

## **RESOLUTION NO. 2022-**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2021-02 (PLANNING DESIGN REVIEW NO. 2021-03) FOR THE CONSTRUCTION OF A 16-UNIT APARTMENT COMPLEX TOTALING 17,372 SQUARE FOOT AND RELATED IMPROVEMENTS LOCATED AT 200 N. RILEY STREET (APN: 374-162-036)**

**Whereas**, the City of Lake Elsinore (City) requests approval of Planning Application No. 2021-02 (Planning Design Review No. 2021-02 and Variance No. 2022-02) for the construction of a 16-unit affordable senior apartment complex and a variance request to increase the building height by 6'-8". The project site is located approximately at the southeast corner of the intersection of Riley St. and Heald Avenue and more specifically referred to as 200 North Riley Street (Assessor Parcel Number: 374-162-036); and,

**Whereas**, Section 6.0 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) requires that all discretionary projects within a MSHCP Criteria Cell undergo the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) to analyze the scope of the proposed development and establish a building envelope that is consistent with the MSHCP criteria; and,

**Whereas**, Section 6.0 of the MSHCP further requires that the City adopt consistency findings demonstrating that the proposed discretionary entitlement complies with the MSHCP Criteria Cell, and the MSHCP goals and objectives; and,

**Whereas**, the proposed project is exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq.: "CEQA") and CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically pursuant to Section 15332 (Class 32 – In-Fill Development Projects); and,

**Whereas**, pursuant to Section 17.415.050 (Major Design Review) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying design review applications; and,

**Whereas**, on May 17, 2022 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..

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

**Section 1:** The Commission has considered the Project prior to making a determination and has found it acceptable.

**Section 2:** That in accordance with the MSHCP, the Commission makes the following findings for MSHCP consistency:

1. The Project is not subject to the City's LEAP and the Western Riverside County Regional Conservation Authority's (RCA) JPR processes as it is not located within a Criteria Cell.

2. The Project is consistent with the Riparian/Riverine Areas, Vernal Pools Guidelines, and the Fuel Management Guidelines as the Project is wholly located within an existing building and does not include any earth disturbing activities therefore Sections 6.1.2 or 6.3.1 of the MSHCP are not applicable.
3. The project is consistent with the Protection of Narrow Endemic Plant Species Guidelines and the Additional Survey Needs and Procedures because the project is not located within any Narrow Endemic Plant Species Survey Areas or Critical Species Survey Areas.
4. The Project is consistent with the Fuels Management Guidelines because the Project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas.
5. The project has been conditioned to pay any applicable MSHCP Local Development Mitigation fees.

**Section 3:** The Planning Commission finds proposed project is exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq.: "CEQA") and the State CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically pursuant to Section 15332 (Class 32 – In-Fill Development Projects) because the Project is consistent with the applicable General Plan designation and policies, as well as zoning designation and regulations, the Project is within the City's boundaries and on a site less than five acres surrounded by urban uses, the Property has no value as habitat, and approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the Project is adequately served by all required utilities and public services.

**Section 4:** That in accordance with State Planning and Zoning Law and the Lake Elsinore Municipal Code, the Planning Commission makes the following findings regarding Planning Application No. 2021-02 (Planning Design Review No. 2021-02):

1. The project, as approved, will comply with the goals and objectives of the General Plan and the zoning district in which the project is located.

*The proposed apartments and ancillary improvements are compatible with the General Plan and the proposed use furthers the goals and objectives of the General Plan, and the proposed project is found to be consistent with the General Plan. The subject use is a permitted use in the Downtown Elsinore Specific Plan Medium Density Residential land use designation, and the proposed development complies with all applicable development standards. The proposed project is therefore found to be consistent with the General Plan and the Municipal Code.*

2. The project complies with the design directives and all other applicable provisions of the Municipal Code.

*The proposed project provides a continuity of a design that is consistent with the downtown. The proposed project has effectively designed to break up massing and provides an attractive building design. Landscaping has been fully developed to mitigate visual impacts. The proposed project has been designed in such a manner as to mitigate all potential visual impacts associated with mechanical equipment.*

3. Conditions and safeguards pursuant to Section 17.415.050.G.3 of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the

approval of the Project to ensure development of the property in accordance with the objectives of Section 17.415.050.

*Pursuant to Section 17.415.050.E of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing held on May 17, 2022. The Project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment.*

**Section 5:** Based upon the evidence presented, both written and testimonial, and the above findings, the Commission hereby recommends that the Council find that the Project is consistent with the MSHCP.

**Section 6:** Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Project, the Planning Commission hereby approves Planning Application No. 2021-02 (Planning Design Review No. 2021-02).

**Section 7:** This Resolution shall take effect from and after the date of its passage and adoption.

**Passed and Adopted** on this 17<sup>th</sup> day of May, 2022.

\_\_\_\_\_  
John Gray, Chairman

**Attest:**

\_\_\_\_\_  
Damaris Abraham,  
Planning Manager

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

I, Damaris Abraham, Planning Manager of the City of Lake Elsinore, California, hereby certify that Resolution No. 2022-\_\_ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held May 17, 2022 and that the same was adopted by the following vote:

AYES  
NOES:  
ABSTAIN:  
ABSENT:

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Damaris Abraham,  
Planning Manager