



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Damaris Abraham, Assistant Community Development Director

Date: December 12, 2023

Subject: Second and Final Extension of Time request for Conditional Use Permit No. 2018-03 and Commercial Design Review No. 2016-17 (Kassab Travel Center)

Applicant: Joseph Karaki, Karaki Western States Engineering, Inc.

Recommendation

1. Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the extension of time request would not have a significant effect on the environment and no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in a previously adopted Mitigated Negative Declaration (ER 2018-02) (SCH No. 2019029048);
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A ONE-YEAR EXTENSION OF TIME FOR CONDITIONAL USE PERMIT NO. 2018-03 TO JULY 14, 2024; and
3. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A ONE-YEAR EXTENSION OF TIME FOR COMMERCIAL DESIGN REVIEW NO. 2016-17 TO JULY 14, 2024.

Background

On July 14, 2020, the City Council approved Mitigated Negative Declaration (ER 2018-02) (SCH No. 2019029048), Municipal Code Amendment No. 2017-02, Conditional Use Permit (CUP) No. 2018-03, and Commercial Design Review (CDR) No. 2016-17.

CUP No. 2018-03 and CDR No. 2016-17 include a proposal to establish a new travel center consisting of an 8,360 sq. ft. convenience store with concurrent sale of alcoholic beverages (Type 21 ABC), three (3) quick serve restaurants, two (2) covered gas dispensing areas (with a

maximum throughput of 5.8 million gallons of gasoline per year) totaling 6,092 sq. ft., and a free-standing 2,543 sq. ft. fast-food restaurant with a drive-through on a 2.39 net acre site.

The project site is located at the southwest corner of Riverside Drive and Collier Avenue (APNs: 378-030-007 and 009).

The original expiration date of CUP No. 2018-03 and CDR No. 2016-17 was July 14, 2022. On July 22, 2022, the Community Development Director granted a one-year extension to July 14, 2023.

On June 16, 2023, the applicant submitted a request for a second one-year extension of time which stayed the expiration until action by the City Council. The applicant has submitted Grading and Street Improvement Plans (ENG-2020-00513 and ENG-2020-00505) and Building Plans (BLDG 2020-02849) and is currently in plan check. The applicant has stated that the time extension is necessary to allow additional time to complete the plan check process and obtain grading and building permits.

Discussion

In accordance with the Lake Elsinore Municipal Code (LEMC), Sections 17.415.050.I (Lapse of Design Review Approval and Time Extensions) and 17.415.070.D (Lapse of Conditional Use Permit), the expiration date of an approved Conditional Use Permit and Commercial Design Review may be extended for no more than two (2) years. The first extension may be granted for one year subject to the approval of the Community Development Director after consultation with other City departments if such conditional use permit complies with current laws, standards and policies. The approval authority that approved the underlying conditional use permit and the design review may grant a second one-year extension so long as the conditional use permit and design review complies with current laws, standards and policies.

The first one-year extension of time was approved by the Community Development Director on July 22, 2022, extending the expiration date of CUP 2018-03 and CDR 2016-17 to July 14, 2023. The second one-year extension of time request for CUP 2018-03 and CDR 2016-17 to July 14, 2024 represents the final extension of time allowed by the LEMC.

The Community Development Department (Building & Safety and Planning) and the Engineering Department have reviewed the extension of time request and are not recommending major modifications to the original conditions of approval because substantial changes have not occurred with respect to the project, site conditions, or the regulatory circumstances under which the project will be undertaken.

Environmental Determination

Pursuant to CEQA Guidelines Section 15162, staff has determined that this extension of time request would not have a significant effect on the environment and no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in an earlier Mitigated Negative Declaration (MND). All potentially significant impacts have been avoided or mitigated pursuant to the earlier mitigated negative declaration and none

of the conditions described in Section 15162 exist. MND (ER 2018-02) (SCH 2019029048) was adopted by the City Council on July 14, 2020. No substantial changes that require major revisions to the MND exist, and no new information of substantial importance that require revisions to the earlier MND exists. Therefore, no further environmental documentation is necessary.

Public Notice

Notice of the hearing for the extension of time application has been published in the Press-Enterprise newspaper and mailed to property owners within 300 feet of the subject property for each application. As of the writing of this report, no written comments concerning this application have been received by staff.

Fiscal Impact

The time and costs related to processing this application have been covered by application fees paid for by the applicant. No General Fund budgets have been allocated or used in the processing of this application.

Attachments

- Attachment 1 – CUP 2018-03 EOT Resolution
- Attachment 2 – CDR 2016-17 EOT Resolution
- Attachment 3 – Conditions of Approval
- Attachment 4 – GIS Package
- Attachment 5 – Project Plans
- Attachment 6 – Public Notice Materials