

RESOLUTION NO. 2017-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, APPROVAL OF MITIGATED NEGATIVE DECLARATION 2016-01 FOR PLANNING APPLICATION 2017-74 (COMMERCIAL DESIGN REVIEW NO. 2018-02; TENTATIVE PARCEL MAP NO. 37534; CONDITIONAL USE PERMIT NO. 2017-18).

Whereas, Tally CM has submitted an application for several entitlements which include a Tentative Tract Map for the consolidation of three (3) lots into one (1) lots and the reconfiguration of the adjacent right of way, a Conditional Use Permit to permit the operation of a vehicle sales and repair facility and a Commercial Design Review application for development of a 53,425 square foot of building.. The Project site is located on the southeast corner of the intersection of Collier and Crane Avenues in Lake Elsinore, California and is comprised of three parcels, totaling approximately 6.97 acres in size, and known as Assessor Parcel Numbers (APNs) 377-080-053, 377-080-057, and 377-080-079; and,

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”) because the Project involves an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and involves the issuance of a lease, permit license, certificate, or other entitlement for use by one or more public agencies (Public Resources Code Section 21065); and,

Whereas, pursuant to CEQA Guidelines Section 15063, the City conducted an Initial Study to determine if the Project would have a significant effect on the environment. The Initial Study revealed that the project would have potentially significant environmental impacts but those potentially significant impacts could be mitigated to less than significant levels; and,

Whereas, based upon the results of the Initial Study, and based upon the standards set forth in CEQA Guidelines Section 15070, it was determined that it was appropriate to prepare and circulate Mitigated Negative Declaration (Environmental Review No. 2018-01) for the Project (the “Mitigated Negative Declaration”); and,

Whereas, pursuant to CEQA Guidelines Section 15072, on February 17, 2017, the City duly issued a notice of intent to adopt the Mitigated Negative Declaration (MND); and,

Whereas, in accordance with CEQA Guidelines Section 15073, the MND was made available for public review and comment for a minimum of twenty days beginning on July 19, 2018, and ending on August 7, 2018 and,

Whereas, a Mitigation Monitoring and Reporting Program (MMRP) (Exhibit A) for the Project has been prepared in accordance with Section 21081.6 of CEQA; and,

Whereas, pursuant to LEMC Chapter 16.24 (Tentative Map), 17.186 (Conditional Use Permits), 17.184 (Design Review), and 17.196 (Signs – Advertising Structures) the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to Design Review of residential projects; and,

Whereas, on August 7, 2018, 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 adopted Resolution 2018-__ recommending that the Council adopt the MND.

NOW, THEREFORE, THE PLANNING COMMISSION 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 Commission has evaluated all comments, written and oral, received from persons who have reviewed the MND. The Commission hereby finds and determines that all public comments have been addressed.

Section 3: The Commission hereby finds that the MND for the Project is adequate and has been completed in accordance with CEQA, the State CEQA Guidelines, and the City's procedures for implementation of CEQA; and recommends to the Council that it make the same finding. The Commission has reviewed and considered the information contained in the MND and finds that the MND represents the independent judgment of the City.

Section 4: The Commission further finds and determines that none of the circumstances listed in CEQA Guidelines Section 15073.5 requiring recirculation of the MND are present and that it would be appropriate to recommend adoption the MND as proposed to the Council.

Section 5: The Commission hereby makes, adopts, and incorporates the following findings regarding the lack of potential environmental impacts of the Project and the analysis and conclusions set forth in the MND:

1. Revisions in the Project plans or proposals made by or agreed to by the applicant before a MND and Initial Study was released for public review and mitigation measures set forth in the Initial Study would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

Based upon the Initial Study conducted for the Project, there is substantial evidence suggesting that all potential impacts to the environment resulting from the Project can be mitigated to less than significant levels. All appropriate and feasible mitigation has been incorporated into the Project design. The Mitigation Monitoring and Reporting Plan contains an implementation program for each mitigation measure. After implementation of the mitigation contained in the Mitigation Monitoring and Reporting Plan, potential environmental impacts are effectively reduced to less than significant levels.

2. There is no substantial evidence, in the light of the whole record before the agency including the initial study and any comments received, that there is no substantial evidence that the Project will have significant effect on the environment.

Pursuant to the evidence received, including comment letters, and in the light of the whole record presented, the Project will not have a significant effect on the environment.

Section 7: Based upon the evidence presented, the above findings, and the attached conditions of approval, the Commission of the City of Lake Elsinore, recommends that the Council of the City of Lake Elsinore adopt the MND and the MMRP for Planning Application 2017-74 (Commercial Design Review NO. 2018-02; Tentative Parcel Map NO. 37534; Conditional Use Permit NO. 2017-18). 2016-01, Conditional Use Permit 2016-01, and Tentative Tract Map 37284.

Section 8: This Resolution shall take effect from and after the date of its passage and adoption.

Passed and Adopted on this 7th day of August 2018, by the following Vote

Myles Ross, Chairman

Attest

Justin Kirk,
Assistant Community Development Director

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

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2018- ____ as adopted by the Planning Commission of the City of Lake Elsinore at a Regular meeting held of August 7, 2018, and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Justin Kirk,
Assistant Community Development Director