

RESOLUTION NO. 2019-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL OF 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, Tentative Tract Map No. 37305 (TTM 37305) is a subdivision of the 72.5-acre site into 168 residential lots ranging in size from 4,549 SF to 9,468 SF (average 5,896 SF) on 22.74 acres, one (1) 14.22-acre commercial lot, one (1) 0.13-acre a sewer lift station lot, one (1) 6.49-acre park site, two (2) water quality/detention basin lots on 5.45 acres; nine (9) landscape lots on 1.45 acres; three (3) open space/landscape lots on 3.04 acres; two (2) open space lots on 6.49 acres; and public streets on 12.28 acres. TTM 37305 also proposes circulation improvements that include the realignment and construction of a segment of Nichols Road (off-site) along the Project's frontage, construction of the western half of Wood Mesa Court (onsite), a bridge over Stovepipe Creek (on site), and on-site local roadways; and,

Whereas, the City prepared a Draft Environmental Impact Report (EIR) (SCH No. 2018051051) for 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 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. 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, pursuant to Lake Elsinore Municipal Code (LEMC) Chapter 16.24 (Tentative Map) the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to tentative maps; and,

Whereas, on May 21, 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.

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

Section 1: Prior to making a recommendation to the Council, the Commission has reviewed and analyzed the proposed Project pursuant to the appropriate Planning and Zoning Laws, the Lake Elsinore General Plan (GP), the LEMC, and the proposed Nichols Ranch Specific Plan (NRSP), and Chapter 16 (Subdivisions) of the LEMC.

Section 2: The Commission has considered and evaluated all written and oral staff reports and comments received from persons who have reviewed the DEIR, the comments submitted on the DEIR; the public testimony, and such other matters as are reflected in the record of the public hearing on the Project and the DEIR. 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 EIR and finds that the Draft EIR represents the independent judgment of the City.

Section 3: That in accordance with State Planning and Zoning Law and the LEMC, the Commission makes the following findings for approval of Tentative Tract Map No. 37305:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).
 - a. *The design of the proposed map, 168 residential lots on 22.74 acres, one (1) 14.22-acre commercial lot, one (1) 0.13-acre a sewer lift station lot, one (1) 6.49-acre park site, two (2) water quality/detention basin lots on 5.45 acres; nine (9) landscape lots; three (3) open space/landscape lots; two (2) open space lots; and public streets on 12.28 acres, is consistent with the proposed Nichols Ranch Specific Plan and the proposed General Plan Amendment.*
 - b. *The land uses and densities associated with the Nichols Ranch Specific Plan provide a variety of lot and home size product type in order to implement the objectives of the City's General Plan and the project proponents.*
 - c. *All offsite mitigation measures have been identified in a manner consistent with the General Plan.*
 - d. *All recreational amenities have been provided in a manner consistent with the General Plan.*
2. The effects that this project are likely to have upon the housing needs of the region, the public service requirements of its residents and the available fiscal and environmental resources have been considered and balanced.
 - a. *TTM 37305 is consistent with the proposed Nichols Ranch Specific Plan land use plan, development and design standards, and programs, and all other appropriate requirements contained in the General Plan. TTM 37305 is consistent with Housing*

Element Policy 3.1 to “Use the City’s General Plan, Municipal Code, other land use and development plans, and the development process to provide housing sites that meet the identified local need.”

3. The proposed division of land or type of improvements is not likely to result in any significant environmental impacts.
 - a. *The Project has been adequately conditioned by all applicable departments and agencies and will not therefore result in any significant environmental impacts. The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.*
4. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.
 - a. *TTM 37305 has been designed in a manner consistent with the General Plan and the proposed Nichols Ranch Specific Plan and does not divide previously established communities.*
5. The design of the proposed division of land or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed division of land.
 - a. *All known easements or request for access have been incorporated into the design of TTM 37305.*
 - b. *The map has been circulated to City departments and outside agencies, and appropriate Conditions of Approval have been applied to the Project.*

Section 4: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Project, the Commission hereby recommends that the Council approve Tentative Tract Map No. 37305.

Section 5: 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