

RESOLUTION NO. 2024-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2023-16 TO ESTABLISH A GASOLINE DISPENSING STATION WITH A 4,291 SQUARE FOOT CANOPY, BEER AND WINE SALES (TYPE 20), A SELF-STORAGE FACILITY (THREE (3) BUILDINGS 38,016 SQUARE FEET IN TOTAL), A 3,979 SQUARE FOOT SELF-SERVE CARWASH, AND A 4,456 SQUARE FOOT DRIVE-THRU RESTAURANT LOCATED AT APNS: 379-111-017, 018, 019, AND 020

Whereas, Ilan Golcheh - Golcheh Group has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2020-92 (Conditional Use Permit No. 2023-16 and Commercial Design Review No. 2023-06) to construct a commercial project consisting of a 4,650 sq. ft. convenience store, 4,291 sq. ft. canopy, 38,016 sq. ft. self-storage facility, 4,456 sq. ft. drive-thru restaurant, 3,979 sq. ft. self-serve carwash, 221 parking stalls, and landscaping and related site improvements on a 6.36-acre site. The project is located at the southwest corner of Lincoln Street and Riverside Drive (APNs: 379-111-017, 018, 019, and 020 (Previous APN: 379-111-014));

Whereas, Conditional Use Permit (CUP) No. 2023-16 proposes to establish 16 gasoline-dispensing stations with a 4,291 sq. ft. canopy, beer and wine sales (Type 20), a self-storage facility (three (3) buildings that are 38,016 sq. ft. in total), a 3,939 sq. ft. self-serve carwash, and a 4,456 sq. ft. drive-thru restaurant;

Whereas, Section 17.415.070 of the Lake Elsinore Municipal Code (LEMC) provides that certain uses are desirable but may have operational characteristics that disproportionately impact adjoining properties, businesses, or residents. Accordingly, such uses require a more comprehensive review and approval procedure, including the ability to condition the project in order to mitigate significant impact;

Whereas, pursuant Section 17.415.070.B (Conditional Use Permit) of the LEMC, the Planning Commission (Commission) has the responsibility of reviewing and approving, conditionally approving, or denying Conditional Use Permits; and

Whereas, on April 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 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) 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 and the LEMC.

Section 2: The Commission 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) and none of the conditions described

in Section 15162 exist. MND (ER 2020-05) (SCH No. 2021010316) was adopted by the City Council on April 13, 2021 for the Riverside/Lincoln Commercial Center project. The MND analyzed the potential impact that could result from the development of the previous Conditional Use Permit and Commercial Design Review (CUP No. 2020-09 and CDR No. 2020-08) applications. The new Conditional Use Permit and Commercial Design Review (CUP No. 2023-16 and CDR No. 2023-06) applications have the same configuration and layout as the previously analyzed project. Additionally, the new applications propose the same uses (a convenience store with a gas station, a fast food drive-thru restaurant, a self-serve drive-thru car wash and a self-storage facility). There will be no increase in the intensity of use. 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 LEMC Section 17.415.070.C. Findings, the Commission makes the following findings regarding CUP No. 2023-16:

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 proposed project, development of a commercial project consisting of a 4,650 sq. ft. convenience store, 4,291 sq. ft. canopy, 38,016 sq. ft. self-storage facility, 4,456 sq. ft. drive-thru restaurant, 3,979 sq. ft. self-serve carwash, is consistent with the proposed General Plan Land Use designation of General Commercial (GC). 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 a commercial project with 0.2 FAR. The project site is within the Lake View District of the General Plan. Per Section 9.0, Lake View District Plan, of the General Plan, the main focus of the Lake View District is to "integrate new and existing residential communities and supporting uses while maintaining a high quality of life." The Project would be consistent with the goals of the Lakeview District Plan, including the goal to provide a revitalized and healthy mixed-use corridor along Riverside Drive. The proposed uses would meet the needs of existing residents in the project vicinity.

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 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 LEMC and will complement the existing uses, based on the submitted plans and the conditions of approval imposed on 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 project would include dedication on Riverside Drive to the ultimate half-section width and would construct frontage improvements in accordance with City's Engineering Department and California Department of Transportation (Caltrans). These improvements will be sufficient for the type and quantity of traffic generated by the proposed use.

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 Conditional Use Permit has been thoroughly reviewed and conditioned by all applicable City departments 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 April 16, 2024, appropriate and applicable conditions of approval have been included to protect the public health, safety and general welfare.

Section 4: 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. 2023-16.

Section 5: This Resolution shall take effect immediately upon its adoption.

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

Jodi Peters, Chair

Attest:

Damaris Abraham,
Community Development Director

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

I, Damaris Abraham, 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 April 16, 2024 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Damaris Abraham,
Community Development Director