



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Damaris Abraham, Assistant Community Development Director

Date: March 12, 2024

Subject: Extension of Time Request for Tentative Tract Map No. 37922, Conditional Use Permit No. 2019-19, and Commercial Design Review No. 2019-27 (Lake and Mountain Commercial Center)

Applicant: Valeria Salampessy, Empire Design Group

Recommendation

1. Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the extension of time request would not have a significant effect on the environment and no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in a previously certified Environmental Impact Report (ER 2020-03) (SCH No. 2020080538);
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A TWO-YEAR EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 37922 TO JANUARY 25, 2026;
3. Adopt 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; and
4. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A TWO-YEAR EXTENSION OF TIME FOR COMMERCIAL DESIGN REVIEW NO. 2019-27 TO JANUARY 25, 2026.

Background

On January 25, 2022, the City Council certified Environmental Impact Report (ER 2020-03) (SCH No. 20200080538) and approved Tentative Tract Map No. 37922 (TTM 37922), Conditional Use Permit No. 2019-19 (CUP 2019-19), and Commercial Design Review No. 2019-27 (CDR 2019-27).

(TTM 37922, CUP 2019-19, and CDR 2019-27 EOT)

TTM 37922 proposes to subdivide the 6.07-acre site into six (6) lots ranging in size from 0.66 acres to 1.10 acres. The remaining 0.44-acre portion of the site will be dedicated for road right-of-way purposes.

CUP 2019-19 and CDR 2019-27 propose to establish approximately 32,695 sq. ft. of commercial and retail uses as outlined below:

- Parcel 1: will include a 3,320 sq. ft. drive-through restaurant (Drive-Thru A) with an attached 1,600 sq. ft. retail building (Retail C).
- Parcel 2: will include a 2,520 sq. ft. drive-through restaurant (Drive-Thru B) with an attached 2,400 sq. ft. retail building (Retail D).
- Parcel 3: will include a 3,150 sq. ft. express car wash.
- Parcel 4: will include a 3,400 sq. ft. convenience store (C-Store) with an attached 1,525 sq. ft. quick service restaurant (QSR), a 4,089 sq. ft. fueling canopy with six (6) Multi-Product Dispensers (MPD), and three (3) stormwater bio-retention basins (WQMP).
- Parcel 5: will include a 4,850 sq. ft. retail building (Retail B) and four (4) stormwater bio-retention basin (WQMP) areas.
- Parcel 6: will include a 4,850 sq. ft. retail building (Retail B).

The Project site consists of an approximately 6.07-acre undeveloped area and is located at the northwest corner of Mountain Street and Lake Street (APNs: 389-030-012, 013, 014, 015, 016, 017, and 018).

The original expiration date of TTM 37922, CUP 2019-19, and CDR 2019-27 was January 25, 2024. On November 3, 2023, the applicant submitted this two-year extension of time request, which stayed the expiration until action by the City Council. The applicant has submitted a grading plan, hydrology study, and Water Quality Management Plan (EGPC No. 2023-0013) and is currently in plan check. The applicant has stated that the time extension is necessary to allow additional time to complete the plan check process and obtain grading and building permits.

Discussion

Section 16.24.160 of the Lake Elsinore Municipal Code (LEMC) provides one or more extensions of time for tentative maps totaling a maximum of 36 months. Pursuant to the Subdivision Map Act, Government Code Section 66452.6(e), the time at which the map expires may be extended by the legislative body for a period not exceeding a total of six (6) years. The applicant will have four (4) more years of extensions available for TPM 37922 after the approval of this extension of time request.

In accordance with Sections 17.415.050.I (Lapse of Design Review Approval and Time Extensions) and 17.415.070.D (Lapse of Conditional Use Permit) of the LEMC, the expiration

(TTM 37922, CUP 2019-19, and CDR 2019-27 EOT)

date of an approved Conditional Use Permit and Commercial Design Review may be extended for no more than two (2) years. The two-year extension of time for CUP 2019-19 and CDR 2019-27 represents the final extension of time allowed by the LEMC.

The Community Development (Building & Safety and Planning), Engineering, and the Administrative Services Departments have recommended revised Conditions of Approval consistent with section 66452.6 (e) of the Subdivision Map Act and sections 65961 (a) (1-2) and 65961 (f) of the Planning and Zoning Laws. These updated Conditions of Approval reflect the most current City requirements for development and ensure that the project complies with current laws, standards, and policies.

Environmental Determination

Pursuant to CEQA Guidelines Section 15162, staff has determined that this extension of time request would not have a significant effect on the environment 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.

Public Notice

Notice of the hearing for the extension of time application has been published in the Press-Enterprise newspaper and mailed to property owners within 300 feet of the subject property for each application. As of the writing of this report, no written comments concerning this application have been received by staff.

Fiscal Impact

The time and costs related to processing this application have been covered by application fees paid for by the applicant. No General Fund budgets have been allocated or used in the processing of this application.

Attachments

- Attachment 1 – TTM 37922 EOT Resolution
- Attachment 2 – CUP 2019-19 EOT Resolution
- Attachment 3 – CDR 2019-27 EOT Resolution
- Attachment 4 – Conditions of Approval
- Attachment 5 – GIS Exhibits

(TTM 37922, CUP 2019-19, and CDR 2019-27 EOT)

Attachment 6 – TTM 37922

Attachment 7 – Design Review Package

Attachment 8 – Public Notice Materials

