

## **RESOLUTION NO. 2019-**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2019-02 TO EXPAND AN EXISTING CONSTRUCTION COMPANY BY ADDING A 14,282 SQUARE FOOT WAREHOUSE AREA AND 3,810 SQUARE FOOT OFFICE AREA LOCATED AT APN: 370-080-019 AND 027**

**Whereas**, Peter Delatorre, RD Construction, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02 and Commercial Design Review No. 2019-01) to expand an existing construction company by adding a 14,282 sq. ft. warehouse and 3,810 sq. ft. office/mezzanine, and outside storage area on an approximately 3.23-acre site (Project). The Project site currently has an existing 10,270 sq. ft. warehouse building with a 4,000 sq. ft. office/mezzanine. The Project will provide 49 total parking spaces. is located within the East Lake Specific Plan (ELSP), northerly of Palomar Street, southerly of Cereal Street, and on the westerly side of Corydon Street, more specifically 32097 Corydon Street (APNs: 370-080-019 and 027); and,

**Whereas**, Section 17.415.070 of the Lake Elsinore Municipal Code (LEMC) provides that certain uses are desirable but may have operational characteristics that disproportionately impact adjoining properties, businesses, or residents. Accordingly, such uses require a more comprehensive review and approval procedure, including the ability to condition the project in order to mitigate significant impact; and,

**Whereas**, pursuant to Section 17.415.070 (Conditional Use Permits) of the LEMC, the Planning Commission (Commission) has been delegated has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying conditional use permits; and,

**Whereas**, on November 5, 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 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 LEMC Section 17.415.070.C. Findings, the Commission makes the following findings regarding Planning Application No. 2019-03 (Conditional Use Permit No. 2019-02):

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 is located within Planning Area 3 of the ELSP, No. 11 and has an Action Sports, Tourism, Commercial and Recreation Land Use designation. This designation provides for a wide range of extreme action sports and accessory manufacturing, service and retail uses. The proposed Project is an infill development project that is proposing to expand an existing construction facility, which is supportive and compatible with other intended uses in this designation. The original ELSP and the subsequent amendments were subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is consistent with the General Plan. 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 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 proposed Project.*

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 the conditions of approval imposed on 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 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 Conditional Use Permit 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 17.415.070.B, 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 17.415.070.B of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing on November 5, 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. 2019-03 (Conditional Use Permit No. 2019-02).

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

**Passed and Adopted** on this 5<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
Myles Ross, Chairman

**Attest:**

\_\_\_\_\_  
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 the 5<sup>th</sup> day of November, 2019 and that the same was adopted by the following vote:

AYES  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Justin Kirk,  
Assistant Community Development Director