

RESOLUTION NO. 2017-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2016-42 (CONDITIONAL USE PERMIT NO. 2017-14) TO MODIFY A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT FOR AN ACADEMIC INSTRUCTION AND TUTORING CENTER BY ADDING A 2,700 SQUARE FOOT CLASSROOM AND A 3,748 SQUARE FOOT INDOOR PLAYGROUND LOCATED AT APN: 377-410-048

Whereas, Brook Eddins, Fundamental Foundations has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2016-42 (Conditional Use Permit No. 2017-14) to modify a previously approved Conditional Use Permit (CUP 2016-15) for the academic instruction/tutoring center by adding a 2,700 SF Kindergarten classroom (Suite “C”) and a 3,748 SF indoor playground (Suite “A”). The facility previously utilized Suite “B” which is 11,508 SF in area. The overall area for the facility will now be 17,956 SF with 10 classrooms, a 5,600 SF auditorium (for assemblies, physical education (P.E.), breaks, and lunches), a 3,748 SF indoor playground, a storage room, a warehouse, three (3) offices, and two (2) reception areas (Project). The Project is located at the southeastern corner of Collier Avenue and Crane Street and more specifically referred to as 18421 Collier Avenue. (APN: 377-410-048); 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 the LEMC Chapter 17.168 (Conditional Use Permits) the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying conditional use permits; and,

Whereas, pursuant Section 17.168.100 of the LEMC Chapter 17.168, the Commission has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying modifications to conditional use permits; and,

Whereas, on October 3, 2017, 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, CALIFORNIA, 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 the State CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically pursuant to Section 15301 (Class 1 – Existing Facilities), because the Project is utilizing an existing building for the academic instruction/tutoring center. The site is fully developed and only minor interior alterations are planned in association with the proposed use.

Section 3: That in accordance with Section 17.168.060 (Findings) of the LEMC, the Commission makes the following findings regarding Planning Application No. 2016-42 (Conditional Use Permit No. 2017-14):

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 Project has a Business Professional (BP) General Plan Land use designation and is zoned Commercial Manufacturing (C-M). The C-M zone establishes trade school and similar related facilities as uses subject to a Conditional Use Permit.

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 Project is located within an existing building and proposes no exterior uses. The Project does not propose either directly or indirectly any detrimental effects to the existing surrounding community. 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 Project 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 the conditions of approval imposed upon the Project.

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 Project is located within 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 LEMC 17.68.050, 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 Planning Commission at a duly noticed Public Hearing on October 3, 2017, 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 Conditions of Approval imposed upon the Project, the Planning Commission hereby approves Planning Application No. 2016-42 (Conditional Use Permit No. 2017-14).

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

Passed and Adopted this 3rd day of October, 2017.

John Gray, Chairman

Attest:

Justin Kirk,
Principal Planner

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. 2017-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on the 3rd day of October, 2017 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Justin Kirk,
Principal Planner