

RESOLUTION NO. 2023-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING AN ADDENDUM TO THE LAKESHORE VILLAGE SPECIFIC PLAN MITIGATED NEGATIVE DECLARATION (MND NO. 2003-03) FOR PLANNING APPLICATION NO. 2021-38 (TENTATIVE TRACT MAP NO. 38271 AND RESIDENTIAL DESIGN REVIEW NO. 2021-05)

Whereas, Brett Crowder, Lake Elsinore Lakeshore, LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2021-38 (Tentative Tract Map No. 2021-02 (TTM 38271) and Residential Design Review No. 2021-05) to subdivide an approximately 10.29-acre site into one lot for condominium purposes and to construct 140 two-story attached condominium residences and associated improvements within the Attached Residential (AR) and Commercial/Residential Flex (CRF) land use designations of the Lakeshore Village Specific Plan. The proposed buildings feature four floor plans ranging in size from 1,807 sq. ft. to 2,008 sq. ft. and three architectural styles (French Country, Santa Barbara and Modern Farmhouse). The project site is located on the southwest side of Lakeshore Drive at the intersection of Lakeshore Drive and Gunnerson Street. (APNs: 379-230-001, 379-230-002); and,

Whereas, the project is subject to the provisions of the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.: “CEQA”) and the State Implementation Guidelines for CEQA (14 California Code of Regulations Sections 15000, et seq.: “CEQA Guidelines”) because the project involves an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and involves the issuance of a lease, permit license, certificate, or other entitlement for use by one or more public agencies (Public Resources Code Section 21065); and,

Whereas, pursuant to CEQA, the City prepared a Mitigated Negative Declaration (MND No. 2003-03) to address the potential environmental impacts resulting from implementation of Lakeshore Village Specific Plan (LVSP); and,

Whereas, on October 28, 2003, the City Council (Council) adopted MND No. 2003-03 and a corresponding Mitigation Monitoring and Reporting Program (MMRP); and,

Whereas, the potential environmental impacts resulting from implementation of the Specific Plan, including build-out of the project site in a manner consistent with the goals and policies of the LVSP, were evaluated in the previously adopted MND; and,

Whereas, pursuant to CEQA Guidelines Section 15063, the City conducted an Initial Study to determine if the project would have a significant effect on the environment. The Initial Study revealed that the project would have potentially significant environmental impacts, but those potentially significant impacts could be mitigated to less than significant levels; and,

Whereas, based upon the results of the Initial Study (Environmental Review No. 2022-01), and based upon the standards set forth in CEQA Guidelines Section 15164, it was determined that it was appropriate to prepare an addendum to MND No. 2003-03 for the project; and,

Whereas, an addendum to MND No. 2003-03 (Addendum) has been prepared to provide an evaluation of potential project-specific environmental effects that could result from the project in relation to the effects disclosed by MND No. 2003-03, and the Addendum concludes that the

project would not result in new significant effects or increase the severity of any previously identified significant effects; and,

Whereas, pursuant to CEQA Guidelines Section 15164(a), the Addendum includes necessary changes and additions to the MND necessary to assess project-specific environmental impacts; and,

Whereas, the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the Council for adopting addendums to mitigated negative declarations; and,

Whereas, the Addendum was considered by the Commission on March 7, 2023, at a duly noticed public hearing during which the Commission considered evidence presented by the Community Development Department and other interested parties on the adequacy of the Addendum and by resolution recommended Council adoption of the Addendum; and,

Whereas, on March 28, 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 foregoing recitals are true and correct and are hereby incorporated into these findings by this reference.

Section 2: The Council, based upon a thorough review of the proposed Addendum to MND No. 2003-03 and the evidence received to date, does determine as follows:

1. That in accordance with CEQA Guidelines Section 15162, the proposed project does not present substantial changes or reveal new information that would require subsequent or supplemental EIR analysis. However, some changes or additions to the information contained in the adopted MND is necessary in order to adequately evaluate the potential of environmental impacts resulting from the project. Pursuant to CEQA Guidelines Section 15164, an Addendum to MND No. 2003-03 has been prepared to provide an evaluation of potential project-specific environmental effects in comparison to those effects described in MND No. 2003-03 and concluded that the significant effects that would result from the project have been addressed in the previously adopted MND.
2. That the Addendum was prepared in compliance with the requirements of CEQA and the CEQA Guidelines.
3. That, based upon the evidence submitted and as demonstrated by the analysis included in the Addendum, none of the conditions described in Sections 15162 or 15163 of the CEQA Guidelines calling for the preparation of a subsequent or supplemental Environmental Impact Report or Negative Declaration have occurred; specifically:
 - a. There have not been any substantial changes with respect to the circumstances under which the proposed project is undertaken that require major revisions of the CEQA documents due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- b. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time MND No. 2003-03 was adopted, that shows any of the following:
 - i. The project will have one or more significant effects not discussed in MND No. 2003-03;
 - ii. Significant effects previously examined will be substantially more severe than shown in MND No. 2003-03;
 - iii. Mitigation measures or alternatives which are considerably different from those analyzed in MND No. 2003-03 would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

Section 3: The Council has evaluated all comments, written and oral, received from persons who have reviewed the Addendum. The Council hereby finds and determines that all public comments have been addressed.

Section 4: The Council hereby finds that the Addendum is adequate and has been completed in accordance with CEQA, the CEQA Guidelines, and City procedures concerning implementation of CEQA.

Section 5: Based upon the evidence presented, the above findings, the Council hereby adopts the Addendum.

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 28th day of March, 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, do hereby certify that Resolution No. 2023-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of March 28, 2023, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk