

ORDINANCE NO. 2017-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,
CALIFORNIA APPROVING THE AMENDED AND RESTATED ALBERHILL VILLAGES
SPECIFIC PLAN NO. 2010-02**

WHEREAS, On June 14, 2016, after public hearing and consideration of all written and oral staff reports, recommendation from the Planning Commission, comments and responses to comments to the Environmental Impact Report (hereinafter defined), public testimony and such other matters as are reflected in the record of the public hearing, the City Council of the City of Lake Elsinore approved the following which are collectively referred to herein as the "Project":

(i) Resolution No. 2016-076 certifying the Final Environmental Impact Report (SCH No. 2012061046) for the Alberhill Villages Specific Plan No. 2010-02 (the "Final EIR"), General Plan Amendment No. 2012-01 and Zone Change No. 2012-02, Adopting Findings Pursuant to the California Environmental Quality Act, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program,

(ii) Resolution No. 2016-77 approving General Plan Amendment No. 2012-01 which amended the Lake Elsinore General Plan land use designation for the project site to "Alberhill Villages Specific Plan,"

(iii) Ordinance No. 2016-1361, effective July 28, 2016, adopting the Alberhill Villages Specific Plan No. 2012 ("AVSP") and Zone Change 2012-02 which amended the project site's zoning from a mix of zoning designations to "Alberhill Villages Specific Plan";

WHEREAS, the Project consists of a 1,375-acre site located south of Interstate 15 and west of Lake Street and includes approximately 8,024 dwelling units; 3,810,300 square feet of non-residential uses including civic/institutional, commercial/retail, professional office/medical and entertainment uses; university or similar educational institution; and supporting uses including schools, parks, places of religious assembly, open space and green belt paseos;

WHEREAS, following the June 14, 2016 adoption of the Project, the property owner, Pacific Clay Products, Inc. and the City engaged in discussions and have mutually proposed an Amended and Restated Alberhill Villages Specific Plan and related Development Agreement (collectively, the "Entitlements") in an effort to eliminate certain ambiguities and provide clarification with respect to the implementation of the AVSP, refine the AVSP land use plan, and identify a financing mechanism for the Regional Sports Park;

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");

WHEREAS, in accordance with Section 15164 (a) of the CEQA Guidelines the City prepared an Addendum to the previously certified Final EIR for the Entitlements;

WHEREAS, the Planning Commission has been delegated with the responsibility of making recommendations to the City Council pertaining to proposed Specific Plans and Development Agreements

Whereas, on February 7, 2017, the Planning Commission considered evidence presented by the Community Development Department and other interested parties at a duly noticed public hearing held with respect to the Amended and Restated Alberhill Villages Specific Plan and by Resolution No. 2017- 19 recommended that the City Council adopt an Ordinance approving the Amended and Restated Alberhill Villages Specific Plan No. 2010-02;

Whereas, on February 14, 2017 the City Council conducted a duly noticed public hearing and considered all public oral and written testimony.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. On February 14, 2017, after consideration and evaluation of all written reports and comments and oral testimony presented by the Community Development Department and other City departments, property owners, residents and other interested parties and such other matters as are reflected in the record of the noticed Public Hearing on the Project, the Council adopted Resolution No. 2017-____ finding and determining that that the Addendum to Environmental Impact Report (State Clearinghouse No. 2012061046: the “EIR”) is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA); and that the Addendum to the Final EIR represents the City’s independent judgment. Based upon those findings and determinations, the Council approves the Addendum to the Final Environmental Impact Report. The Addendum to the FEIR provides the necessary environmental clearance for the Amended and Restated AVSP No. 2010-02.

Section 2. The Council has reviewed and analyzed the proposed Amended and Restated AVSP No. 2010-02 pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 65000 et seq.), the Lake Elsinore General Plan and the LEMC and finds and determines that the proposed Amended and Restated Alberhill Villages Specific Plan No. 2010-02 are consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the Lake Elsinore General Plan and the LEMC.

Section 3. That in accordance with the State Planning and Zoning Law and Chapter 17.204 (SPD Specific Plan District) of the LEMC the Council hereby makes the following findings for the approval of the Amended and Restated AVSP No. 2010-02:

1. The location and design of the proposed development shall be consistent with the goals and policies of the City’s General Plan and with any other applicable plan or policies adopted by the City.

The land uses and densities associated with the Amended and Restated Alberhill Villages Specific Plan provide a variety of lot and home size product type and non-residential uses in order to implement the objectives of the City’s General Plan and the project proponents. The existing General Plan designation for the 1,375-acre Project site is “Alberhill Villages Specific Plan” which allows up to 8,024 dwelling units and 3,810,300 square feet of non-residential uses which remain unchanged in the Amended and Restated Alberhill Villages Specific Plan.

2. The proposed Amended and Restated Alberhill Villages Specific Plan will permit reasonable development of the area consistent with its constraints and will make the area more compatible with adjacent properties.

The proposed Amended and Restated Alberhill Villages Specific Plan will allow for the development of the Alberhill Villages Specific Plan, a master planned development with approximately 8,024 dwelling units; 3,810,300 square feet of non-residential uses including civic/institutional, commercial/retail, professional office/medical and entertainment uses; university or similar education institutional use; and supporting uses including schools, parks, places of religious assembly, open spaced and green belt paseos.

3. All vehicular traffic generated by the development, either in phased increments or at full build-out, is to be accommodated safely and without causing undue congestion upon adjoining streets.

A Traffic Impact Analysis dated October 14, 2015, was prepared by Linscott, Law and Greenspan (LLG) for the Alberhill Villages Specific Plan and its related cases. The Traffic Impact Analysis provided mitigation measures through all phases of development of the specific plan. Additionally LLG conducted a traffic impact evaluation of the potential traffic impacts associated with the Amended and Restated Alberhill Villages Specific Plan and determined that the traffic impacts will be equal to or less than the traffic impacts identified in the existing AVSP.

4. The overall design of the Amended and Restated Alberhill Villages Specific Plan will produce an attractive, efficient and stable development.

Design standards and guidelines have been incorporated into the specific plan to ensure an attractive, efficient and vibrant project. Visual graphics and photos accompany the design guidelines that capture the atmosphere and cohesiveness that the specific plan seeks to emulate.

5. The proposed Amended and Restated Alberhill Villages Specific Plan will not be a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.

The proposed Amended and Restated Alberhill Villages Specific Plan has been analyzed relative to its potential to have detrimental effects and conditions have been imposed on the subject project to ensure that the health, safety and welfare of surrounding residents will be protected.

6. The proposed development will not have a significant effect on the environment.

The effects of the project have been analyzed in the Final Environmental Impact Report (SCH #2012061046) prepared for the project and adequate mitigation measures have been prepared where necessary, and as determined by the Addendum to the Final EIR prepared for the Amended and Restated Alberhill Villages Specific Plan and related Development Agreement no new significant environmental impacts will result from the Entitlements.

Section 4. Based upon the evidence presented, both written and testimonial, and the above findings, the City Council adopts the Amended and Restated AVSP No. 2010-02.

Section 5. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

Section 6. This Ordinance shall take effect thirty (30) days after the date of its final passage or such later date as may be designated by the City Council. The City Clerk shall certify as to adoption of this Ordinance and cause this Ordinance to be published and posted in the manner required by law.

PASSED and ADOPTED this ____th day of February, 2017.

Robert Magee, Mayor

Attest:

Approved as to Form

Susan M. Domen, MMC, City Clerk

Barbara Leibold, City Attorney

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

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, do hereby certify that Ordinance No. 2017-____ was introduced at the regular meeting of held on the 7th day of February, 2017, and adopted by the City Council of the City of Lake Elsinore at its Regular meeting of February ____, 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Susan M. Domen, MMC,
City Clerk