

## **RESOLUTION NO. 2019-**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2019-05 TO ESTABLISH A NEW 75-FOOT HIGH WIRELESS COMMUNICATIONS FACILITY LOCATED AT 16401 LAKESHORE DRIVE (APN: 379-250-044)**

**Whereas**, Paul Kim, Eukon Group has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-15 (Conditional Use Permit No. 2019-05 and Commercial Design Review No. 2019-07) for the construction of a new 75-foot high AT&T wireless communications facility disguised as a pine tree consisting of 12 panel antennas, 36 Remote Radio Units (RRUs), six (6) surge suppressors at 66 ft. centerline. The project will include ancillary ground equipment consisting of two (2) GPS antennas and six (6) equipment cabinets located within an existing storage building, and one (1) backup generator. Two (2) live pine trees (45 ft. and 35 ft. in height) will be planted around the project area. Access to the facility will be provided via a non-exclusive access easement from Machado Street. The facility will be located within an existing self-storage facility located at the southwesterly corner of Lakeshore Drive and Machado Street, more specifically 16401 Lakeshore Drive (APN: 379-250-044); 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 July 16, 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, 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 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 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 facility is located in the General Commercial (GC) General Plan Land use designation and the Neighborhood Commercial (C-1) Zoning designation. The Project is proposing to construct a new wireless communications facility, which will provide wireless communication services (voice and data coverage) to the surrounding area. The proposed use is a permitted use subject to the approval of a Conditional Use Permit in accordance with Section 17.186.040.B. of the LEMC.*

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 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 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 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 July 16, 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 Conditions of Approval imposed upon the Project, the Commission hereby approves Planning Application No. 2019-15 (Conditional Use Permit No. 2019-05).

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

**Passed and Adopted** on this 16<sup>th</sup> day of July, 2019.

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Myles Ross, Chairman

**Attest:**

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Justin Kirk,  
Assistant Community Development Director

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

I, Justin Kirk, Assistant Community Development Director 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 July 16, 2019 and that the same was adopted by the following vote:

AYES  
NOES:  
ABSTAIN:  
ABSENT:

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Justin Kirk,  
Assistant Community Development Director