

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A TWO-YEAR EXTENSION OF TIME FOR CONDITIONAL USE PERMIT NO. 2019-19 TO JANUARY 25, 2026

Whereas, on January 25, 2022, the City Council (Council) approved Conditional Use Permit (CUP) No. 2019-19 and Commercial Design Review (CDR) No. 2019-27 for the development of an approximately 32,695 sq. ft. commercial retail center that includes a 3,400 sq. ft. convenience store with an attached 1,525 sq. ft. Quick-Serve Restaurant, a 4,089 sq. ft. gas fueling canopy, a 3,150 sq. ft. express car wash, two (2) 4,850 sq. ft. retail buildings, a 3,320 sq. ft. drive-thru restaurant with an attached 1,600 sq. ft. retail building, and a 2,520 sq. ft. drive-thru restaurant with an attached 2,400 sq. ft. retail building, 170 parking spaces, landscaping, and related site improvements. The project is located at the northwest corner of Mountain Street and Lake Street (APNs: 389-030-012, 013, 014, 015, 016, 017, and 018);

Whereas, Valeria Salampessy, Empire Design Group submitted a request for an extension of time in accordance with Lake Elsinore Municipal Code (LEMC) Section 17.415.070.D for CUP No. 2019-19 by two years from January 25, 2024 to January 25, 2026; and,

Whereas, on March 12, 2024, 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, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The Council has reviewed and analyzed the proposed extension of time for CUP No. 2019-19 prior to making its decision to extend the life of the conditional use permit for a period of two years..

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 Environmental Impact Report (EIR). 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. EIR (ER 2020-03) (SCH No. 20200080538) was adopted by the City Council on January 25, 2022. As part of the extension of time request, conditions of approval were updated to reflect the most current City requirements for development. These are standard conditions of approval and will not result in any modifications to the previously approved Project. No substantial changes which require major revisions to the mitigated negative declaration exist and no new information of substantial importance which require revisions to the earlier mitigated negative declaration exist. Therefore, no further environmental documentation is necessary.

Section 3. That in accordance with LEMC Section 17.415.070.C. Findings, the Council makes the following findings for approval of an extension of time CUP No. 2019-19:

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 General Commercial (GC) and is located within the Alberhill District. The GC Land Use designation provides for retail, services, restaurants, professional and administrative offices, hotels and motels, mixed-use projects, public and quasi-public uses, and similar and compatible uses with a maximum 0.40 Floor Area Ratio (FAR). The project is proposing to develop approximately 32,695 sq. ft. of commercial retail development, which includes a convenience store, gas station, express car wash, drive-through and quick-serve restaurants, and retail buildings with 0.13 FAR. Therefore, the Project is consistent with the General Plan. The current zoning for the subject site is General Commercial (C-2). Section 17.124.020 of the C-2 zone states that permitted uses listed in the Neighborhood Commercial (C-1) zone are also permitted in the C-2 zone. Section 170.120.020 of the C-1 zone lists retail stores and restaurants and eating establishments (excluding drive-through) as permitted uses. Section 17.124.030 of the C-2 zone states that uses subject to a conditional use permit listed in the C-1 zone are also permitted in the C-2 zone subject to a Conditional Use Permit. Section 170.120.030 of the C-1 zone permits drive-through establishments, gasoline dispensing establishments, and car wash subject to a Conditional Use Permit. Further, the proposed commercial 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 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, the above findings, and the Conditions of Approval imposed upon the project, the Council hereby approves a two-year extension of time for Conditional Use Permit No. 2019-19 to January 25, 2026.

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 12th day of March, 2024.

Steve Manos

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. 2024-____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of March 12, 2024, and that the same was adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Candice Alvarez, MMC
City Clerk