

RESOLUTION NO. 2019-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL RESIDENTIAL DESIGN REVIEW 2015-03 FOR THE CONSTRUCTION OF A 6,839 SQUARE FOOT, EIGHT (8) UNIT APARTMENT COMPLEX AND RELATED IMPROVEMENTS LOCATED AT 125 HEALD AVE (APN:373-025-008)

WHEREAS, Stanley Lau, Plenty of Gold, LLC requests approval of the construction of a 6,839 Square Foot, Eight (8) Unit Apartment Complex, laundry facility, trash enclosure and related improvements. The proposed project is specifically located at Located at 125 Heald Ave (APN: 373-025-008) generally located at the northeast corner of Heald Ave and Ellis; 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, the 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*); and

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

WHEREAS, on April 16, 2019, at a duly noticed public hearing the Planning 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 2: The Planning Commission has considered the proposed design for Residential Design Review No. 2015-03 for a 6,839 Square Foot, Eight (8) Unit Apartment Complex, laundry facility, trash enclosure and related improvements and has found it acceptable. The Planning 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 East Lake Specific Plan Amendment No. 6 and the Lake Elsinore Municipal Code and finds and determines that the proposed Residential Design Review No. 2015-03 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 Lake Elsinore Municipal Code.

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 Residential Design Review No. 2015-03:

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 RMU district, and the proposed development complies with all applicable development standards. The proposed project is therefore found to be consistent with 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 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 Lake Elsinore Municipal Code, the Project been considered by the Planning Commission at a duly noticed public hearing on April, 16, 2019. 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 5: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Project, the Planning Commission hereby recommends that the City Council approve Residential Design Review No. 2015-03.

Section 6: This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED this 16th day of April, 2019, by the following vote:

Myles Ross, Chairman
City of Lake Elsinore Planning Commission

ATTEST:

Justin Kirk,
Assistant Community Development Director

STATE OF CALIFORNIA ss
COUNTY OF RIVERSIDE
CITY OF LAKE ELSINORE

I, Justin Kirk, Principal Planner of the City of Lake Elsinore, California, hereby certify that Resolution No. 2019- ____ as adopted by the Planning Commission of the City of Lake Elsinore at a regular meeting held on the 16th day of April 2019 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Justin Kirk, Assistant Community Development Director