

RESOLUTION NO. 2019-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT (ER 2018-03) (SCH NO. 2018051051) FOR PLANNING APPLICATION NO. 2017-29 (SPECIFIC PLAN NO. 2018-01, SPECIFIC PLAN AMENDMENT NO. 2017-03, GENERAL PLAN AMENDMENT NO. 2018-01, ZONE CHANGE NO. 2018-01, AND TENTATIVE TRACT MAP NO. 37305)

Whereas, Eric Werner, Nichols Road Partners, LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2017-29 (Specific Plan No. 2018-01, Specific Plan Amendment No. 2017-03, General Plan Amendment No. 2018-01, Zone Change No. 2018-01, and Tentative Tract Map No. 37305) to establish the Nichols Ranch Specific Plan (NRSP) over the 72.5-acre property that includes 168 residential homes on approximately 31.1 acres; 14.5 acres of commercial uses (130-room hotel, 6,000 Square Foot (SF) fast-food restaurant with a drive-through, 5,500 SF fast-food restaurant without a drive-through, 9,400 SF sit-down restaurant, 4,400 SF commercial retail uses, an 8,000 SF health and fitness club, a gas station (with market and car wash) with 16 fueling stations, and 43,000 SF office uses); 8.3 acres of recreation uses; drainage basins on 5.5 acres; 1.3 acres of open space; and roadways on 5.3 acres; and,

Whereas, the Project is located in the northeastern portion of the City of Lake Elsinore, and is located east of the I-15, south of Nichols Road, and west of Wood Mesa Court/El Toro Road. The Project site encompasses Assessor Parcel Numbers (APNs) 389-200-038, 389-210-008, 389-210-032, 389-210-034, and 389-210-036; and,

Whereas, the City prepared a Draft Environmental Impact Report (EIR) (SCH No. 2018051051) on the Project pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.: "CEQA"), the State Guidelines for Implementation of the California Environmental Quality Act (California Code of Regulations, Sections 15000 et seq.: the "State CEQA Guidelines"), and the City's Procedures for Implementing the State CEQA Guidelines and its other procedures relating to environmental evaluation of public and private projects; and,

Whereas, the City transmitted for filing a Notice of Preparation of the Draft EIR on May 24, 2018 in accordance with the CEQA Guidelines, for distribution to those agencies which have jurisdiction by law with respect to the Project and to other interested persons and agencies, and sought the comments of such persons and agencies; and,

Whereas, pursuant to CEQA Guidelines, Section 15082(c)(1), on June 14, 2018, the City held a duly noticed scoping meeting in order to facilitate consultation regarding the scope and content of the environmental information in the Draft EIR; and,

Whereas, the City transmitted for filing a Notice of Availability/Notice of Completion of a DEIR and in accordance with the State CEQA Guidelines forwarded the DEIR to the State Clearinghouse, for distribution to those agencies which have jurisdiction by law with respect to the Project, and to other interested persons and agencies, and sought the comments of such persons and agencies; and,

Whereas, the State Clearinghouse posted the DEIR for a 45-day public comment period which ran from March 19, 2019 to May 3, 2019; and,

Whereas, notice to all interested persons and agencies inviting comments on the Draft EIR was published in accordance with the provisions of CEQA and the State CEQA Guidelines and the Lake Elsinore Municipal Code and posted at the Office of the County Clerk of Riverside County on March 19, 2019. A total of six (6) comment letters and e-mails regarding the DEIR and the NRSP document were received during the 45-day public comment period. Responses to comments were prepared and have been provided in Subsection F.2.2 of the Draft Final EIR. There were no public comments or changes to the text or analysis contained in the DEIR that resulted in the identification of any new significant environmental effect or a substantial increase in the severity of environmental effects that were disclosed in the DEIR. Only minor clarifications and amplifications were made to the DEIR in response to public comments, including revisions to more accurately characterize cultural resources and the Project's tribal consultation process. Therefore, in accordance with Section 15088.5 of the CEQA Guidelines a recirculation of the DEIR is not warranted; and,

Whereas, all actions required to be taken by applicable law related to the preparation, circulation, and review of the DEIR have been taken; and,

Whereas, the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council for certifying EIRs, and,

Whereas, the DEIR was sent to the Commission members on or about March 19, 2019, and was considered by the Commission on May 21, 2019 at a duly noticed Public Hearing and the Commission has considered evidence presented by the Community Development Department and other interested parties on the adequacy of the DEIR.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND AS FOLLOWS:

Section 1: The Commission has considered and evaluated all written and oral staff reports and comments received from persons who have reviewed the Draft EIR, the comments submitted on the Draft EIR; the public testimony, and such other matters as are reflected in the record of the public hearing on the Project and the Draft EIR.

Section 2: The Commission hereby recommends to the Council that the EIR for the Project is adequate and has been completed in compliance with CEQA, the State CEQA Guidelines, and local procedures adopted by the City pursuant thereto. The Commission has reviewed and considered the information contained in the Draft Final EIR and finds that the Draft Final EIR represents the independent judgment of the City.

Section 3: Based upon all of the evidence presented and the above findings, the Commission hereby recommends the Council certify the EIR for the Project.

Section 4: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 21st day of May, 2019.

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. 2019-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on May 21, 2019 and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Justin Kirk,
Assistant Community Development Director