

RESOLUTION NO. 2022-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL OF TENTATIVE TRACT MAP NO. 37578 SUBDIVIDING 12.6 ACRES INTO SEVEN LOTS RANGING IN SIZE FROM 0.25 ACRES TO 4.13 ACRES LOCATED APNS 381-320-020 AND 02

Whereas, Ahmad Zaki, Zairey, Inc. has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-07 (Tentative Tract Map No. 37578, a Conditional Use Permit No. 2019-03, a Commercial Design Review No. 2019-05, a Uniform Sign Program No. 2019-01). Tentative Tract Map No. 37578 is a subdivision of the 12.60-acre project site into seven (7) lots for a mixed-use commercial and residential development. Conditional Use Permit No. 2019-03 and Commercial Design Review No. 2019-05 proposes to develop the mixed-use commercial and residential development that would be constructed in three phases. The first phase (Phase 1) would include a 10-dispenser ARCO gasoline station with a 6,840-square foot (SF) canopy, a 4,354-SF AM/PM convenience store, an attached 1,960-SF quick-serve restaurant (with no drive-through service), and a 4,054-SF automated self-service car wash. A 2,000-SF office would be located on the second story above the quick-serve restaurant. Phase 1 would also include grading of the site, installation of the majority of the utility infrastructure, development of internal circulation driveways and parking, and construction of off-site improvements. The second phase (Phase 2) would consist of two 2,400-SF fast food restaurants with drive-through lanes, and a two-story mixed-use commercial/retail and multi-family residential building. The mixed-use building would consist of six commercial/retail spaces totaling approximately 23,000 SF on the ground floor and 14 apartments or condominium units totaling 20,000 SF on the second floor. The third (and final) phase (Phase 3) of the project would consist of five three-story multi-family residential buildings containing up to 60 residential units. The multi-family residential development would include enclosed parking and a 2,800-SF clubhouse with pool and outdoor living amenities. Uniform Sign Program No. 2019-01 proposes to establish a uniform sign program for the project that provides standards and specifications to ensure consistency of signage in terms of design, composition, size and placement throughout the project. The project is located at the northwest corner of Grand Avenue and State Route 74/Ortega Highway (APNs: 381-320-023 and 381-320-020; and,

Whereas, pursuant to Chapter 16.24 (Tentative Map) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to tentative maps; and,

Whereas, on February 1, 2022, February 15, 2022, March 1, 2022, and June 21, 2022, 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: Prior to making a recommendation to the Council, the Commission has reviewed and analyzed the proposed project pursuant to the appropriate Planning and Zoning Laws, and Chapter 16 (Subdivisions) of the LEMC.

Section 2: On June 21, 2022, after consideration and evaluation of all written reports and comments and oral testimony presented by the Community Development Department and other City departments, property owners, residents and other interested parties and such other matters

as are reflected in the record of the noticed Public Hearing on the Project, the Commission adopted a resolution finding and determining that the Mitigated Negative Declaration (ER 2019-04) (SCH No. 2021120417) is adequate and is prepared in accordance with the requirements of CEQA.

Section 3: That in accordance with State Planning and Zoning Law and the LEMC, the Commission makes the following findings for approval of Tentative Tract Map (TTM) No. 38116:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).
 - a. *The Project has a General Plan Land Use designation of Commercial Mixed Use (CMU) and is located within the Lake Edge District. This designation provides for a mix of residential and non-residential uses within a single proposed development area, with an emphasis on retail, service, civic and professional office uses. The Floor Area Ratio (FAR) for non-residential uses is 0.80:1 and a minimum of 50% of the total floor area shall be commercial uses. Residential densities shall be between 7 and 18 dwelling units per net acre. The project is proposing to develop a mixed use project with the commercial development that includes a convenience store, gas station, express car wash, and drive-through and quick-serve restaurants with 0.22:1 FAR. The project also includes a residential component with 9.9 units per acre and 15.7 units per acre. Therefore, the project is consistent with the Commercial Mixed Use General Plan land use designations for the site. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan.*
 - b. *All offsite mitigation measures have been identified in a manner consistent with the General Plan.*
2. The site of the proposed subdivision of land is physically suitable for the proposed density of development in accordance with the General Plan.
 - a. *The residential component of the project site has a density of 9.9 units per acre and 15.7 units per acre. The overall density of and design is consistent and compatible with the adjacent communities.*
3. The effects that this project are likely to have upon the housing needs of the region, the public service requirements of its residents and the available fiscal and environmental resources have been considered and balanced.
 - a. *TTM 37578 is consistent with the Commercial Mixed Use land use plan, development and design standards, and programs, and all other appropriate requirements contained in the General Plan. The proposed project is consistent and compatible with the General Plan and provides an increase in housing opportunities within the City. TTM 37578 is consistent with Housing Element Policy 3.1 to "Use the City's General Plan, Municipal Code, other land use and development plans, and the development process to provide housing sites that meet the identified local need."*
4. The proposed division of land or type of improvements is not likely to result in any significant environmental impacts.

- a. *A Mitigated Negative Declaration (MND) (ER 2019-04) (SCH# 2021120417) was prepared for TTM 37578. The Initial Study identified potentially significant environmental effects but these impacts will be mitigated to below a level of significance through compliance with the mitigation measures set forth in the MND. TTM 37578 has been conditioned to comply with these mitigation measures.*
5. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.
 - a. *TTM 37578 has been designed in a manner consistent with the General Plan and does not divide previously established communities.*
6. The design of the proposed division of land or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed division of land.
 - a. *All known easements or request for access have been incorporated into the design of TTM 37578.*
 - b. *The map has been circulated to City departments and outside agencies, and appropriate Conditions of Approval have been applied to the project.*

Section 4: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the project, the Commission hereby recommends that the Council approve Tentative Tract Map No. 37578.

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

Passed and Adopted on this 21st day of June, 2022.

John Gray, Chairman

Attest:

Damaris Abraham,
Planning Manager

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

I, Damaris Abraham, Planning Manager of the City of Lake Elsinore, California, hereby certify that Resolution No. 2022-__ was adopted by the Planning Commission of the City of Lake Elsinore,

California, at a regular meeting held June 21, 2022 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Damaris Abraham,
Planning Manager