

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 38378 TO SUBDIVIDE AN APPROXIMATELY 17.21-ACRE SITE INTO ONE LOT AND 191 RESIDENTIAL UNITS FOR CONDOMINIUM PURPOSES LOCATED IN APNS: 370-050-019, 370-050-020, AND 370-050-032

Whereas, Brett Crowder, Coastal Commercial Properties has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2022-03 (Tentative Tract Map (TTM) No. 38378 and Residential Design Review No. 2022-02) to subdivide an approximately 17.21-acre site into one (1) approximately 16.94-acre lot for condominium purposes (0.28-acre right-of-way dedication) and a residential design review to construct 191 detached condominium residences and associated site improvements. The project site is located within the East Lake Specific Plan (ELSP), adjacent to and west of Mission Trail, across from Lemon Street to the south, and Lewis Street and Victorian Lane to the north (APNs: 370-050-019, 370-050-020, and 370-050-032);

Whereas, pursuant to Chapter 16.24 (Tentative Map) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to the review of tentative maps;

Whereas, on October 17, 2023, 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 and adopted a resolution recommending that the Council Approve TTM No. 38378; and

Whereas, on November 14, 2023 and December 12, 2023, at a duly noticed Public Hearing the Council has considered the recommendation of the Commission as well as evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The forgoing recitals are true and correct and are hereby incorporated into these findings by this reference.

Section 2: The Council has reviewed and analyzed TTM No. 38378 pursuant to the appropriate Planning and Zoning Laws, and Chapter 16 (Subdivisions) of the LEMC and the Subdivision Map Act.

Section 3: The Council finds that the proposed project is categorically exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15182(c) (Residential Projects Pursuant to a Specific Plan). The City adopted the East Lake Specific Plan, Amendment No. 11 (SPA 2016-02) and Environmental Impact Report (EIR) SCH No. 2016111029 on November 11, 2017. The proposed project is consistent with the East Lake Specific Plan, Mixed Use Overlay district which allows Detached Multiple-Family Cluster Residential Only Development with a Density up to 18 Dwelling Units per Net Acre (du/ac). Pursuant to CEQA Guidelines Section 15162, the project 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 adopted Environmental Impact Report (SCH No. 2016111029) prepared for the East Lake Specific Plan. All potentially significant effects have been avoided or mitigated pursuant to the EIR and none of the conditions described in Section 15162 have occurred. EIR (SCH No. 2016111029) was adopted by the City Council on November 28, 2017.

Section 4: That in accordance with State Planning and Zoning Law and the LEMC, the Council makes the following findings for approval of TTM No. 38378:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).

The project site is located in the East Lake Specific Plan (ELSP) and has an Action Sports, Tourism, Commercial and Recreation Land Use Designation with a Mixed Use Overlay. The Mixed Use overlay offers an option to develop residential and commercial uses in additions to those uses described in the Action Sports, Tourism, Commercial, and Recreation land use designation. Per Table 2-12 (Mixed Use Overlay – Allowable Land Uses) of the ELSP, Condominiums are listed as permitted uses. Table 2-13 (Mixed Use Overlay Development Standards) allows Detached Multiple-Family Cluster Residential Only Development with a density up to 18 Dwelling Units per Net Acre (du/ac). The application proposes to construct and subdivide 191 two-story detached residential condominium units on an approximately 16.93 acre parcel at an approximate density of 11.3 units per net acre. Therefore, the project is consistent with the ELSP. Furthermore, because the ELSP was found to be consistent with the General Plan prior to its adoption, the project is also consistent with the General Plan.

2. The site of the proposed subdivision of land is physically suitable for the proposed density of development in accordance with the General Plan.

The site of the proposed subdivision of land is physically suitable for the proposed density of development in accordance with the ELSP and General Plan because the physical conditions of the site, including soils and drainage, can adequately support the proposed development as designed. No physical hazards, such as a flood areas or fault zones, exist on site. Connection to the existing sewage and water facilities, as well as other utilities including telephone, gas and electricity services, is feasible. As a condition of the tentative tract map, the City will require dedication of land to widen Mission Trail along with street frontage improvements. The proposed development conforms to the applicable development standards provided in the ELSP. The site surroundings include residential and commercial development that is compatible with the proposed residential use of the project site, and there are no reasonably foreseeable incompatible uses to be located within the vicinity.

3. That the design of the proposed division of land or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

The proposed division of land and proposed improvements are unlikely to cause substantial environmental damage or injure fish or wildlife or their habitat because the project site is void of significant biological resources according to site surveys conducted

by a qualified biologist. The site is located within an urbanized area and does not contain any features, such as surface waters, riparian habitat or mature trees that could serve important or critical ecological functions. Furthermore, the site has been routinely disced for weed control purposes and is in a disturbed, non-natural state.

4. That the design of the proposed division of land or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed division of land. The City Council may approve a division of land if it finds that alternative easements for access or for use will be provided, and that they will be subsequently equivalent to ones previously acquired by the public. This section shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

The subdivision will not conflict with public access because the site of the proposed subdivision does not contain publicly acquired access easements. Furthermore, there is no planned right-of-way within the site as shown in the circulation element of the General Plan. As a condition of the tentative tract map, the City will require dedication of land for Mission Trail along with street frontage improvements to ensure conformity with the General Plan.

5. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.

The tentative map has been adequately conditioned by all applicable departments and agencies and will not result in any significant environmental impacts. The proposed project, subject to conditions of approval, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity because adequate health and sanitation facilities will be provided throughout the subdivision.

6. The effects that this project are likely to have upon the housing needs of the region, the public service requirements of its residents and the available fiscal and environmental resources have been considered and balanced.

The project will provide a net increase of 191 newly constructed housing units within city limits. The project does not involve the demolition of existing housing units. Adequate levels of public service and capacity, including fire protection, police protection, schools, and parks, are available to the proposed subdivision site. The subdivider will also pay development impact fees to offset the costs associated with providing governmental services to the population increase resulting from the project. Upon implementation of adopted mitigation measures in the EIR prepared for the East Lake Specific Plan, the project will not have significant effects on the environment.

7. The design of the subdivision provides future passive or natural heating or cooling opportunities within the subdivision.

The proposed subdivision will divide an approximately 17.21-acre flat site into one lot for condominium purposes and will construct 191 two-story detached condominium residences which will feature operable windows on all elevations to provide natural cooling opportunities. All buildings will be provided southern exposure to provide natural heating opportunities. No changes to the shape or configuration of the existing parcels are

proposed. The residential units being proposed in conjunction with the subdivision will be designed to meet California building energy efficiency standards and to provide rooftop solar panels on each building to offset energy demand. Other design features, such as shade trees, will be planted onsite to provide natural cooling.

Section 5: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the project, the Council hereby approves Tentative Tract Map No. 38378.

Section 6: This Resolution shall take effect immediately upon its adoption.

Section 7: The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

Passed and Adopted on this 12th day of December, 2023.

Natasha Johnson,
Mayor

Attest:

Candice Alvarez, MMC,
City Clerk

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

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2023-__ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on December 12, 2023 and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Candice Alvarez, MMC,
City Clerk