

RESOLUTION NO. 2021-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,
CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 37977 SUBDIVIDING
6.05 ACRES INTO SIX PARCELS RANGING IN SIZE FROM 0.63 ACRES TO 1.11
ACRES AND ONE DETENTION BASIN LOCATED AT APN 370-050-026 AND A
PORTION OF 370-050-030**

Whereas, Mark Cooper, RED Corydon, LLC has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-69 (Tentative Tract Map No. 37977, Conditional Use Permit No. 2020-05, and Commercial Design Review No. 2020-02) to subdivide a 6.05-acre project site into six (6) parcels for commercial development and one (1) lot for a detention basin. The proposed commercial uses include a 2,300-square-foot (sf) fast food restaurant with a drive-thru (Parcel 1), a 4,088-sf 7-Eleven convenience store (with the concurrent sale of beer and wine – Type 20 ABC license) and gas station with 16 fueling stations under a 4,285-sf fueling canopy with a maximum throughput of 1.87 million gallons of gasoline per year (Parcel 2), a 4,333-sf Superstar Car Wash express tunnel car wash with vacuum bays (Parcel 3), a 5,200-sf tire store (Parcel 4), and 11 flex-tech condos (Parcels 5 and 6). The project site is located within the East Lake Specific Plan (ELSP), at the northwestern corner of the intersection of Mission Trail and Corydon Street. (APN 370-050-026 and a portion of 370-050-030); and,

Whereas, pursuant to Chapter 16.24 (Tentative Map) of the Lake Elsinore Municipal Code (LEMC), 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 December 15, 2020, at a duly noticed Public Hearing, the Commission considered evidence presented by the Community Development Department and other interested parties with respect to this item; and,

Whereas, pursuant to Section 16.24.120 of the LEMC, the Council has the responsibility of making decisions to approve, conditionally approve, or disapprove recommendations of the Commission for tentative maps; and,

Whereas, on January 12, 2021, 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 AND ORDER AS FOLLOWS:

Section 1: The Council 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 ELSP, and Chapter 16 (Subdivisions) of the LEMC.

Section 2: On January 12, 2021, after consideration and evaluation of all written reports and comments and oral testimony presented by the Community Development Department and other City departments, property owners, residents and other interested parties and such other matters as are reflected in the record of the noticed Public Hearing on the Project, the Council adopted a resolution finding and determining that the Mitigated Negative Declaration (ER 2020-04) (SCH No. 2020100576) is adequate and is prepared in accordance with the requirements of CEQA.

Section 3: That in accordance with State Planning and Zoning Law and the LEMC, the Council makes the following findings for approval of Tentative Tract Map (TTM) No. 37977:

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 Project located within the East Lake Specific Plan (ELSP) and has an Action Sports, Tourism, Commercial and Recreation Land Use Designation. This designation provides for a wide range of extreme action sports and accessory manufacturing, service and retail uses. The proposed project is proposing develop a commercial center with service station with a convenience store, fast food restaurant with a drive-through, carwash, tire store, and flex-tech condominiums. The proposed subdivision is consistent with the provisions of the ELSP. The ELSP was subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is found to be consistent with the General Plan.*
 - b. *All offsite mitigation measures have been identified in a manner consistent with the General Plan.*
2. The site of the proposed subdivision of land is physically suitable for the proposed density of development in accordance with the General Plan.
 - a. *The overall density and design is consistent and compatible with the adjacent communities.*
3. 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. *The Project is consistent with the City's General Plan. The Project is located within the Action Sports, Tourism, Commercial and Recreation Land Use Designation of the ELSP and will not have a direct impact on housing needs. During the approval of the General Plan, housing needs, public services and fiscal resources were scrutinized to achieve a balance within the City.*
4. 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 Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.*
5. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.
 - a. *TTM 37977 has been designed in a manner consistent with the General Plan and does not divide previously established communities.*

6. 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 37977.

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 Council hereby approves Tentative Tract Map No. 37977.

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 12th day of January, 2021.

Robert E. Magee, Mayor

Attest:

Candice Alvarez, MMC
City Clerk

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

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2021-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of January 12, 2021, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Candice Alvarez, MMC
City Clerk