

## **RESOLUTION NO. 2021-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2020-05 TO ESTABLISH THE CORYDON GATEWAY PROJECT LOCATED AT APN 370-050-026 AND A PORTION of 370-050-030**

**Whereas**, Mark Cooper, RED Corydon, LLC has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-69 (Tentative Tract Map No. 37977, Conditional Use Permit No. 2020-05, and Commercial Design Review No. 2020-02) to subdivide a 6.05-acre project site into six (6) parcels for commercial development and one (1) lot for a detention basin. The proposed commercial uses include a 2,300-square-foot (sf) fast food restaurant with a drive-thru (Parcel 1), a 4,088-sf 7-Eleven convenience store (with the concurrent sale of beer and wine – Type 20 ABC license) and gas station with 16 fueling stations under a 4,285-sf fueling canopy with a maximum throughput of 1.87 million gallons of gasoline per year (Parcel 2), a 4,333-sf Superstar Car Wash express tunnel car wash with vacuum bays (Parcel 3), a 5,200-sf tire store (Parcel 4), and 11 flex-tech condos (Parcels 5 and 6). The project site is located within the East Lake Specific Plan, at the northwestern corner of the intersection of Mission Trail and Corydon Street. (APN 370-050-026 and a portion of 370-050-030); 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 Section 17.410.070 (Approving Authority) and Section 17.410.030 (Multiple Applications) of the LEMC, the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to conditional use permits; and,

**Whereas**, on December 15, 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; and,

**Whereas**, pursuant to Section 17.410.070 of the LEMC, the Council has the responsibility of making decisions to approve, conditionally approve, or disapprove recommendations of the Commission for conditional use permits; and,

**Whereas**, on January 12, 2021, at a duly noticed Public Hearing, the Council has considered the recommendation of the Commission as well as 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, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1:** The Council has considered the Project has found it acceptable.

**Section 2:** On January 12, 2021, 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 Council adopted a resolution finding and determining that the Mitigated Negative Declaration (ER 2020-04) (SCH No. 2020100576) is adequate and is prepared in accordance with the requirements of CEQA.

**Section 3.** That in accordance with LEMC Section 17.415.070.C. Findings, the Council makes the following findings regarding Conditional Use Permit No. 2020-05:

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 located within the East Lake Specific Plan (ELSP) 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. Per Section 2.5.1.a.5 and 6 of the ELSP Retail Sales and Restaurants and eating-places, including a drive-through service are permitted uses. Per Section 2.5.1.b.10 of the ELSP, the Community Development Director has deemed Car washes, Gasoline Service Stations, and Automotive Service Stations compatible with the intent of the Action Sports, Tourism, Commercial and Recreation land use category as requiring a Conditional Use Permit. The ELSP was subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is found to be consistent with the General Plan. Further, the proposed 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 use.*

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 project would extend Lemon Street west from Mission Trail along the northern property boundary via a proposed reciprocal access easement, which would provide northern access to the project site. The exiting traffic signal at the intersection of Mission Trail and Lemon Street would be modified to accommodate the new roadway segment. These improvements will be sufficient for the type and quantity of traffic generated by the proposed use.*

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 December 15, 2020, and subsequently by the City Council at a noticed Public Hearing on January 12, 2021, 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 Council approves Conditional Use Permit No. 2020-05.

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

**Section 6:** The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

**Passed and Adopted** on this 12<sup>th</sup> day of January, 2021.

\_\_\_\_\_  
Robert E. Magee, 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, do hereby certify that Resolution No. 2021-\_\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of January 12, 2021, and that the same was adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Candice Alvarez, MMC  
City Clerk