

RESOLUTION NO. 2025-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2024-01 FOR THE CONSTRUCTION OF A NEW 980 SQUARE-FOOT DRIVE-THROUGH DUTCH BROS COFFEE SHOP IN THE NEIGHBORHOOD COMMERCIAL (C-1) DISTRICT LOCATED AT 16758 LAKESHORE DRIVE (APN: 378-290-015)

Whereas, Sabrina Rushing, Barghausen Consulting Engineers, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2024-04 (Conditional Use Permit No. 2024-03 and Commercial Design Review No. 2024-01) to construct a new 980 sq. ft. Dutch Bros Coffee Shop and related site improvements including a two-lane drive-through with 18 queuing spaces, 25 parking spaces and landscaping. The project site is located on a 0.71-acre site within the Neighborhood Commercial (C-1) District at 16758 West Lakeshore Drive (APNs: 378-290-015);

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, pursuant to Section 17.415.050 (Major Design Review) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has the responsibility of reviewing and approving, conditionally approving, or denying design review applications; and

Whereas, on April 15, 2025, 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 site is flat, heavily disturbed and devoid of vegetation with much of the surrounding area having been developed for commercial uses. The project is proposing to construct a new coffee shop with drive-through lanes, and other improvements*

throughout the project site. As such, the Riparian/Riverine Areas and Vernal Pool Guidelines as set forth in Section 6.1.2 of the MSHCP are not applicable.

3. *The project is consistent with the Protection of Narrow Endemic Plant Species Guidelines as set forth in MSHCP Section 6.1.3 and the Additional Survey Needs and Procedures as set forth in MSHCP Section 6.3.2 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 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 4: 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 15303 (Class 3: New Construction or Conversion of Small Structures), because the project involves the new construction of a 980 square-foot commercial structure and accessory onsite improvements including a drive-through lane, a parking area, and landscaping.

Section 5: That in accordance with LEMC Section 17.415.070.C. Findings, the Commission makes the following findings regarding Commercial Design Review No. 2024-01:

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 proposed project is located in the General Commercial (GC) General Plan land use designation. The 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 proposes to establish a drive-through coffee shop, that sells specialty coffees, smoothies, and pastries, with a proposed FAR of 0.03. Therefore, the project would be consistent with the General Plan.

Furthermore, the current zoning designation of the subject site is Neighborhood Commercial (C-1). The C-1 district is intended to provide locations for general retail and office uses which offer the sale of goods and services to the general public and which, through characteristics of their operation, serve primarily the day-to-day shopping needs of the local residents. Per LEMC Section 17.120.030, coffee shops with a drive-through in the C-1 zone are conditionally permitted uses subject to the approval of a Conditional Use Permit.

2. The project complies with the design directives contained in the LEMC and all applicable provisions of the LEMC.

The project is appropriate to the site and surrounding developments. The architectural design of the proposed buildings conforms to the Nonresidential Development Standards (Chapter 17.112) of the LEMC. Sufficient setbacks and enhanced onsite landscaping have been provided thereby creating interest and varying vistas as a person moves along abutting streets. The architecture has been designed to achieve harmony and compatibility with the surrounding area. The colors and materials proposed will assist in blending the architecture into the existing landscape and are compatible with other colors and materials used on other properties near the project site. In addition, safe and efficient circulation has been achieved onsite.

3. Conditions and safeguards pursuant to Section 17.415.050.G.3 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the Project to ensure development of the property in accordance with the objectives of Section 17.415.050.

Pursuant to Section 17.415.050.E of the LEMC, the project was considered by the Planning Commission at a duly noticed Public Hearing held on April 15, 2025. The project has been reviewed and conditioned by all applicable City divisions, departments and agencies to ensure the proposed project would be consistent with the major design review objectives contained in LEMC. Furthermore, the project would be required to demonstrate compliance with the conditions of approval and other applicable requirements prior to the issuance of a building permit and/or City business license.

Section 6: Based upon the evidence presented, the above findings, and the Conditions of Approval imposed upon the Project, the Commission hereby approves Commercial Design Review No. 2024-01.

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

Passed and Adopted on this 15th day of April 2025.

John Gray, 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. 2025-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on April 15, 2025, and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Damaris Abraham,
Community Development Director