

## RESOLUTION NO. 2024-

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2022-02 (CONDITIONAL USE PERMIT NO. 2022-21) TO ESTABLISH A CONGREGATE LIVING AND EDUCATIONAL FACILITY IN AN EXISTING 14,565 SQ. FT. BUILDING WITH 2,087 ADDITION (16,652 SQ. FT. TOTAL) AND A 3,906 STORAGE BUILDING LOCATED AT 164 AND 184 SOUTH MAIN STREET (APNS: 373-153-039 AND 373-153-041)**

**Whereas**, Brett Masters, Dream Center Lake Elsinore, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2022-02 (Conditional Use Permit No. 2022-21 and Commercial Design Review No. 2022-14) to remodel an existing 14,565 sq. ft. four-story building with a 2,087 sq. ft. addition (16,652 sq. ft. total) and a 3,906 sq. ft. storage building, as a new congregate living and educational facility with conference rooms, a 1,358 sq. ft. dining room and kitchen area/retail commercial restaurant, and a Conditional Use Permit to establish and operate a congregate living and educational use for 52 participants plus staff for a total of 64 occupants on a 0.85-acre site in the Downtown Elsinore Specific Plan (DESP). The project site is located southeast corner of Main Street and Prospect Street, more specifically 164 and 184 South Main Street (APNs: 373-153-041 and 373-153-039);

**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**, Section 17.415.070.A of the Lake Elsinore Municipal Code (LEMC) provides that certain uses have operational characteristics that, depending on the location and design of the use, may have the potential to negatively impact adjoining properties, businesses or residents and therefore are permitted subject to the issuance of a Conditional Use Permit, which allows the City to comprehensively review and approve the use;

**Whereas**, pursuant to Section 17.415.070.B of the LEMC, the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying Conditional Use Permits; 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, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1:** The Commission has considered the Project prior to making a decision and has found it acceptable.

**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 hereby finds and determines that the project is categorically exempt from 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 15301 (Class 1 – Existing Facilities). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. (e) Additions to existing structures provided that the addition will not result in an increase of more than: (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project proposes to remodel the existing 14,565 sq. ft. four-story building with a 2,087 sq. ft. addition (16,652 sq. ft. total). The site is fully developed, and only minor on site modifications are planned in association with the proposed use.

**Section 4:** That in accordance with LEMC Section 17.415.070.C. Findings, the Commission makes the following findings regarding Conditional Use Permit No. 2022-21:

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 site is located within the Downtown Elsinore Specific Plan (DESP) and has a Mixed Use Land Use Designation with a Downtown Core Overlay. The Mixed Use designation provides for a mix of residential and commercial uses within a single proposed development area, with an emphasis on retail, service, civic and professional office uses. Residential uses are allowed, either as a stand-alone project, or in combination with commercial uses. The Floor Area Ratio (FAR) for nonresidential uses in the Mixed Use designation shall not exceed 2.50. The proposed use, a congregate living and educational facility, is not specifically listed as permitted use or a conditionally permitted use Table 3-1 (Land Use Matrix) of the DESP. In accordance with Section 8.5.2 (Minor Modifications to the Specific Plan) of the DESP, the Community Development Director has made a*

*finding that the proposed use, Supportive Housing – Privately Administered, is in accord with the purpose of Chapter 3 of the ELSP and has characteristics similar to those uses listed in Table 3-1 (Land Use Matrix). The definition is similar to other uses allowed in the DESP such as Offices, Restaurants, Housing, Boarding Houses, Motels and Live-Work Units. The project as proposed has several of these uses already built into the program. The use substantially conforms with the objectives and policy direction of the Specific Plan.*

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 is located within an existing building and proposes no exterior uses. The proposed use does not propose either directly or indirectly any detrimental effects to the existing surrounding community. All applicable City departments and agencies, have reviewed the conditional use permit. The project has been conditioned as such to avoid any possible negative impacts to the general health, safety, comfort, or general welfare of the surrounding neighborhood or the City.*

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 DESP and LEMC and will complement the existing uses, based on the submitted plans and conditions of approval imposed upon 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 proposed use is located within an existing built environment, inclusive of streets. The existing streets are of adequate size to facilitate safe and convenient transportation to and from the site.*

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 project has been thoroughly reviewed and conditioned by all applicable City departments and outside agencies 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 January 16, 2024, appropriate and applicable conditions of approval have been included to protect the public health, safety and general welfare.*

**Section 5:** 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 6:** Based upon the evidence presented, the above findings, and the Conditions of Approval imposed upon the Project, the Commission hereby approves Conditional Use Permit No. 2022-21.

**Section 7:** This Resolution shall take effect immediately upon its adoption.

**Passed and Adopted** on this 16<sup>th</sup> 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, 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 on January 16, 2024 and that the same was adopted by the following vote:

AYES  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Damaris Abraham,  
Assistant Community Development Director