



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Damaris Abraham, Interim Assistant Community Development Director

**Date:** May 9, 2023

**Subject:** **Planning Application No. 2018-02 (New Ventures) – A Request for Approval of Tentative Tract Map No. 38616 and a Conditional Use Permit to Subdivide an Approximately 0.34-Acre Parcel into One Lot for Condominium Purposes and to Convert an Existing Apartment Complex into Five Residential Condominium Units Located at the Northwest Corner of Graham Avenue and Lowell Street**

**Applicant:** Eric and Connie Kong, China Star International, Inc.

### **Recommendation**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k) (Existing Facilities);
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING FINDINGS THAT PLANNING APPLICATION NO. 2018-02 (CONDITIONAL USE PERMIT NO. 2023-03 AND TENTATIVE TRACT MAP NO. 38616) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP);
3. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 38616 TO SUBDIVIDE AN APPROXIMATELY 0.34-ACRE PARCEL INTO ONE LOT FOR CONDOMINIUM PURPOSES AND TO CONVERT AN EXISTING APARTMENT COMPLEX INTO FIVE RESIDENTIAL CONDOMINIUM UNITS LOCATED AT APN: 374-183-018; and
4. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2023-03 TO ESTABLISH A FIVE-UNIT RESIDENTIAL CONDOMINIUM ON AN APPROXIMATELY 0.34-ACRE PARCEL LOCATED AT APN: 374-183-018.

## **Background**

On October 9, 2018, the City Council approved Residential Design Review No. 2018-01 proposing the development of a five-unit apartment complex including three two-story buildings on the approximately 0.34-acre lot. Units A through D will have a 1,573 square-foot living area, a 250 square-foot garage, and a 55 square-foot entry area. Unit E will have a 1,983 square-foot living area, a 479 square-foot garage, a 32 square-foot balcony, and a 38 square-foot porch.

On August 22, 2022, a building permit was issued for the apartment complex which is currently under construction.

On April 18, 2023, the Planning Commission conducted a duly noticed public hearing and recommended approval of the project to the City Council with a 3-0 vote. No public comments were provided on the application, and only the applicant attended the hearing.

## **Project Location**

The project site is located at the northwest corner of Graham Avenue and Lowell Street (APN: 374-183-018).

## **Environmental Setting**

	<b>EXISTING LAND USE</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>
Project Site	Vacant	Residential Mixed Use (RM)	Residential Mixed Use (RMU)
North	Residential	Low Medium Residential (LMR)	Single-Family Residential (R-1)
South	Residential	Business Professional (BP)	Commercial Office (CO)
East	Residential	Residential Mixed Use (RM)	Residential Mixed Use (RMU)
West	Residential	Residential Mixed Use (RM)	Residential Mixed Use (RMU)

## **Analysis**

The project site is located within the Historic District and has a General Plan land use designation of Residential Mixed Use (RM) which provides for a mix of residential and non-residential uses within a single proposed development area with an emphasis on high-density residential uses. The project site is located within a Residential Mixed Use (RMU) zoning district.

A development proposal to construct three two-story apartment buildings totaling 8,275 square feet in floor area on the subject parcel was previously approved and the project is currently under construction. This application proposes to subdivide the subject lot into one common area parcel and to establish five separate residential condominium units within the existing buildings. The site surroundings include residential and office 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 project vicinity. Upon adherence to the conditions of approval imposed on the previous site development permit, the project is consistent with the General Plan and Municipal Code.

The Design Review Committee including staff from Planning, Building and Safety, Fire Prevention, and Engineering have reviewed the project, and have added permit conditions of approval to ensure that project activities will comply with adopted plans, policies, and regulations.

### **Environmental Determination**

Staff has determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k) (Class 1: Existing Facilities) because the project only involves the subdivision of an existing building into condominium units and no physical changes are proposed.

The project is consistent with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The project involves construction a five-unit apartment complex on a previously disturbed lot. The project site is not located in a Criteria Cell and there the project was not required to be processed through the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) processes. The project complies with all other applicable requirements of the MSHCP.

### **Public Notice**

Notice of the hearing for this application has been published in the Press-Enterprise newspaper and mailed to property owners within 300 feet of the subject property. As of the writing of this report, no written comments concerning this application have been received by staff.

### **Fiscal Impact**

The time and costs related to processing this extension of time request have been covered by the application fee paid by the applicant. No General Fund budgets have been allocated or used in the processing of this application.

### **Attachments**

- Attachment 1 – MSHCP Resolution
- Attachment 2 – TTM Resolution
- Attachment 3 – CUP Resolution
- Attachment 4 – Conditions of Approval
- Attachment 5 – Vicinity Map
- Attachment 6 – Aerial Map
- Attachment 7 – Tentative Tract Map 38616
- Attachment 8 – Public Notice Materials