

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2019-09 (COMMERCIAL DESIGN REVIEW NO. 2019-06) (CONDITIONAL USE PERMIT NO. 2019-04) TO REQUEST APPROVAL FOR AN EXTERIOR SEATING AREA AS AN ACCESSORY USE TO THE EXISTING PIEOLOGY RESTAURANT LOCATED AT APN: 377-080-033

Whereas, Santa Maria PPF, LLC. has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-09 (Commercial Design Review No. 2019-06) (Conditional Use Permit No. 2019-04) to request approval for an exterior seating area as an accessory use to the existing Pieology restaurant (Project). The Project is located near the intersection of Central Avenue and Collier Avenue and more specifically referred to as 18310 Collier Avenue, Suite B, Lake Elsinore CA. 92530 (APN: 377-080-033); and,

Whereas, Chapter 17.168 of the Lake Elsinore Municipal Code (LEMC) provides that certain uses have operational characteristics that, depending on the location and design of the use, may have the potential to negatively impact adjoining properties, businesses or residents and therefore are permitted subject to the issuance of a Conditional Use Permit, which allows the City to comprehensively review and approve the use; and,

Whereas, pursuant to Chapter 17.168 (Conditional Use Permits) of the LEMC, the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying Conditional Use Permits; and,

Whereas, on August 6, 2019, at a duly noticed Public Hearing, the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Commission has considered the Project prior to making a decision and has found it acceptable.

Section 2. The Commission hereby finds and determines that the Project is categorically exempt from California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq. "CEQA") and CEQA Guidelines (14. Cal. Code Regs. §§15000 et seq.), specifically pursuant to Section 15301 (Class 1 – Existing Facilities), because the Project proposes to request approval for an exterior seating area as an accessory use to the existing Pieology restaurant. The site is fully developed and only minor exterior alterations are planned in association with the proposed use.

Section 3. That in accordance with California Planning and Zoning Law and the LEMC Section 17.168.060 (Findings), the Commission makes the following findings regarding the Project:

1. 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 proposed Project is located in the General Commercial District (C-2) General Plan Land use designation and the General Commercial (C-2) Zoning designation, which is consistent with the applicable General Plan Land Use Designation. The proposed use is a permitted use subject to the approval of a Conditional Use Permit within the C-2 Zoning designation.

2. 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.

The proposed use will be located on the exterior of an existing building. The proposed use does not propose either directly or indirectly any detrimental effects to the existing surrounding commercial land uses. The Project has been conditioned as such to avoid any possible negative impacts associated with the conversion and operation of the proposed facility.

3. 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 proposed use has been analyzed and staff has determined that the proposed use meets all applicable sections of the LEMC and will complement the existing uses, based on the submitted plans and attached conditions of approval.

4. 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.

The proposed use is located on the exterior of an existing built environment, inclusive of streets. The existing streets are of adequate size to facilitate safe and convenient transportation to and from the site.

5. In approving the subject use at the specific location, there will be no adverse effect on abutting properties or the permitted and normal use thereof.

The Project has been thoroughly reviewed and conditioned by all applicable City departments thereby eliminating the potential for any adverse effects.

6. Adequate conditions and safeguards pursuant to Section 17.168.050 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the subject Project to ensure development of the property in accordance with the objectives of this chapter and the planning district in which the site is located.

Pursuant to Section 17.168.040 of the LEMC, the Project was considered by the Commission at a duly noticed Public Hearing on August 6, 2019, appropriate and applicable conditions of approval have been included to protect the public health, safety and general welfare.

Section 4. Based upon the evidence presented, the above findings, and the attached Conditions of Approval, the Planning Commission hereby approves Planning Application No. 2019-09 (Commercial Design Review No. 2019-06, Conditional Use Permit No. 2019-04).

Section 5. This Resolution shall take effect immediately upon its adoption.

Passed and Adopted this 6th day of August, 2019.

Michael Carroll, Chairman

Attest:

Justin Kirk,
Assistant Community Development Director

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Justin Kirk, Principal Planner of the City of Lake Elsinore, California, hereby certify that Resolution No. 2019-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on the 6th day of August, 2019 and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Justin Kirk,
Assistant Community Development Director