

RESOLUTION NO. 2017-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVE TENTATIVE PARCEL MAP NO. 2019-04 (37751) CONSOLIDATING SIX LOTS INTO ONE PARCEL 0.88 ACRES (38,432 SF) LOCATED APN'S 377-243-002, 003, 004, 005, 006 AND 007

Whereas, Rod Fermin of Boos Development, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-45 (Conditional Use Permit No. 2019-11, Commercial Design Review No. 2019-17 and Tentative Parcel Map No. 2019-04 (37751) to consolidate six lot on 0.88 acres into one (1) parcel to develop a new commercial facility consisting of eight (8) gasoline dispensing stations with a 5,054 square foot (SF) canopy, a 3,200 SF convenience store with concurrent sale of alcoholic beverages (Type 21 ABC), and a 1,125 SF automated carwash. The Project will provide 16 total vehicular parking spaces including 1 ADA space, and vehicle access will be provided with two driveways off Main Street 36 feet in width. The Project is located on the east side of Main Street between Flint Street and the I-15 Freeway southbound onramp encompassing Assessor Parcel Numbers (APN's): 377-243-002, 003, 004, 005, 006 and 007; and,

Whereas, pursuant to Chapter 16.24 (Tentative Map) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to tentative maps; and,

Whereas, on February 4, 2020, at a duly noticed Public Hearing, the Commission 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 DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: Prior to making a recommendation to the Council, the Commission has reviewed and analyzed the proposed Project pursuant to the appropriate Planning and Zoning Laws, and Chapter 16 (Subdivisions) of the LEMC.

Section 2: On February 4, 2020, after consideration and evaluation of all written reports and comments and oral testimony presented by the Community Development Department and other City departments, property owners, residents and other interested parties and such other matters as are reflected in the record of the noticed Public Hearing on the Project, the Commission determining the Initial Study prepared for the item demonstrated that the Project did not result in any significant impacts or mitigation measures, is adequate and is prepared in accordance with the requirements of the California Environmental Quality Act (CEQA).

The Commission further determined that the Project satisfies the conditions described in Section 15332 of Title 14 of the California Code of Regulations (Class 32 – Infill), in that:

1. 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. The Project has a General Plan Land Use designation of General Commercial (GC) and is located in the Historic District. The proposed Project, which includes a gas station, convenience store and automated drive-through carwash are all

supportive and compatible uses with the intended uses of the GC Land Use Designation. The current zoning for the subject site is C-2 General Commercial District (C-2). The proposed convenience store is a permitted use subject to LEMC Section 17.124.020(B) for the C-2 Zone. Sale of alcoholic beverages from a convenience store is a conditionally permitted use subject to Section 17.112.080(O) of the Non-Residential Development Standards. The proposed gasoline dispensing establishment is a conditionally permitted use subject to Section 17.124.030(A) of the C-2 Zone. The proposed car wash is a conditionally permitted use subject to Section 17.124.030.C of the C-2 Zone. The Project also meets the relevant development standards as identified in the C-2 zone and other applicable sections of the Lake Elsinore Municipal Code (LEMC). The Project also complies with the non-residential development standards outlined in Chapter 17.112 of the LEMC.

2. The proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses. The Project site is located on the east side of Main Street between Flint Street and the I-15 Freeway southbound onramp. The Project site totals 0.88 acres or 38,432 square feet.
3. The Project site has no value as a habitat for endangered, rare, or threatened species. The Project site is entirely disturbed from previous grading/development activity and does not contain suitable habitat for any candidate, sensitive, or special status plant or wildlife species.
4. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The City performed focused studies on potential traffic, noise and air quality impacts, which determined that there would not be any significant effects from the Project. Grading and construction associated with site work on the Project site would result in temporary disturbance of surface soils, which could potentially result in erosion and sedimentation on site. However, the proposed Project must comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) MS4 Permit. The NPDES MS4 Permit Program, which is administered in the Project area by the City of Lake Elsinore helps control water pollution by regulating point sources that discharge pollutants into receiving waters. The proposed Project operation has been required to comply with the NPDES permit program.

Section 3: That in accordance with State Planning and Zoning Law and the LEMC, the Commission makes the following findings for approval of Tentative Parcel Map (TPM) No. 2019-04 (37751):

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).

The Project has a General Plan Land Use designation of General Commercial (GC) and is located in the Historic 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

commercial facility with a gasoline dispensing station, convenience store and automated carwash with 0.24 FAR. Therefore, the Project is consistent with the General Plan

2. The site of the proposed subdivision of land is physically suitable for the proposed density of development in accordance with the General Plan.

The overall density and design is consistent and compatible with the adjacent communities.

3. The effects that this project are likely to have upon the housing needs of the region, the public service requirements of its residents and the available fiscal and environmental resources have been considered and balanced.

The Project is consistent with the City's General Plan. The Project has a General Commercial (GC) Land Use Designation and will not have a direct impact on housing needs. During the approval of the General Plan, housing needs, public services and fiscal resources were scrutinized to achieve a balance within the City.

4. The proposed division of land or type of improvements is not likely to result in any significant environmental impacts.

The Project has been adequately conditioned by all applicable departments and agencies and will not therefore result in any significant environmental impacts. The Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

5. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.

TPM 37751 has been designed in a manner consistent with the General Plan and does not divide previously established communities.

6. The design of the proposed division of land or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed division of land.

All known easements or request for access have been incorporated into the design of TPM 37751. The map has been circulated to City departments and outside agencies, and appropriate Conditions of Approval have been applied to the Project.

Section 4: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Project, the Commission hereby recommends that the Council approve Tentative Parcel Map No. 2019-04 (37751).

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

Passed and Adopted on this 4th day of February, 2020.

Michael Carroll, 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 4th day of February, 2020 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Justin Kirk,
Principal Planner