

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2016-01 PROVIDING BUILDING DESIGNS FOR 65,803 SQUARE FEET OF DEVELOPMENT CONSISTING OF A MAIN BUILDING LOCATED ON THE SOUTHERN PORTION OF THE SITE AND FOUR PAD BUILDINGS WITH ASSOCIATED ON-SITE AND OFF-SITE IMPROVEMENTS

WHEREAS, Peninsula Retail Partners, has filed an application for Commercial Design Review (CDR) No. 2016-02 with the City of Lake Elsinore (City) requesting approval of architectural plans for a 65,803 square foot commercial development on 7.25 acres of disturbed vacant land. The Project site is located on 7.25 acres generally located at the southeast corner of Central Avenue (State Highway 74) and Collier Avenue. The site contains two parcels, identified as Assessor's Parcel Numbers (APNs) 377-080-014, 031, 032, 033, and 034; and,

WHEREAS, pursuant to the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000 *et seq.*: "CEQA") and the State Guidelines for Implementation of CEQA (14 C.C.R. §§ 15000 *et seq.*: "CEQA Guidelines"), public agencies are expressly encouraged to reduce delay and paperwork associated with the implementation of CEQA by using previously prepared environmental documents when those previously prepared documents adequately address the potential impacts of the proposed Project (CEQA Guidelines Section 15006); and,

WHEREAS, pursuant to Lake Elsinore Municipal Code (LEMC) Chapter 17.184 Design Review the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to the residential design review; and,

WHEREAS, on March 21, 2017, 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; and,

Whereas, pursuant to Lake Elsinore Municipal Code (LEMC) Chapter 17.184 (Design Review) the Council of the City has the responsibility of making decisions to approve, modify or disapprove recommendations of the Commission for CDR applications; and,

WHEREAS, on March 28, 2017, 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 CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The Council has considered the proposed design for CDR No. 2016-01 for a 65,803 square foot commercial development. The Commission has reviewed and analyzed the proposed project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 65000 *et seq.*), the Lake Elsinore General Plan the LEMC and finds and determines that the proposed CDR No. 2016-01 is 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 2. On March 28, 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 MND 2016-01 EIR (SCH# 2017021072) is adequate and prepared in accordance with the requirements of CEQA.

SECTION 3. That in accordance with State Planning and Zoning Law and the LEMC, the Council makes the following findings regarding CDR No. 2016-01:

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 subject site is located in the Business District and has a land use designation of General Commercial. The General Commercial land use designation has a FAR of 0.4 and the Project has a total FAR 0.21, thus complying with the General Plan FAR requirements. The primary goal of the Business District is to encourage its position as the industrial and commercial hub of the City and to ensure that new growth respects the environmental sensitivity of the natural wetlands, floodway and floodplain. Furthermore, the goal of the Business District is to support a vibrant commercial and industrial hub with high quality developments that have a strong orientation towards major corridors. Because the proposed Project complies with the FAR requirements and creates development that is oriented to major corridors and facilitates further commercial development within a commercial hub the proposed Project is found to be consistent with the General Plan.

2. The Project complies with the design directives and all other applicable provisions of the Municipal Code or Specific Plan.

The proposed Project is located in the C2-General Commercial zone district. The proposed Project proposes uses which are permitted or permitted subject to the approval of a Conditional Use Permit (CUP). The proposed Project's design meets all Municipal Code requirements. Because the uses are permitted or permitted subject to the approval of a CUP and the development complies with the development standards, it is found to be consistent with the LEMC.

3. Conditions and safeguards pursuant to Chapter 17.184.070 of the Municipal Code, 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 Chapter 17.184.

Pursuant to Section 17.184.070 of the LEMC, the Project been considered by the Commission at a duly noticed Public Hearing on March 21, 2017. The proposed Project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment. Furthermore, appropriate Conditions of Approval have been included that would mitigate any potential issues associated with the future development and establishment of use.

SECTION 4. Based upon all of the evidence presented, the above findings, and the Conditions of Approval imposed upon the Project, the City Council approves CDR No. 2016-01.

SECTION 5. This Resolution shall take effect from and after the date of its passage and adoption.

Passed and Adopted this 28th day of March 2017.

Robert E. 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, California, do hereby certify that Resolution No. 2017-____ was adopted by the City Council of the City of Lake Elsinore, California, at the Regular meeting of March 28, 2017, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Susan M. Domen, MMC
City Clerk