

RESOLUTION NO. 2024-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2020-89 (COMMERCIAL DESIGN REVIEW NO. 2020-03) TO CONSTRUCT A 7,500 SQUARE FOOT GROCERY MARKET AND TAKE-OUT RESTAURANT AND RELATED SITE IMPROVEMENTS ON A 0.48 ACRE SITE WITHIN THE DOWNTOWN ELSINORE SPECIFIC PLAN (APN: 373-025-026)

Whereas, Rajni Sanathra, CHC Builder, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2020-89 (Commercial Design Review No. 2020-03) to construct a 7,500 square foot grocery market and take-out restaurant, 25 parking spaces and related site improvements. The project site is located on an approximately 0.48-acre site on the easterly side of Main Street south of Franklin Street and north of Heald Avenue. (APN: 373-025-026);

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;

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;

Whereas, pursuant to Section 17.415.050 (Major Design Review) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has the responsibility of reviewing and approving, conditionally approving, or denying design review applications; and

Whereas, on January 16, 2024, 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 considered the project and its consistency with the MSHCP prior to adopting Findings of Consistency with the MSHCP.

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 because the Project is not located within a Criteria cell 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 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), The Downtown Elsinore Specific Plan (DESP) 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, DESP and the LEMC.

Section 4: 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 Section 15303 (New Construction or Conversion of Small Structures). Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The project involves the construction of a 7,500 sq. ft. grocery store which is within the 10,000 sq. ft. threshold for an urbanized area. Additionally, the location meets the definition of an urbanized area as set forth in Section 21071(a)(2) of the Public Resources Code. The project is consistent with Downtown Elsinore Specific Plan (DESP) and has all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

Section 5: That in accordance with Section 17.415.050.G of the LEMC, the Commission makes the following findings regarding Commercial Design Review No. 2020-03:

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 subject site is located the General Plan's Specific Plan Land Use Designation and is within the Downtown Elsinore Specific Plan's (DESP) Mixed Use Land Use Designation. The Mixed Use designation provides for a mix of residential and commercial uses within a single proposed development are, with an emphasis on retail, service, civic, and professional office uses. The maximum Floor Area Ratio (FAR) for non-residential uses in the Mixed Use designation is 2.50. The applicant proposes to construct a 7,500 square foot grocery market with indoor take-out restaurant on a 0.48-acre site with an FAR of approximately 0.38.

Furthermore, the current land use designation of the subject site is Mixed Use. According to Table 3-1 (Land Use Matrix) of the DESP Retail Sale, food establishments, and outdoor seating areas are listed permitted uses. Therefore, the proposed use is consistent with the land use goals and policies of DESP. Furthermore, the project is consistent with the general Plan as the DESP was found to be consistent with the General Plan at its adoption.

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 buildings conforms to the Nonresidential Development Standards (Chapter 17.112) of the LEMC. Sufficient setbacks and enhanced onsite landscaping have been provided thereby creating interest and varying vistas as a person moves along abutting streets. 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 January 16, 2024. The project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment.

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. 2020-03.

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

Passed and Adopted on this 16th day of January, 2024.

Michael Carroll, Chairman

Attest:

Damaris Abraham,
Assistant Community Development Director

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

I, Damaris Abraham, Interim Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2024-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held January 16, 2024 and that the same was adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Damaris Abraham,
Assistant Community Development Director