



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Grant Yates, City Manager

**Prepared by:** Damaris Abraham, Senior Planner

**Date:** August 14, 2018

**Subject:** Planning Application No. 2018-25 (Chick-Fil-A) – Proposal to demolish an existing 7,750 sq. ft. Lone Star Steakhouse restaurant and construct a new 4,801 sq. ft. Chick-Fil-A drive-thru restaurant.

**Applicant:** Robert Lombardi, 4G Development Inc.

### **Recommendation**

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT PLANNING APPLICATION NO. 2018-25 (CONDITIONAL USE PERMIT NO. 2018-02 AND COMMERCIAL DESIGN REVIEW NO. 2018-06) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP); and,

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2018-02 TO ESTABLISH A 4,801 SQUARE FOOT RESTAURANT WITH A DRIVE-THROUGH LOCATED AT APN: 377-080-084; and,

adopt 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.

### **Background**

On August 7, 2018, the Planning Commission unanimously recommended approval of the Project by a vote of 5-0.

### **Discussion**

#### **Project Request and Location**

The applicant is 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 the 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).

### Environmental Setting

	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Restaurant/Vacant	General Commercial (GC)	General Commercial (C-2)
North	Dexter Park & Ride	General Commercial (GC)	General Commercial (C-2)
South	Golden Corral	General Commercial (GC)	General Commercial (C-2)
East	LA Fitness	General Commercial (GC)	General Commercial (C-2)
West	I-15 Freeway	I-15 Freeway	I-15 Freeway

### Analysis

#### General Plan Consistency

The Project has a General Plan Land Use designation of General Commercial (GC) and is located within the Business District. The GC Land Use designation 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.

#### Municipal Code Consistency

The current zoning for the subject site is General Commercial (C-2). Section 17.124.020.B of the C-2 zone states that uses permitted subject to a Conditional Use Permit in the Neighborhood Commercial (C-1) zone are also permitted in the C-2 zone. Section 170.120.030.D of the C-1 zone permits drive-through establishments subject to a Conditional Use Permit.

Staff has reviewed the proposed Project with respect to the relevant development standards as identified in the C-2 zone and the Lake Elsinore Municipal Code (LEMC) and has detailed the requirements and the proposed development standards as follows:

Development Standard	Required	Proposed
Front yard Setback	Ave. 20 ft./not less than 15 ft.	15 ft.
Rear yard Setback (ROW)	15 ft.	15 ft.
Building Height	45 ft.	21.67 ft.
Landscape improvements:		
Adjacent to Street	15 ft.	15 ft.
Landscape coverage	15%	29%

The Project also complies with the onsite parking standards listed in LEMC, Chapter 17.148 (Parking Requirements). Section 17.148.030.E of the LEMC requires one (1) space for each 45 sq. ft. of customer area, plus one (1) space for each 200 sq. ft. of noncustomer area for restaurants. A total of 57 parking spaces would be required for the proposed Project. The Project will have sufficient parking spaces as there will be 60 parking spaces provided for the Project.

In accordance with Section 17.148.060 of the LEMC, the Project has provided a drive-through lane with minimum storage for eight vehicles provided at 20 feet per vehicle. The drive-through lane is designed such that it will not interfere with free and orderly circulation of the parking lot, does not encroach or block driveways or parking spaces, and is separated from adjoining property line by a landscaped planter a minimum of five feet in width.

The architectural design of the proposed building complies with the Nonresidential Development Standards (Chapter 17.112) of the LEMC. The architecture of the building has been designed to achieve harmony and compatibility with 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. The proposed landscaping improvements serve to enhance the building designs and soften portions of building elevations, provide shade and break-up expanses of pavement.

The Design Review Committee that includes staff from Planning, Building and Safety, Fire, and Engineering have reviewed the proposed Project, and have conditioned the Project so as to mitigate any potential concerns.

### **Environmental Determination**

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:

- a) The Project has a General Plan Land Use designation of General Commercial (GC) and has a General Commercial (C-2) zoning designation. The proposed Project, a drive-through restaurant, is a permitted use subject to a Conditional Use Permit. The Project also complies with all applicable development standards of the C-2 zone. Therefore, the Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed Project occurs within city limits, is located on a Project site of no more than five acres (approximately on a 1.14-acre site), and is substantially surrounded by urban uses.
- c) The Project site has no value, as habitat for endangered, rare or threatened species. The Project site has been previously disturbed and developed with a restaurant. The Project is proposing to demolish this existing restaurant and replace it with a new one. In addition, the Project site is not located within a Criteria Cell of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and was not required to be processed through the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) processes. The Project complies with the MSHCP and is consistent with all applicable requirements of the MSHCP.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. A Traffic Impact Analysis (TIA) dated July 24, 2018 prepared by TJW Engineering, Inc. was submitted for the proposed Project. The TIA found that no significant direct impacts are projected in the study area as a result of the proposed Project. The proposed Project is not required to implement any off-site improvements, except for improvements related to the proposed Project driveways. The proposed Project will participate in the cost of off-site improvements through payment of Transportation Uniform Mitigation Fee (TUMF) and Traffic Impact Fee (TIF) fees. The Project's contribution to these transportation

impact fee programs should be sufficient to address the Project's fair share towards mitigation measures designed to alleviate cumulative project impacts. In addition, a Preliminary Water Quality Management Plan (PWQMP 2018-05) that addresses water quality impacts has been submitted and approved for the proposed Project.

(e) The site can be adequately served by all required utilities and public services.

### **Fiscal Impact**

The time and costs related to processing this Project have been covered by the Developer Deposit paid for by the applicant. No General Fund budgets have been allocated or used in the processing of this application. The approval of the Project does not fiscally impact the City's General Fund. Mitigation Measures to protect the City fiscally have already been included in the Conditions of Approval.

### **Exhibits**

- A – MSHCP Resolution
- B – CUP Resolution
- C – CDR Resolution
- D – Conditions of Approval
- E – Vicinity Map
- F – Aerial Map
- G – Design Review Package