

4.0 EXISTING SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES

OVERVIEW OF ENVIRONMENTAL SETTING

The Nakase property (Project site) is located in the north-central portion of Lake Forest in Orange County, California. As shown on Figure 3.1, regional access to the Project site is provided by State Route 241 (SR-241), which is located approximately 0.07 mile (mi) northeast of the Project site, and Interstate 5 (I-5), which is located approximately 3.8 mi southwest of the Project site.

Historically, the Project site has been used primarily for agricultural production. From 1938 through the late 1960s, the Nakase Nursery was developed with orchards. In the late 1960s, the northwestern portion of the Project site continued operation as an orchard while the remainder of the Project site was developed as a plant nursery. In 1988, the orchards were removed, and the entire Project site has been used as an agricultural wholesale plant nursery since the 1990s. The 122-acre (ac) Project site (Assessor's Parcel Number [APN] 612-221-01) is currently operating as the Nakase Brothers Wholesale Nurseries.

The areas surrounding the Project site consist of a mix of land uses, including commercial, office, open space, industrial, and residential. The Project site is bounded on the northwest by Bake Parkway, on the northeast by Rancho Parkway, on the southeast by Serrano Creek and Serrano Creek Trail, and on the southwest by commercial, industrial, and office uses, with Dimension Drive beyond. Although not immediately adjacent to the Project site, single-family and multifamily residential uses exist to the northwest, northeast, and south of the Project site. As noted above, SR-241 is approximately 0.07 mi northeast of the Project site. Surrounding land uses are shown on Figure 3.3.

Residential planned communities in the vicinity of the Project site include the Foothill Ranch Planned Community (PC 8) to the north, the Portola Hills Planned Community (PC 9) to the northeast, the Baker Ranch Planned Community (PC 7) to the west, and the Rancho de Los Alisos Planned Community (PC 3) to the southeast.

The Project site is currently developed with multiple structures used for nursery operations, an office trailer, and a gravel parking lot that is used for trailer storage and staff parking near the center of the Project site. Figure 3.4 provides photographs of existing conditions on the Project site.

In the existing condition, there is one vehicular access point to the Project site via a non-exclusive easement over adjacent properties to the south. The easement extends from Lake Forest Drive, directly north of Dimension Drive, to the southernmost point of the Project site. Manufactured landscape slopes, chain-link fences, and block walls enclose the Project site. In addition, several mature trees line the northeastern and southeastern boundaries of the Project site.

CHAPTER FORMAT

This chapter contains 20 sections, and each section addresses one environmental topic listed in Appendix G of the Guidelines for the California Environmental Quality Act (State CEQA Guidelines) (California Code of Regulations [CCR] Title 14, Chapter 3, Section 1500–15397).

For each environmental impact issue analyzed, the Environmental Impact Report (EIR) includes a detailed explanation of the existing conditions, thresholds of significance that will be applied to determine whether the project’s impacts are significant or less than significant, analysis of the environmental impacts, and a determination of whether the project would have a significant impact if implemented. A “significant impact” or “significant effect” means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora fauna, ambient noise, and object of aesthetic significance. An economic or social change by itself shall not be considered to be a significant effect on the environment.” (14 CCR Section 15382). Each environmental topic section in Chapter 4.0 also includes a discussion of the cumulative effects of the project when considered in combination with other projects, causing related impacts, as required by State CEQA Guidelines Section 15130.

Each of the sections is organized into nine subsections, as follows:

- **Introduction** briefly describes the topics and issues covered in the section.
- **Scoping Process** briefly summarizes any relevant comments that were received during the scoping process.
- **Existing Environmental Setting** describes the relevant physical conditions that exist at the time of the issuance of the Initial Study/Notice of Preparation (IS/NOP) that may influence or affect the issue under investigation. This section focuses on physical site characteristics that are relevant to the environmental topic being analyzed.
- **Regulatory Setting** lists and discusses the laws, ordinances, regulations, plans, and policies that relate to the specific environmental topic and how they apply to the proposed Project.
- **Methodology** describes the approach and methods employed to complete the environmental analysis for the issue under investigation.
- **Thresholds of Significance** sets forth the thresholds that are the basis of the conclusions regarding significance, which are primarily the criteria in Appendix G to the State CEQA Guidelines and the City of Lake Forest (City) Initial Study/Environmental Checklist, City of Lake Forest CEQA Significance Thresholds Guide, General Plan, or Zoning Code.
- **Project Impacts** describes the potential environmental changes to the existing physical conditions that may occur if the proposed Project is implemented. Evidence is presented to show the cause-and-effect relationship between the proposed Project and potential changes in the environment. In accordance with State CEQA Guidelines Section 15126.2(a), this EIR is required to “identify and focus on the significant environmental effects” of the proposed

Project. The magnitude, duration, extent, frequency, and range or other parameters of a potential impact are ascertained to the extent feasible to determine whether impacts may be significant. In accordance with CEQA, potential project impacts, if any, are classified as follows for each of the environmental topics discussed in this EIR.

- **Significant and Unavoidable Impact:** If the proposed Project is approved with significant and unavoidable impacts, the decision-making body is required to adopt a statement of overriding considerations pursuant to State CEQA Guidelines Section 15093 explaining why the project benefits outweigh the unavoidable adverse environmental effects caused by those significant and unavoidable environmental impacts.
- **Less than Significant Impact with Mitigation Incorporated:** This classification refers to potentially significant environmental impacts that can be feasibly mitigated to a level of insignificance. If the proposed Project is approved, the decision-making body is required to make findings pursuant to State CEQA Guidelines Section 15091 that significant impacts have been mitigated to the extent feasible through implementation of mitigation measures.
- **Less than Significant Impact:** Less than significant impacts are environmental impacts that have been identified but are not potentially significant. No mitigation is required for less than significant impacts.
- **No Impact:** A “no impact” determination is made when the proposed Project is found to have no environmental impact.
- **Level of Significance Prior to Mitigation** summarizes the potentially significant impacts of the project, if any, prior to mitigation.
- **Mitigation Measures** are project-specific measures that avoid, minimize, rectify, reduce, eliminate, or compensate for a potentially significant impact.
 - **Regulatory Compliance Measures** may also be identified in this section. Regulatory Compliance Measures describe any relevant and applicable laws or regulations that must be adhered to with respect to the construction or operation of the proposed project and would reduce or lessen potential impacts related to a particular issue area.
- **Level of Significance after Mitigation** describes the significance of potential impacts after implementation of mitigation measures. Potential significant unavoidable impacts are clearly stated in this section.
- **Cumulative Impacts** refers to potential environmental changes to the existing physical conditions that may occur as a result of project implementation together with all other reasonably foreseeable, planned, and approved future projects in the vicinity of the project site that produce related impacts. State CEQA Guidelines Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” Cumulative impacts may result from

individually minor but collectively significant projects taking place over a period of time. Projects that have progressed to the stage where CEQA review has been initiated are normally treated as foreseeable probable future projects. For each of the environmental topics considered in this EIR, the geographic scope of the cumulative analysis is defined.

THRESHOLDS OF SIGNIFICANCE

The threshold questions used in this EIR are consistent with Appendix G of the *State CEQA Guidelines*, the City's *CEQA Significance Thresholds Guide* (March 2009), and the City's *Local CEQA Guidelines* (June 2019). In January 2018, the State Office of Planning and Research (OPR) submitted a proposal for comprehensive updates to the *State CEQA Guidelines* to the California Natural Resources Agency. Because those updates had not yet been approved when the Initial Study for the proposed Project was prepared and circulated in July 2018, the Initial Study relied on the threshold questions included in the City's *CEQA Significance Thresholds Guide* (March 2009) and the City's *Local CEQA Guidelines* that were in effect at that time.

On December 28, 2018, during preparation of this Draft EIR, the updated *State CEQA Guidelines* went into effect. On June 4, 2019, the Lake Forest City Council amended its *Local CEQA Guidelines* to be consistent with the updated *State CEQA Guidelines*. The updated *Local CEQA Guidelines* include revised thresholds related to several environmental topics. This EIR has been prepared in compliance with the updated *State CEQA Guidelines* and the current version of the City's *Local CEQA Guidelines*; therefore, the thresholds presented herein differ from the original thresholds utilized in the Initial Study prepared for the proposed Project.

RELATED PROJECTS

In accordance with State CEQA Guidelines Section 15130, cumulative impacts are anticipated impacts of the proposed project along with reasonably foreseeable growth. Reasonably foreseeable growth may be based on either:

- A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- A summary of projections contained in the adopted General Plan or related planning document, or in a prior environmental document that has been adopted or certified, and that described or evaluated regional or areawide conditions contributing to the cumulative impact.

For the purposes of the EIR, a list of past, present, and probable future projects is used in the evaluation of potential cumulative impacts. All proposed, recently approved, under construction, and reasonably foreseeable projects that could produce a related or cumulative impact on the local environment when considered in conjunction with the proposed project are evaluated in an EIR. As stated above, an analysis of the cumulative impacts associated with these related projects and the proposed Project is provided in the cumulative impacts discussion under each individual impact category in Chapter 4.0.

In coordination with the City of Lake Forest and City of Irvine, a list of past, present, and probable future projects was developed. As shown in Table 4.A, the projects include various land uses, such as residential, commercial, office, and mixed-use. The locations of the related projects are shown on Figure 4.0.1. Although some projects on the list have been completed since issuance of the Notice of Preparation (NOP), they remain on the list because they are part of the cumulative analysis for the EIR.

It is noted that some of the related projects may not be completed by 2025 (the proposed Project's anticipated buildout year), may never be built, or may be approved and built at reduced densities. However, to provide a conservative forecast, the future baseline forecast assumes that all of the related projects will be fully built out by 2025.

The discussion of cumulative impacts "should be guided by the standards of practicality and reasonableness" (*Environmental Protection Info. Center v. Department of Forestry & Fire Protection* (2008) 44 Cal.4th 459, 524). A proposal that has not crystallized to the point that it would be reasonable and practical to evaluate its cumulative impacts need not be treated as a probable future project (*City of Maywood v. Los Angeles Unified School District* (2012) 208 Cal.App.4th 362, 397). Rather, a potential future project qualifies for inclusion in an analysis of cumulative impacts only to the extent the future project is "both probable and sufficiently certain to allow for meaningful cumulative impact analysis" (*Id.* at 398; see *City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 902 [when "review[ing] the agency's decision to include information in the cumulative impacts analysis[,] ... [w]e determine whether inclusion was reasonable and practical"]).

The Project Applicant/Developer started discussions with the City staff regarding the Nakase Project in 2017. Toll submitted the Nakase Project application and Area Plan before the City initiated the General Plan update process in January 2018, well before the City had developed scenarios to evaluate for purposes of the General Plan update process. Although the City is in the process of updating its General Plan, the City Council has directed staff to study numerous scenarios that vary widely, and the City Council has not selected a specific scenario. That is, the ultimate proposal for the General Plan update has not yet crystallized to the point where it would be reasonable and practical to evaluate its cumulative impacts. Thus, the potential, future General Plan update is not sufficiently certain or probable to be reasonably and practically analyzed as a probable future project. Further, a General Plan update is a broad planning document and not a discrete project that easily lends itself to a "list of projects" methodology for a cumulative impacts analysis — as is done in this EIR (as compared to a "summary-of-projects" methodology). Additionally, because new projects are continually being fed into the environmental review process, the City reasonable set a cutoff date for probable future projects at the time the Nakase Project application was submitted, well before the GPU was sufficiently certain (see *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1127 [lead agency has discretion to set the date of the project's application as the reasonable cutoff date for determining what other projects are pending and should be included in the cumulative impacts analysis]; and *San Franciscans for Reasonable Growth v. City & County of San Francisco* (1984) 151 Cal.App.3d 61, 74 n.14 [lead agencies may set a reasonable cutoff date for the new projects that will be included in the analysis]). Thus, the potential future General Plan update is not included in this EIR as a probable future project.

Table 4.A: Summary of Related Projects

Project No.	Project Name	Location	Status	Project Description
City of Lake Forest				
1	SDP 07-18-5191	Serrano Summit Drive, South of Commercentre Drive	Submitted July 10, 2018. Under review.	Private Recreation Center for future Serrano Summit development, including clubhouse, shade structures, swimming pool/spa, pool cabana, event lawn and parking lot
2		NW Corner of Katella, 26672 Portola Parkway	Submitted September 13, 2018. Under Review.	Remodel of existing 44,736 sf commercial space, including façade, roof and interior modifications, along with minor site modifications
3	SDP 08-18-5212	Portola Center Northeast, Lots 1-93, Tract 17300, Amendment #2	Approved September 13, 2018. Appeal period to end on September 28, 2018.	A request to approve floor plans and architecture for 93 homes on previously approved lots
4	SDP 08-18-5199	22377 El Toro Road	Approved August 30, 2018. Appeal period to end on September 14, 2018.	To convert the interior of a previous 4,000 sf building (Chase Bank) into an animal hospital for Serrano Animal and Bird Hospital.
5	SDP 06-18-5176	1 Saddleback Parkway	Submitted June 12, 2018. Under review.	Construction of a new 92,391 sf worship center, repurposing of existing worship center including addition of a 26,924 sf second story for classroom use, and site improvements including 57 new parking spaces at Saddleback Church.
6	SDP 06-18-5172	South of Commercentre Drive, between Civic Center Drive and Serrano Summit Drive	Submitted June 5, 2018. Under review.	101 single-family homes in conjunction with Tentative Tract Map 18162 (Amara at Serrano Summit) in the previously approved Serrano Summit residential development.
7	SDP 06-18-5173	South of Commercentre Drive, between Civic Center Drive and Serrano Summit Drive	Submitted June 5, 2018. Under review.	108 townhome condominium homes in duplex configuration, in conjunction with Tentative Tract Map 18162 (Soria at Serrano Summit) in the previously approved Serrano Summit residential development.
8	SDP 04-18-5156	Tract 15594 – North of Trabuco Road, east of Bake Parkway, at the northern end of Peachwood	Planning Commission recommended approval of the project to the City Council at the September 13, 2018 Planning Commission meeting. City Council review tentatively scheduled for October 16, 2018.	An amendment to Site Development Permit 2008-11, for 85 single-family detached homes in Tract 15594, the Teresina Development (previously Pinnacle at Serrano Highlands).
9	SDP 02-18- 5120/ UP 08- 18-5203/ PSP 02-18-5123/ PSP 08-18-5123	22441 El Toro Road	Submitted on February 8, 2018. Under review.	Construction of a new 1,710 sf drive-through restaurant (Coffee Bean & Tea Leaf) in an existing shopping center. The project also includes a request to open at 4:00 a.m., a planned sign program for the drive-through signage and amendment to the Planned Sign Program 2010-02 to modify the wall sign regulations and allow an additional monument sign.
10	TTM 18162	South of Commercentre Drive, between Biscayne Bay Drive and Indian Ocean Drive	Submitted May 4, 2018. Under Review.	A request to further subdivide a previously approved residential development (Tentative Tract Map 17331) into a 114 lot subdivision for 521 attached condominium and detached single-family homes on 42.7 acres (Serrano Summit).

Table 4.A: Summary of Related Projects

Project No.	Project Name	Location	Status	Project Description
11	GPA 03-18- 5133/ ZC 03-18-5134/ TPM 03-18-5135/ SDP 03-18-5137	23061 and 23071 El Toro Road	Submitted on March 7, 2018. Under Review.	A General Plan Amendment to change the General Plan designation from Transportation Corridor to Public Facility; a zone change to change the zoning of the property from General Agriculture (A-1) to Community Commercial; a Tentative Parcel Map to subdivide the parcel into two separate parcels; a Site Development Permit for the construction of two 3,312 sf, single-story buildings, which will be used for religious purposes. The project includes grading, landscaping, and a parking lot with 140 parking stalls.

NW = northwest
 sf = square feet

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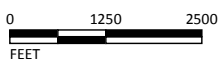


FIGURE 4.0.1

LSA

LEGEND

- Project Location
- Related Projects



SOURCE: Google Maps (2018)

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Nakase Nursery/Toll Brothers
Related Projects

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