

RESOLUTION NO. 2020-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2019-15 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR A 3,800 SQUARE FOOT CONVENIENCE STORE AND A 3,910 SQUARE FOOT CANOPY WITH 12 FUELING STATIONS LOCATED AT 16830 LAKESHORE DRIVE (APN: 379-290-019)

Whereas, Steve Love, Amore Enterprises Inc. has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-42 (Conditional Use Permit No. 2019-10 and Commercial Design Review No. 2019-15) proposes to demolish an existing 1,132 sq. ft. convenience store and a 4,561 sq. ft. canopy with eight (8) fueling stations to construct a new 3,800 sq. ft. convenience store, a 3,910 sq. ft. canopy with 12 fueling stations (Project). The Project also proposes to construct a 640 sq. ft. trash enclosure and 12 parking spaces on an approximately 0.69-acre site. The proposed Project is located at the northwest corner of Riverside Drive and Lakeshore Drive, more specifically 16830 Lakeshore Drive (APN: 379-290-019); and,

Whereas, the proposed Project is exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq.: "CEQA") and CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically pursuant to Section 15332 (*Class 32 – In-Fill Development Projects*); and,

Whereas, Section 6.0 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) requires that all discretionary projects within a MSHCP Criteria Cell undergo the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) process to analyze the scope of the proposed development and establish a building envelope that is consistent with the MSHCP criteria; and,

Whereas, Section 6.0 of the MSHCP further requires that the City adopt consistency findings demonstrating that the proposed discretionary entitlement complies with the MSHCP Criteria Cell, and the MSHCP goals and objectives; 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 reviewing and approving, conditionally approving, or denying design review applications; and,

Whereas, on October 20, 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.

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

Section 1: The Commission 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: That in accordance with the MSHCP, the Commission makes the following findings for MSHCP consistency:

1. The Project is not subject to the City's LEAP and the Western Riverside County Regional Conservation Authority's (RCA) JPR processes as it is not located within a Criteria Cell
2. The Project is consistent with the Riparian/Riverine Areas, Vernal Pools Guidelines, and the Fuel Management Guidelines as the Project is wholly located within an existing building and does not include any earth disturbing activities therefore Sections 6.1.2 or 6.3.1 of the MSHCP are not applicable.
3. The project is consistent with the Protection of Narrow Endemic Plant Species Guidelines and the Additional Survey Needs and Procedures because the project is not located within any Narrow Endemic Plant Species Survey Areas or Critical Species Survey Areas.
4. The Project is consistent with the Fuels Management Guidelines because the Project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas.
5. The project has been conditioned to pay any applicable MSHCP Local Development Mitigation fees.

Section 3: 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 4: That in accordance with Section 17.415.050.G of the LEMC, the Commission makes the following findings regarding Commercial Design Review No. 2019-15:

1. The Project, as approved, will comply with the goals and objectives of the General Plan and the zoning district in which the project is located.

The Project site has a General Plan Land Use designation of General Commercial (GC) that 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 gas station and a convenience store with 0.25 FAR. Therefore, the Project is consistent with the General Plan. The current zoning for the subject site Neighborhood Commercial (C-1). The proposed use is identified as a permitted use subject to the approval of a Conditional Use Permit within the C-1 zone. 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 Project complies with the design directives contained in the LEMC and all applicable provisions of the LEMC.

The Project is appropriate to the site and surrounding developments. The architectural design of the proposed building complies with the Nonresidential Development Standards (Chapter 17.112) of the LEMC. The architecture has been designed to achieve harmony and compatibility with the surrounding area. The colors and materials proposed will assist in blending the architecture into the existing landscape and are compatible with other colors and materials used on other properties near the Project site. 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 Section 17.415.050.E of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing held on October 20, 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 5: That in accordance with Section 17.148.030.A of the LEMC, the Commission makes the following findings regarding Commercial Design Review No. 2019-15 for the parking reduction:

1. A Parking Analysis dated January 2, 2019 prepared by Darnell & Associates was submitted for this project (See Exhibit G to agendized Staff Report).
2. The Parking Analysis supports the finding that the number of parking spaces actually needed for proposed use is less than that required by the code.
3. The Parking Analysis further showed that the proposed 12 parking spaces to serve the 3,800 sq. ft. convenience store and 12 fueling stations is adequate and can accommodate the proposed use.
4. Traffic safety and pedestrian safety will not be affected by the modification of the parking requirements.
5. Reduced parking will not affect the health, safety and welfare of the public.

Section 6: Based upon the evidence presented, both written and testimonial, and the above findings, the Commission hereby finds that the Project is consistent with the MSHCP.

Section 7: Based upon the evidence presented, the above findings, and the Conditions of Approval imposed upon the Project, the Commission hereby approves Commercial Design Review No. 2019-15.

Section 8: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 20th day of October, 2020.

Rendell Klaarenbeek, Chairman

Attest:

Justin Kirk,
Assistant Community Development Director

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

I, Justin Kirk, Principal Planner of the City of Lake Elsinore, California, hereby certify that Resolution No. 2020-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on the 20th day of October, 2020 and that the same was adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Justin Kirk,
Assistant Community Development Director