development Director or designee.

The applicant has improved an additional off-road track adjacent to the industrial park off Corydon Street. The track is relatively small in size and located far away from the Summerly residences. A new site plan has been prepared and complying with Conditions of Approval will protect tenants of the industrial park.

In May 2018, staff met with the property owner and facility manager at the facility and discussed the current mandated review, future reviews, the additional track, and Conditions of Approval.

On May 29, 2018 staff including Planning, Building & Safety, and Fire met on-site and conducted a thorough inspection of the facility with facility manager Chad Azevedo and property owner Bruce Keeton. We inspected the entrance area, administrative trailer, ticket area, security trailer, storage areas, accessory facilities and perimeters of the facility. Staff utilized an inspection checklist to address all Conditions of Approval.

Summary

Based on the field inspections, meetings with staff and the facility operators and property owner's, and review of Conditions of Approval, staff did observe and determine that the Lake Elsinore Motorsports Park is in substantial compliance with CUP 2001-05, the Lake Elsinore Municipal Code, California Building Code, Uniform Fire Code, and the Army Corp of Engineers 404 Permit. Staff will continue to work with the motor sports facility operators and owner to ensure full compliance is maintained at all times, and will continue to monitor the facility.

Environmental Determination

This CUP modification is exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301 Existing facilities, which provides an exemption for the operation, repair, maintenance, permitting, leasing, licensing, or minor operation of structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use.

Exhibits

- A - Location Map
- B - Aerial Map
- C - Property Owner Map East Lake Specific Plan
- D - East Lake Specific Plan Zoning Map
- E - East Lake Specific Plan Zoning Planning Area 2
- F - Motocross Park Operations Description
- G - Inspection Checklist Staff Comments dated 5/29/18
- H - Planning Commission Resolution
- I - Planning Commission Revised Conditions of Approval
- J - 24" x 36" Revised Site Plan