

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A SIX-YEAR EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 37578 TO AUGUST 9, 2030

Whereas, on August 9, 2022, the City Council (Council) approved Tentative Tract Map (TTM) No. 37578, Conditional Use Permit (CUP) No. 2019-03, Commercial Design Review (CDR) No. 2019-05, a Uniform Sign Program No. 2019-01 to develop a new mixed-use commercial and residential development including a 10-dispenser gasoline station, quick-serve restaurant, drive-through fast food restaurants, office and retail spaces, and up to 74 multi-family dwelling units. The project site is located at the northwest corner of Grand Avenue and State Route 74/Ortega Highway and includes Assessor Parcel Numbers 381-320-023 and 381-320-020;

Whereas, the Lake Elsinore Municipal Code (LEMC) Section 16.24.160 requires that a land divider wishing to extend the life of a tentative map make a written application to the City Council (Council) not less than 30 days prior to the expiration of the tentative map requesting an extension of time on the map;

Whereas, Ahmad Zaki, Zairey, Inc., submitted a request for an extension of time for TTM No. 37578 on July 9, 2024; and

Whereas, on December 10, 2024, at a duly noticed Public Hearing the Council has considered the recommendation of City staff 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 Council has reviewed and analyzed the proposed Project pursuant to the appropriate Planning and Zoning Laws, and Chapter 16 (Subdivisions) of the LEMC.

Section 2: The Council finds and determines that and no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in an earlier Mitigated Negative Declaration (MND) (ER 2019-04) (SCH No. 2021120417). All potentially significant impacts have been avoided or mitigated pursuant to the earlier MND and none of the conditions described in Section 15162 exist. MND (SCH No. 2021120417) was adopted by the City Council on August 9, 2022 for this project. No substantial changes that require major revisions to the MND exist and no new information of substantial importance that require revisions to the earlier MND exist.

Section 3: That in accordance with the California Subdivision Map Act (Cal. Gov. Code Section 66000 et. seq.) and the LEMC Section 16.24.160, the Council makes the following findings for the approval of an extension of time for TTM No. 37578:

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).
 - a. *The Project has a General Plan Land Use designation of Commercial Mixed Use (CMU) and is located within the Lake Edge District. This 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. The Floor Area Ratio (FAR) for non-residential uses is 0.80 and a minimum of 50% of the total floor area shall be commercial uses. Residential densities shall be between 7 and 18 dwelling units per net acre. The project is proposing to develop a mixed-use project with a commercial development that includes a convenience store, gas station, express car wash, and drive-through and quick-serve restaurants with a 0.22 FAR. The project also includes a residential component with up to 15.7 units per acre. Therefore, the project is consistent with the Commercial Mixed Use General Plan land use designations for the site. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan as it would provide a mixture of land uses residential and commercial land uses to meet the needs of the community.

- b. All offsite mitigation measures have been identified in a manner 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.
 - a. The residential component of the project site has a density between 9.9 units per acre and 15.7 units per acre. The overall density and design is consistent and compatible with the adjacent communities including single-family homes, a mobile home park and an existing retail commercial plaza.*
3. 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.
 - a. The proposed project is consistent and compatible with the General Plan and provides an increase in housing opportunities within the City. Furthermore, TTM No. 37578 is consistent with Housing Element Policy 3.1 to "Use the City's General Plan, Municipal Code, other land use and development plans, and the development process to provide housing sites that meet the identified local need."*
4. The proposed division of land or type of improvements is not likely to result in any significant environmental impacts.
 - a. A Mitigated Negative Declaration (MND) (SCH No. 2021120417) was prepared for TTM No. 37578. The Initial Study identified potentially significant environmental effects but these impacts will be mitigated to below a level of significance through compliance with the mitigation measures set forth in the MND. TTM No. 37578 has been conditioned to comply with these mitigation measures.*
5. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.
 - a. TTM No. 37578 has been designed in a manner consistent with the General Plan and LEMC including minimum lot sizes and circulation requirements and has been adequately conditioned to mitigate any impacts to public health to below significant levels to avoid any adverse public health problems.*

6. The design of the proposed division of land or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed division of land.

a. All known easements or request for access have been incorporated into the design of TTM No. 37578.

b. The map has been circulated to City departments and outside agencies, and appropriate Conditions of Approval have been applied to the project.

Section 4: Based upon the evidence presented, both written and testimonial, and the above findings, and the Conditions of Approval imposed upon the project, the Council hereby approves a six-year extension of time for TTM No. 37578 to August 9, 2030.

Section 5: This Resolution shall take effect immediately upon its adoption.

Section 6: 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 10th, day of December, 2024.

Steve Manos, 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, do hereby certify that Resolution No. 2024-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of December 10, 2024, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk