

## **RESOLUTION NO. 2018-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2018-06 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR A 4,801 SQUARE FOOT RESTAURANT WITH A DRIVE-THROUGH LOCATED AT APN: 377-080-084**

**Whereas**, Robert Lombardi, 4G Development Inc. has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2018-25 (Conditional Use Permit No. 2018-02 and Commercial Design Review No. 2018-06) for the demolition of an existing 7,750 sq. ft. Lone Star Steakhouse restaurant and construction a new 4,801 sq. ft. Chick-Fil-A drive-thru restaurant on an approximately 1.14-acre site (Project). The Project site is located easterly of I-15 Freeway, on the southwesterly corner of Dexter Place and Dexter Avenue intersection, more specifically referred to as 18601 Dexter Avenue (APN: 377-080-084); and,

**Whereas**, the proposed Project is exempt from the 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 15332 (*Class 32 – In-Fill Development Projects*); and,

**Whereas**, pursuant to Chapter 17.184 (Design Review) of the LEMC, the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to design reviews; and,

**Whereas**, on August 7, 2018 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; and,

**Whereas**, pursuant to Section 17.184.090 of the LEMC the Council has the responsibility of making decisions to approve, modify, or disapprove recommendations of the Commission for design review applications; and,

**Whereas**, on August 14, 2018, at a duly noticed Public Meeting, the Council has considered the recommendation of the Commission as well as evidence presented by the Community Development Department and other interested parties with respect to this item.

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

**Section 1.** The Council has reviewed and analyzed the proposed Project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 59000 et seq.), the Lake Elsinore General Plan (GP), and the LEMC and finds and determines that the proposed Project is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP and the LEMC.

**Section 2.** The Council finds that the proposed Project is exempt from the California Environmental Quality Act (Cal. Pub. Res. Code §§21000 et seq.: "CEQA") and the CEQA Guidelines (14 C.C.R. §§ 15000 et seq.) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects. The Project is consistent with the applicable General Plan designation and policies, as well as zoning designation and regulations, and is within the City's boundaries on a site less than five acres surrounded by urban uses. The subject property has no value as habitat

for endangered, rare or threatened species. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the Project is adequately served by all required utilities and public services.

**Section 3.** That in accordance with Chapter 17.184 of the LEMC, the Council makes the following findings regarding of Planning Application No. 2018-25 (Commercial Design Review No. 2018-06):

1. The Project, as approved, will comply with the goals and objectives of the General Plan and the zoning district in which the project is located.

*The Project site has a General Plan Land Use designation of General Commercial (GC) that provides for retail, services, restaurants, professional and administrative offices, hotels and motels, mixed-use projects, public and quasi-public uses, and similar and compatible uses with a maximum 0.40 Floor Area Ratio (FAR). The project is proposing to develop a drive-through restaurant with 0.09 FAR. Therefore, the Project is consistent with the General Plan. The current zoning for the subject site General Commercial (C-2). The proposed use is identified as a permitted use subject to the approval of a Conditional Use Permit within the C-2 zone. Further, the proposed commercial Project will assist in achieving the development of a well-balanced and functional mix of residential, commercial, industrial, open space, recreational and institutional land uses.*

2. The Project complies with the design directives contained in the LEMC and all applicable provisions of the LEMC.

*The Project is appropriate to the site and surrounding developments. The architectural design of the proposed building complies with the Nonresidential Development Standards (Chapter 17.112) of the LEMC. The architecture has been designed to achieve harmony and compatibility with the surrounding area. The colors and materials proposed will assist in blending the architecture into the existing landscape and are compatible with other colors and materials used on other properties near the Project site. In addition, safe and efficient circulation has been achieved onsite.*

3. Conditions and safeguards pursuant to Chapter 17.184.070 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the Project to ensure development of the property in accordance with the objectives of Chapter 17.184.

*Pursuant to Section 17.184.070 of the LEMC, the Project was considered by the Commission at a duly noticed Public Hearing held on August 7, 2018. The Project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment. Approval of the Project will not result in a substantial change to the previously certified Environmental Impact Report. Therefore, no additional environmental review is necessary.*

**Section 4.** Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Project, the Council hereby approves Planning Application No. 2018-25 (Commercial Design Review No. 2018-06).

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

**Section 6:** The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

**Passed and Adopted** on this 14<sup>th</sup> day of August 2018.

\_\_\_\_\_  
Natasha Johnson  
Mayor

**Attest:**

\_\_\_\_\_  
Susan M. Domen, MMC  
City Clerk

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

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2018-\_\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of August 14, 2018, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Susan M. Domen, MMC  
City Clerk