



## REPORT TO PLANNING COMMISSION

**To:** Honorable Chair and Members of the Planning Commission

**From:** Damaris Abraham, Interim Assistant Community Development Director

**Prepared by:** Kevin Beery, Associate Planner

**Date:** December 6, 2022

**Subject:** **Planning Application No. 2021-39 (Dutch Bros)** – A request for approval of a Commercial Design Review to construct a one-story, 950 square-foot drive-through coffee stand and related site improvements in conjunction with a Conditional Use Permit to allow operation of the drive-through located at 32250 Mission Trail.

**Applicant Name:** Dutch Bros., LLC

### **Recommendation**

1. Adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2021-15 TO ESTABLISH A 950 SQUARE-FOOT DRIVE-THROUGH COFFEE STAND LOCATED AT 32250 MISSION TRAIL (APN: 365-040-024); and,
2. Adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2021-19 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR A 950 SQUARE-FOOT DRIVE-THROUGH COFFEE STAND LOCATED AT 32250 MISSION TRAIL (APN: 365-040-024); and,
3. Find and determine that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (New Construction)

### **Project Location**

The project site consists of one approximately 9.07-acre parcel located at 32250 Mission Trail (APN: 365-040-024). The project site is currently developed with an approximately 88,057 sq. ft. bowling and amusement center ("Pins N Pockets") and accessory site improvements including paved parking areas and landscaping. The new building and improvements would be developed on an approximately 0.68-acre portion in the southwest of the site.

### **Project Description**

Planning Application No. 2021-39 is a request for approval of a Commercial Design Review (CDR No. 2021-19) to construct a one-story, 950 sq. ft. drive-through coffee stand and related site improvements including a two-lane drive-through with 22 queuing spaces, eight parking spaces and new landscaping. The application also includes a request for approval of a Conditional Use Permit (CUP No. 2021-15) to permit operation of the drive-through, as required by the CMU zoning regulations. Access to the new development would be provided by two existing driveways on Mission Trail. The northern driveway is unsignalized and provides right-in and right-out access while the southern driveway is signalized and provides full access.

The drive-through ordering area would not contain speaker systems and all customer orders would be taken by employees in the drive-through queue. The proposed coffee stand will also feature a walk-up ordering window facing the parking area for pedestrian use. No indoor customer access is proposed. Business hours of operation would be 5:30 AM to 10:00 PM on Sunday through Thursday and 5:30 AM to 11:00 PM Friday through Saturday. The expected maximum number of onsite employees would be six at any given time.

### **Environmental Setting**

	<b>EXISTING LAND USE</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>
Project Site	Bowling Alley	Commercial Mixed Use (CMU)	Commercial Mixed Use (CMU)
North	Commercial	Commercial Mixed Use (CMU)	Commercial Mixed Use (CMU)
South	Commercial	Commercial Mixed Use (CMU)	Commercial Mixed Use (CMU)
East	Vacant	General Commercial (GC)	General Commercial (C-2)
West	Commercial	Commercial Mixed Use (CMU)	Commercial Mixed Use (CMU)

### **Analysis**

#### **General Plan Consistency**

The subject site has a General Plan land use designation of Commercial Mixed Use (CMU) and is located in the Lake Elsinore Hills District. The CMU designation provides for a mix of residential and non-residential uses within a single proposed development area, with an emphasis on retail, service, civic and professional office uses with a maximum 0.80 floor area ratio (FAR). The proposed FAR, including the existing amusement center and proposed coffee stand buildings, is 0.22. Therefore, the Project is consistent with the General Plan.

#### **Municipal Code Consistency**

The current zoning designation of the subject site is Commercial Mixed Use (CMU). According to Section 17.134.020 of the Lake Elsinore Municipal Code (LEMC), drive-through food establishments are permitted subject to approval of a Conditional Use Permit in the CMU zone.

Staff has reviewed the submitted development plans for compliance with the CMU development standards and regulations of Chapter 17.134 of the LEMC and has determined that the proposed development conforms to the CMU district provisions as shown in Table 2.

Development Standard	Required	Proposed
Floor Area Ratio (FAR)	0.80 max.	0.22
Front Setback	10'-0" min.	35'-6"
Right Side, Interior	None	103'-0"
Left Side, Interior	None	550'-0" (approx.)
Building Height	Varied Rooflines	24'-0" to top of parapet
Drive Through Stacking	8 vehicles (160'-0") min.	22 vehicles (440'-0")
Landscape improvements:		
Drive-through planter separation (from driveways, parking and property lines)	5'-0" min.	12'-6 ½" to 30'-6"
Parking area from ROW	20'-0" min.	71'-6 ½"

**Table 2:** Development Standards

The Project also meets the minimum parking requirements set forth in Section 17.148.030 of the LEMC as shown in Table 3.

Parking Standard	Required	Proposed
<ul style="list-style-type: none"> <li>Bowling alleys: four spaces per lane</li> <li>Commercial uses: one space per 250 square feet of gross floor area</li> </ul>	Pins N Pockets: 24 lanes x 4 spaces = 96 spaces Dutch Bros: 950 sq. ft. / 250 sq. ft. = 4 spaces <b>Total = 100 spaces</b>	<b>Existing + New = 265 + 8  Total = 273</b>

**Table 3:** Parking Requirements

The architectural design of the proposed building complies with the Nonresidential Development Standards (Chapter 17.112) of the LEMC. The proposed building is rectangular in plan and will feature a flat roof with a parapet capped with flashing (painted to match). The main body of the building exterior would consist of dark and light gray metal panel siding, stone veneer wainscoting, metal awning projections, and space for tenant wall signage. Accent blue metal siding would be provided on the proposed tower element. The exterior architecture, including colors and materials, has been designed to be harmonious and compatible with surrounding development. Furthermore, the proposed landscaping improvements complement the proposed building design, provide shade and break-up expanses of pavement. The proposed site design is cohesive and functional for the proposed use.

The Design Review Committee, including Staff from Planning, Building and Safety, Fire, and Engineering departments and the Elsinore Valley Municipal Water District, has reviewed the Project and have added recommended permit conditions of approval to ensure compliance with adopted plans, policies, and regulations.

### Traffic

A focused traffic analysis dated July 21, 2022 was prepared by Transolutions, Inc. for the Project. The purpose of the focused traffic analysis is to assess the degree to which the Project would impact performance of the surrounding road network, specifically the existing intersections of the Project site driveways and Mission Trail. The analysis concluded that the Project would not

adversely affect levels of service in the study area and that the study intersections would continue operating at satisfactory levels of service. Additionally, based on survey data of the applicant's other operational locations in the region, the study determined that the proposed drive-through stacking capacity of 22 vehicles is sufficient to accommodate peak queue length. Therefore, the Project is consistent with the circulation goals and policies of the General Plan and is not expected to adversely impact the safety or efficiency of the surrounding roadways.

### **MSHCP Consistency**

The proposed development is subject to discretionary approvals by the City of Lake Elsinore and is therefore a project under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As a permittee of the MSHCP, the City must make MSHCP Consistency findings prior to approving a project. The project site is not located within a Criteria Cell and therefore is exempt from the requirement to undergo Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) procedures. The Project site is void of riparian, riverine, vernal pools or other wetland features, and has been previously disturbed and graded for existing commercial use. Furthermore, the Project site is not located within a special species survey area in accordance with the MSHCP. Therefore, the Project is consistent with the MSHCP guidelines concerning Riparian/Riverine Areas and Vernal Pools, Protection of Narrow Endemic Plant Species, Additional Survey Needs and Procedures, Urban/Wildlands Interface and Fuel Management in addition to the Vegetation Mapping Requirements. Standard permit conditions have been added requiring the applicant to pay the MSHCP Local Development Mitigation Fee. For these reasons, the Project is consistent with the MSHCP.

### **Environmental Determination**

Planning Division Staff has determined that the Project is exempt from the California Environmental Quality Act (Cal. Pub. Res. Code §§21000 et seq.: "CEQA") and the CEQA Guidelines (14 C.C.R. §§ 15000 et seq.) pursuant to CEQA Guidelines Section 15303 (New Construction) because the project involves the new construction of one 950 square-foot commercial structure and accessory onsite improvements including a drive-through lane, a parking area, landscaping, and utility extensions to serve the new construction.

### **Attachments**

- A – CUP Resolution
- B – CDR Resolution
- C – Conditions of Approval
- D – Vicinity Map
- E – Aerial Map
- F – Design Review Package