

## RESOLUTION NO. 2023-

### 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

**Whereas**, on July 14, 2020, the City Council (Council) approved Conditional Use Permit (CUP) No. 2018-03 and Commercial Design Review (CDR) No. 2016-17 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);

**Whereas**, 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 to July 14, 2023;

**Whereas**, Joseph Karaki, Karaki Western States Engineering, Inc., submitted a request for an extension of time in accordance with the Lake Elsinore Municipal Code (LEMC) Section 17.415.070.D.2.c for CUP No. 2016-17 by one year from July 14, 2023 to July 14, 2024; and

**Whereas**, on December 12, 2023, at a duly noticed Public Hearing, the Council has considered the recommendation of City staff 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 DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1:** The Council has reviewed and analyzed the proposed Project pursuant to the appropriate Planning and Zoning Laws, and Title 17 of the LEMC.

**Section 2:** The Council finds and determines that and no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in an earlier Mitigated Negative Declaration (MND) (SCH# 2019029048). All potentially significant impacts have been avoided or mitigated pursuant to the earlier MND and none of the conditions described in Section 15162 exist. MND (SCH# 2019029048) was adopted on July 14, 2020, for this project. 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 exist.

**Section 3:** That in accordance with Section 17.415.070.C of the LEMC, the Council makes the following findings regarding CUP No. 2018-03:

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 Project has a General Plan Land Use designation of Limited Industrial (LI) and is located in the Business District. The LI Land Use designation provides for industrial parks, warehouses, manufacturing, research and development, public and quasi-public uses, and similar and compatible uses with a maximum 0.45 Floor Area Ratio (FAR). The proposed*

*Project, which includes a gas station, convenience store and drive-through restaurant, are all supportive and compatible uses with the other intended uses of the LI Land Use Designation. The proposed Project would also have a 0.162 FAR. Therefore, the Project is consistent with the General Plan. The current zoning for the subject site Commercial Manufacturing (C-M). The proposed service station is a permitted use Section 17.132.020.U of the C-M Zone, fast food restaurants and drive-through establishments are permitted subject to the approval of a Conditional Use Permit per Section 17.132.020.D of the C-M Zone. 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 Project complies with current laws, standards, and policies in accordance with Section 17.415.070.D.2.b of the LEMC.

*The extension of time request has been reviewed by all applicable City divisions, departments and agencies to ensure that the project complies with all applicable current laws, standards and policies.*

**Section 4:** Based upon the evidence presented, both written and testimonial, and the above findings, and the Conditions of Approval imposed upon the project, the Council hereby approves a one-year extension of time for Conditional Use Permit No. 2018-03 to July 14, 2024.

**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 day of December, 2023.

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Natasha Johnson, Mayor

**Attest:**

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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. 2023-\_\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of December 12, 2023, and that the same was adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Candice Alvarez, MMC  
City Clerk