

## **RESOLUTION NO. 2021-**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING RESIDENTIAL DESIGN REVIEW NO. 2021-01 PROVIDING BUILDING DESIGNS AND RELATED IMPROVEMENTS FOR 96 SINGLE-FAMILY RESIDENTIAL UNITS LOCATED WITHIN TRACT NO. 31957**

**Whereas**, Edgar Gomez, Richmond American Homes has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2016-56 (Residential Design Review No. 2021-01 and Variance No. 2021-01) proposing the design and construction of 96 single-family residential units, preliminary plotting, conceptual wall and fence plan, and related improvements located within Tract Map No. 31957 and a variance for Lot 7 to encroach 5.6 ft. into the required 20 ft. rear yard setback due to site constraints. The project proposes five (5) single-story floor plans ranging in size from 2,012 sq. ft. to 2,481 sq. ft. and three architectural styles. The lot sizes for Tract Map No. 31957 range in size from 6,050 sq. ft. to 16,100 sq. ft. and are 8,162 sq. ft. on average. The project site is located northerly of Lincoln Street and westerly of Mountain Street and Running Deer Road (APNs: 394-120-007, 008, 012, and 013); and,

**Whereas**, pursuant to Section 17.415.050 (Major Design Review) of the Lake Elsinore Municipal Code (LEMC) the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying design review applications; 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**, CEQA Guidelines Section 15162 establishes the standard to be used when determining whether subsequent environmental documentation is necessary and says that when an environmental document has already been adopted for a project, no subsequent environmental documentation is needed for subsequent entitlements which comprise the whole of the action unless substantial changes or new information are presented by the project; and,

**Whereas**, Mitigated Negative Declaration was adopted on September 13, 2005 for Tract Map No. 31957 which evaluated environmental impacts that would result from maximum build-out of the Tentative Tract Map, which contemplated development of a single family residential development; and,

**Whereas**, the project does not present substantial changes or new information regarding the potential environmental impacts of development; and,

**Whereas**, on May 18, 2021 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:** The Commission has reviewed and analyzed the proposed project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 59000 et seq.), the Lake Elsinore General Plan (GP), and the LEMC and finds and determines that the proposed Project 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:** The Commission finds and determines that no new CEQA documentation is necessary. The project comprises the whole of an action that was analyzed in the previously adopted Mitigated Negative Declaration No. 2005-06. Approval of the project will not change density or intensity of use; it simply establishes standards for color palettes, articulation, orientation, and design of single-family residential development. Therefore, no further environmental review is necessary.

**Section 3:** That in accordance with Section 17.415.050.G of the LEMC, the Commission makes the following findings regarding Planning Application No. 2016-56 (Residential Design Review No. 2021-01):

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 project site has a General Plan Land Use designation of Low-Medium Density Residential, which allows for detached single-family homes with densities ranging between one (1) to six (6) dwelling units per net acre. Tract Map No. 31957, which was previously approved for the subdivision of approximately 34.2 acres into 96 single-family residential lots with a density of 2.8 dwelling units per acre, was found to be consistent with the General Plan. The proposed project does not propose an increase in density of development than what was previously approved. Further, the single-family homes will assist in achieving the development of a well-balanced and functional mix of residential, commercial, industrial, open space, recreational and institutional land uses.*

2. The Project complies with the design directives and all applicable provisions of the LEMC.

*The project is appropriate to the site and surrounding developments. The three (3) architectural styles proposed will create a distinctive street scene within the project site. The project is requesting a variance to encroach 5.6 ft. into the required 20 ft. rear yard setback for Lot 7 of Tract Map No. 31957 in accordance with Section 17.415.080 of LEMC and a minor exception in accordance with Section 17.415.090.A.3 of the LEMC for Lots 32, 39, 44, 57, 68, and 95 to decrease rear yard setbacks. Lot 7 is an irregular diamond shaped lot and the strict application of the code will prevent this lot from enjoying the same rights as the surrounding lots. The variance is the minimum deviation to enable reasonable development of Lot 7. The proposed setback area or yard for these lots will be in character with the surrounding neighborhood, is not required as an essential open space or recreational amenity to the use of the site, and the decrease will not adversely affect adjacent properties. The proposed project meets all other required development standards for setbacks, lot coverage, building height, minimum dwelling unit size, and parking as identified in the Single Family Residential (R-1) zone and provides all the required amenities as identified in Chapter 17.44 (Residential Development Standards) of the LEMC. Onsite landscaping have been provided thereby creating interest and varying vistas. In addition, safe and efficient circulation has been achieved onsite.*

3. Conditions and safeguards pursuant to Section 17.415.050.G.3 of the LEMC, 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 Section 17.415.050.

*Pursuant to Section 17.415.050.E of the LEMC, the project was considered by the Planning Commission at a duly noticed Public Hearing held on May 18, 2021. The Project, as reviewed and conditioned by all applicable City divisions, departments and agencies, will not have a significant effect on the environment.*

**Section 4:** Based upon all of the evidence presented and the above findings, and the Conditions of Approval imposed upon the project, the Commission hereby approves Planning Application No. 2016-56 (Residential Design Review No. 2021-01).

**Passed and Adopted** on this 18<sup>th</sup> day of May, 2021.

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Rendell Klaarenbeek, Chairman

**Attest:**

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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. 2021-\_\_ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on May 18, 2021 and that the same was adopted by the following vote:

AYES  
NOES:  
ABSTAIN:  
ABSENT:

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Justin Kirk,  
Assistant Community Development Director