



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Kevin Beery, Associate Planner

Date: January 10, 2023

Subject: **Notice of Decision – Planning Commission Approval of Planning Application No. 2021-39 (Dutch Bros) for a Commercial Design Review and a Conditional Use Permit to Construct and Operate a One-story, 950 Square-foot Drive-through Coffee Stand**

Applicant: Dutch Bros., LLC

Recommendation

Receive and File the Notice of Decision for Planning Application No. 2021-39 acted on by the Planning Commission (Commission) on December 6, 2022.

The Commission by a 5-0 vote:

1. Adopted 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. Adopted 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).

Background

The Commission's decision is final and no action by the City Council is required unless the City Council, by majority vote, elects to review and reconsider the Commission's decision by ordering the matter set for a future noticed public hearing according to Section 17.410.110.F of the Lake Elsinore Municipal Code (LEMC), or the applicant or an interested person files a complete appeal application within 15 days of this notice appearing on the City Council's agenda.

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.

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 Commission voted 5-0 to approve the project at its regular meeting on December 6, 2022. No public comments were provided on the item. During the meeting, some Commissioners commented on the potential for drive-through queue spill-over onto Mission Trail and the compatibility of the proposed building exterior colors with surrounding development. The applicant clarified that the project is designed to avoid spill-over onto Mission Trail by restricting the northern driveway to right-in and right-out only. In addition, the hours of operation the business will not conflict with Pins N Pockets allowing for overflow to occur in the parking area. Further, the applicant will also implement a traffic management plan to avoid the potential for a spill-over to occur. The Planning Commission added the following condition of approval to ensure that the exterior building color matches the surrounding development:

For the purpose of complementing the quality of surrounding development, the proposed building exterior design shall be revised to incorporate a tannish color pursuant to LEMC Section 17.415.050.F.2. Revised building elevations shall be submitted to the Planning Division for review and approval prior to building permit issuance.

Fiscal Impact

The time and costs related to processing this application have been covered by fees paid for by the applicant. No General Fund budgets have been allocated or used in the processing of this application. The approval of the Project does not fiscally impact the City's General Fund. Mitigation Measures to protect the City fiscally have already been included in the Conditions of Approval.

Attachments

Attachment 1 – Planning Commission Staff Report

