

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2018-96 (RESIDENTIAL DESIGN REVIEW NO. 2018-40) PROVIDING BUILDING DESIGNS AND RELATED IMPROVEMENTS FOR 101 SINGLE-FAMILY RESIDENTIAL UNITS LOCATED WITHIN TRACT 31920-20 OF THE SUMMERLY DEVELOPMENT OF THE EAST LAKE SPECIFIC PLAN (APN: 371-040-014)

Whereas, K. Hovnanian Homes has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2018-96 (Residential Design Review No. 2018-40) for the design and construction of 101 single-family residential units, preliminary plotting, conceptual wall and fence plan, and related improvements (Project). The Project is located in Tract Map No. 31920-20 (APN: 371-040-014) of the Summerly Development of the East Lake Specific Plan (ELSP); 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, 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, CEQA Guidelines Section 15162 establishes the standard to be used when determining whether subsequent environmental documentation is necessary and says that when an environmental document has already been adopted for a project, no subsequent environmental documentation is needed for subsequent entitlements which comprise the whole of the action unless substantial changes or new information are presented by the project; and,

Whereas, an Environmental Impact Report (EIR) was approved and adopted in 2017 for the ELSP, Amendment No. 11 (ELSP#11) (SCH #2016111029) and evaluated environmental impacts that would result from maximum build-out of the specific plan, which contemplated development of single-family residential development; and,

Whereas, the Project does not present substantial changes or new information regarding the potential environmental impacts of development; and,

Whereas, on March 5, 2019 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 Section 17.184.090 of LEMC the Council has the responsibility of making decisions to approve, modify, or disapprove recommendations of the Commission for residential design review applications; and,

Whereas, on March 26, 2019, at a duly noticed Public Meeting, the Council has considered the recommendation of the Commission as well as 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 reviewed and analyzed the proposed Project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 59000 et seq.), the Lake Elsinore General Plan (GP), the ELSP#11, and the LEMC and finds and determines that the proposed Project is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP, ELSP#11, and the LEMC.

Section 2: The Council finds and determines that no new CEQA documentation is necessary. The Project comprises the whole of an action that was analyzed in the previously approved and certified Environmental Impact Report (SCH #2016111029) for the ELSP#11. Approval of the Project will not change density or intensity of use; it simply establishes standards for color palettes, articulation, orientation, and design of single-family residential development. Therefore, no further environmental review is necessary.

Section 3: That in accordance with Lake Elsinore Municipal Code Chapter 17.184, the Council makes the following findings regarding Planning Application No. 2018-96 (Residential Design Review No. 2018-40):

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 Project is located within the ELSP#11 and has a Land Use designation of Low-Medium Density Residential (LMR). The proposed Project constitutes build out of a previously approved tract map (TR31920-20) that was found to comply with the goals and objectives of the General Plan and the ELSP#11. The proposed Project does not propose an increase in density of development than what was previously approved. Further, the single-family homes will assist in achieving the development of a well-balanced and functional mix of residential, commercial, industrial, open space, recreational and institutional land uses.

2. The Project complies with the design directives contained in the ELSP#11 and all applicable provisions of the LEMC.

The Project is appropriate to the site and surrounding developments and is a continuation of a previously approved residential product in the adjacent area. The three (3) architectural styles proposed will create a distinctive street scene within the Project site. Sufficient setbacks and onsite landscaping have been provided thereby creating interest and varying vistas. In addition, safe and efficient circulation has been achieved onsite.

3. Conditions and safeguards pursuant to Chapter 17.184.070 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 Chapter 17.184.

Pursuant to Section 17.184.070 of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing held on March 5, 2019. The Project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment. Approval of the Project will not result in a substantial change to the previously adopted EIR. Therefore, no additional environmental review is necessary.

Section 4: Based upon all of the evidence presented and the above findings, the Council hereby approves Planning Application No. 2018-96 (Residential Design Review No. 2018-40).

Section 5: This Resolution shall take effect immediately upon its adoption.

Section 6: The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

Passed and Adopted on this 9th day of April 2019.

Steve Manos, Mayor

Attest:

Mark Mahan, Deputy City Clerk

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

I, Mark Mahan, Deputy City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2019-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of April 9, 2019, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mark Mahan, Deputy City Clerk