



REPORT TO PLANNING COMMISSION

To: Honorable Chairman and Members of the Planning Commission

From: Justin Kirk, Assistant Community Development Director

Prepared by: Damaris Abraham, Senior Planner

Date: November 5, 2019

Subject: Planning Application No. 2016-112 (Kassab Travel Center) – A new travel center consisting of a convenience store with three quick-serve restaurants, two covered gas-dispensing areas, and a drive-through restaurant.

Applicant: Joseph Karaki, Karaki Western States Engineering, Inc.

Recommendation

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE DECLARATION (ER 2018-02) (SCH NO. 2019029048) FOR PLANNING APPLICATION NO. 2016-112 (MUNICIPAL CODE AMENDMENT NO. 2017-02, CONDITIONAL USE PERMIT NO. 2018-03, AND COMMERCIAL DESIGN REVIEW NO. 2016-17); and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING ADOPTION OF FINDINGS THAT PLANNING APPLICATION NO. 2016-112 (MUNICIPAL CODE AMENDMENT NO. 2017-02, CONDITIONAL USE PERMIT NO. 2018-03, AND COMMERCIAL DESIGN REVIEW NO. 2016-17) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP); and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL FOR MUNICIPAL CODE AMENDMENT NO. 2017-02 AMENDING CHAPTER 17.132 OF THE LAKE ELSINORE MUNICIPAL CODE REGARDING DRIVE-THROUGH ESTABLISHMENTS IN THE COMMERCIAL MANUFACTURING (C-M) DISTRICT; and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT NO. 2018-03 TO ESTABLISH THE KASSAB TRAVEL CENTER LOCATED AT APNS: 378-030-007 AND 009; and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL OF COMMERCIAL DESIGN REVIEW NO. 2016-17 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR THE KASSAB TRAVEL CENTER LOCATED AT APNS: 378-030-007 AND 009.

Project Location

The Project site is located in the central portion of the City, near the southwest corner of Riverside Drive and Collier Avenue. The Project site encompasses Assessor Parcel Numbers (APNs) 378-030-007 and 378-030-009.

Environmental Setting

	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Vacant	Limited Industrial (LI)	Commercial Manufacturing (C-M)
North	Self-storage	Limited Industrial (LI)	General Manufacturing (M-2)
South	Vacant	Limited Industrial (LI)	Commercial Manufacturing (C-M)
East	Vacant	Limited Industrial (LI)	Commercial Manufacturing (C-M)
West	RV Sales & Service	Limited Industrial (LI)	Commercial Manufacturing (C-M)

Table 1: Environmental Setting

Project Description

The Kassab Travel Center Project (Project) consists of applications for a Municipal Code Amendment (MCA No. 2017-02), a Conditional Use Permit (CUP No. 2018-03), and a Commercial Design Review (CDR No. 2016-17) which collectively are being processed under Planning Application No. 2016-112.

Municipal Code Amendment No. 2017-02 proposes an amendment to the Municipal Code to allow for drive-through establishments as a use subject to approval of a Conditional Use Permit in the Commercial Manufacturing (C-M) Zone.

Conditional Use Permit No. 2018-03 and Commercial Design Review No. 2016-17 are proposing to establish a new travel center consisting of an 8,360 square foot (SF) convenience store with concurrent sale of alcoholic beverages (Type 21 ABC), three (3) quick serve restaurants, two (2) covered gas dispensing areas (with a maximum throughput of 5.8 million gallons of gasoline per year) totaling 6,092 SF, and a free-standing 2,543 SF fast-food restaurant with a drive-through on a 2.39 net acre site after right-of-way dedication. The Project will provide 59 total vehicular parking spaces, three (3) RV parking spaces, and a service loading area along the northern property line.

Architecture and Treatments

The Project will incorporate a *Contemporary Architectural Style* with exterior cement pilaster with stucco finish. The design will include the use of wall offsets and recessed entries, multiple parapet heights, and decorative cornice treatments. Aluminum storefront windows with reflective glazing will be utilized on the building to create a uniform appearance.

Colors and Materials

The convenience store will incorporate Jersey Cream (SW 6379), Isle of Pine (SW 6461), and Iced Mocha (SW 9092) exterior wall paint colors, and Dark Clove (SW 9183) Coble Brown (SW 6082) Knockout Orange (SW 6885) accent colors. The canopies for the gas dispensing areas will also be painted to match the convenience store. The Fast Food restaurant will incorporate Balanced Beige (SW 7037), Fireweed (SW6328), Caviar (SW 6990), Baguette (SW6123)

Believable Buff (SW 6120), and Downing Straw (SW 2813) exterior wall paint colors, clear anodized aluminum (silver) and non-reflective tempered glass.

Landscaping and Fencing

The proposed Project will provide landscaping to complement the architectural style of the proposed buildings. The proposed Project includes approximately 13,040 SF of landscaping, which is 12.47% landscape coverage. Landscaping would be in the street setback and interior property line setbacks along the perimeter of the Project Site, as well as around the buildings and will provide effective screening for the Project. The Project will provide an 8'-0" high split-face CMU wall with columns on interior property lines of the Project Site.

Site Access

Access to the Project site will be primarily provided by one vehicular driveway each on Collier Avenue and Riverside Drive. The vehicular driveway would be 50 feet wide, would start 258 feet west of the corner of Riverside Drive and Collier Avenue, and would be restricted to right in and right out turns only. The median of Riverside Drive would be improved to a raised median that would restrict vehicles to a right in/right out only movement.

Street Improvements

Riverside Drive is a State Highway, SR-74, and is under the jurisdiction of Caltrans. The applicant would improve Riverside Drive to Caltrans standards to its ultimate right-of-way, which requires 96 feet from curb-to-curb. The applicant would dedicate between 21 feet and 36 feet (street tapers in toward the west) in order to allow their half-section of Riverside Drive to be consistent with the Urban Arterial (half) cross section (center median, three travel lanes, six-foot bike lane, and six-foot sidewalk – in one direction). The proposed Project would follow Caltrans standards to improve its section of Riverside Drive.

Collier Avenue is a Major roadway as shown in the General Plan. Collier Avenue, along the Project Site's frontage, is not constructed to its ultimate Major roadway width of 80 feet, curb-to-curb. The applicant would dedicate approximately ten feet in order to allow its half-section of Collier Avenue to be consistent with the Major roadway (half) cross section (center median, two travel lanes, six-foot bike lane, and five-foot sidewalk – in one direction). Street improvements on the west side of Collier Avenue, along the Project Site's frontage, would include widened sidewalk, landscape, parkway from six feet to ten feet, and a new six-foot wide bike lane (Class II – striped, on-pavement).

Analysis

General Plan Consistency

The Project has a General Plan Land Use designation of Limited Industrial (LI) and is located in the Business District. The LI Land Use designation provides for industrial parks, warehouses, manufacturing, research and development, public and quasi-public uses, and similar and compatible uses with a maximum 0.45 Floor Area Ratio (FAR). The proposed Project, which includes a gas station, convenience store and drive-through restaurant, are all supportive and compatible uses with the other intended uses of the LI Land Use Designation. The proposed Project would also have a 0.162 FAR. Therefore, the Project is consistent with the General Plan.

Municipal Code Consistency

The current zoning for the subject site is Commercial Manufacturing (C-M). The proposed service station is a permitted use per Section 17.132.020.U of the C-M Zone. Fast-food restaurants are permitted subject to the approval of a Conditional Use Permit per Section 17.132.020.D of the C-M Zone. Drive-through establishments are not currently listed as a permitted or conditionally permitted use in the C-M zone. However, the approval of Municipal Code Amendment No. 2017-02 will allow drive-through establishments as a use subject to approval of a Conditional Use Permit in the C-M Zone.

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

Development Standard	Required	Proposed
Density	0.45 FAR	0.162 FAR
Front yard Setback		
• Convenience Store	Ave. 20 ft./not less than 15 ft.	112 ft.
• Fast Food Restaurant	Ave. 20 ft./not less than 15 ft.	41 ft.
Side yard Setback (ROW)		
• Convenience Store	15 ft.	53 ft.
Canopy Setback		
• Canopy 1	20 ft.	38 ft.& 26 ft.
• Canopy 2	20 ft.	85 ft.
Building Height		
• Convenience Store	45 ft.	33 ft.
• Fast Food Restaurant	45 ft.	22 ft.
Landscape improvements		
• Adjacent to Street	15 ft.	15 ft.
• Landscape coverage	12%	12.47%

Table 2: Development Standards

The Project complies with the onsite parking standards listed in the Lake Elsinore Municipal Code (LEMC), Chapter 17.148 (Parking Requirements) as outlined in Table 3 below:

Parking Standard	Required	Proposed
Convenience Store		
• Retail area (6,760 SF)		
1 space per 400 SF area	17	17
• Quick Serve Area (1,600 SF)		
1 space per 45 SF customer area (400/45)	9	9
1 space per 200 SF non-customer area (1,200/200)	6	6
Fast-food Restaurant		
1 space per 45 SF customer area (810/45)	18	18
1 space per 200 SF non-customer area (1,733/200)	9	9
TOTAL	59	59

Table 3: Parking Standard

The Project also complies with the non-residential development standards outlined in Chapter 17.112 of the LEMC. The Project provides a variety of building design features and forms by employing treatments, such as articulated planes along the exterior walls, attractive storefront window system, recessed suite entries and a variety of rooflines, which will create depth and shadow. The Project has also been designed to be compatible with surrounding commercial and industrial buildings located near the Project vicinity. The proposed landscaping improvements will 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.

AB 52 Tribal Consultations

On December 20, 2017, the City provided written notification of the Project in accordance with AB 52 to all of the Native American tribes that requested to receive such notification from the City. Staff received requests from Rincon, Pechanga, and Soboba Tribes within the 30-day period, requesting to initiate consultation. The City met with Pechanga on May 21, 2018 and with Soboba on May 22, 2018. The City sent recommended mitigation measures to both Pechanga and Soboba on September 5, 2018 and to Rincon on September 19, 2018. Consultation with Soboba was concluded on September 19, 2018, with Pechanga on November 7, 2018, and with Rincon on January 30, 2019.

Environmental Determination

Pursuant to CEQA Guidelines Section 15063, an Initial Study (Environmental Review No. 2018-02) was prepared for the Project to assess potential environmental impacts. The Initial Study revealed that the Project would have potentially significant environmental impacts but those potentially significant impacts could be mitigated to less than significant levels. A Mitigated Negative Declaration (MND) (SCH# 2019029048) was prepared and was made available for public review and comment for 30-day public review period from February 8, 2019 to March 11, 2019. The MND determined that the proposed Project would have potentially significant environmental impacts upon Biological Resources, Cultural and Tribal Resources, Noise, and Transportation; but that these impacts will be mitigated to below a level of significance through compliance with the mitigation measures set forth in the MND.

Several comment letters were received on the document, as detailed in Appendix M – *Response to Comments on The Draft Initial Study/Mitigated Negative Declaration Environmental Review No. 2018-02, City of Lake Elsinore, August 2019*, that were considered by the Lead Agency before it acted on the Proposed Project.

Pursuant to CEQA Guidelines Section 15073.5 (a) and in response to comments received, the City recirculated the Draft Initial Study/Mitigated Negative Declaration due to substantial revisions after public notice of its availability but prior to its adoption.

Pursuant to CEQA Guidelines Section 15073.5(b)(1), a new, avoidable significant effect was identified associated with vibration impacts, and MM NOI-3 was added to restrict the use of construction equipment within proximity to the property line, which would reduce the potential impact to less than significant.

Pursuant to CEQA Guidelines Section 15073.5(b)(2), proposed mitigation measure MM NOI-1 associated with construction noise would not reduce potential effects to less than significant, therefore, MM NOI-1 was revised to state that no stationary equipment would be operated within 50 feet of the northwest and southwest property lines and that construction of the proposed sound wall detailed in MM NOI-2 be completed prior to the start of site preparation or grading activities for the Proposed Project, which would reduce the potential impact to less than significant.

With the above stated revisions to MM NOI-1 and addition of MM NOI-3, potential impacts associated with the construction and operation of the Proposed Project remain less than significant with mitigation. Therefore, preparation of a draft Environmental Impact Report was not required pursuant to CEQA Guidelines Section 15073.5(d).

The Recirculated Draft Initial Study/Mitigated Negative Declaration was made available for public review and comment for 30-day public review period from September 13, 2019 to October 14, 2019. Notice to all interested persons and agencies inviting comments on the MND was published in accordance with the provisions of CEQA, and posted at the Office of the County Clerk of Riverside County and at the State Clearinghouse on September 13, 2019 for a 30-day public comment period.

One comment letter was received from Rincon Band of Luiseño Indians (Rincon) dated October 9, 2019 (See attached Exhibit H). The letter from Rincon recommended that Luiseño Tribal Monitoring also be included in MM CUL-2. However, MM CUL-3 (Tribal Monitoring) has already addressed the necessity of including the consulting tribes during the AB 52 process (including Rincon) in the monitoring process. Therefore, modifications to MM CUL-2 would not be required.

In addition, MM TRAF-3 has been amended as follows to clarify the required improvements that need to be made by the applicant:

MM TRAF-3: Prior to issuance of Certificate of Occupancy, the Property Owner/Developer shall pay fair share to construct the following improvements

- Intersection #6: Collier Avenue (SR-74)/~~Riverside Drive~~ Central Avenue (SR-74) – The following improvement is needed to mitigate intersection LOS:
 - ~~Modify existing traffic signal to accommodate new improvements.~~
 - Restripe two southbound through lanes to one southbound through and one southbound through-left lane. With this mitigation, the intersection is forecast to operate at LOS D during both the AM and PM peak hour.

The Changes made to MM TRAF-3 serve only to clarify mitigations proposed in the MND and do not constitute a significant change to the analysis or conclusions therein nor will require recirculation.

MSHCP Consistency

The Project has also been reviewed for consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project is located within the MSHCP Elsinore Area Plan, Criteria Cell # 4266. On May 9, 2018, the Western Riverside County Regional Conservation Authority (RCA) completed the Joint Project Review (JPR# 18-03-29-01) process and concluded that the Project is consistent with both the Criteria and other plan requirements of the MSHCP.

Exhibits

- A – CEQA Resolution
- B – MSHCP Resolution
- C – MCA Resolution
- D – CUP Resolution
- E – CDR Resolution
- F – Conditions of Approval
- G – IS/MND
- H – Rincon Comment Letter
- I – Vicinity Map
- J – Aerial Map
- K – Design Review Package