

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 38271 TO SUBDIVIDE AN APPROXIMATELY 10.29-ACRE SITE INTO ONE LOT AND 140 RESIDENTIAL UNITS FOR CONDOMINIUM PURPOSES IN THE ATTACHED RESIDENTIAL AND COMMERCIAL/RESIDENTIAL FLEX DESIGNATIONS OF THE LAKESHORE VILLAGE SPECIFIC PLAN (APNS: 379-230-001, 379-230-002)

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, 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; and,

Whereas, on March 7, 2023, at a duly noticed Public Hearing, the Commission considered evidence presented by the Community Development Department and other interested parties with respect to this item and by resolution recommended City Council approval of Tentative Tract Map No. 38271; 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 has reviewed and analyzed the proposed project pursuant to the California Planning and Land Use laws (Cal. Gov. Code §§ 65000 et seq.), the Lake Elsinore General Plan (GP), the Lakeshore Village Specific Plan (LVSP), and the LEMC, and finds and determines that the proposed project is consistent with the requirements of California Planning and Land Use laws, the goals and policies of the GP, the LVSP and the LEMC.

Section 3: The Council finds and determines that no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in an earlier Mitigated Negative Declaration (MND). 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 No. 2003-03 was adopted in 2003 for the Lakeshore Village Specific Plan and

evaluated environmental impacts that would result from development of the project area. 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 4: That in accordance with California Planning and Land Use Law and the LEMC, the Council makes the following findings for approval of Tentative Tract Map No. 38271:

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 Lakeshore Village Specific Plan (LVSP) and has a land use designation of Attached Residential (AR) and Commercial/Residential Flex (CRF). The intent of the AR designation is to accommodate attached rental residences in multi-family structures with a maximum density of 18 units per net acre; the intent of the CRF designation is to accommodate one and two neighborhood commercial businesses or flex residential use with a maximum density of 18 units per acre consistent with the AR designation. The application proposes to construct and subdivide 140 two-story attached residential condominium units on an approximately 9.71- acre parcel at an approximate density of 14.4 units per net acre. Therefore, the project is consistent with the LVSP. Furthermore, because the LVSP 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 LVSP 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 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 Lakeshore Drive along with street frontage improvements. The proposed development conforms to the applicable development standards provided in the Lakeshore Village Specific Plan. The site surroundings include residential and neighborhood 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 Lakeshore Drive along with construction 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 140 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 Mitigated Negative Declaration prepared for the Lakeshore Village 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 proposal involves the subdivision of an approximately 10.29-acre flat site into one lot for condominium purposes and the construction of 140 two-story attached 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. 38271.

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