

RESOLUTION NO. 2019-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2018-01

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, General Plan Amendment (GPA) No. 2018-01 proposes to change the Land Use Designation of the southern 27.1 acres of the Project site from “General Commercial” to “Specific Plan” land uses; and,

Whereas, Government Code Section 65358 empowers the legislative body to amend all or part of an adopted general plan if to do so would be in the public interest and so long as no mandatory element of the general plan is amended more frequently than four (4) times during any calendar year; and,

Whereas, General Plan Amendment 2018-01 is part of the City’s Second (1st) Cycle amendments to the Lake Elsinore General Plan Land Use Map and Circulation Element Map for the 2019 calendar year; and,

Whereas, pursuant to Government Code Section 65354 the Planning Commission (Commission) has been delegated with the responsibility of reviewing and making recommendations to the City Council (Council) regarding general plan amendments; and,

Whereas, on May 21, 2019, at a duly noticed Public Hearing the Commission has considered the evidence presented by the Community Development Department and other interested parties with respect to this item, and adopted a resolution recommending Council approval of General Plan Amendment No. 2018-01; and,

Whereas, on June 11, 2019 at a duly noticed Public Hearing, 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 AS FOLLOWS:

Section 1: The Council has reviewed and analyzed proposed GPA No. 2018-01 pursuant to the California Planning and Zoning Laws (Cal. Gov. Code Sec 65000 et. seq.), the Lake Elsinore General Plan (GP) and the Lake Elsinore Municipal Code (LEMC) and finds that the proposed GPA No. 2018-01 is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP and the LEMC.

Section 2: That in accordance with California Planning and Zoning Law, and the LEMC, the Council makes the following findings for the approval of GPA No. 2018-01:

1. The proposed GPA, will not be a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.
 - a. *The proposed GPA has been analyzed relative to its potential to have detrimental effects; and land uses designations and regulations have been imposed to ensure that the health, safety and welfare of affected residents will be protected.*
 - b. *The application to modify the General Plan Land Use designations would not be injurious to the property or improvements in the neighborhood. The General Amendment along with the Project's other discretionary applications will allow the development of the entire 72.5-acre property to be governed by the proposed Nichols Ranch Specific Plan (SP No. 2018-01).*
2. The proposed GPA would establish a land use density, intensity and usage more in character with the subject property's location, access and constraints.
 - a. *The southern 27.1 acres of the Project site are located within the North Central Sphere District. The main focus of the North Central Sphere District Plan is to preserve existing natural resources, ensure residential development incorporates the surrounding landscape, and ensure that business activities in the District are compatible with surrounding land uses. The proposed designation will allow for the development of the property with commercial and residential development while allowing the preservation of the Stovepipe Creek and other natural resources in a manner consistent with the North Central Sphere District.*
3. In accordance with the requirements of the California Environmental Quality Act (CEQA), impacts have been reduced to a less than significant level, or in the case where impacts remain, a statement of overriding considerations must be adopted to justify the merits of project implementation.
 - a. *The effects of the proposed GPA have been analyzed in the Environmental Impact Report (SCH 2018051051) prepared for the Nichols Ranch Specific Plan (NRSP) and its related cases, and adequate mitigation measures have been prepared where necessary, and a Statement of Overriding Considerations has been recommended where required.*

Section 3: Based upon the evidence presented, both written and testimonial, and the above findings, the Council hereby approves General Plan Amendment No. 2018-01.

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

Section 5: 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 11th day of June, 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 June 11, 2019, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mark Mahan, Deputy City Clerk