

RESOLUTION NO. 2020-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2019-17 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR THE BOOS MAIN STREET DEVELOPMENT CONSISTING OF A FUEL DISPENSING STATION, CONVENIENCE STORE AND AUTOMATED CARWASH LOCATED AT 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). The Project site is a 0.88 acre (38,432 SF) property located on the east side of Main Street between Flint Street and the I-15 Freeway southbound onramp and includes Assessor Parcel Numbers (APN's) 377-243-002, 003, 004, 005, 006 and 007; and,

Whereas, Conditional Use Permit No. 2019-11 and Commercial Design Review No. 2019-17 are proposing to establish 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 on a 0.88 acre site. 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; and,

Whereas, Section 17.112.090 (Gasoline Dispensing Establishments) of the Lake Elsinore Municipal Code (LEMC) provides that such uses are desirable but may have operational characteristics that disproportionately impacts adjoining properties, businesses, or residents. Accordingly, such uses require a more comprehensive review, standards and approval procedure, including the ability to conditional the project in order to mitigate significant impacts; and,

Whereas, pursuant to Section 17.415.050 (Major Design Review) 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 design reviews; and,

Whereas, on February 4, 2020 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; and

Whereas, on February 25, 2020 at a duly noticed Public Hearing the City Council has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The City Council has reviewed and analyzed the proposed Project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 59000 et seq.), the Lake Elsinore General Plan (GP), and the LEMC and finds and determines that the proposed Project is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP, and the LEMC.

Section 2: On February 25, 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 City Council adopted a Notice of Exemption determining the Initial Study prepared for the item 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) Guidelines.

Section 3: That in accordance with Section 17.415.050 of the LEMC, the City Council makes the following findings regarding Planning Application No. 2019-45 (Commercial Design Review No. 2019-17):

1. The Project, as approved, will comply with the goals and objectives of the General Plan, Specific Plan and the Zoning District in which the Project is located.

The Project complies with the goals and objectives of the General Plan because it will assist in achieving the development of a well-balanced and functional mix of residential, commercial, industrial, open space, recreational, and institutional land uses. The Project will serve to diversify and expand Lake Elsinore's economic base.

2. The Project complies with the design directives contained in the General Plan and all other applicable provisions of the LEMC.

The Project is appropriate to the site and surrounding developments and will create a visually pleasing, non-detractive relationship between the proposed development and existing projects through the use of a 'Contemporary' architectural design that is similar to existing commercial and industrial developments in the vicinity. Sufficient setbacks and onsite landscaping have been provided thereby creating interest and varying vistas. In addition, safe and efficient circulation has been achieved onsite.

3. Conditions and safeguards pursuant to Section 17.415.050.G.3 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the Project to ensure development of the property in accordance with the objectives of Section 17.415.050.

Pursuant to Sections 17.415.050 and 17.410.030 of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing held on February 4, 2020 and subsequently by the City Council at a noticed Public Hearing on February 25, 2020. The Project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment.

Section 4: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Project, the City Council approves Planning Application No. 2019-45 (Commercial Design Review No. 2019-17).

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

Passed and Adopted on this 25th day of February, 2020.

Brian Tisdale, Mayor

Attest:

Candice Alvarez, MMC
City Clerk

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

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2020-__ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on the 25th day of February, 2020 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Candice Alvarez, MMC
City Clerk