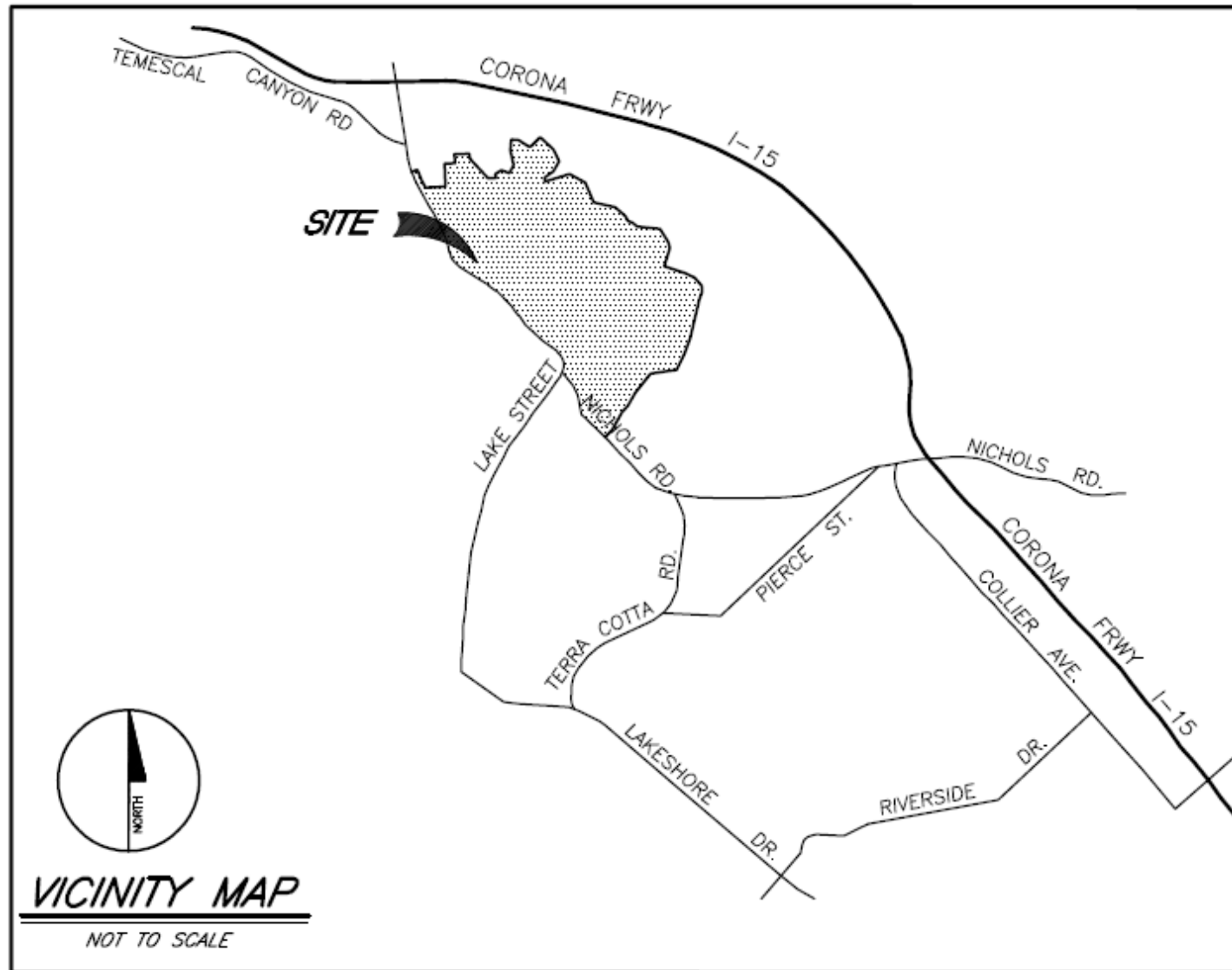
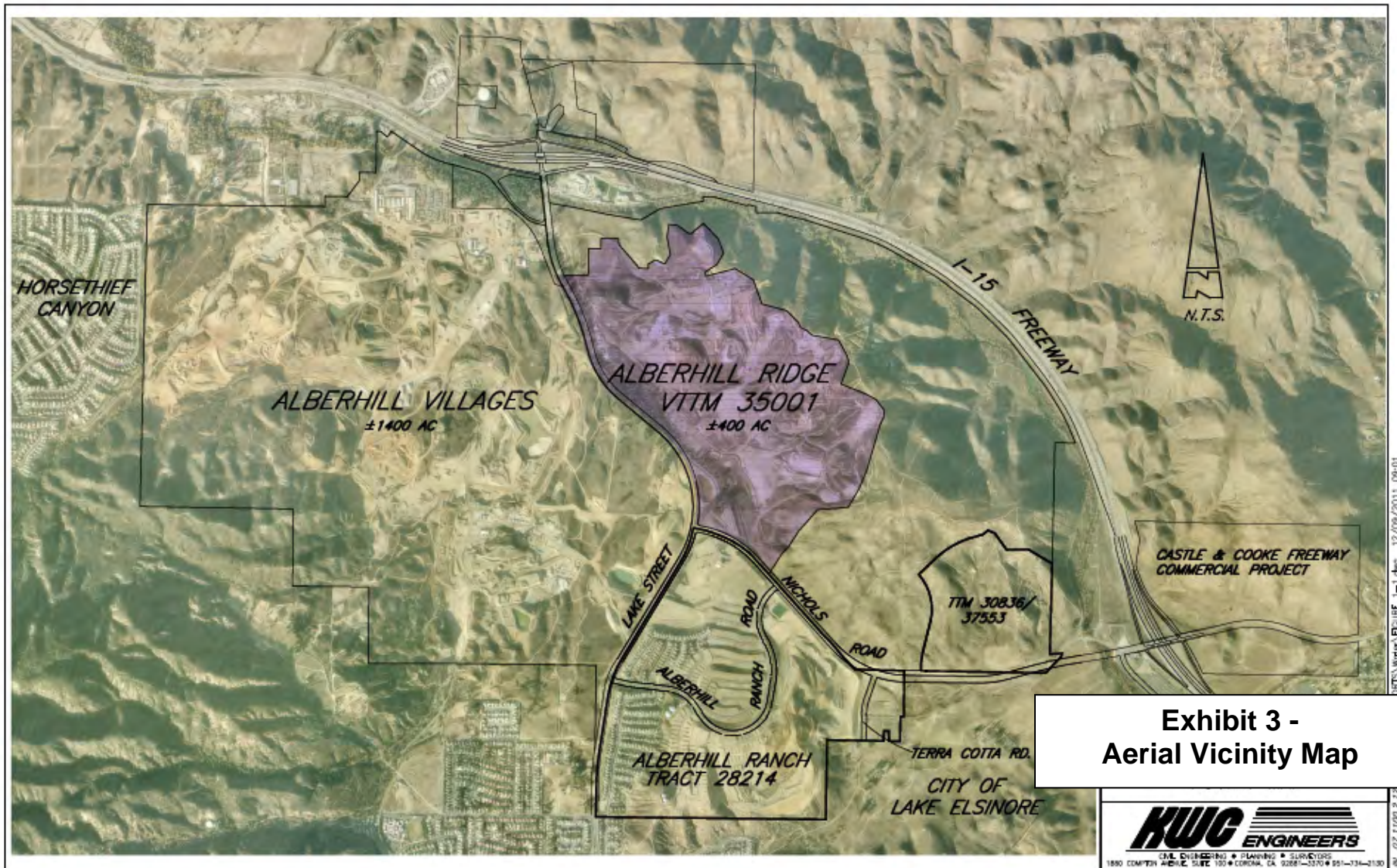


Exhibit 2 – Vicinity Map of 400.3 Acre VTTM No. 35001





**Exhibit 3 -
Aerial Vicinity Map**



The Alberhill Ranch Specific Plan area originally consisted of three ownerships: Murdock Alberhill Ranch Limited Partnership; Brighton Alberhill Associates; and Long Beach Equities, and proposed 3,705 dwelling units, 254 acres of commercial use, 531 acres of open space, 30 acres of park, and 50 acres of school/park sites. Please refer to the following land use exhibit from the ARSP, Exhibit 5.

Exhibit 5 – Original 1989 Alberhill Ranch Specific Plan No. 89-2 (ARSP)

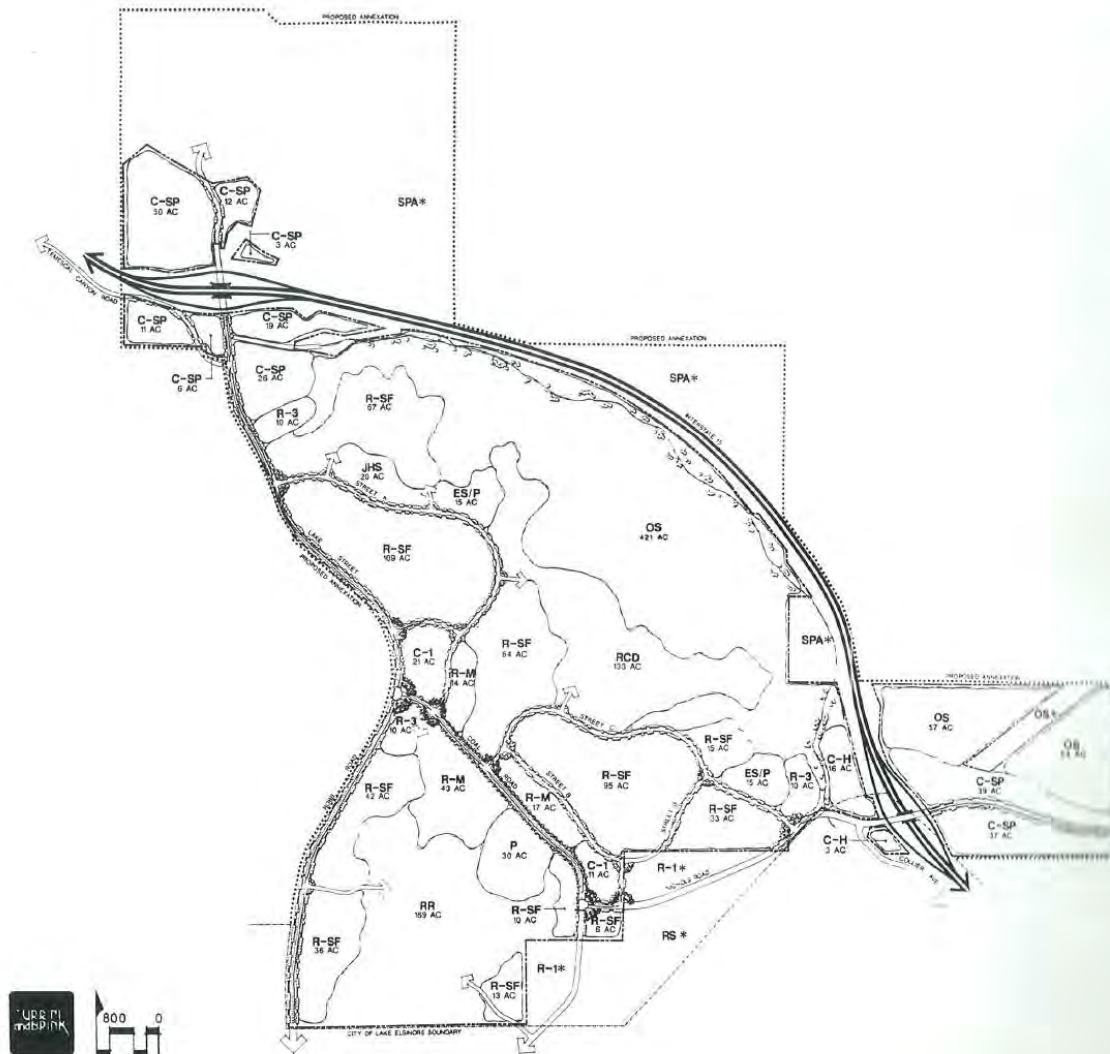


EXHIBIT 3

Land Use Plan

LEND				
	Land Use	Acres	Density	Dwelling Units
RR	Rural Residential	169	0.2 du/ac	34
RCD	Single-Family Residential	133	2.9 du/ac	399
R-SF	Single-Family Residential	490	4.0 du/ac	1960
R-M	Single-Family Residential	74	8.0 du/ac	592
R-3	Multi-Family Residential	30	31.9 du/ac	720
C-1	Neighborhood Commercial	32		
C-H	Highway Commercial **	19		
C-SP	Commercial/Specific Plan	203		
JHS	Junior High School	20		
ES/P	Elementary School/Park	30		
P	Park	30		
OS	Open Space	931		
جاده	Roads	92		
	TOTAL	1853 AC		3705 DU
R-1 *	Single-Family Residential	45		
R-S *	Residential Estates	71		
SPA *	Specific Plan Area	006		
OS *	Open Space	20		
	TOTAL	622		

* LAND USE DESIGNATIONS WITHIN ANNEXATION AREA, BUT OUTSIDE ALBERHILL RANCH SPECIFIC PLAN AREA.

§* INCLUDES 8 ACRES WITHIN CITY OF LAKE ELISHORE
BOUNDARY CURRENTLY ZONED C-M

Alberhill Ranch

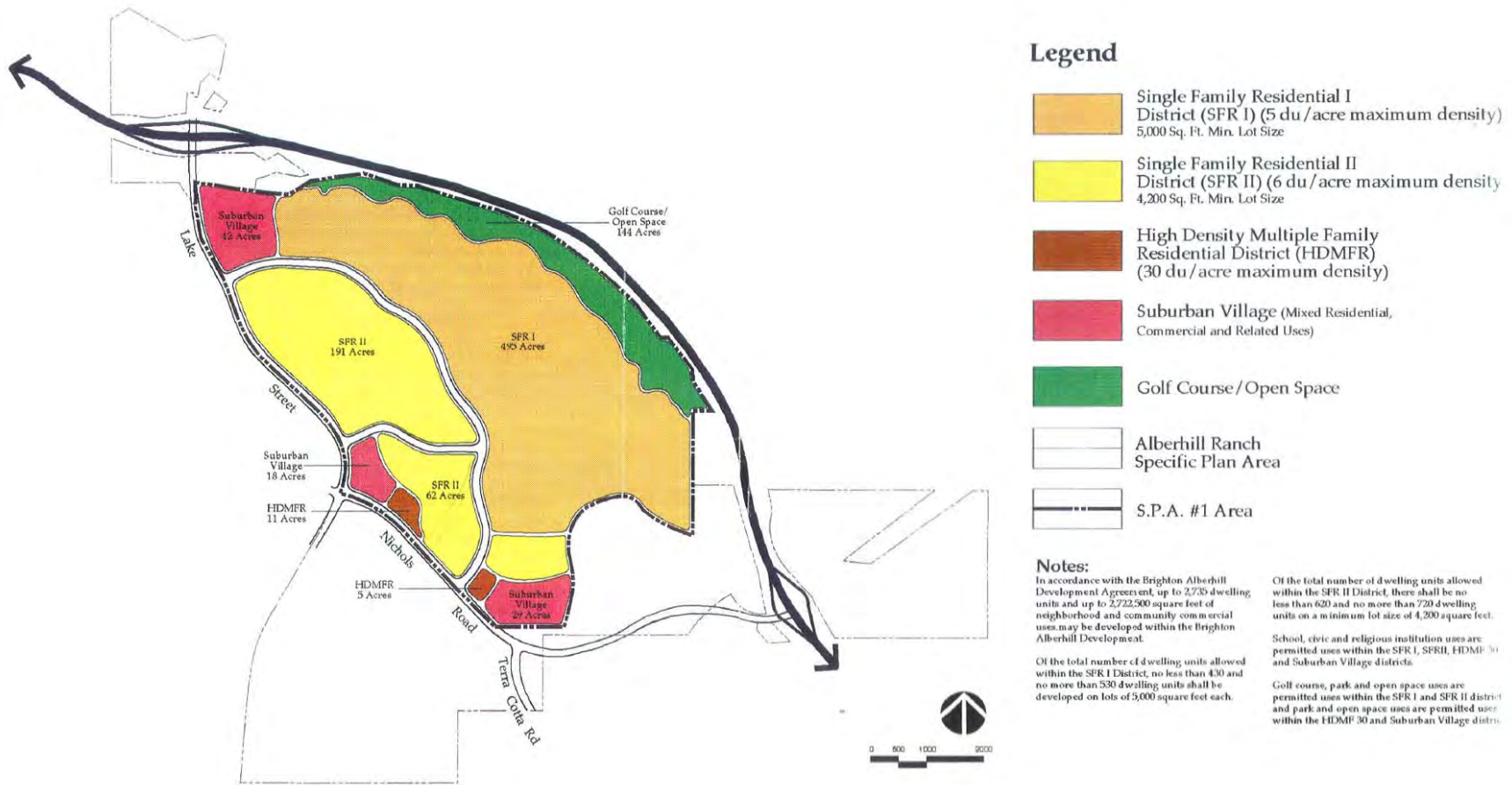
LONG BEACH EQUINES, INC.

In 1991, the Alberhill Ranch Specific Plan was amended by Brighton Homes of Orange County to separate a 998-acre area from the ARSP area and redesign an entirely different Specific Plan (sub area) out of the original 1,853 acre Specific Plan area. The amendment became known as the Alberhill Ranch Specific Plan Amendment #1 (Brighton ARSP #1). It was the intent of the City in approving this Specific Plan Amendment #1 to add dwelling units and permit development of a maximum of 2,735 residential units, incorporating the first 18-hole championship golf course inside the City, and 89 acres in three locations of a Suburban Villages which would be mixed uses of commercial shopping, office and higher density residential opportunities, including affordable housing. The Specific Plan Amendment #1 area shares a common boundary of Nichols Road and the common corner with Lake Street, including a common collector Road (Alberhill Ranch and Ridge Road) with the adjacent Murdock Alberhill Ranch Specific Plan area. The ARSP #1 provides for smaller public parks, compared to the original SP, as an open space/park trade off for the adjoining 34 acre, now 22.4 acre, Murdock Alberhill Ranch Community Park at the corner of Lake Street and Nichols Road and for the 144-acre Golf Course-Open Space area newly added to the Specific Plan area in 1991. Please refer to the following ARSP #1 Land Use Plan, Exhibit 6.

The ARSP #1 City entitlements included a Development Agreement (D.A.) approved on July 11, 1990 and D.A. Amendment #1 approved on September 10, 1991 that vested the development's rights and terms for 15 years or until July 11, 2005. The original D.A. secured the development rights for 2,235 residential dwelling units, 2,722,500 square feet of commercial, industrial uses, open space and related uses. The parties to the D.A. include the City of Lake Elsinore and Brighton Alberhill Associates and their assigns. The D.A. and Amendment #1 was supplemented on September 10, 1991 with a General Plan Amendment to the Lake Elsinore General Plan by Resolution No. 91-67 and ARSP Amendment No.1, which by Resolution No. 91-68 on August 27, 1991, increased the number of allowable dwelling units to 2,735 on 998 acres shown in ARSP #1 and the D.A. Amendment #1 detailed the development timing of the proposed golf course and alternate actions if the golf course was not built.

The Multiple Species Habitat Conservation Plan (MSHCP) was adopted on June 17, 2003 by the County and City, some 13 years following the ARSP #1 and "Brighton" D.A. adoption and within the 15 year term of the D.A. (July 11, 2005). The MSHCP adoption by the City had the effect of "de facto" modifying the Specific Plan land uses and D.A. directed fees by removing certain development areas and replacing them with permanent open space pursuant to MSHCP criteria cell and cell group descriptions, and, according to the new VTTM No. 35001 owner, Castle & Cooke, Lake Elsinore West, Inc., arguably, "staying" or stopping the development agreement terms from expiring, on the date the MSHCP was adopted on June 17, 2003. The effect of the MSHCP on the ASRP #1 was to effectively modify the plan's residential, commercial and open space/golf course areas by placing large amounts of the Specific Plan area into MSHCP open space conservation and with a levy of new MSHCP development fees, contrary to the D.A., over the remaining areas outside

Exhibit 6 – 1991 Alberhill Ranch Specific Plan Amendment #1 (ARSP #1)



the newly designated Criteria Cell and Cell Group locations. The ARSP #1 area owners (Brighton, and successor in interest Castle & Cooke, Lake Elsinore West, Inc.,) had previously made, through the ARSP #1 and the accompanying D.A. and D.A. 1st Amendment, land use open space and fee trade-offs with the City in exchange for open space preservation, a golf course, and a 34-acre community park, all on approximately 180 acres of open space/park.

The County and City adopted the Transportation Uniform Mitigation Fee program in 2004 prior to the termination date of the Brighton D.A. of July 11, 2005. This new program also added new fees not contemplated in the D.A. and D.A. 1st Amendment.

The following D.A. bullet point analysis provides a comparison between TUMF fees and MSHCP fees under the ARSP # 1 (Brighton):

- “Fees, conditions and dedications. Developer shall make only those dedications and pay only those fees expressly prescribed in this Agreement, the Existing Development Approvals, and subsequent Development Approvals, provided that such fees are imposed on a city-wide basis.” (Brighton D.A., §9.5.)
 - * Under the Brighton D.A., only fees expressly prescribed in the Brighton D.A. are permitted. Accordingly, new fees (generally) are prohibited by the D.A..
- “Future tentative maps, specific plan amendments and development impact fees. Developer will be subject to conditions as a result of tentative map review or specific plan amendments and to any development impact fees that may be adopted by City on a city-wide basis.” (Brighton D.A., §9.5 (4).)
 - * City-wide Development Impact Fees (DIF) are contemplated by the Brighton D.A. as an exception to the general prohibition against new fees – or fees that are not expressly prescribed in the Brighton D.A..
 - * TUMF and MSHCP fees do not fall within the category of “development impact fees that may be adopted by the City on a City-wide basis.”
 - * Three major distinctions exist between the TUMF and MSHCP fees and a fee imposed on a City-wide basis: (1) the establishment of the MSHCP is based upon fundamental “regional” concepts and applies County-wide; (2) the MSHCP is fundamentally a Federal law process applied at a local level and it provides “take” authority under both the Federal and State Endangered Species

Acts (e.g., the MSHCP Implementing Agreement and EIR reflect that the MSHCP is modeled after the Natural Communities Conservation Plan), and; (3) TUMF and MSHCP fees are not imposed on a City-wide basis where properties are not equally assessed. Comparatively, the City DIF is applied exclusively by, and at the discretion of the City, and applied equitably among property and is therefore imposed on a City-wide basis.

- “Development Projects which are the subject of a Development Agreement entered into pursuant to Government Code, Section 65864 et seq. prior to the effective date of this ordinance, if new fees are expressly prohibited, provided, however that, if the term of such a Development Agreement is extended after the effective date of this Ordinance, the TUMF shall be imposed. (See City TUMF Ordinance §4.F.v.)
 - * Because the Brighton D.A. was executed prior to the effective date of the TUMF Ordinance, it is exempt from TUMF fees.
 - * The MSHCP Resolutions and Ordinances pertaining to the MSHCP fee do not contain the same explicit exemption for Development Agreements, as does TUMF.
 - * Because the Brighton D.A. is being “tolled” in accordance with State law governing development agreements and changes imposed on the project area and D.A. by State and Federal laws, the term of the Brighton D.A. would be extended for purposes of the limitation of the exemption.
 - * TUMF and MSHCP fees are “new fees” that are not prescribed or contemplated by the Brighton D.A. and are therefore prohibited by the Brighton D.A..

This MSHCP conservation land use changes, MSHCP fees, and new County-wide transportation fees were not contemplated in the Specific Plan or the Development Agreement. There is a body of development agreement law in California that stipulates when outside effects by the city or other public agencies makes the achievement of the Specific Plan and the D.A. terms impossible or by de facto governmental entitlement actions modifies the Specific Plan, the net affect is to stop, or toll, the term from running out as of the date of the subsequent governmental actions which modified or otherwise affected the Specific Plan and Development Agreement terms. This tolling of the D.A. term, by state law, permits the public agency, (City of Lake Elsinore), to take whatever time and legal action the two (2) parties to the D.A. deem acceptable to rectify the D.A. contract and other related

entitlement documents and actions, in view of these intervening actions (MSHCP/TUMF).

TOLLING OF BRIGHTON DEVELOPMENT AGREEMENT FOR ARSP #1

The California Development Agreement Statute as set forth at California Government Code Section 65864 et seq. recognizes that unexpected circumstances or subsequent governmental actions, laws, policies, etc., may interfere with the compliance of the provisions of a development agreement. Post-enactment of law and regulation can affect the ability to implement a development plan, and thus, requires that a development agreement be modified or suspended. In particular, Government Code Section 65869.5 states that:

“In the event that state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement shall be modified or suspended as may be necessary to comply with such state and federal laws or regulations.”

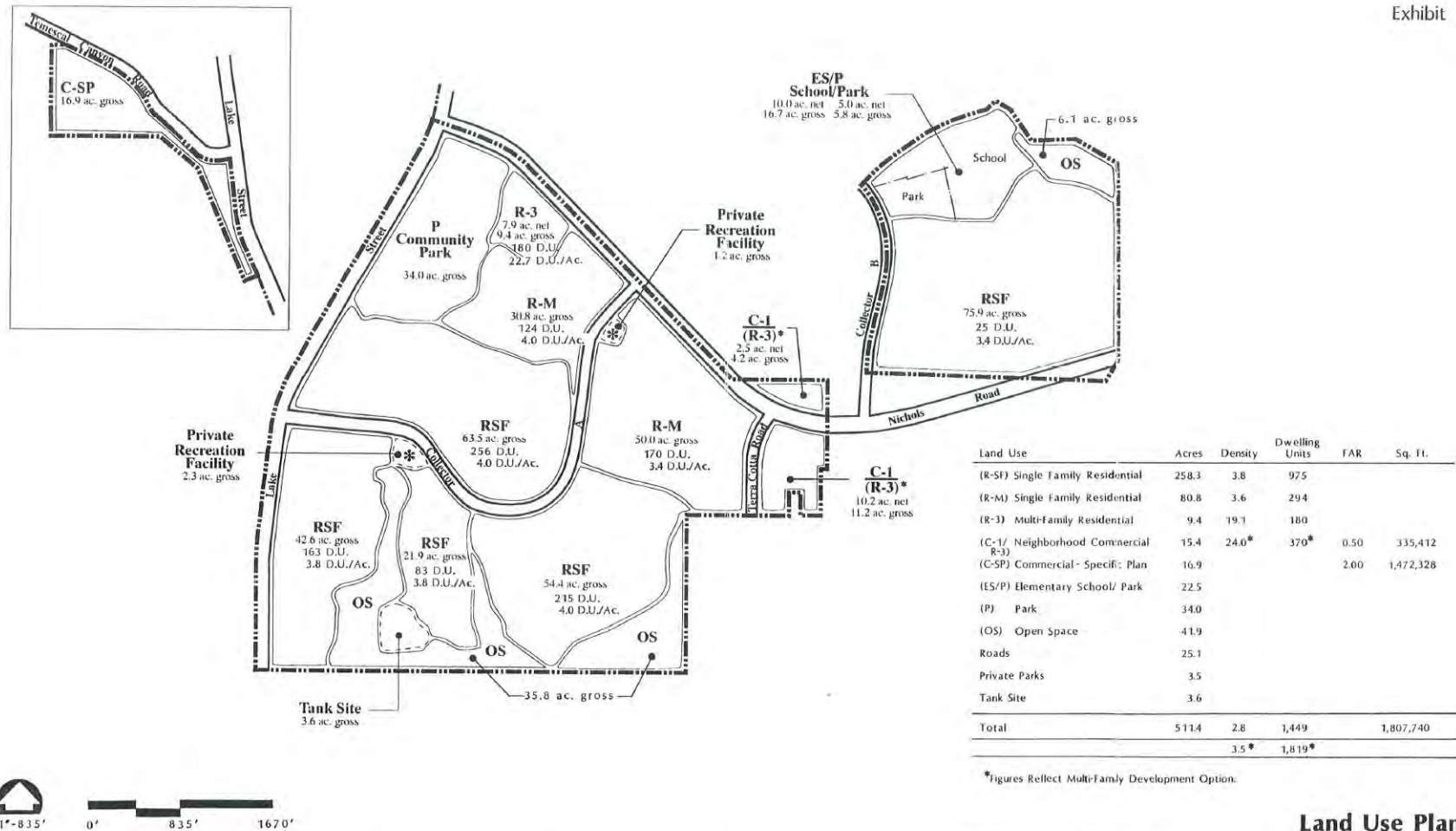
While, the City-adopted MSHCP is a locally implemented regional plan, it is also founded upon and implements the Federal and State Endangered Species Acts. The MSHCP only has authority for conservation under Federal and State law. This local (County/City) implementation of a Federal law is not unlike the California Regional Water Quality Control Board implementing the Federal Clean Water Act Sections 401 and 402. With the United States Fish and Wildlife Service (USFWS) issuance of a Biological Opinion and incidental take permit being a prerequisite to effectuating the MSHCP, the MSHCP is “state or federal law or regulation” pursuant to the D.A. State law. California Government Code Section 65869.5 establishes a mandatory modification or suspension requirement when subsequent State or Federal law prohibits compliance with any provision of a development agreement. According to the VTTM applicant's, Castle & Cooke, Lake Elsinore West, Inc., failure to address the mandatory modification or suspension requirement of Section 65869.5, results in a strong argument for tolling the term of the Development Agreement on the VTTM No. 35001 project area and require the City Council to revisit the D.A. in light of the MSHCP effects.

Government Code Section 65869.5 provides the opportunity to extend the term of the Brighton (Castle & Cooke, Lake Elsinore West, Inc.) Development Agreement and allow the City Council to consider a functional term that will allow Castle & Cooke, Lake Elsinore West, Inc., as the subsequent owner of the Brighton property, to exercise its acquired vested development rights underlying VTTM No. 35001.

Following the Brighton Specific Plan Amendments and D.A. adoption, in 1992, the adjacent land owner, Murdock Alberhill Ranch Limited Partnership, requested an

Exhibit 7 – 1992 Murdock Alberhill Ranch Specific Plan (MARSP)

Exhibit 10



Land Use Plan

MURDOCK ALBERHILL RANCH
LAKE ELSINORE, CALIFORNIA

46

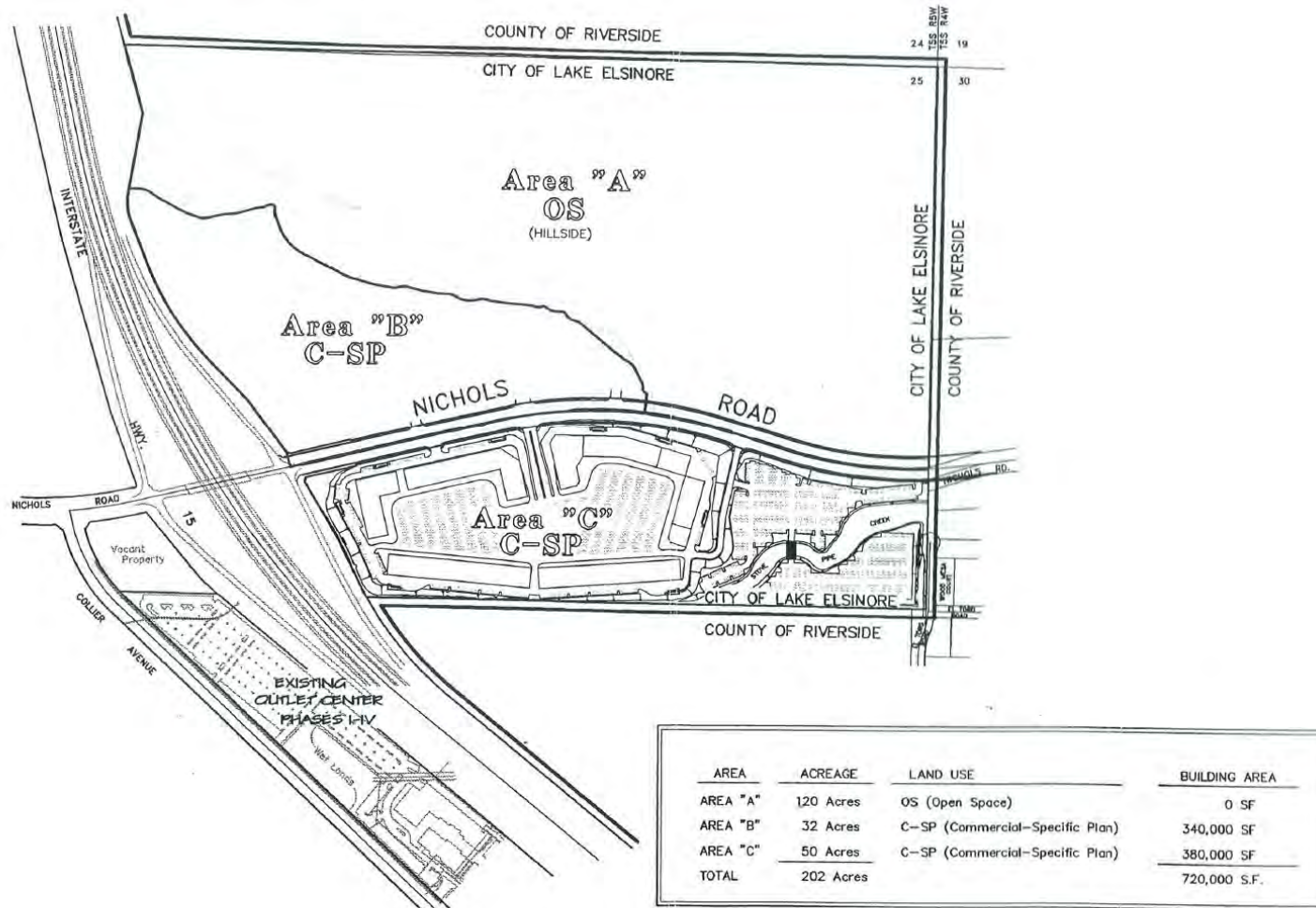
amendment to its 511-acre portion ("Murdock Alberhill Ranch Specific Plan") of the previously approved Alberhill Ranch Specific Plan, (See Exhibit 7, above). This separate Murdock ownership, adjacent to the Brighton ownership, held within the original 1,853 Specific Plan area, like Brighton, separated the 511-acre area out of the original 1,853 Specific Plan area with the Murdock Alberhill Ranch Specific Plan and the Plan's 2nd Amendment, its own D.A. and its separate accompanying CEQA Addendum. The Murdock Alberhill Ranch Specific Plan (MARSP) proposed a number of minor technical revisions and modifications to the Alberhill Ranch Specific Plan 89-2 land use plan, circulation plan, phasing plan, zoning standards, and design guidelines, and proposed a maximum of 1,819 residential dwelling units in various land use categories, an elementary school, open space, private recreational, public community park uses (shared with the ARSP #1 for open space credit) and commercial uses. The Murdock Alberhill Ranch Specific Plan area is divided into three general planning areas: residential, commercial and schools/parks. Please refer to the following MARSP land use plan, Exhibit 7.

At the time the Murdock Alberhill Ranch Specific Plan entitlement was undertaken in 1992, the City, pursuant to Public Resources Code CEQA § 21166 and 14 California Code of Regulations CEQA §§ 15162 and 15163², determined that a supplemental EIR was not required because changes proposed to the Alberhill Ranch Specific Plan did not have potentially significant environmental effects different from those analyzed as part of the original Alberhill Ranch Final EIR. The impacts were determined to be the same as or reduced from that analyzed in the original ARSP EIR. As a result, the City prepared pursuant to CEQA Guidelines § 15164, and adopted in June 1992, an Addendum to the Alberhill Ranch Specific Plan Final EIR ("EIR Addendum #II"). The EIR Addendum #II noted only minor technical revisions and modifications to the Alberhill Ranch Specific Plan and concluded that no new significant environmental effects were identified and no new mitigation measures were proposed or necessary.

In March of 1997, the project applicant, Horizon Group, Inc., requested approval of a Specific Plan Amendment #3 (following Brighton 998 acres and Murdock 511 acres) for the eastern 202-acre portion of the Alberhill Ranch Specific Plan area, north of the I-15 and is bisected by Nichols Road. On June 10, 1997, ARSP Amendment #3 was approved by the City of Lake Elsinore providing additional phases of outlet center commercial uses as an extension to the existing Lake Elsinore Outlet Center located along Collier Avenue across the freeway, along with providing general commercial uses and open space. In accordance with CEQA, a Mitigated Negative Declaration was prepared to evaluate those land uses with the Specific Plan Amendment #3 area. See Exhibit 8, below, for the ARSP #3 Plan area.

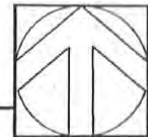
² For the Purposes of this Addendum, Public Resources Code §§ 21000 et seq., will be referred to as the California Environmental Quality Act or "CEQA" for short. Additionally, 14 California Code of Regulations 15000 et seq., the State implementing Guidelines for CEQA, will be referred to as "the CEQA Guidelines."

Exhibit 8 – 1997 Alberhill Ranch Specific Plan Amendment #3 (ARSP #3)



KCT *Land Use Plan
Alberhill Ranch Specific Plan Amendment #3

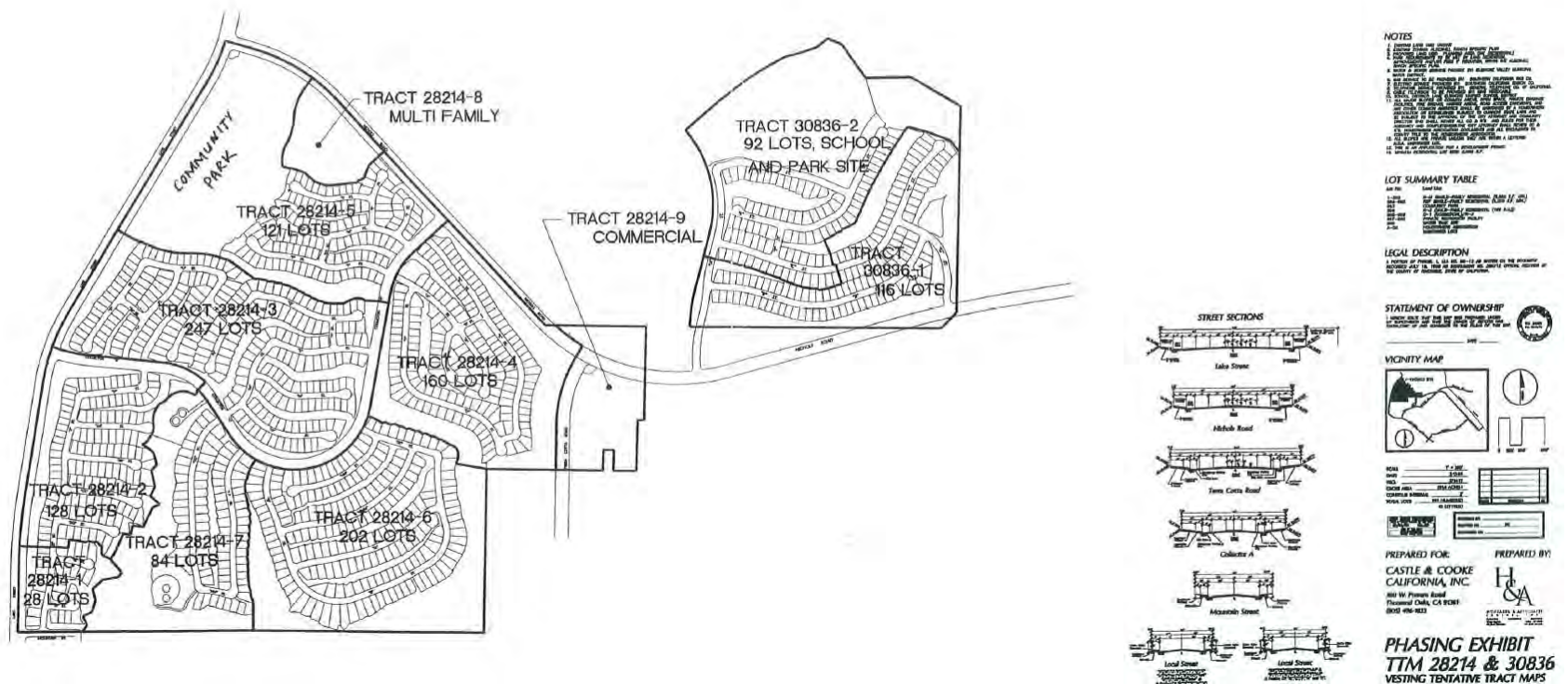
Exhibit 2
No Scale



In October of 2003, the project applicant, Murdock Development Company, on behalf of Murdock Alberhill Ranch Limited Partnership, requested approval of another third Addendum to the Murdock Alberhill Ranch Specific Plan EIR ("EIR Addendum #III") for Vesting Tentative Tract Map No.'s ("VTTMs") 30836 (Hoist) and 28214 (Ranch). The EIR Addendum #III described two VTTMs. VTTM No. 30836 for 208 lots, 1 private park, school and 1 park site; and VTTM No. 28214 for 970 single family lots, 3 private parks and a public park, all as shown on Exhibit 9. On January 13, 2004, Addendum #III was adopted (Resolution No. 2004-9) and was found complete and adequate by the City Council of the City of Lake Elsinore, fully complying with the requirements of CEQA, the State CEQA Guidelines and the City's environmental analysis procedures.

Subsequent to the January 13, 2004 approval, an Administrative EIR Addendum #I to the Murdock Alberhill Ranch Specific Plan was approved by the City on December 27, 2005 and a Specific Plan Amendment #II was approved by the City Council on November 25, 2008 along with a Mitigated Negative Declaration 2008-12. As of September 2012, there are three (3) Tentative Maps within Alberhill Ranch Specific Plan: VTTM Nos. 28214, 30836, and 35773. Subsequent Substantial Conformance Maps were prepared for both VTTM Nos. 28214 and 30836. VTTM No. 28214 consists of 913 SF home sites, 25.6 acres of multi-family sites, a 22.4-acre Community Park along with various private parks, an elementary school site and a community swimming center. VTTM No. 30836 consists of 280 single-family home sites, a 4.6-acre public park and a private park. In 2009, VTTM No. 35773 was approved for 72 Single Family home sites. VTTM No. 35773 is located within the boundaries of VTTM No. 30836. See Exhibit 9 below showing the recorded phasing map for VTTM Nos. 28214, 30836 and 35773. VTTM No. 28214 is currently shown to be developed in 18 recording phases. As of September 2012, five (5) phases have been recorded at the County Recorder's office.

Exhibit 9 – 2004 Murdock Alberhill Ranch Specific Plan EIR Addendum III for Vesting Tentative Tract Map No.'s (VTTMs) 30836 and 28214



In 2004, the Riverside County Multiple Species Habitat Conservation Plan (MSHCP) was adopted for all areas throughout western Riverside County, including the City of Lake Elsinore and the 1,853 ARSP areas, including the ARSP three Amendment areas. The MSHCP covers the ASRP #1 area and includes essentially an environmental land use overlay program converting, in many cases, urban land uses to permanent open space and imposing additional fees on areas devoted to development. Murdock/Castle & Cooke, Lake Elsinore West, Inc. ownerships at the time of MSHCP adoption were excluded from the MSHCP pursuant to litigation and a legal settlement agreement. These MSHCP excluded ownerships did not include the Castle & Cooke, Lake Elsinore West, Inc. 400.3-acre ARSP # 1 area that is the subject of VTTM No. 35001 due to its acquisition following approval of the legal settlement agreement.

The MSHCP, as previously noted, is fundamentally a “de facto” land use entitlement “permit” process; which, when completed through a habitat acquisition process, allows applicants, public or private groups, to “take, harm or harass” endangered species under the Federal Endangered Species Act Section 10(a) Habitat Conservation Plan (HCP) program, usually, in exchange for open space land and/or money. This MSHCP 10(a) take permission was agreed to by the United States Fish and Wildlife Service, in exchange for setting aside long term conservation areas for protection of an assortment of endangered and non-endangered species and their respective habitats. The MSHCP, covering approximately 146 species, of which most are not listed as federally endangered, is primarily administered by the local land use authority “permittee” – the City or County - depending upon the property location of an applicant’s project within Western Riverside County or the incorporated areas, such as Lake Elsinore. Without the USFWS 10(a) Federal “take” permission adopted through the MSHCP there would be no MSHCP program.

Throughout the MSHCP process, there is a limited State and Federal Resource and Wildlife Agency oversight with no final discretionary land use authority by the County over the City or Wildlife Agencies over local decisions, except in limited circumstances when the MSHCP requires modification for Criteria Refinement (MSHCP Section 6.5, pp. 6 – 74), or for Minor or Major Amendments (MSHCP Section 6.10, pp. 6-112-6-115). Only when the City processes criteria refinement or a MSHCP Plan amendment do State and Federal agencies, through the County RCA, (which have otherwise transferred the entirety of their permit authority to the local land use authority Permittee-City of Lake Elsinore), have discretion over local land use decisions. Criteria Refinement is a process that involves modification to the acreage criteria of a particular cell or cell group that requires Wildlife Agency approval to assure that the MSHCP Conservation Goals and Objectives will be achieved with the refinement. To date, the Criteria Refinement procedure of the MSHCP has been sparsely utilized by a local land use authority within Riverside County. Instead, local authority, usually in the County of Riverside, has been exercised in a “creative” manner that avoids the need for Criteria Refinement. The “creativity” usually involves the discretion of local lawmakers to direct staff to interpret the MSHCP, within the confines of the MSHCP,

so that the more intricate MSHCP Criteria Refinement or Amendment procedures are not exercised.

The MSHCP program is intended to streamline the endangered species permit process for both public and private projects at the local government level. The major reason for the new MSHCP endangered species process, according to the Riverside County Board of Supervisors, is to accelerate the countywide road building process in order to accept the increasing population growth occurring in Riverside County. The MSHCP, however, was not intended to be another layer of zoning, tract map or conditional use permit entitlement delay and bureaucratic paperwork in attaining “take” permission for endangered species on public and private lands. The MSHCP was meant to replace the more commonly used Section 7 Federal Endangered Species Permit process commonly associated with a Corps of Engineers Section 404 streambed filling or grading permit. However, the MSHCP does not obviate the need to conduct Corps 404 and CDFG 1602 permit reviews for impacts to State and Federal waters. This is the case with VTTM No. 35001 which is governed by the MSHCP program through a separate Habitat Acquisition and Negotiation Strategy (HANS) process described in the Tri-Valley Agreements.

In 2004, as the MSHCP was being adopted by cities throughout the County, the County entered into a series of open space directed land acquisition agreements with Tri-Valley 1 Group, prior owners of the 998-acre ARSP #1 area which includes the Castle & Cooke, Lake Elsinore West, Inc. VTTM No. 35001 area. The Tri-Valley three “transactions” or agreements, (1 Acquisition Agreement and 2 Memorandums of Understandings - MOU’s), included a sale of 598 acres of the 998-acre ASRP #1 to the County for conservation and included 2 additional Memorandums of Understanding between the County, Tri-Valley 1 partnership and the City of Lake Elsinore to describe the conditions of the sale or transaction. These three agreements essentially constitute a Habitat and Negotiations Program under the MSHCP. The 3 agreements finalized all biology requirements under the MSHCP, CEQA and NEPA. No further biology analysis or mitigation under CEQA is now required for this VTTM No. 35001 or subsequent discretionary actions within the VTTM area according to the agreements. Brief descriptions of the 3 “Tri-Valley 1” agreements covering VTTM No. 35001 are summarized below:

- Acquisition Agreement, February 10, 2004 between Riverside County and Tri-Valley Partners. (This Acquisition Agreement is the original “contract” between the County and Tri-Valley 1 for the County’s acquisition of 598 acres. This initial agreement does not include the City as a party and sets the terms of the sale and the MSHCP mitigation for the remaining 400.3 VTTM No. 35001 acres).
- Memorandum of Understanding, February 10, 2004 between Riverside County, Tri-Valley and the City of Lake Elsinore. (This MOU adds the City of Lake Elsinore as a party to the agreement, clarifies the Acquisition Agreement, and in

one important area, notes the process to clarify and finalize the boundaries between the 400.3 Castle & Cooke, Lake Elsinore West, Inc., VTTM No. 35001 and the County 598 acres.)

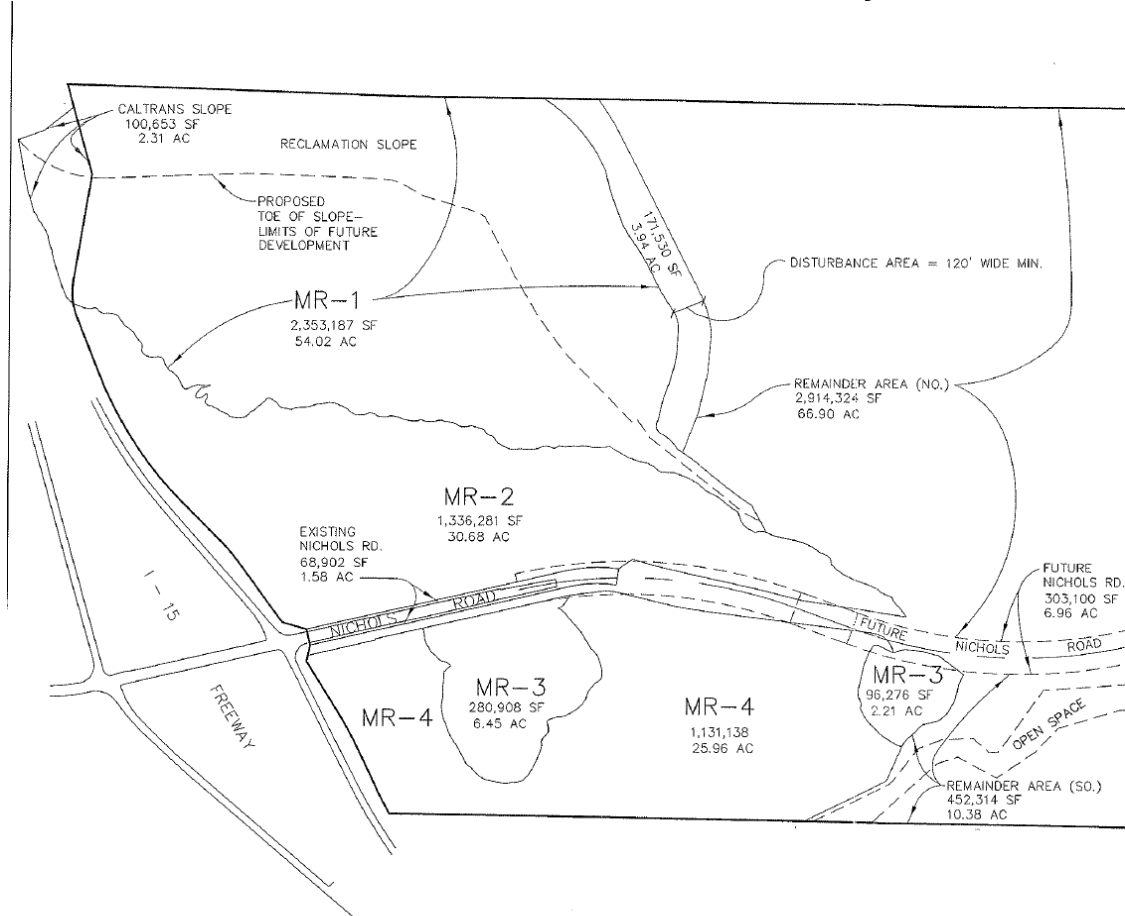
- Addendum to MOU between the County of Riverside, Tri-Valley I, and the City of Lake Elsinore with respect to the 598 acres of property within the City of Lake Elsinore. (This MOU Addendum deals with the application, terms and finalization of the conservation easement to the 598 acre County property once the east-west cross County transportation corridor is finalized and the County transfers their property to the RCA).

Payment of an MSHCP fee, provided in the Tri-Valley Acquisition Agreement, completes the MSHCP process, providing "Take" permission of any protected species under the MSHCP and Endangered Species Act over the VTTM No. 35001 area. No additional CEQA biology assessment is required within the VTTM No. 35001 area after payment of the MSHCP fee for subsequent entitlement procedures.

This Tri-Valley/County land exchange and fee program, for MSHCP purposes, was not provided for within the ARSP #1 and the Brighton Development Agreement. The City of Lake Elsinore was a party to the two MOU's, but did not amend the Brighton D.A. or ARSP #1 to accommodate the subsequent agreements land use actions.

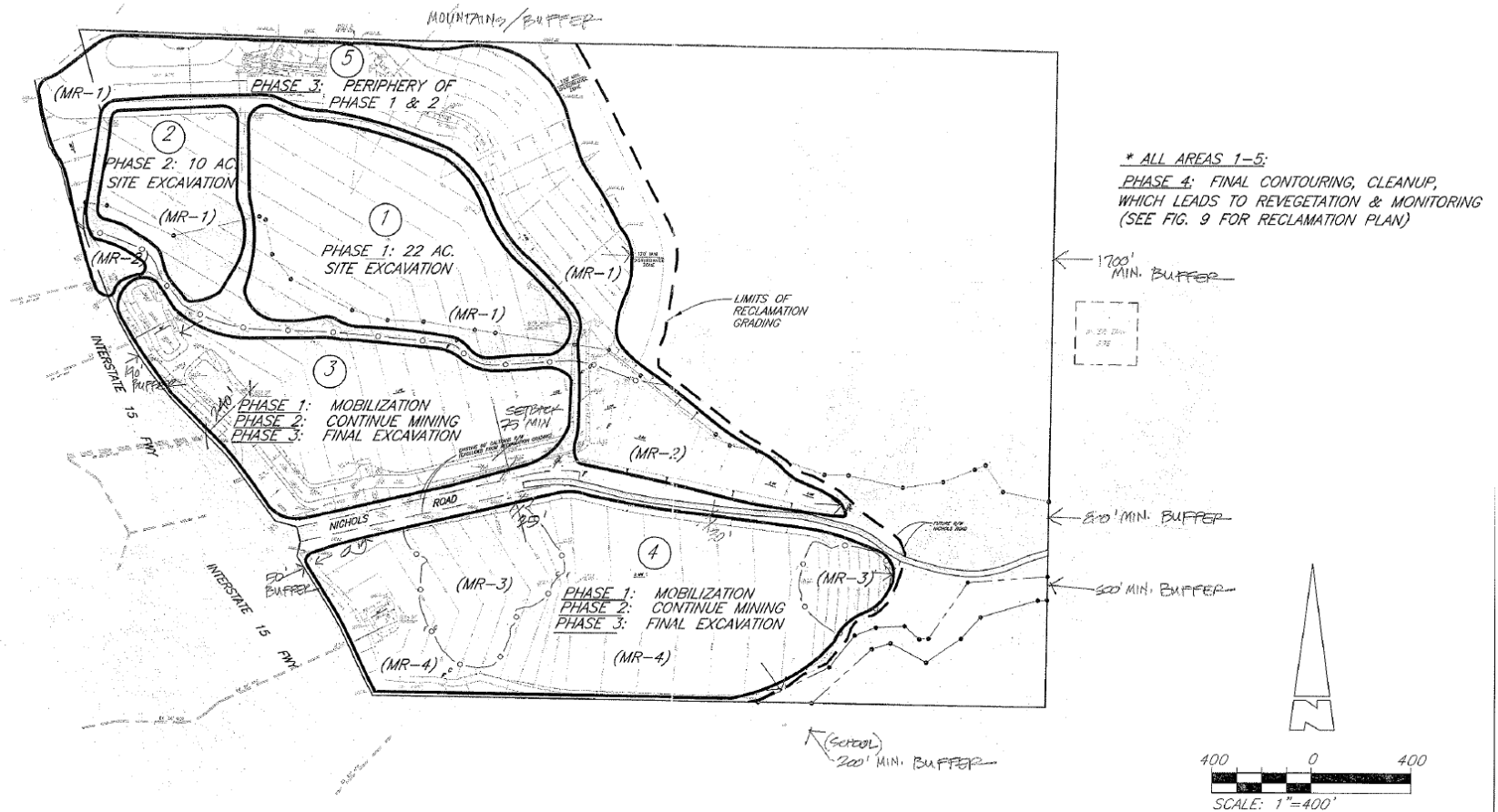
In May of 2006, the project applicant, Pacific Aggregates, a subsidiary of Pacific Clay Products, Inc., prepared a Mitigated Negative Declaration for the Nichols Mine Reclamation Plan Permit, within ARSP #3 area for the purpose of temporary extraction of clay and other raw materials within approximately 99 acres of the ARSP #3 211.40-acre site (Nichols Canyon Mine – under Pacific Clay's mining rights covered under Reclamation Plan No. RP-112). The Mitigated Negative Declaration was certified and the final Reclamation Plan was approved by The City of Lake Elsinore City Council on November 14, 2006. The approved 'Mine Plan', Exhibit 10, plus 'Mining and Reclamation Plan', Exhibit 11, are shown below and on the following pages.

Exhibit 10 – 2006 Nichols Canyon Mine Plan for Reclamation



NICHOLS MINING RECLAMATION SUMMARY						
Mining Reclam. Area No.	Area		Cult		Fill (Overburden)	
	S.F.	Acres	C.Y.	Tons	C.Y.	Tons
MR-1	2,353,187	54.02	6,912,000	11,059,000		
MR-2	1,336,281	30.68			305,000	468,000
MR-3	377,184	8.66	364,000	582,400		
MR-4	1,131,138	25.97			217,000	347,200
DISTURBANCE ZONE	171,530	3.94				
REMAINDER AREA NO.	2,914,324	66.90				
REMAINDER AREA SO.	452,314	10.38				
EXIST. NICHOLS ROAD	68,902	1.58				
FUTURE NICHOLS ROAD	303,100	6.96				
SUBTOTAL	9,107,960	209.09	7,276,000	11,641,600	522,000	835,200
CALTRANS SLOPE (OFF-SITE)	100,653	2.31	389,274	622,838		
TOTAL	9,208,613	211.40	7,665,274	12,264,438	522,000	835,200

Exhibit 11 – 2006 Nichols Canyon Mining and Reclamation Plan



The project applicant, Castle and Cooke, Lake Elsinore West, Inc., owners of property within the ASRP #1 area, proposes a Vested Tentative Tract Map (VTTM) No. 35001, as shown below, encompassing an approximate 400.3-acre area, a portion of the overall ASRP Amendment #1, 998 total acres, for 1,056 single family lots, a high density multi-family residential area with 225 units, a 44.4 gross acre lot (32.9 net pad area) Suburban Village mixed use area (using a pro-rated formula to determine the maximum square footage allowed per planning area for commercial/office/light industrial and a percentage ratio for determining a total residential land use ratio), there is a potential of 120 dwelling units of high density residential and 1,358,000 square feet of commercial/office land use), and 10-acres within two (2) public parks. Development of the tract will include 334.4 potential gross acres of single family (SFI & SFII) residential development; and the 6.9-acre public park will be adjacent to a possible alternate use of an Elementary School site of 14.6 gross acres (for 850 students with 77 single family residential lots, 4,200 square feet in size as a residential land use overlaying the school site. With this land use inclusion of an Elementary School, the 77 single family residential lots, could be rearranged through a future Tri-Valley Agreement described Lot-Line Adjustment and Substantial Compliance administrative review or tract map amendment that will allow the 77 lots to be re-lotted into other areas of the single family lot land use area, pursuant to the Tri-Valley MOU's. See page 38 for further discussion on the Lot-Line Adjustment.

The 400.3-acre VTTM No. 35001, depicted below, substantially follows the ARSP #1 land use areas noted on the graphic which is taken directly from the adopted ARSP#1 text, Figure 6. For purposes of comparing the ARSP # 1 land use areas to the proposed VTTM No. 35001, the number of dwelling units, the densities, and commercial areas square footage are shown on the graphic. The ARSP#1 land use categories have been given Planning Area (PA) numbers identifying the VTTM nomenclature and location. The subsequent Table 1, following the land use graphic Exhibit 12, indicates the VTTMs planning areas and ARSP #1 land uses. The ARSP #1 land uses and densities (D.U.s and commercial square footage) that remain within the 598 County area are shown on Exhibit 13 and are further described within Table 2.

**Exhibit 12 – Proposed Alberhill Ranch Specific Plan #1 EIR Addendum #IV –
Vesting Tentative Tract Map (VTTM) No. 35001**



Table 1
Land Uses, Densities & D.U.s for the Proposed Alberhill Ranch Specific Plan #1
EIR Addendum #IV – Vesting Tentative Tract Map (VTTM) No. 35001

Planning Areas (P.A.) per VTTM No. 35001	Land Uses of the VTTM No. 35001 (Land Uses are per ARSP # 1)	C&C VTTM Property Gross Acres	Max. Density (Units/Ac.)/ Commercial FAR Max.	Dwelling Units and/ or Commercial S. F.
1	Suburban Village (SV)	9.8	30 DU/Ac./ 2.0 FAR	40 299,739
2	Single Family Residential II (SFR II)	161.2	6 DU/Ac.	534
3	Suburban Village (SV)	34.6	30 DU/Ac./ 2.0 FAR	80 1,058,261
4	Single Family Residential II (SFR II)	18.7	6 DU/ac.	71
5	High Density Multiple Family Residential (HDMFR)	11.5	30 DU/Ac.	225
8	Single Family Residential I (SFR I)	164.5	5 DU/Ac.	451
Totals		400.3 ac.	--	1,401 D.U./ 1,358,000 S.F.

- Notes:**
1. Planning Area 2: Includes 6.9 gross acres of Public Park Site; a possible alternate use as of a SFR II 13.0 acres area as an Elementary School of 850 students adjacent to the 6.0-acre Park Site.
 2. Planning Area 8: Includes a 3.1 gross acre Public Park Site.
 3. A 38.8 net acre area Linear Park is shared by these P.A.s.: P.A. #2 (27.3 acres of SFR-II), and P.A. #3 (11.5 acres of SV).
 4. FAR = Floor Area Ratio – Defined as the Total Building Square Footage divided by the Total Square Footage of Site.
 5. Total D.U.s permitted per Zoning 2,027.

Exhibit 13 – Alberhill Ranch Specific Plan #1 - County 598-Acre Acquisition/ Ownership Area with the EIR Addendum #IV – Vesting Tentative Tract Map (VTTM) No. 35001 (as an Overlay)

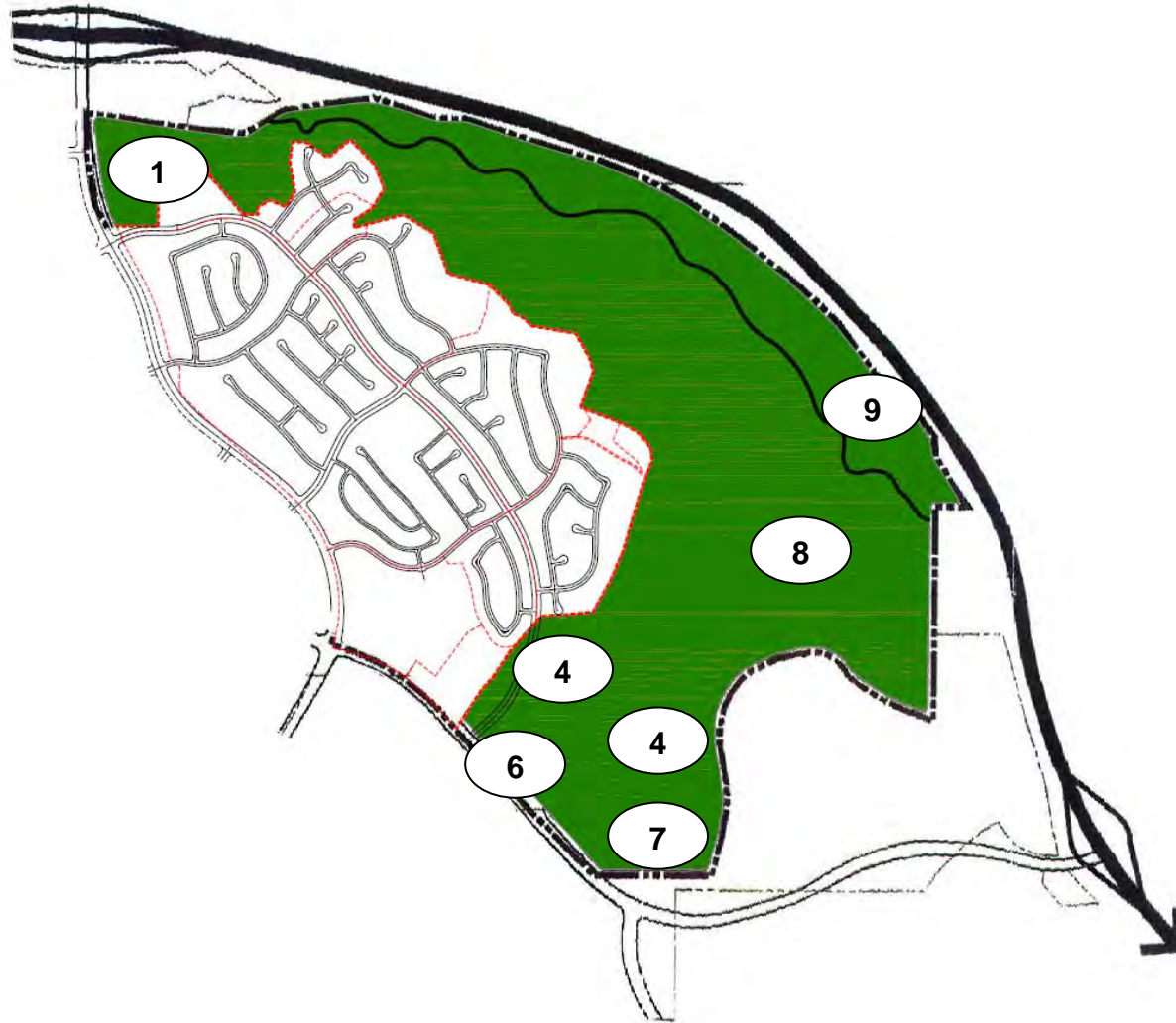


Table 2
ARSP #1 LAND USE THAT UNDERLIE THE 598-ACRE COUNTY
ACQUISITION/OWNERSHIP AREA

Planning Area	Land Use	Acres	Max. Density (DU/AC) Commercial Density FAR	Dwelling Units/ Commercial S.F.
1	Suburban Village (SV)	27.7	30/ 2.0 FAR	33/ 666,558.25 S. F.
4	Single Family Residential II (SFR II)	37.8	6.0	216
6	High Density Multiple Family Residential (HDMFR)	5.0	30	150
7	Suburban Village (SV)	29.0	30/ 2.0 FAR	35/ 697,941.76 S. F.
8	Single Family Residential I (SFR I)	354.4	5.0	900
9	Golf Course/Open Space (GC/OS)	144.00	0	0
TOTALS	---	598	2.23	1,334 1,364,500 S. F.

Lot Line Adjustment between Alberhill Ridge and County of Riverside

In 2010, CCLEW applied to the County of Riverside for a Lot Line Adjustment (LLA) between the 400.3 acre Alberhill Ridge site and the ±598-acre County of Riverside property north and east of Alberhill Ridge. The LLA is contemplated pursuant to the terms of the Tri-Valley Agreements. The proposed LLA calls for adjusting the common property line between CCLEW and County to exchange approximately 50.8 acres of net land on each property. The LLA will result in an estimated cost savings to the County of Riverside in the amount of approximately \$195,000 yearly easement maintenance per the Tri-Valley Agreement. In addition, the LLA will minimize view impacts of slopes higher than 175 feet and provide access of Alberhill Ridge Road to Nichols Road through County owned land in accordance with the City's General Plan Circulation Element without utilizing the City of Lake Elsinore's powers of eminent domain of right-of-way acquisition.

1.2 Addendum Conclusion and Analysis

In accordance with CEQA Guidelines § 15378(a)(3), the proposed VTTM No. 35001 constitutes a “project” which is subject to CEQA and the CEQA guidelines. The proposed development contemplated within the VTTM No. 35001 proposes no changes to the ARSP #1 and is, therefore, deemed consistent with the ARSP #1.

As described above, less residential (density) development within the ARSP #1 area will occur overall, as result of the approval of the VTTM than previously permitted under the Alberhill Ranch Specific Plan. This will result in a reduction of environmental impacts previously analyzed in the ARSP #1 EIR Addendum.

The County of Riverside has acquired 598 acres of the 998-acre ARSP #1 area for open space. The County MOU agreement with the City indicates this 598-acre area will be placed in a permanent conservation easement and, most likely, be transferred to the Riverside Conservation Agency (RCA) to be a part of the Multiple Species Habitat Plan program inside the City in exchange for certain, yet unidentified, City/County terms and conditions. These terms and conditions could be such things as public access and use of the 598-acre area. The VTTM No. 35001 provides multi-use trails into the MSHCP areas for both public and animal wildlife use.

It can be reasonably anticipated that no urban development, according to the ARSP #1 land plan, other than open space, will occur within the 598-acre area due to urban land use limitations contained in the three (3) Tri-Valley Agreements. The density and intensity of uses (1,334 dwelling units and 1,364,500 S.F. of commercial/office uses) that underlie the County 598-acre ARSP #1 development area will not be constructed, even though the current zoning, ARSP #1, permits urban development. Therefore, the intensity of impacts associated with development for the ARSP and ARSP #1 area will be significantly reduced in all topical CEQA categories.

While the 598 acres has been acquired by the County for conservation and future RCA acquisition, the zoning for the 598 County owned acres remains ARSP #1. Absent a General Plan change and a Zone Change or Specific Plan Amendment to the existing ASRP #1, therefore, the land uses within the 598 acres strictly remain urban land uses according to the ARSP #1 and as noted above on Exhibit 13 and Table 2.

The City, acting in the capacity of Lead Agency (as defined by CEQA Guidelines § 15367), has undertaken this environmental analysis for the purpose of identifying those major or minor technical changes to the Alberhill Ranch Specific Plan Final EIR, EIR Addendum I through III, which may be required to accurately describe the environmental effects resulting from the adoption of the now proposed VTTM No. 35001. This Addendum #IV to the Alberhill Ranch Specific Plan Final EIR, prepared pursuant to CEQA and under authority of CEQA Guidelines §§ 15162 and 15164, has been prepared to:

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- Provide an environmental basis for the adoption of the VTTM and other discretionary actions in accordance therewith;
 - Identify those physical changes which may occur to the Alberhill Ranch Specific Plan areas resulting from the proposed VTTM No. 35001 and set forth the technical changes to the Alberhill Ranch Specific Plan Final EIR, EIR Addendum I through Addendum #IV, resulting there from; and
 - Provide an analysis of those potential environmental impacts associated with the physical changes (as per CEQA Guidelines § 15358(b)), which are proposed to the Alberhill Ranch Specific Plan.

The CEQA Guidelines (§15164(a) and §15162) allow the City, as Lead Agency, to prepare an Addendum to a previous certified EIR if all of the following conditions are met:

- Changes to the project do not require major revisions to the previously prepared EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Changes with respect to the circumstances under which the project is undertaken do not require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- No new information becomes available which shows new significant effects, significant effects substantially more severe than previously discussed, or additional or modified mitigation measures;
- Only minor technical changes or additions are necessary to make the EIR under consideration adequate under CEQA; and,
- The changes to the EIR identified by the Addendum #IV do not raise important new issues about the significant effects on the environment.

As detailed below, EIR Addendum #IV, concludes that the proposed VTTM No. 35001, if approved by the City, (1) will not require important revisions to the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #IV, in that no new significant environmental impacts (not previously considered as part of the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #IV), have been identified, (2) no substantial changes with respect to the circumstances under which the project is undertaken have occurred, and (3) no new information or issues of substantial importance (which were not previously addressed in the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #IV) have been

identified through this subsequent environmental review. The Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I, together with EIR Addendum #II and #III and proposed EIR Addendum #IV, its technical appendices and the technical changes identified herein, adequately analyze the proposed changes to the Alberhill Ranch Specific Plan area, and provide an environmental basis for the City's discretionary action of approving the VTTM No. 35001.

1.3 Intended Use of Addendum

The following planning and legislative bodies are anticipated to utilize this VTTM No. 35001 EIR Addendum #IV, in conjunction with the Alberhill Ranch Specific Plan Final EIR and EIR Addendum #I through #III, as the environmental basis for subsequent discretionary actions taken within the Alberhill Ranch Specific Plan area:

- City of Lake Elsinore. CEQA Guidelines § 15025(c) indicates that where an advisory body (i.e., Planning Commission) is required to make a recommendation on a project to the decision-making body, the advisory body shall review and consider the environmental documentation in either draft or final form. CEQA Guidelines § 15169(c) requires that prior to taking action, the decision-making body of the lead agency (i.e., City Council) shall consider EIR Addendum #IV with the previously certified Alberhill Ranch Specific Plan Final EIR, EIR Addendum I through EIR Addendum III.
- Responsible Agencies. Prior to reaching a decision on a project, Responsible Agencies having jurisdiction hereupon must consider the environmental effects of the project as shown in the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #IV (CEQA Guidelines §§ 15050(b) and 15096(f)). Those Responsible Agencies (identified during the preparation of the Alberhill Ranch Specific Plan Final EIR) may utilize the information contained in the Final EIR, as may be modified by this EIR Addendum #IV, as evidence of CEQA compliance.

1.4 Incorporated by Reference

In an effort to avoid replication and redundancy in the planning process, several documents are hereby incorporated by reference, as permitted by CEQA Guidelines § 15150, which allows EIRs to incorporate by reference all or portions of other documents that are a matter of public record. Where all or a portion of another document is incorporated by reference, language shall be considered to be set forth in full as part of the text of the environmental impact report.

The information presented in this Addendum #IV is based, in part, upon other environmental documents and technical studies (prepared subsequent to the certification of the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #III), which include the project site or which address issues affecting

the project area. These documents, incorporated herein by reference and found on file at the Planning Department counter in the City of Lake Elsinore, include:

- “Alberhill Ranch Specific Plan Final Environmental Impact Report” (SCH No. 88090517), June 1989, prepared by Douglas Wood and Associates, and adopted August 28, 1989;
- “Addendum to the Alberhill Ranch Specific Plan 89-2 Final Environmental Impact Report (SCH No. 88090517) for the Alberhill Ranch”, April 1992, prepared by The Planning Associates, and adopted by the City of Lake Elsinore, June 1992;
- “EIR Addendum II to Alberhill Ranch Plan EIR (No. 89-2) for Murdock Alberhill Ranch Specific Plan Vesting Tentative Tract Map No.’s 30836 & 28214” (SCH No. 88090517), November 28, 2003, prepared by The Planning Associates, and adopted by the City of Lake Elsinore on January 13, 2004;
- Final Joint Environmental Impact Statement/Environmental Impact Report for Section 10(a) Permit to Allow Incidental Take of the Endangered Stephens’ Kangaroo Rat in Riverside County, California (SCH No. 89061909), County of Riverside EIR No. 3041, March 1990³;
- Final Environmental Impact Report for the Alberhill Regional Wastewater Reclamation Plan (SCH No. 90020247), Elsinore Valley Municipal Water District, December 19, 1990⁴;
- “Murdock Alberhill Ranch Specific Plan Amendment”, prepared by The Planning Associates, June, 1992;
- "Brighton Homes Alberhill Ranch Specific Plan Amendment #1, prepared by J.L. Webb Planning, Inc. in association with The Planning Associates, UltraSystems Environmental Services and Hunsaker & Associates Irvine, Inc., March 19, 1991; and

³ The Final Joint Environmental Impact Statement/Environmental Impact Report (“Joint EIR/EIS”) presents an analysis of the environmental impacts associated with the issuance of a permit under Section 10(a) of the Endangered Species Act of 1973 (“ESA”), as amended, to allow the incidental taking of the Stephens’ kangaroo rat (“SKR”) in certain areas in western Riverside County and the adoption and implementation of both a Habitat Conservation Plan (“HCP”) and an Implementation Agreement pursuant to the ESA. The Short-term Habitat Conservation Plan is an interim program for the protection of habitat areas occupied by SKR within western Riverside County. The Murdock Alberhill Ranch Specific Plan area was incorporated within the area analyzed under the Joint EIS/EIR and included in the HCP.

⁴ The Final Environmental Impact Report for the Alberhill Regional Wastewater Reclamation Plan provides an environmental analysis of the impacts associated with the development and operation of a wastewater reclamation facility to accommodate service demands associated with development activities authorized under both the Alberhill Ranch Specific Plan and development which may otherwise occur within the service area of that facility.

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- “Alberhill Ranch Specific Plan Amendment Number 3” – Lake Elsinore Outlet Center Expansion at Nichols Road, prepared by KTC Consultants, June 10, 1997.

As noted above, copies of these documents are available for review at City Hall Planning Department (130 South Main Street, Lake Elsinore, California 92330).

For the purpose of the EIR Addendum #IV, the following are attached as technical appendices to this addendum:

- “Acquisition Agreement, February 10, 2004 between Riverside County and Tri-Valley Partners;
- “Final EIR Addendum to Alberhill Specific Plan” (for Brighton Homes), prepared by UltraSystems Engineers and Constructors, Inc. Environmental Services Division, adopted September 10, 1991;
- “Alberhill Specific Plan Amendment Number 1” (for Brighton Homes), prepared by UltraSystems Engineers and Constructors, Inc. Environmental Services Division, March 19, 1991, adopted September 10, 1991;
- “Geotechnical Summary of Geologic Conditions” Letter by Petra Inc., Grayson R. Walker and Doug Johnston , June 12, 2009;
- “Preliminary Hydrologic Analysis for Pacific Clay & Alberhill Ridge”, Report by KWC Engineers, Mike Taing, R.C.E. 64263 May 2009;
- “Traffic and Circulation – CEQA Consistency” by Kyle Maberry of Linscott Law & Greenspan, Engineers, December 21, 2011 and February 29, 2012;
- Archaeology Present on Site – Reports prepared by Dr.. Christopher Drover and Various Other Archaeologists and Paleontologists for the Castle & Cooke, Inc., Properties within the City of Lake Elsinore;
- “Preliminary Water Facilities Plan” for Alberhill Ridge project prepared by KWC Engineers, Mike Taing R.C.E. 64263, dated December 6, 2011;
- “Preliminary Sewer Facilities Plan” for Alberhill Ridge project prepared by KWC Engineers, Mike Taing, R.C.E. 64263, dated December 6, 2011;
- “Project Specific Preliminary Water Quality Management Plan” (PWQMP) dated August 23, 2012 by KWC Engineers Victor Elia, P.E.;
- “Alberhill Villages and Alberhill Ridge Water Supply Assessment” (WSA) by MWH Americas, Inc., March 2012;

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- Storm Water Pollution Prevention Plan report on file with State of California Water Board SMARTS website – WDID No. 8 33C351094

The Preliminary Water Quality Management Plan (PWQMP)

The Preliminary Water Quality Management Plan (PWQMP) for Alberhill Ridge (VTTM No. 35001) is required by the City of Lake Elsinore as part of the review and approval of the VTTM No. 35001. A PWQMP is required for this project as part of the CEQA application per the City of Lake Elsinore Municipal Code Section 7.D.1, the City of Lake Elsinore 2010 MS4 Permit (R8-2010-0033) and the County of Riverside Drainage Area Management Plan (DAMP) dated April 2007. A Project Specific PWQMP Report for VTTM No. 35001, dated August 23, 2012 has been filed with the City of Lake Elsinore Public Works Department.

The PWQMP addresses the Pollutants of Concern for the project based on the Receiving Waters and development type, and how the project proposes to mitigate for these pollutants through: site design, source control and treatment control Best Management Practices (BMPs). Alberhill Ridge proposes eight (8) Extended Dry Detention Basins, for a total of +/- 6 acres with 10.6 acre-feet of storage, of which six (6) basins are proposed along the Lake Street Streambed / Linear Park which will provide more park area along the Lake Street Corridor. The proposed basins will mitigate the 2-year, 24-hour incremental increase in storm runoff so the project does not generate a Hydrologic Condition of Concern. Basins shall be owned and maintained by the City of Lake Elsinore, as described in the PWQMP and per the Brighton D.A., and shall be planted with a native plant palette to encourage growth of natural habitat. A Final WQMP will be prepared during the project development phase to refine the details of the WQMP design, maintenance and operation.

Alberhill Ridge Water Supply Assessment

In September 21, 2011, the City of Lake Elsinore requested that Elsinore Valley Municipal Water District (EVMWD) prepare a Water Supply Assessment (WSA) for the Alberhill Villages(+/- 1400.3 Acre Pacific Clay site) and Alberhill Ridge (400.3-acre Castle & Cooke, Lake Elsinore West site) projects located in the Alberhill area within the City of Lake Elsinore. EVMWD had contracted with MWH Americas, Inc. (MWH) to prepare the WSA. A report entitled 'Alberhill Villages and Alberhill Ridge Water Supply Assessment (WSA)' was prepared by MWH in March 2012. The WSA was approved by the EVMWD Board of Directors on March 22, 2012.

The 'Alberhill Villages and Alberhill Ridge Development Water Supply Assessment' was prepared in accordance with the California Water Code Section 10910 et seq. (enacted as Senate Bill 9SB) 610 (Costa) in 2001). In accordance with the SB 610 standard, the WSA evaluates whether EVMWD's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project,

in addition to EVMWD's existing and planned future water demands, including agricultural and manufacturing uses. As identified in the report, the Alberhill Ridge development has a projected potable water demand of 900 acre-ft/yr in the normal year, 700 acre-ft/yr in the wet year, and 900 acre-ft/yr in the dry year. The total annual water demand for the Elsinore service area is 37,700 acre-ft/yr, 33,300 acre-ft/yr, and 42,700 acre-ft/yr in the normal, wet, and dry year, respectively. The report further analyzes EVMWD's existing and future potable water supply sources and has identified a projected total available water supply of 62,300 acre-ft/yr for a single dry year, 60,800 acre-ft/yr in for multiple-dry years, and 59,500 acre-ft/yr for a single wet year scenario.

Based on a comparison of the projected water demands and available water supply, the existing and planned supplies are sufficient to meet existing and currently committed future maximum day demands conditions including the Alberhill Ridge development during normal, single dry and multiple dry years over a 20-year period. EVMWD has issued a will-serve letter for the VTTM No. 35001 Alberhill Ridge development dated July 31, 2012.

Stormwater Pollution Prevention Plan (SWPPP) for Alberhill Ridge

The Alberhill Ridge project site is situated on a 400.3-acre former mining site, which is currently undergoing reclamation. The site being reclaimed under RP 2011-1 (formerly RP 90-1) and has an approved reclamation plan for reclaiming 90 acres of the 400.3 acres. The State Water Resources Control Board has issued a Waste Discharger Identification (WDID) number for the site on March 10, 2008 and the WDID number is 8 33C351094. This will allow the Discharger to discharge storm water associated with any proposed onsite construction or grading activity within the guidelines of the current State's Construction General Permit adopted by Order No. 2009-0009-DWQ on September 2, 2009. The General Permit went into effect on July 1, 2010 and will expire on September 2, 2014 or until a new permit is adopted.

A Stormwater Pollution Prevention Plan (SWPPP) for the Alberhill Ridge site and the report can be found at the designated job site location. The report is currently on file with the State under the State Water Board's SMARTS website. As proposed on the Alberhill Ridge SWPPP, 57 sediment basins were proposed as a Best Management Practices (BMP) at various locations within the site to control the potential of sediment leaving the site during construction and grading activities. Currently, all of these sediment basins have been graded and are in place on-site to comply with the General Permit. To date these sediment basins proposed as a BMP for the site have been effective in controlling the deposition of sediment and the discharge of turbid stormwater offsite within the guidelines of the General Permit.

2.0 JUSTIFICATION FOR EIR ADDENDUM #IV

2.1 Subsequent/Supplemental CEQA Analysis

CEQA Guidelines § 15162 provides direction for when a lead agency has to undertake additional CEQA analysis for subsequent discretionary actions related to a project such as this VTTM No. 35001. According to the CEQA Guidelines, where an EIR has been prepared and certified by the lead agency (in this case the Alberhill Ranch Specific Plan Final EIR), a subsequent or supplemental EIR may only be required if the lead agency, on the basis of substantial evidence in the light of the whole record, determines one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of **new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of **new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was certified as complete shows any of the following:
 - (a) The project will have one or more significant effects not discussed in the previous EIR;
 - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project;
 - (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment.

An analysis of the potential environmental impacts associated with the development of VTTM No. 35001 conclusively demonstrates that development of the proposed VTTM No. 35001 will not trigger any of the provision of CEQA Guidelines § 15162, and therefore a subsequent or supplemental EIR is not required. This is borne out by the

fact that if the City approves the VTTM No. 35001, such an action: (1) will not require important revisions to the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #III in that no new significant environmental impacts (not previously considered as part of the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #III) have been identified, (2) no substantial changes with respect to the circumstances under which the project is undertaken have occurred, and (3) no new information or issues of substantial importance (which were not previously addressed in the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #III) have been identified through this subsequent environmental review. The Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #III, together with EIR Addendum #IV, its technical appendices and the technical changes identified herein, adequately analyze the proposed changes to the Alberhill Ranch Specific Plan areas, and provide an environmental basis for the City's discretionary action of approving the VTTM No. 35001. Additionally, the VTTM No. 35001 area is substantially consistent with the approved ARSP #1 so as to produce no additional environmental impacts or changes to the previous project.

As discussed below, this VTTM No. 35001 EIR Addendum #IV reviews all 14 potentially significant environmental impact areas analyzed in the original Alberhill Ranch Specific Plan Final EIR and subsequent EIR Addendum #I through EIR Addendum #III. This analysis concludes that because the Single and Multiple family residential, the Suburban Village mixed use and commercial development areas within the VTTM No. 35001 are reduced to only occupy the 400.3 acres from the original 998 acres, due to the Tri-Valley MOU's, the VTTM No. 35001 project will not directly or indirectly increase any impacts that were previously analyzed. In particular, for those impact areas with the most potential for change, (traffic, hydrology and geology), since they were last analyzed in 1991, this EIR Addendum #IV, as described within Section 4.0 - Environmental Impacts and Mitigation Measures, of this EIR addendum concludes through subsequent technical review that VTTM No. 35001 traffic, hydrological, and geological impacts will not directly or indirectly increase any impacts that were previously analyzed.

This proposed VTTM No. 35001 area was given partial park credit for the proposed 34-acre community park that was subsequently developed with 22.4 acres on the Murdock Alberhill Ranch, thus, permitting via the ARSP #1 and Brighton D.A., a smaller than normally required Public Park Quimby requirement within the VTTM No. 35001 area.

The City of Lake Elsinore City Council Resolution No. 85-34 states that the Park Code requires five acres of park land dedicated for every 1,000 residents. Based on a projected population of 8,766 (ARSP #1, Page 13, 3rd paragraph), a total of 43.8 acres of parkland would be required for the entire 998-acre ARSP #1 area.

The proposed VTTM No. 35001 would provide: 1) a centrally located public park (6.9 acres); 2) a 3.1 acre trail head/park site; 3) linear park and open space/corridor areas (38.8 net acres) providing a connectivity of the outer northern portion of the 998-acre areas to the corridors proposed along the major entry area and along the eastern perimeter of Lake Street and northern perimeter of Nichols Road; 6) plus the additional open space/ trails/slope areas (60.2 acres). The proposed VTTM No. 35001's 400.3 acres would provide for an overall total of 59.3 acres of park and/or open space including the partial 10.5 acre Murdock Alberhill Ranch park site credit. Adding the County-owned and planned open space areas bring the total planned and developed open space for the ARSP #1 area to approximately 646 acres with a net 269.165 acres developed for urban uses within the VTTM No. 35001 portion of the ARSP #1 area.

In the context of potential cumulative impacts, the existing ARSP environmental baseline setting outside the VTTM No. 35001 project boundary area has not been altered in any way to significantly impact or increase the environmental impacts previously analyzed in the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #III. This conclusion includes environmental impacts, but not limited to, biological resources, traffic, noise, hydrology, or geology in the VTTMs immediate surrounding area. Furthermore, the following specific technical analyses, which are included with this Addendum #IV, support the conclusion that, traffic, hydrological, and geological impacts are substantially consistent with the Alberhill Ranch Specific Plan Final EIR, EIR Addendum #I through EIR Addendum #III, and will not significantly impact the VTTM area by any changed circumstances outside the VTTM project area.

2.2 Addendum #IV Approach

EIR Addendum #IV, for the proposed VTTM No. 35001, will inform the City decision makers of any significant impacts, if any are identified through this Addendum #IV analysis, which were not previously reviewed or contemplated in previous entitlement approvals for the Alberhill Ranch Specific Plan. EIR Addendum #IV first provides a brief overview of the overall project description as described in the Alberhill Ranch Specific Plan Final EIR, the minor changes to the project description as analyzed in EIR Addendum #I through EIR Addendum #III for the Murdock Alberhill Ranch Specific Plan, and the further minor changes to the project description resulting from the proposed VTTM No. 35001 to the ASRP #1.

EIR Addendum #IV then compares the ARSP #1 project contemplated in 1991 (i.e., Multiple Family Dwelling Unit, High Density and Suburban Village Options), which was analyzed in EIR Addendum #I to the project now proposed in 2012 (i.e., VTTM No. 35001) to determine if any significant changes or new "impacts" have occurred to the more detailed project "design" contemplated in ARSP #1 and now depicted in the VTTM No. 35001 or in the project area that were not previously contemplated and addressed in EIR Addendum and covered by adopted mitigation measures. EIR

Addendum #IV reviews the 14 environmental impact topical study areas addressed in EIR Addendum #I through EIR Addendum #III, and specifically focuses, through subsequent technical analyses, on the five environmental impact areas determined through an Initial Study with having the most potential for changed circumstances since the VTTM No. 35001 project area was last analyzed in 1992 and 2003 (i.e., biological resources, traffic and circulation, noise, geology, and hydrology).

EIR Addendum #IV also analyzes whether the mitigation measures previously analyzed and adopted for the ARSP #1 are sufficient for City approval of the VTTM No. 35001 or whether additional or modification to existing mitigation measures are required to deal with any significant “changes” that have occurred since last analyzed in 1992 and 2003 in EIR Addendum #I through EIR Addendum #III, respectively. If as a result of this Addendum #IV analysis, additional or modified measures are deemed necessary by the City decision makers, these additional or modified mitigation measures can be added as part of the VTTM No. 35001 entitlement process, as conditions of the VTTM approval.

No changes to the ARSP EIR are needed, as demonstrated below, and this EIR Addendum #IV concludes that the proposed VTTM No. 35001 is substantially consistent with the approved ARSP #1 topical CEQA analytical category and in the contemplated VTTM No. 35001 land use design. Further, because the VTTM No. 35001 design, density, and intensity of development, combined with the Tri-Valley agreements will reduce the amount of residential development overall within the ARSP #1 due to the land acquired for conservation, the EIR Addendum #IV concludes that no significant circumstances have changed in the ARSP project area that would cause the City decision makers to determine that new significant impacts are caused solely or cumulatively by the VTTM No. 35001 project implementation, requiring the preparation of a full, subsequent or supplemental EIR pursuant to CEQA § 21166 and CEQA Guidelines §§ 15162 and 15163. The conclusion of this EIR Addendum #IV is that overall environmental impacts have been reduced below impact levels previously analyzed in the ARSP EIR.

Finally, EIR Addendum #IV further concludes that the mitigation measures previously reviewed and adopted by the City decision makers in EIR Addendum #I for ARSP #1 and EIR Addendum #II and #III for the Murdock Alberhill Specific Plan and its attendant two VTTMs, previously described, are adequate to cover all the environmental impacts, specifically regarding biological resources, traffic and circulation, noise, geology, and hydrology impacts, for the proposed VTTM No. 35001.

3.0 PROJECT DESCRIPTION

3.1 Alberhill Ranch Specific Plan

The Alberhill Ranch Specific Plan area forms the northwesterly boundaries of the City of Lake Elsinore, extending the City northward along the I-15 Freeway corridor into

Temescal Valley. The area governed by the Alberhill Ranch Specific Plan consists of approximately 1,853 acres and can generally be described as that geographic area bounded on the north by the I-15 Freeway, on the south by Terra Cotta Road/Nichols Road, on the east by El Toro Road, and on the west by Robb Road/Lake Street. The Alberhill Ranch Specific Plan boundaries are illustrated on Exhibit 5 .

The Alberhill Ranch Specific Plan originally consisted of three ownerships: Murdock Alberhill Ranch Limited Partnership, now known as Castle and Cooke Alberhill Ranch, LLC and Castle and Cooke Lake Elsinore West, Inc., Brighton Alberhill Associates; and Long Beach Equities, and proposed 3,705 dwelling units, 254 acres of commercial use, 531 acres of open space, 30 acres of park, and 50 acres of school/park sites.

3.2 Description of the Alberhill Ranch Specific Plan #1 and Changes to the Original ARSP

As briefly explained in Section 1.1 of this EIR Addendum #IV, the original ARSP 89-2, approved on August 8, 1989, contained an approximate total of 1,853 acres, and proposed a broad variety of land uses. The ARSP #1, was Brighton Homes separation of a 998-acre area out of the 1,853 acre Specific Plan area, redesigned an entirely different Specific Plan out of the original 1,853-acre Specific Plan area. The primary changes to the original 1,853-acre ARSP by the approved Brighton Specific Plan and Development Agreement are listed below along on a two-page table comparison [shown as Exhibit 6 (table)] taken directly from the adopted ARSP #1 FEIR addendum text (pages 2-10 through 2-13):

1. A 135-acre increase in the site area allocated for residential use. In accordance with an executed Development Agreement between the Applicant and the City of Lake Elsinore, the total number of residential units may increase from 2,235 units to 2,735 units, representing a potential increase of 500 dwelling units.
2. A 42-acre increase in land area assigned to a commercial use (i.e., Suburban Village). No change in square footage of commercial development was proposed.
3. Pursuant to the proposed amendment (ARSP #1) to the project's zoning regulations, residential uses are authorized within that area designated for commercial use (i.e., Suburban Village). Development of residential uses within this area will not, however, result in an increase in the total residential uses over the 2,735 units authorized hereunder.
4. Inclusion of a potential 144± acre golf course within the project area.
5. Reduction in the land area allocated for natural open space and a conversion of that acreage to other open space and/or recreational uses,

including a golf course, natural open space, riparian areas and a water reservoir. Although project development would result in a minor reduction in open space areas, the extent of that reduction was not considered to be significant.

EXHIBIT 6									
LAND USE COMPARISONS									
Category	Land Use	Alberhill Ranch Specific Plan ¹			Alberhill Specific Plan Amendment No. 1 ²			Difference	
		Gross Acres	Maximum Allowable Density	Development Potential	Gross Acres	Maximum Allowable Density	Development Potential	Gross Acres	Development Potential
<u>Residential</u>									
RCD	Single-family Residential	133.0	3.0 du/acre	399 units	--	--	--	(133.0)	(399 units)
R-SF	Single-family Residential	337.0	4.0 du/acre	1,348 units	--	--	--	(337.0)	(1,348 units)
SFR I/I	Single-family Residential	--	--	--	541.0	5.0/6.0 du/acre	2,400 units	541.0	2,400 units
R-M	Single-family Residential	31.0	8.0 du/acre	248 units	--	--	--	(31.0)	(248 units)
R-3	Multi-family Residential	10.0	24.0 du/acre	240 units	--	--	--	(10.0)	(240 units)
HDMF 30	Multi-family Residential	--	--	--	16.0	30.0 du/acre	300 units	16.0	300 units
Suburban Village ³	Commercial/Residential	--	--	--	89.0	30.0 du/acre	300 units	89.0	300 units
	Subtotal Residential	511.0	--	2,235 units ⁴	646.0	--	2,735 units ⁵	135.0	500 units ⁶
<u>Commercial</u>									
C-1	Neighborhood Commercial	21.0	0.50 FAR	457,380 s.f.	--	--	--	(21.0)	(457,380 s.f.)
C-SP	Commercial Specific Plan	26.0	2.0 FAR	2,265,120 s.f.	--	--	--	(26.0)	(2,265,120 s.f.)
Suburban Village	Commercial/Residential	--	--	--	89.0	2.0 FAR	2,722,500 s.f. ⁶	89.0	2,722,500 s.f.
	Subtotal Commercial	47.0	--	2,722,500 s.f.	89.0	--	2,722,500 s.f.	42.0	0 s.f.

¹ From Table 3 (Alberhill Ranch Specific Plan Statistical Summary), Alberhill Ranch Specific Plan.

² From Table 1 (Statistical Summary), Alberhill Specific Plan, Amendment No. 1.

³ Under the "Suburban Village" designation both residential and commercial land uses are authorized. As a result, this land use category has been included under both the residential and commercial groupings.

⁴ Average overall density is set at 2.2 du/acre for the Alberhill Ranch Specific Plan.

⁵ The total number of dwelling units indicated herein (3,000 units) exceeds the total represented in this column (2,735 units). Pursuant to an existing Development Agreement, the total number of units authorized hereunder shall not exceed 2,735 units, resulting in an average overall density of 2.7 du/acre for the Alberhill Specific Plan Amendment No. 1.

⁶ Pursuant to the Development Agreement between the City of Lake Elsinore and Brighton Alberhill Associates for Alberhill Ranch Development (July 20, 1990).

EXHIBIT 6 (Continued)									
LAND USE COMPARISONS									
Category	Land Use	Alberhill Ranch Specific Plan ¹			Alberhill Specific Plan Amendment No. 1 ²			Difference	
		Gross Acres	Maximum Allowable Density	Development Potential	Gross Acres	Maximum Allowable Density	Development Potential	Gross Acres	Development Potential
Other									
JHS	Junior High	20.0	N/A	N/A	N/A ³	N/A	N/A	(9.0)	N/A
ES-P	Elementary School/Park	15.0	N/A	N/A	N/A ³	N/A	N/A	(8.0)	N/A
OS	Open Space	404.0	--	N/A	--	--	--	(404.0)	--
GS-OS	Golf Course/Open Space	--	--	--	351.0	--	--	351.0	--
	Subtotal Other	439.0	--	--	351.0	--	--	(70.0)	1.0
	Total	997.0	--	2,235 units 2,722,500 s.f.	997.0 ⁴	--	2,735 units 2,722,500 s.f.	0 ⁴	500 units 0 s.f.

¹ From Table 3 (Alberhill Ranch Specific Plan Statistical Summary), Alberhill Ranch Specific Plan.

² From Table 1 (Statistical Summary), Alberhill Specific Plan, Amendment No. 1.

³ Included within the "Suburban Village" land use designation.

⁴ In response to the mixed use (commercial/residential) authorized under the "Suburban Village" designation, that acreage (89.0 acres) has been included under both the residential and commercial categories herein. To derive total acreage associated with the Alberhill Specific Plan, Amendment No. 1, these 89.0 acres have been included only once in the derivation of this total.

Within the ARSP #1 Brighton Specific Plan and D.A., there is a proposed public park (open space area) reserved in a much smaller acreage requirement than required under the City's Quimby Act park dedication and development ordinance. The amount of open space, including the 144-acre golf course and the adjoining Specific Plan described 22.4-acre Murdock Alberhill Ranch Community Park at the corner of Lake Street and Nichols Road were land use facts supporting the City Council findings for requiring less Public Park within ARSP #1. The initial D.A., included as part of the City's approval, secured the development rights for 2,235 residential dwelling units, 2,722,500 square feet of commercial, industrial uses, open space and related uses. The D.A. was amended and the entitlements were supplemented in September of 1991 with a General Plan Amendment to the Lake Elsinore General Plan by two Resolutions which increased the number of allowable dwelling units by 500 to 2,735 shown in ARSP #1 and detailed the development timing of the proposed and potential golf course.

3.3 Brighton Alberhill Ranch Specific Plan Amendment #1 Comparison to the Proposed VTTM No. 35001

As discussed above, the ARSP #1 was approved to allow 2,735 dwelling units and 2,722,500 square feet of commercial, industrial uses open space and related uses on a 998-acre area of the original 1,853 acre Specific Plan area. The VTTM No. 35001, an approximate 400.3- acre area of the 998-acre area of the ARSP #1, is proposed as a ARSP #1 implementation project that will include 1,056 single family lots, a high density multi-family residential area with 225 units, two Suburban Village areas with mixed land uses including 120 DU's of high density residential, commercial, office that will permit for purposes of CEQA a pro-rated land uses with a potential of 1,358,000 sq. ft. of commercial/office/light industrial land uses). The overall dwelling unit count and commercial square footage allowed within the VTTM No. 35001 area will remain the same while the acreage numbers within the respective residential and commercial planning areas may vary in small degrees within the proposed VTTM No. 35001. The small difference in planning area acreage is due to the final location of the collector road running through the proposed VTTM No. 35001, which is located closer to Lake Street than the collector as graphically approved within the ARSP Amendment #1.

The only land uses shared in common and have relevance from the ARSP EIR Addendums #I, #II and #III, are the community park/open space, school land use areas, and traffic/ circulation roadway system. As discussed above, proposed VTTM No. 35001 was given partial (47.2%) park dedication and development credit for the Alberhill Ranch Community Park that was subsequently developed on 22.4 acres within the Murdock Alberhill Ranch Specific Plan area located south of Nichols Road at Lake Street by Castle & Cooke.

It can be reasonably anticipated that no development will occur within the remaining ARSP #1 County owned 598-acre area due to the Tri-Valley Agreements negotiated and finalized between the 3 parties to the agreement (County, Tri-Valley and City of Lake Elsinore). The density and intensity of approved zoned land uses that underlie

the 598-acre ARSP #1 area will not be constructed according to the agreements but for the zoned open space. Therefore, the intensity of impacts associated with development for the ARSP and ARSP #1 area will be significantly reduced in all topical CEQA categories with the reduced residential and commercial land uses within the County ownership area.

3.4 Comparison Summary of ARSP #1 to the Proposed VTTM No. 35001 Plan

The following approved and permitted land uses, based on the current ARSP #1 zoning described in the ARSP Amendment #1 Specific Plan created by Brighton Homes in March 19, 1991, are:

Currently Approved ARSP#1 Land Use Categories

Dwelling Units SFR zones I and II:	2,735 D.U. on a total on 748 acres
Mixed Use (Suburban Village):	2.7 million square feet on 89 acres
High Density Multiple Family	600 D.U. on 17 acres
Park Space:	Included within SFR zones
School Space:	Included within Residential zones
Golf Course and Open Space	144 ac. Golf course
Totals	998 acres.

Within the Brighton ARSP #1 998 acres, the Suburban Village category, multiple family, attached, residential structures, townhouses, condominiums, and apartments developed at a density of up to 30.0 dwelling units per acre are permitted. Higher density units, up to 30 D.U.s per acre and higher are permitted by the ARSP #1. The affordable housing 25% density increase component is not part of the total 2,735 units permitted within the S.P. area pursuant to the D.A. The additional affordable units could be built out with a 25% additional density factor within the affordable areas pursuant to state law and local ordinance. Within the Mixed-Use Suburban Village District, 2,722,500 million square feet of neighborhood community commercial uses are permitted including, but not limited to, general retail, office/professional, eating and personal service establishments, hotels and entertainment centers and park and open space will also be permitted. Public educational uses will also be permitted; however, they will include commercial opportunities within the same property. [ARSP Amendment #1, page 10].

The proposed VTTM No. 35001 Plan, for the 400.3-acre component, of the larger 998-acre ARSP #1, has the following Land Use Plan areas and uses:

Single Family Residential I & II D.U.s:	1,056 D.U.s on 334.4 acres
High Density Multiple Family Residential D.U.s:	225 D.U.s on 11.5 acres
Suburban Village (Mixed- Use) D.U.s potential:	120 D.U.s on 44.4 acres
Commercial/office/light industrial land use:	1,358,000, Sq. Ft.
Total Residential D.U.s:	1,401 D.U.s
Total Commercial Sq .Ft.	1,358,000 Sq .Ft.

Within the Single Family Residential I & II 334.4-acre land use areas, these following land uses are also proposed:

(2) Public Parks :	10.0 acres
Elementary School:	14.6 acres
Additional Open Space: Linear Park, Open Space Slope, and Wildlife Corridor areas:	38.8 acres

Total Open Space within the 400.3-acre VTTM: 48.8 acres

The 1,401⁵ residential dwelling units and the 1,358,000 Sq. Ft. of commercial/office/light industrial permitted ARSP #1 land uses proposed for VTTM No. 35001 Plan occupy substantially the same approximate land use areas of the Brighton ARSP #1 plan. (See ARSP 31 Figure 6.) The proposed VTTM No. 35001 is substantially the same permitted build-out for DU's and commercial square feet, consistent with the Brighton ARSP #1 land use plan. The reduction of overall ARSP #1 residential units and commercial/office/light industrial land use area is the result of the Tri-Valley agreements and subsequent 598-acre land sale to the County and the concomitant reduction of the DU's and commercial square footage permitted by the ARSP #1 in the County areas.

The following chart, Exhibit No. 14, depicts the overall land use comparison of the adopted ARSP #1 998-acre area [taken from portion of the two-page table, shown as Exhibit 6, taken from the FEIR addendum text, as noted above on pages 2-12 and 2-13) and the ARSP #1 with the VTTM No. 35001 Addendum changes for the overall 998-acre area.

For purposes of this EIR Addendum #IV analysis, the assumption is made that the Development Agreement remains active, the golf course could be built on the County acreage and the 500 additional dwelling units are permitted, in exchange for the golf course construction, with a total of 2,735 D.U.s within the 998-acre area (Development Agreement – Pages 5, 6, 7 and 17). Should the golf course not be built, then the pro-rata share of the 2,735 D.U.' s, minus the 500 D.U.s allotted per the D.A. for golf

⁵ The residential land use components that make the 1,401 total of residential dwelling units within the VTTM No. 35001 are: 1,056 Single Family Residential I and II, 225 of Multi-Family, 40 of Suburban Village High Density dwelling units and 80 of Suburban Village High Density dwelling units.

course development, will reduce the overall allowable total of D.U.s within the VTTM No. 35001. Within the 998-acre area the total reduction would revert to the original D.A. permitted 2,235 D.U.s. The VTTM No. 35001 area would lose approximately 200 D.U.s as a result of the golf course not being constructed. This non-golf course construction would result in total D.U.s of 1,201, excluding any affordable housing increases provided by law, i.e. 25% density increase for affordable housing categories plus other incentives (Government Code Section 65915-65918).

The golf course construction, according to the Development Agreement (Page 7), was deemed to satisfy any and all deficiencies in the required park and recreational lands and or in-lieu fees pursuant to SP 89-2. Civic use of the golf course clubhouse with the City is the "contract" consideration for the in lieu fee offset (Development Agreement, Page 7). The potential reduction of 500 fewer units in the overall Specific Plan area will have less impact in all sectors and will be less intensive in D.U.s per acre. In addition, without the golf course, the biology impacts could be less impacting, yet the golf course, arguably, could add positive impacting/mitigating biology elements, as it relates to the restoration and creation of habitat within certain areas of the golf course. (i.e., Native trees, scrubs, water elements, etc.)

It can be reasonably anticipated that no urban development, according to ARSP # 1, will occur within the 598-acre area due to urban land use limitations contained in the three (3) Tri-Valley Agreements. The density and intensity of uses (dwelling units and commercial/office uses) that underlie the 598-acre ARSP #1 development area will not be constructed, even though the current zoning, ARSP #1, permits urban development. Therefore, the intensity of impacts associated with development for the ARSP and ARSP #1 area will be significantly reduced in all topical CEQA categories.

In respect of what the approved ARSP #1 permits, a reduction of D.U.s may come from any category (i.e., single family to high density). The D.U. density maximums have been set by the Development Agreement and the ARSP #1, which allows flexibility in the land use categories (i.e., the planning rationale of why a D.U. range with a maximum is provided for in the ARSP #1).

Exhibit 14 summarily demonstrates that the 400.3-acre development area of the proposed VTTM NO. 35001 portion of the entire 998-acre S.P. area has reduced the SFR I & II in total acres by 16.1 acres primarily due to roadway alignments. This VTTM No. 35001 has increased the Suburban Village in land use area by 16.5 acres, again due to roadway shifting according to more precise grading. The VTTM No. 35001 slightly modified all land use categories acreages/boundaries, but has strictly maintained the maximum number of D.U.s and Sq. Ft. of commercial/office land uses as permitted within the ARSP #1.

Exhibit 14

LAND USE COMPARISONS

Category	Land Use	Alberhill Specific Plan Amendment No. 1 ¹			Alberhill Specific Plan Amendment No. 1/ EIR Addendum IV & VTTM No. 35001			Difference	
		Gross Acres	Maximum Allowable Density	Development Potential	Gross Acres	Maximum Allowable Density	Development Potential	Gross Acres	Development Potential
<u>Residential</u> SFR I SFR II	Single-family Residential Single-family Residential	495.0 253.0	5 du/acre 6 du/acre	{ 2,135 units	515.8 210.8	5 du/acre 6 du/acre	1,351 du/s <u>821 du/s</u> 2,171 du/s	20.8 (42.2)	{ 0 units
HDMF 30 Suburban Village ²	Multi-family Residential Commercial/Residential Subtotal Residential	16.0 89.0 ³ <u>853.0</u>	30.0 du/acre 30.0 du/acre	{ 600 units <u>2,735 units⁴</u>	16.5 <u>101.1</u> <u>844.2</u>	30.0 du/acre 30.0 du/acre	375 du/s <u>188 du/s</u> <u>2,735 du/s</u>	0.5 <u>12.1</u> <u>(9.29)</u>	{ 0 units <u>0 units</u>
<u>Commercial</u> Suburban Village ⁵	Commercial/Residential Subtotal Commercial	89.0 <u>89.0</u>	2.0 FAR	2,722,500 s. f. <u>2,722,500 s. f.⁶</u>	101.1 <u>101.1</u>	2.0 FAR	2,722,500 s. f. <u>2,722,500 s. f.</u>	12.1 <u>12.1</u>	0 s. f. <u>0 s. f.</u>
<u>Other</u> ES-P Open Space	Elementary School/Park Open Space	(Acreage is Included as part of Residential Acreage) ⁷	-- --	-- --	Public Park 10.0 <u>10.0⁸</u>	-- --	-- --		N/A N/A
GS-OS	Golf Course/Open Space Subtotal Other	G.C.: 144.0 <u>144.0</u>	--	--	G.C.: 144.0 <u>144.0</u>	--	--	0.0	--
	TOTAL	997.0 ⁹	2.7	2,735 units 2,722,500 s. f.	998.0	2.7	2,735 units 2,722,500 s. f.	0.0	0 units 0 s.f.

¹ Excerpted from Table 1 (Statistical Summary), Alberhill Ranch Specific Plan, Amendment No. 1.

² Under the Suburban Village designation, both residential and commercial land uses are authorized. As a result, this land use category has been included under both the residential and commercial groupings.

³ In response to the mixed use (commercial/residential) authorized under the "Suburban Village" designation, that acreage (89.0 acres) has been included under both the residential and commercial categories herein. To derive total acreage associated with the Alberhill Ranch Specific Plan No. 1, these 89.0 acres have been included only once in the deviation of this total.

⁴ Pursuant to an existing Development Agreement, the total number of units authorized hereunder shall not exceed 2,735 units, resulting in the average overall density of 2.7 du/acre for the Alberhill Specific Plan Amendment No. 1. (Plus maximum of 600 units of High Density Multi-family)

⁵ Under the Suburban Village designation, both residential and commercial land uses are authorized. As a result, this land use category has been included under both the residential and commercial groupings.

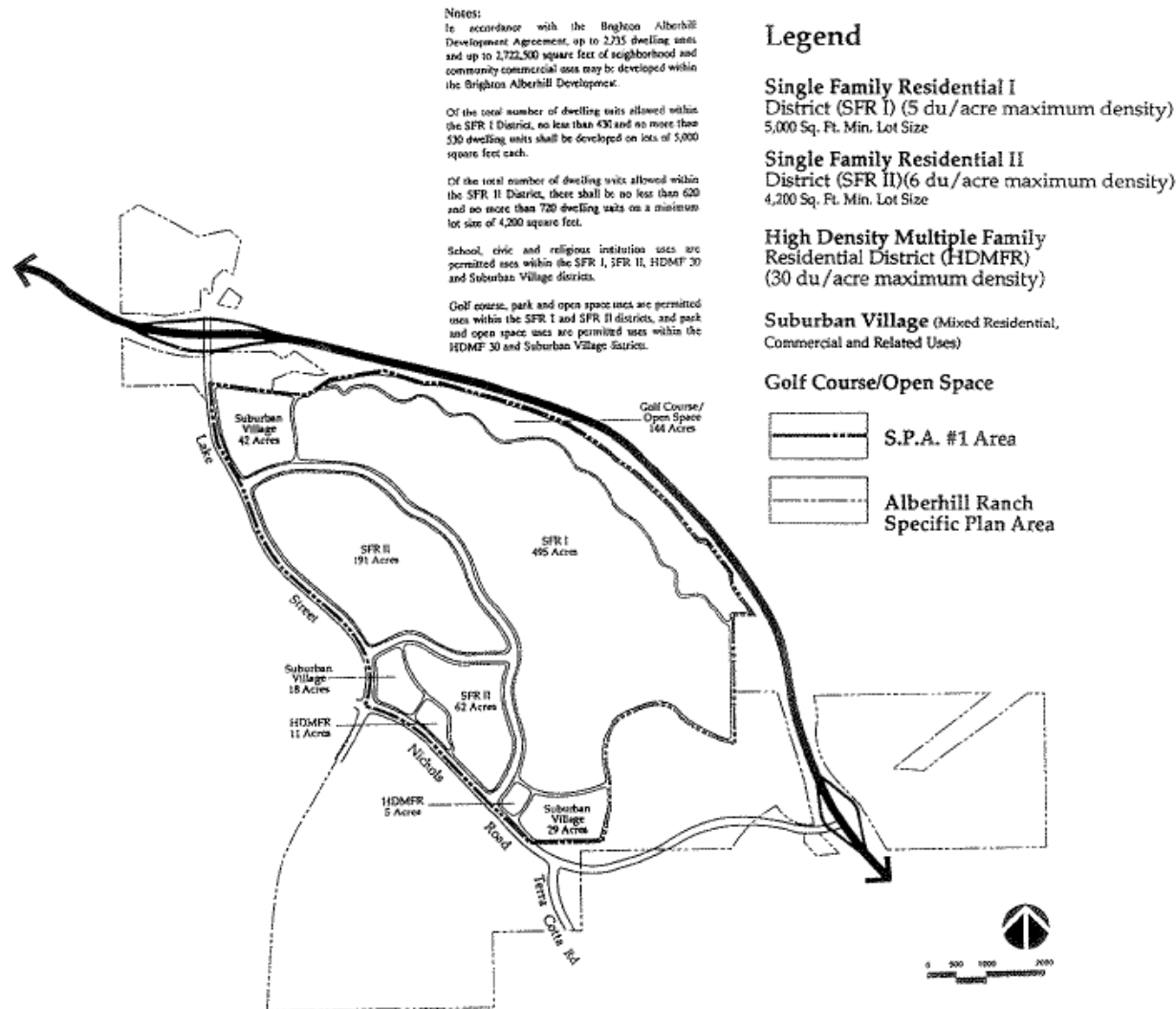
⁶ This maximum development potential for commercial area is pursuant to the Development Agreement between the City of Lake Elsinore and Brighton Alberhill Associates for the Alberhill Ranch Development (July 20, 1990).

⁷ Parks and Open Space – 158 acres; Elementary School – 23 acres.

⁸ Public Parks: 6.9 gross acres, 3.1 gross acres, and 38.8 acre Linear Park comprise of 11.5 acres of SV and 27.3 acres of SFR-II.

⁹ Average overall density is set at 2.7 for the Alberhill Ranch Specific Plan Amendment No.1.

Exhibit 15 - Land Use Comparisons with ARSP Amendment #1 as the Base and the Proposed EIR Addendum #IV & VTTM NO. 35001 (as a Separate Acetate Overlay)



3.5 Proposed VTTM No. 35001 Plan Analysis

Proposed VTTM No. 35001 Land Use Plan: The proposed VTTM No. 35001 land use plan is substantially consistent with the currently adopted “Brighton” ARSP #1 plan within the residential and commercial locations. The internal circulation system of the main collector road (Alberhill Ridge Road), though slightly adjusted from the ARSP #1 Land Use Plan graphic #6 for grading and alignment with adjacent built roadways, has created a consequent minor shift of planning uses within the ARSP #1 planning areas. This re-alignment of roadways has been accommodated by moving the main access collector loop road (Alberhill Ranch Road extension) northwest, southwest and southeast of the previous internal circulation within the ARSP #1. This main collector road can be characterized as the “general” dividing line between SFR I and SFR II ARSP #1 land uses according to the Specific Plan, although SFR I and SFR II land uses can be used interchangeably in some cases. There were no precise engineering alignments, grading design or metes and bounds descriptions of roadway boundaries adopted within the original ARSP #1 zoning, therefore, substantial consistency is the standard by which this Addendum evaluates the land uses between the VTTM No. 35001 and ARSP #1.

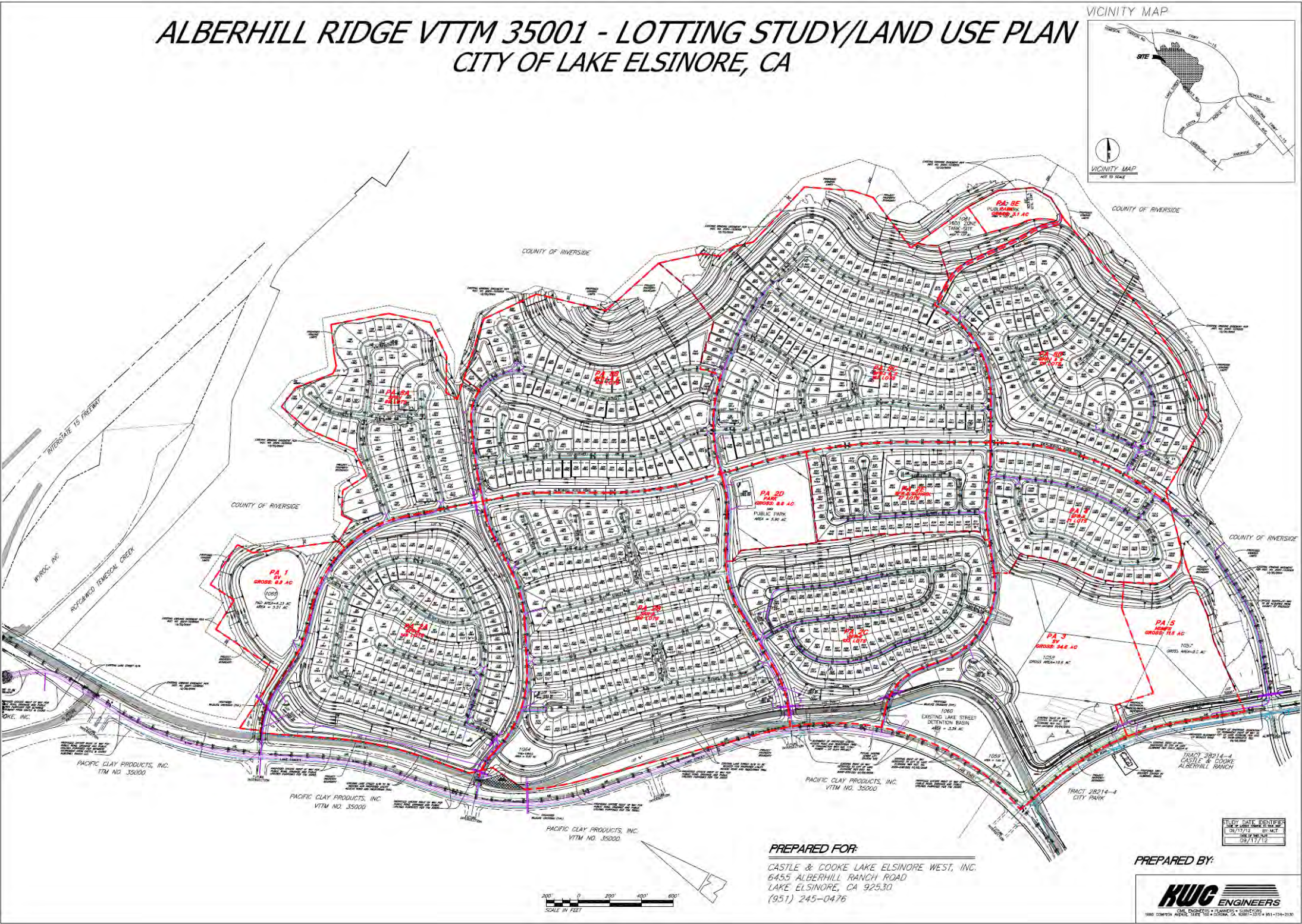
As previously described in this Addendum, the major differences between the ARSP #1 and the VTTM No. 35001 are small and cumulative over the entire 998-acre ARSP #1 area including the reduction in the intensity of residential land uses, commercial land use and the provision of park and schools sites, which will be discussed below in a Planning area by area analysis.

The VTTM No. 35001 planning areas are illustrated below in Exhibit 16. Also included in this Addendum Appendix, for the readers assistance, is a larger scale copy of the Exhibit 16 graphic.

3.5.1 Planning Area 1 – Suburban Village (SV)

Planning Area (P.A.) 1, 9.8 gross acres, noted below, within the ARSP #1 western Suburban Village area is depicted on the VTTM No. 35001 and located generally at the northeast corner of Lake Street and the proposed central collector road extension of Alberhill Ridge Road (adjacent to and along the southern boundary of P.A. 1). This PA 1 area is located within the Suburban Village mixed-use commercial with a maximum density of 30 D.U.s acre zoning category of ARSP #1. The VTTM No. 35001 has noted 40 high density multi-family dwelling units for this area and 299,739 square feet of commercial/office/light industrial land uses. For purposes of determining the maximum number of units for CEQA review, the Addendum has applied a pro-ratio between both the high density multiple-family and commercial/office/light industrial land uses. No apartment project or commercial development is proposed with the VTTM No. 35001 at this time.

Exhibit 16 – Proposed VTTM NO. 35001



The 9.8 gross acre Suburban Village area proposed by the VTTM No. 35001, as compared to the ARSP #1 Suburban Village approximately 42-acre area is considerably less in area due to the Tri-Valley land sale of a larger portion (33 acre) of this total Suburban Village land use area to Riverside County. The result of this land sale for open space is an overall loss of commercial/office/light industrial land use opportunities and high density dwelling units which now reside on County owned property.

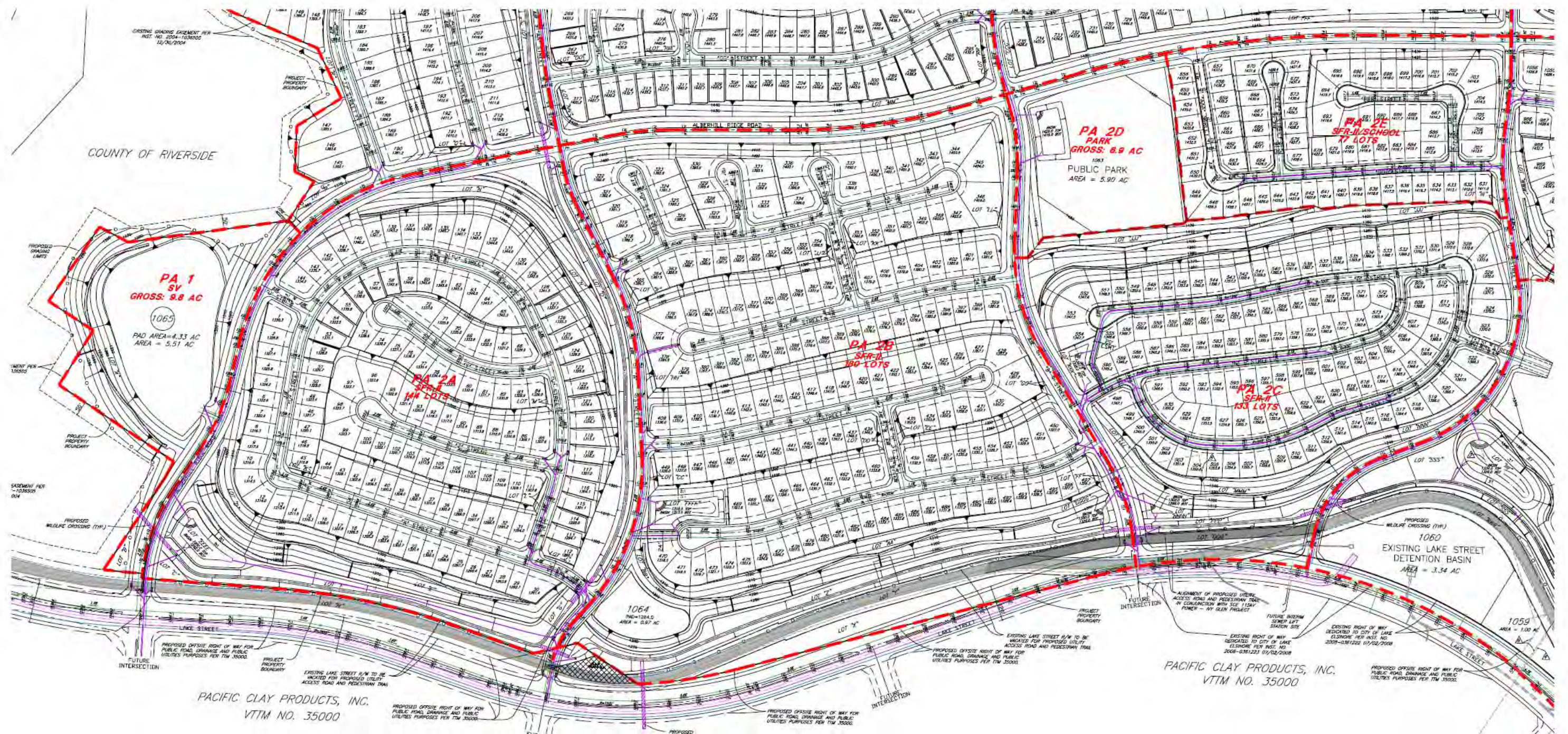
As discussed above, the main collector road, Alberhill Ridge Road, within the VTTM No. 35001 has been shifted, due to grading, slightly further north into the ARSP #1's Suburban Village area, reducing the size of the P.A. In summary, much of the existing Suburban Village mixed-use area indicated as Suburban Village within the ARSP #1 land use plan is now occupied by the County of Riverside's open space and future MSHCP acquired land, which is located adjacent and north of the proposed VTTM No. 35001 plan's P.A. 1 which maintains the ARSP #1 land use plan and is consistent with this plan. See Exhibit 17 below.

3.5.2 Planning Area 2 – Single Family Residential II (6.9-Ac. Public Park)

Planning Area 2 is similar in area location to the adopted ARSP #1 (along Lake Street north and/centrally located within the proposed VTTM) and land use designation. The VTTM No. 35001 does include four (4) sub-areas of Single Family Residential II with a maximum density of 6.0 dwelling units per acre, as permitted by the ARSP #1. The proposed P.A. 2 has also included a 6.9-acre Public Park site consistent with the Specific Plan requirements and portions of the 38.8-acre linear park. The VTTM proposes to include a 14.6-acre Elementary School site with capacity for 850 students within a 77-lot residential zone that can be converted to an elementary school upon land purchase by the School District. The ARSP #1 Brighton Specific Plan text notes an elementary school site accounting for approximately 23 acres of the project area with a portion of the site designated as a "combined" or shared public park area (5-acres). The proposed VTTM No. 35001, as the ARSP #1 noted, has the alternative elementary school site integrated or overlaid onto the residential portions of the project, located away from major thoroughfares and is in close proximity to residential developments, in order to reduce or mitigate vehicular trips. If the schools site is acquired by the school district, the 77 lots will be relocated to the northern boundary with the County of Riverside through a lot line adjustment. The area that the 77 units will be relocated into is consistent with the ARSP #1 Suburban Village land use category.

The proposed VTTM No. 35001 has created along its western perimeter, at Lake Street, an approximate 1-mile+ restored drainage and wildlife passageway used for pedestrian access/utility corridor. A northeast local street intersecting with this restored drainage corridor contains an off street wildlife, multi-use corridor connecting into the future MSHCP 598-acre County of Riverside land area.

Exhibit 18 – Planning Area 2



The approximate 161.2 gross acre area of P.A. 2 proposed by the VTTM No. 35001, compared to the ARSP #1 191-acre area is approximately 30 acres less in gross acreage compared to the ARSP #1 due to roadway precise re-alignments and thus the result is less SFR II residential land use units. These former SFR II units are now located within the SFR I area due to the main collector road adjustment. Overall single family dwelling unit count within the VTTM No. 35001 remains consistent with the ARSP #1 (See Exhibit 16 below).

3.5.3 Planning Area 3 – Suburban Village (SV)

Planning Area 3 of the proposed VTTM No. 35001 is located within the northeast corner of Lake Street and Nichols Road intersection adjacent to P.A. 2, and coincides with the same location and land use as noted within the ARSP #1: Suburban Village (Mixed Residential, Commercial, and related uses). The P.A. 3's acreage illustrated within the proposed VTTM is approximately 34.6 gross acres in size, which includes an approximate 27.5 gross area for Suburban Village land use development (with a net pad acreage of 23.1 acres), a Lake Street Detention Basin and a pedestrian access/utility corridor that encompasses approximately 3.3 acres of the total P.A. The ARSP #1 depicts 18 net acres for the Suburban Village land use. The VTTM P.A. 3 has consistently applied the adopted Suburban Village land use category (mixed use commercial with a maximum density of 30 D.U./ac.). For purposes of determining the number of units for CEQA analysis within this mixed land use area, the VTTM No. 35001 land plan has applied a pro-rated distribution of the land use densities between the permitted high densities multiple family and commercial/office/light industrial use. For example, this P.A. has allocated the commercial square footage as a percentage of the total commercial square footage within the entire ARSP #1 area.

The approximate gross and net acre area proposed by the VTTM No. 35001, as compared to the ARSP #1 gross/net acre area, is consistent except for the additional detention basin, open space/wildlife and pedestrian corridors, which were are not illustrated within the ARSP #1 Land Use Plan given the very general level of details of the SP. (See Exhibit 19 below.)

3.5.4 Planning Area 4 – Single Family Residential II (SFR II)

Planning Area 4 within the ARSP #1 SFR II area of the proposed VTTM No. 35001 is located adjacent to and northeast of the proposed P.A. 3, located to the west of the interior collector roadway. The VTTM P.A. 4 area is similar in location to the designated land use area as shown within the ARSP #1: Single Family Residential II (with a maximum density of 6 D.U. /ac. respectively with 4,200 sq. ft. minimum lot sizes). The P.A.'4's acreage shown within the proposed VTTM No. 35001 is approximately 18.7 gross acres in size and is completely consistent with the ARSP #1 SFR II Land Use Category. As reviewed previously, the main collector road within the VTTM No. 35001 has been shifted slightly north into the ARSP #1's Single Family Residential II area, reducing the size of the P.A. Also, an area once referred to as

Exhibit 19 – Planning Area 3

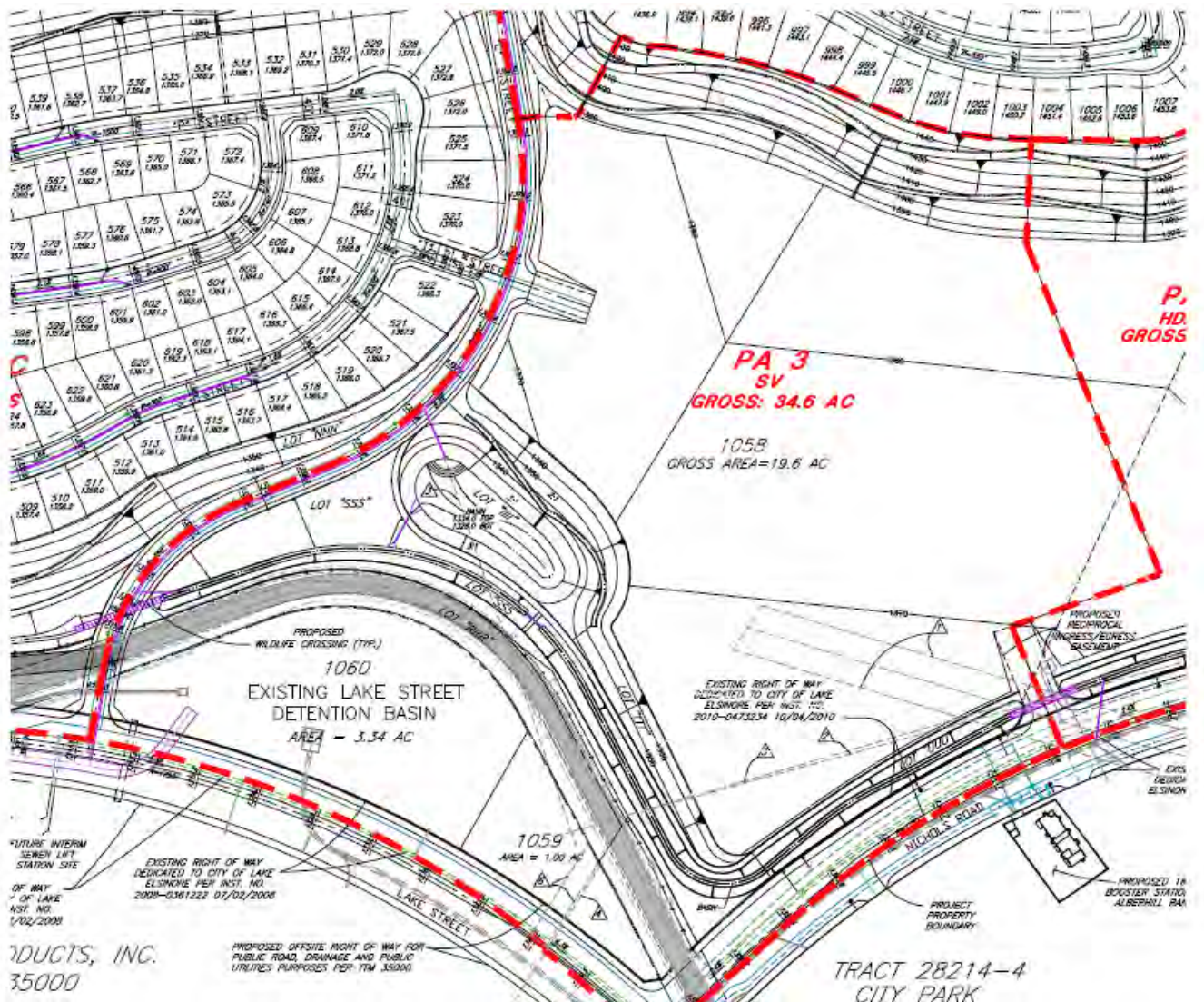
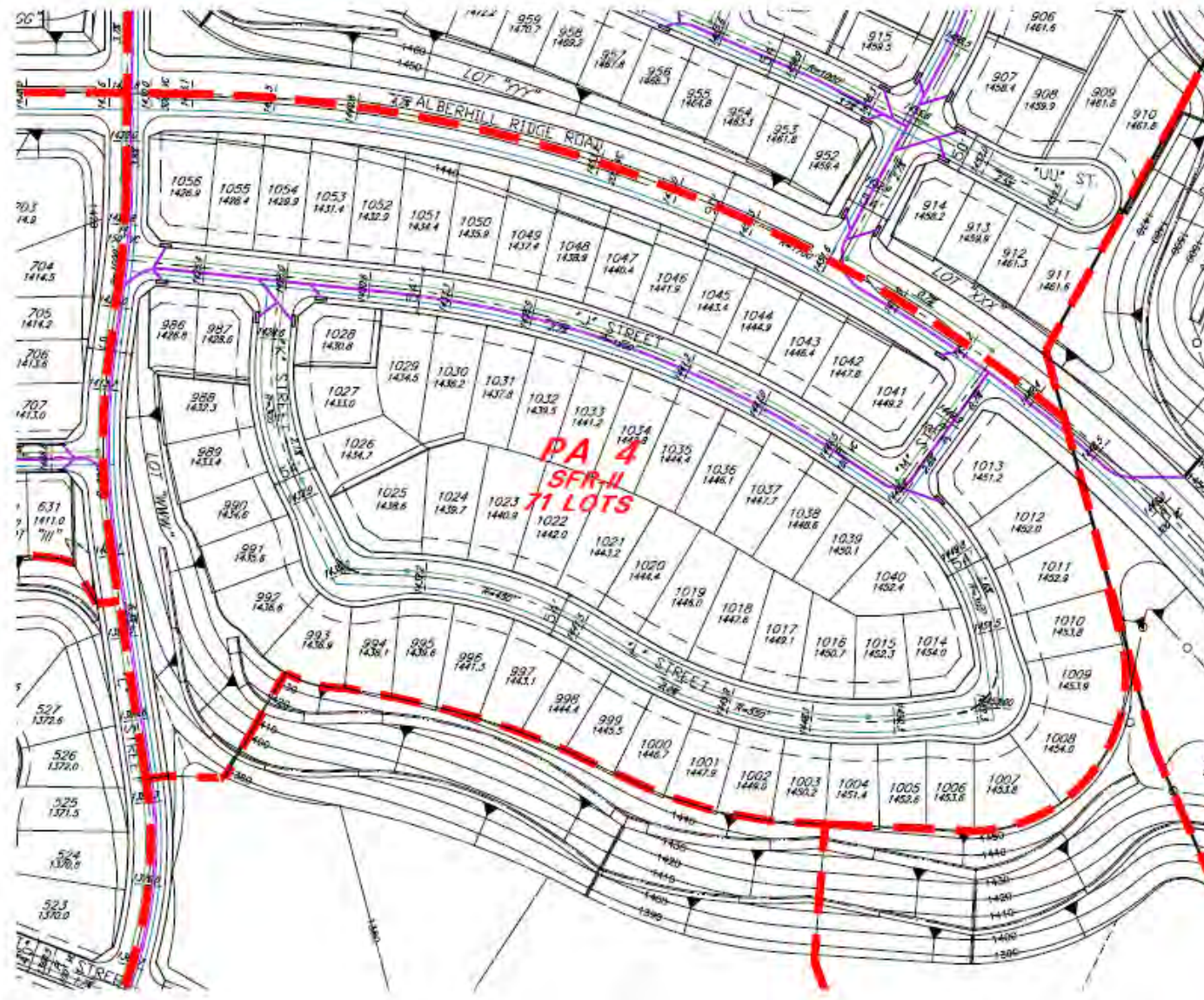


Exhibit 20 – Planning Area 4



Single Family Residential II within the ARSP #1, is now occupied by the County of Riverside MSHCP acquired land to the northeast of the proposed VTTM No. 35001 P.A. 4.

The approximate 18.7 gross acre area of P.A. 4 proposed by the VTTM No. 35001, as compared to the ARSP #1 approximate 28-acre area is consistent with the ARSP #1, given the SFR II land use absorbed by the County of Riverside into future open space, (i.e. total ARSP#1 D.U.s of 2,735 with the VTTM No. 35001 portion of ARSP#1 of 1,422 D.U.s). (See Exhibit 20, above.)

3.5.5 Planning Area 5 – High Density Multi-Family Residential (HDMFR)

Planning Area 5, proposed as a High Density Multiple Family Residential (HDMFR) land use area within the proposed VTTM No. 35001, is located adjacent to and northeast of Nichols Road along Alberhill Ranch Road and is in the same general location of the ARSP #1 and has applied the zoned land use adopted as the ARSP #1. The only change is precise location of the HDMFR area due to the slight relocation of Alberhill Ranch Road where the HDMFR area continues to reside on the east side of Alberhill Ranch Road, but is now adjacent to the higher traffic volume collector Nichols Road due to the grading constraints and VTTM/County property line creation. The proposed VTTM No. 35001 P.A. 5 has a 11.5 gross acre area compared to the approximate 11.0 acres as shown within the ARSP #1. The maximum density shared by both the proposed VTTM No. 35001 and the ARSP #1 is 30 D.U.s/ acre and the VTTM is consistent with the ARSP #1 in this PA.

The 11.5 gross acre area of P.A. 5 proposed by the VTTM No. 35001, as compared to the ARSP #1 11.0-acre area is substantially consistent in the overall area. The result is a minor overall gain of residential dwelling units due to the VTTM/County lot line location vis a vis the ARSP #1 land use category boundaries, (24 Du's); however, the overall VTTM is consistent with the ARSP #1 pro-rated portion of total dwelling units between the County and VTTM land use areas of 2,735 D.U.s. (See Exhibit 21 on the following page.)

3.5.6 Planning Area 8 – Single Family Residential I (SFR I)

Proposed Planning Area 8 most resembles the land use category of the current zoning, ARSP #1 Brighton Specific Plan, covering the developable land uses area, adjoining the County owned property, to the east and northeast of the main collector for the proposed VTTM No. 35001. The VTTM main east/west collector road (Alberhill Ranch Road easterly extension) within the proposed VTTM No. 35001 Plan has been shifted southwest of where the main collector road was shown within the approved ARSP #1's land use plan. There were no precise alignments of this collector road and an estimate of relocation of the roadway has been made based on relatively un-scaled graphics from the ARSP #1.

Exhibit 21 – Planning Area 5

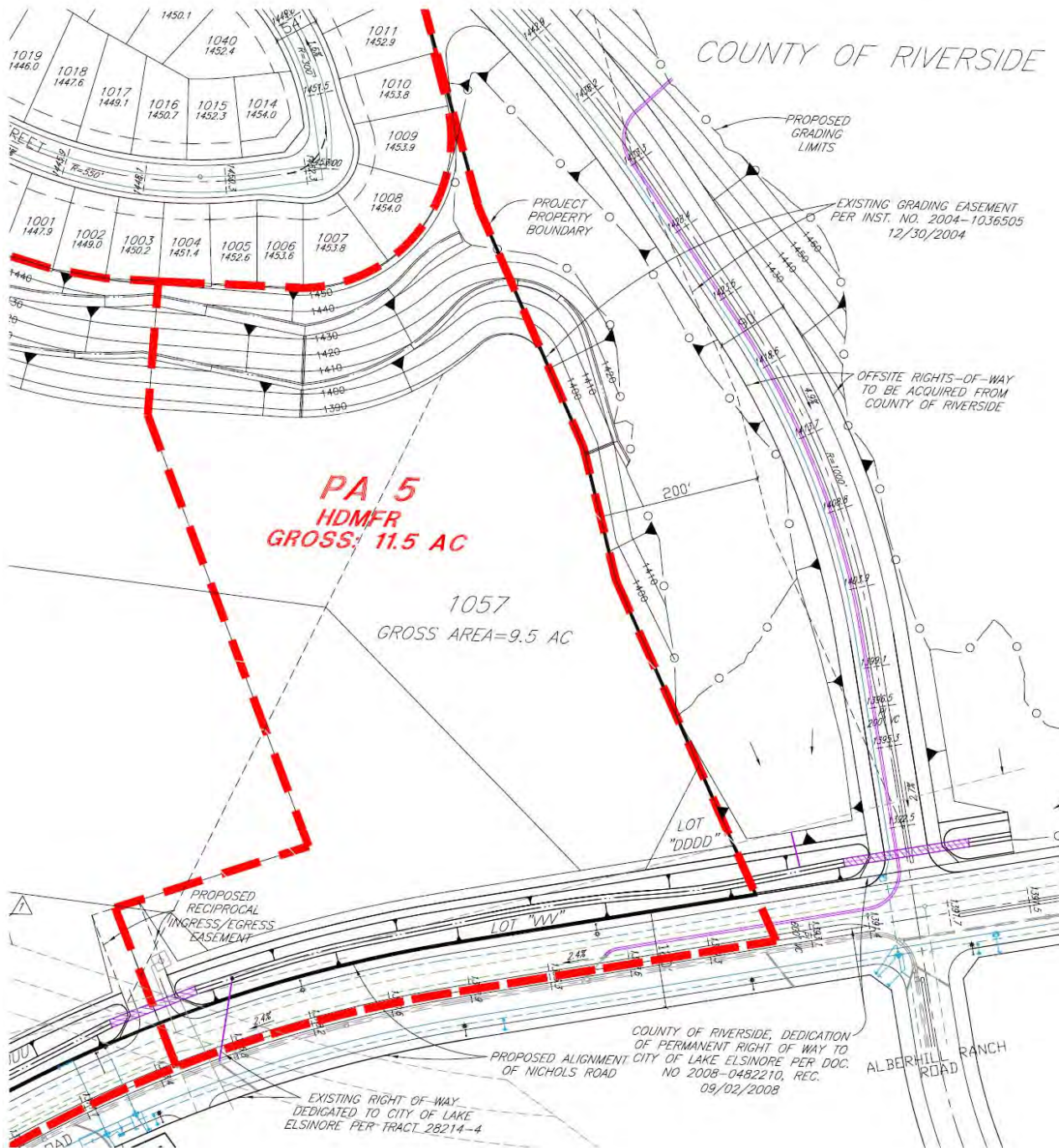


Exhibit 22 – Planning Area 8



The proposed VTTM No. 35001 has the same single family residential I (SFR I) applied land use category zoning and land use density adopted in the ARSP #1, showing a maximum of 5 dwelling units per acre with minimum lot sizes of 5,000 S.F. Overall lot sizes average more than 5,000 Sq. Ft. P.A. 8 of the VTTM No. 35001 occupies 164.5 gross acres, while the ARSP #1 SFR I total acreage for this land use category extends into the County owned ASRP #1 Golf Course/Open Space interface area. As previously noted above in P.A.s 1, 4 and 5, the 598-acre ARSP #1 Land use category areas outside the proposed VTTM No. 35001 boundaries are now occupied by the County of Riverside MSHCP acquired land.

The approximate 164.5 SFR I gross acre area of P.A. 8 proposed by the VTTM No. 35001, as compared to the ARSP #1 495-acre County area, is less in overall SFR I zoned area contained within the County ownership. Thus the result is an overall potential loss of residential land use SFR I dwelling units if the County chooses to not develop housing within their ownership area. (See Exhibit 22 above.).

3.6 Transportation and Land Use

The Land Use Plan of the proposed VTTM No. 35001 Plan is very similar with regard to circulation or roadway elements and location to the land use categories. The proposed VTTM No. 35001 and adopted ARSP #1 Brighton plan incorporates commercial areas (Suburban Village) at the intersections of 2 major arterials, Lake Street and Nichols Road. This transportation system includes the east/west collector at Lake Street (northern portion of VTTM No. 35001), and the collector intersection at Lake Street and Nichols Road (in the southern portion of VTTM No. 35001). Even though the proposed VTTM No. 35001 and the ARSP #1, have both their Suburban Village (mixed use high density multiple family residential, commercial, office, light industrial) land use designations at these two intersections, the VTTM No. 35001, as discussed above (within P.A. 1 and P.A. 3) will result in less acreage for the development of multi-use and residential dwelling units. This VTTM lesser acreage is a direct result of the bifurcation of these ARSP #1 land use categories by the County land acquisition. This bifurcation results in the following: the higher traffic volume intersections at these commercial/high density areas, as anticipated within the ARSP #1 (with the commercial potential and high visibility), will be reduced in volume within the VTTM No. 35001, as a result of less mixed use acreage available within the proposed VTTM. Note again that that the remaining Suburban Village area is occupied County owned land within the SP area.

The ARSP #1 has 2,722,500 square feet of Suburban Village mixed use space on approximately 89 acres at two important collector/arterial intersections within the County and VTTM areas. The proposed VTTM No. 35001 Plan does propose a pro-rated 1,358,000 square feet Suburban Village mixed use on approximately 44.4 acres at the same two important collector/arterial intersections identified in the ARSP #1 Land Use Plan, Exhibit #6.

The proposed VTTM results in 1,364,500 less square feet of Suburban Village mixed use with the remaining square footage residing on County owned land. For CEQA preparation purposes, the VTTM No. 35001 allocated square footage of Suburban Village has been pro-rated by a acreage ratio between the VTTM acreage and the County acreage to determine both the high density multiple family residential land use and commercial, office, light industrial land use.

3.7 Comparison of Fiscal-Revenues of the Proposed VTTM No. 35001 and the ARSP #1

The VTTM No. 35001 by 2028 (when the build out is estimated to be complete) will generate to the City approximately \$3,493,792⁶ yearly revenue for 44.4 commercial acres in new City commercial tax revenue generation for the approximately 1,358,000 square feet of retail mixed use office commercial. This is in total comparison to the ARSP #1 potential total commercial development generating approximately \$7,214,625⁷ yearly sales tax revenue, (now including County owned land), over approximately 57 total County owned commercial acres in new City commercial tax revenue for the approximately 1,364,500 square feet of retail mixed use office commercial land use area in the County owned area. If the County owned commercial land is never developed, there could be a net loss of \$3,720,833⁸ tax revenue to the City at ARSP #1 build out by 2028. This could be viewed as a “cost” of the MSHCP program to the future tax revenue stream of the City of Lake Elsinore. The County could decide to develop or sell for development these important and strategically located commercial parcels or the City could decide to acquire the property by negotiated sale or condemnation for future commercial development purposes. The commercial tax revenue generation rate used was based on the Direct Sales Tax of approximately \$230.00 per square foot for neighborhood commercial (P.A. 1) and \$265.00 for super community power commercial center (P.A. 3), which is based on the International Council of Shopping Center’s *National Research Bureau Census, 2008*⁹, for commercial development.

3.8 Parks and Open Space

The adopted ARSP #1 has the following allotment for parks and open space. Nearly 28% of the total adopted ARSP #1 area has been set aside for parks, golf course, and natural open space.

⁶ P.A. 1 = 299,739 Sq. Ft. commercial @ \$2.30/Sq. Ft. = \$689,400, and P.A. 3 = 1,058,261 Sq. Ft. @ \$2.65/Sq. Ft. for a total of \$3,493,792 as estimated yearly sales tax revenue for VTTM No. 35001.

⁷ AVSP #1 permitted overall 2,722,500 Sq. Ft. of commercial area @ \$2.65/Sq. Ft. = \$7,214,625 of estimated yearly sales tax revenue.

⁸ ARSP #1’s \$7,214,625 yearly sales tax revenue minus the VTTM No. 35001 \$3,493,792 yearly sales tax revenue yield a net loss of \$3,720,833 tax revenue to the City

⁹ The Sq. Ft. Direct Sales Tax dollar figures per square feet of \$2.30/Sq. Ft. (for neighborhood commercial centers) and \$265.00 (super community power commercial centers) were updated and provided by Alonzo Padrin of Alfred Gobar & Associates, Inc., by a telephone call with him on September 26, 2012.

Exhibit 23

**BRIGHTON SPECIFIC PLAN & ALBERHILL RIDGE VTTM 35001
PARKS & OPEN SPACE EXHIBIT - CITY OF LAKE ELSINORE, CA**

VICINITY MAP



The ARSP #1 includes: The use of one five-acre park adjacent to the elementary school site land use area and the 18-hole golf course and associated “rough” natural open space. A standard golf course will contain between 90-120 acres of fairway. The ARSP #1 contains 144 acres of golf course and open space located now within the 598-acre property ownership of the County. The ARSP #1 grants park and open space acreage value or credits through a reduction in required on site public park site. The ARSP #1 grants park credit for the 22.4-acre community park site located within the original ARSP and now located and fully developed within the Murdock Specific Plan area and the (County owned) 144-acre golf course and open space area. The open space area has grown within the ARSP #1 to over 598 acres with the County acreage acquisition for MSHCP purposes with the probable elimination of the golf course. If the golf course is built, then the ‘in lieu’ fees will be rebated by the City to any residential developer pursuant to the D.A. Section 30.4.1.

City Quimby Park Resolution 85-34 states that five acres of park land must be dedicated for every one thousand residents. The projected population of 8,766 for the ARSP # 1 would normally require 43.8 acres for the ARSP #1 planning area under City ordinances. The ARSP #1, however, required only 5.0 acres of public park land in conjunction with the proposed elementary school site, the golf course and partial park credit associated with the adjacent 30-acre community park located on the south side of Nichols Road.

The proposed VTTM No. 35001 open space areas include two (2) public parks, an elementary school site, multi-purpose (pedestrian/utility access) trails, open space/wildlife corridors, dual-use park overlay to an underground tank area and open space associated with the slope throughout the proposed plan for the 400.3-acre area. The open space areas cover approximately 48.8 acres of the 400.3 gross total acres. Based on the total projected dwelling units of 1,401 within VTTM NO. 35001, a projected population of 4,721 (3.37 residents per D.U.), results in 23.6 acres of required public park dedication acres, based on the 5 acres per 1,000 resident requirement of the City park dedication ordinance. Of the 48.8 acres of open space that has been set-aside in the proposed VTTM No. 35001 Plan, 47.3 acres of the 48.8 acres is usable park area and usable pedestrian/trail system areas in addition to the other open space restored riparian and multi-use trails. The VTTM meets or exceeds the City Quimby Act requirements. The D.A. Section 3.6 requires a “turn key” park operational with the opening of the phase 1 model complex. Per the Brighton Development Agreement, the Alberhill Ridge project shared in the development of the 22.4 acre Alberhill Ridge Community Park located within the Alberhill Ranch Specific Plan area. Utilizing a prorated share of park credit between Alberhill Ridge and Alberhill Ranch, the 10.5-acre portion, Alberhill Ridge has met the obligation of providing a “turn key” park operational with the opening of the phase 1 model complex. Additionally, it has been determined by Conditions of Approval for VTTM 35001 that the first public park to be constructed within VTTM 35001 shall occur by the 498th Certificate of Occupancy of equivalent residential dwelling units (EDU).

Brighton Development Agreement

The Brighton Specific Plan Development Agreement (D.A.) covers the ARSP #1 Specific Plan area. The D.A. was adopted on September 10, 1991 and had a 15-year time frame taking the D.A. term to a September 10, 2006 expiration date. The MSHCP environmental land use “overlay” was adopted in 2003 and had the effect of “de facto” modifying the ARSP #1 land uses and Brighton D.A. by “potentially” removing development area, replacing it with permanent open space and imposing new fee conditions. The MSHCP adopted after the approval of the ARSP #1 and its accompanying D.A. may “stay” toll or postpone the expiration of the D.A., arguably when the MSHCP activity over the Specific Plan area was contemplated by the County/City. This is a decision the City Council must consider.

The land use, zoning and contract transactional effect of the MSHCP, on the Brighton D.A. and ARSP #1 Specific Plan, was to effectively modify or abrogate all aspects of the plan’s urban land category uses overlaid by MSHCP Criteria Cells and Cell Groups. This 2003 MSHCP conservation change was not contemplated by the project proponent or City Council in the ARSP #1 or the Brighton D.A., nor was the ARSP #1 zoning and D.A. reviewed, as required, by the City Council. California State law contemplates such post entitlement changes to local D.A. contracts and State law stipulates when outside effects by the City or other public agencies makes the achievement of the Specific Plan impossible or by “defacto” governmental zoning type entitlement actions that modifies the Specific Plan or the D.A.. The net affect of this City/County MSHCP action is to stop the D.A. 15-year term from running as of the date of the contemplation of the matters, adoption and application of these subsequent governmental actions which modified or otherwise affected the Specific Plan and Development Agreement terms on this VTTM No. 35001 area.

Tri-Valley I Acquisition Agreement and MOU between City and County on the ARSP #1

The successors in interest to Tri-Valley I (former owners of the VTTM No. 35001 area), Castle and Cooke, Lake Elsinore West, Inc., applicants for VTTM NO. 35001, had 5 years from the Acquisition Agreement execution date on February 10, 2004 or until February 10, 2009 to gain entitlements from the City of Lake Elsinore to utilize the acquisition agreement reduced MSHCP mitigation fees. Upon entitlement acquisition, Castle & Cooke, Lake Elsinore West, Inc. must then pay to the City a MSHCP mitigation fee of \$472 per EDU for each residential dwelling unit constructed. There appears to be a scrivener’s error between the Acquisition Agreement (Agreement) and the MOU as to another mitigation fee. In the Agreement, there is a mitigation fee of \$821 payable to the County. In the MOU this fee of \$821 is payable to the City. This apparent “scrivener’s error” or MOU change from the Agreement matter must be clarified and better understood by all parties.

All VTTM No. 35001 MSHCP mitigation over the entire VTTM No. 35001 area is satisfied with the payment of MSHCP mitigation fees. After 10 years from the execution date of the Acquisition Agreement or February 10, 2014, the nominal MSHCP Ordinance 810 fees are paid at the prevailing rates. In addition, according to the Tri-Valley I Acquisition Agreement, if any resource agency mitigation is required of or on the VTTM No. 35001 site, the adjacent County owned 598-acre can be used for such State or Federal mitigation. For example, the VTTM No. 35001 will require both a Corps of Engineers 404 permit, a California Department of Fish and Game 1602 Streambed Alteration Agreement and a California Regional Water Quality Control Board 401 permit for modifications to the unnamed ephemeral stream course along Lake Street from Nichols Road to near Temescal Road and Lake Street. According to the Tri-Valley I Acquisition Agreement, any mitigation for impacts to on-site “waters” can be mitigated with reference to the environmental resources found on the adjacent 598-acre County portion of ARSP #1, such as Temescal Creek, MOU February 10, 2004 page 3 of 5 Section 3.

The ARSP #1 proposed up to a maximum of 2,735 residential dwelling units (2,135 single family residential units and 600 high density multi-family units), several Suburban Village areas (mixed use with 2,722,500 square feet) and a 144-acre golf course – open space land use. The amount of area devoted to residential land use in the proposed VTTM No. 35001 have either reduced or is very similar, but altogether less, in total dwelling units residential and commercial areas identified in the ARSP #1.

This EIR Addendum #IV to the ARSP #1 analyzes the addition of a 6.9 gross acre public park site and a 3.1 gross acres public park site; plus a 38.8 public linear park area that includes open space/wildlife corridors areas allowing connectivity through the proposed VTTM No. 35001 to the County owned MSHCP future RCA lands along the western and southern project boundary at Lake Street and Nichols Road, respectively.

The 598-acre County owned open space portion of the ARSP #1 area is not currently planned to be developed. This 598-acre open space area, as described in the ARSP #1, includes a portion of the 144-acre golf course and adjacent open space, clubhouse and SFR I and II areas of 392.2 acres containing approximately 1,116 dwelling units of single family residential, a HDMFR 5-acre area containing 150 dwelling units, and two areas of Suburban Village (56.7 total acre area) that would allow 68 high density multi-family residential units and 1,364,500 square feet of commercial/off/light industrial mixed use. This 598-acre County owned area will not be developed according to the County Tri-Valley I Agreements and thus will have a reduction in urban land uses in the City for the County acquired property within ARSP #1. In all areas of topical CEQA study areas, non-development will have a net reduction in the previous areas of adverse impacts. The following **Table 3** summarizes the land use elements of the Alberhill Specific Plan Amendment #1 998-acre plan.

TABLE 3
Alberhill Ranch Specific Plan Amendment #1 - Land Use Summary

(Category) Land Use	Acreage	Dwelling Units	Percentage
(SFR I & II) Single Family Residential	748+	2,135	75%
(HDMF) High Density Multi-Family & (SV) Suburban Village Mixed Use	16.5 89+	600/ 2.0(FAR)	2% 9%
(GC-OS) Golf Course-Open Space (OS) Open Space – Neighborhood Park (OS) Riparian Resource Area	144	0	14%
Total	998	2,735 DU	100%

3.9 Proposed VTTM No. 35001

The VTTM No. 35001 is located within the Alberhill Ranch Specific Plan area: portions of Sections 22, 23, 26, and 27, Township 5 South, Range 5 West of the Lake Elsinore Quadrangle and, Sections 27, 34 & 35, Township 5 South, Range 5 West of the Alberhill USGS Quadrangle. The geographic area of VTTM No. 35001 is located north of Nichols Street, east of Lake Street and south and west of Interstate 15, approximately 4,000 feet from I-15/Nichols Road interchange. The VTTM No. 35001 boundary is shown on Exhibit 4.

The entire VTTM No. 35001 site and adjacent areas have been subject to historic surface mining activities which are currently in some form of in-active mining maintenance. Clay and coal were discovered in the project vicinity in the 1800's and have been extensively mined since that time. The majority of property north, east, and west of the VTTM No. 35001 site is undeveloped or is being used for rock crushing activities and mining reclamation activities. The VTTM No. 35001 area and adjacent property are now within an area set aside by the Tri-Valley I Agreement for 598 acres of proposed MSHCP County conservation lands.

A future conservation agreement is contemplated by the County land owner in coordination with the City pursuant to the Tri-Valley MOUs. To the east of the VTTM No. 35001 area there is vacant land and a commercial Outlet Mall located south and adjacent to Interstate 15. To the south, residential development known as the Murdock Alberhill Ranch currently exists in partial development form. This Alberhill Ranch is predominately single-family detached housing and contains the ARSP #1 and D.A. required 34-acre (now 22.4-acre) Community Park. To the west, on 1,374 acres near the Lake Street and the I-15 Freeway, Pacific Clay Products conducts a variety of mining, related production and operates a brick and ceramic factory. The

majority of recent development in the City has occurred south and west of the VTTM No. 35001 site. Remaining land uses immediately south of the project site, in the Terra Cotta area of the City, consist of a small number of very low-density residences. In the vicinity of Collier Avenue, commercial and industrial uses are developing near and along the I-15 Freeway.

A number of Specific Plans, both inside the City and in the nearby, adjacent unincorporated portion of Riverside County, (Horsethief Canyon Ranch Specific Plan), have been approved in the vicinity of the ARSP #1 and the VTTM No. 35001 EIR Addendum #IV including: Murdock Alberhill Ranch Specific Plan, Horsethief Canyon Ranch (to the west), North Peak, Ramsgate, and Tuscany Hills (to the east).

The following Table 4 summarizes the land use breakdown of the VTTM No. 35001 as a portion of the remaining ARSP #1 areas. The environmental impacts associated with the proposed VTTM No. 35001 land uses, as compared to impacts evaluated in ARSP #1 EIR Addendum #I, are analyzed in this EIR Addendum #IV for the VTTM No. 35001 400.3-acre portion of the original ARSP #1.

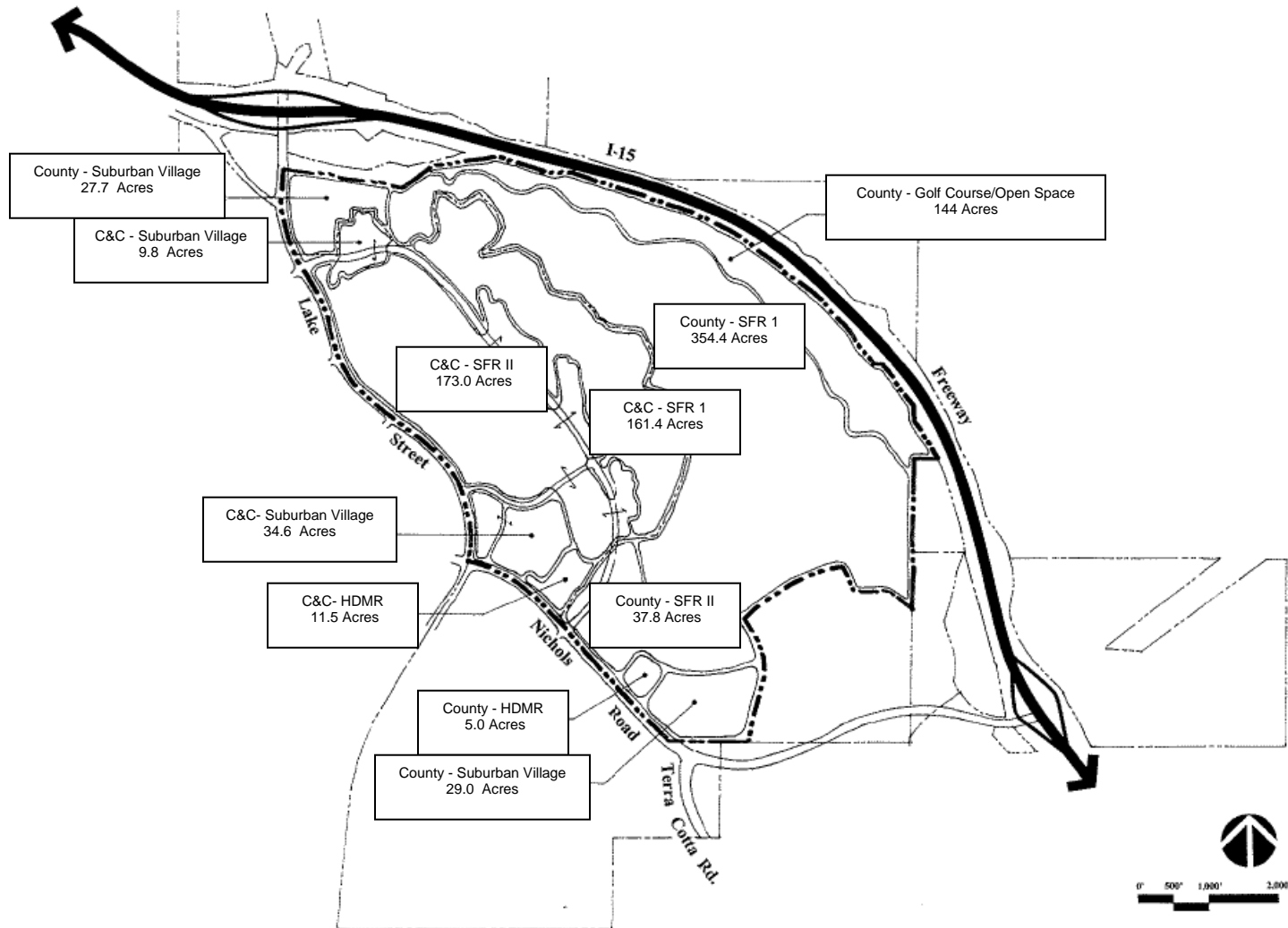
Table 4 - Proposed VTTM NO. 35001 Portion of the ARSP #1 and Remaining ARSP #1 Merged Land Use Summary

Land Use Category	VTTM NO. 35001 Portion of ARSP #1 (Castle & Cooke)		Remaining ARSP #1 Portion (County)		D.U. Total	% of D.U.
	Acres	D.U.s	Acres	D.U.s		
(SFR I) Single Family Residential	161.4	451	354.4	990	1,229	44.9
(SFR II) Single Family Residential	173.0	605	37.8	216	894	32.7
(HDMF) High Density Multi-Family	11.5	225	5.0	162	480	17.6
(SV) North Suburban Village Mixed Use With HDMF Residential and With SFR II Residential and Commercial	9.8 (incl.)	40	27.7	31	47 11	1.7 0.4
	(299,739 Sq. Ft.)		(666,558.25 Sq. Ft.)		--	--
(SV) South Suburban Village Mixed Use With HDMF Residential and Commercial	34.6	80	29.0	33	73	2.7
	(1,058,261 Sq. Ft.)		(697,941.76 Sq. Ft.)		--	--
(GC-OS) Golf Course-Open Space	--	--	144.0 ¹⁰	--	--	--
(PP) Public Park	10.0	--	--	--	--	--
(LP) Lineal Park	0.0 ¹¹	--	--	--	--	--
TOTALS	400.3	1,401	598	1,334	2,735	100%

¹⁰ **The 144.0 acres for the Golf Course-Open Space permits an additional 500 D.U.s

¹¹ 38.8 acres of Linear Park is comprised of 11.5 acres of SV and 27.3 acres of SFR-II

Exhibit 24 – EIR Addendum #IV Merged Land Use Plan



**Exhibit 25 - Development/Recording Phases -
EIR Addendum #IV to the ARSP #1 - VTTM No. 35001**



The VTTM has included the various land use categories of the Alberhill Specific Plan Amendment #1 and is considered substantially consistent with the Specific Plan. (See Exhibit 24, above.) Also see Exhibit 25 for the General Phases of the VTTM No. 35001. As discussed above in this Addendum analysis, the incorporation of the VTTM NO. 35001 into the ARSP #1 plan shows that there is a reduction in the County owned ARSP #1 acreage land area, which has a net overall reduction in the land use categories, number of D.U.s within the County owned property and a concomitant reduction in overall or cumulative impacts from the original EIR and its related Addendums.

Discussed more fully below, this EIR Addendum #IV concludes that reduced environmental impacts will occur within the proposed VTTM No. 35001, as compared to the impacts previously analyzed in EIR Addendum I because of: the decrease in overall urban development intensity for ARSP #1 approved land uses due to the land use changes contemplated in the 598-acre County owned property portion of ARSP #1 according to the 3 Tri-Valley agreements.

4.0 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

4.1 Introduction

The Alberhill Ranch Specific Plan Final EIR analyzed the following 14 environmental topics as environmental areas that could be adversely affected by the implementation of the Alberhill Ranch Specific Plan:

- Mineral Resources
- Geology/Soils and Seismicity
- Hydrology/Water Quality
- Noise
- Climate and Air Quality
- Wildlife/Vegetation (i.e., Biological Resources)
- Land Use
- Population and Housing
- Energy Resources
- Aesthetics
- Historic and Prehistoric Resources
- Traffic and Circulation
- Public Facilities and Services;
- Fiscal

The Alberhill Ranch Specific Plan Final EIR for the 1,853-acre planning area, which includes the VTTM NO. 35001 plan areas, concluded that only Air Quality and Biological Resources would result in significant unavoidable adverse impacts associated with the implementation of the Alberhill Ranch Specific Plan; all other impact areas were either insignificant or potentially significant, but capable of full mitigation.

EIR Addendum #I prepared for the 998-acre ARSP #1 planning area analyzed these same topical CEQA impact areas in the context of the proposed modifications associated with the implementation of the Brighton proposed Specific Plan amendment and D.A.. In the context of the Multiple-Family Dwelling Unit Option, EIR Addendum #I concluded that the project contemplated in 1989 (i.e., the Alberhill Ranch Specific Plan) to the project proposed in 1992 (i.e., Murdock Alberhill Ranch Specific Plan) would not cause any significant changes or new “impacts” that were not previously contemplated and addressed in the Alberhill Ranch Specific Plan EIR Addendum and covered by adopted mitigation measures.

EIR Addendum #II prepared for the Murdock Alberhill Ranch portion of the ARSP area reviews the identical 14 environmental impact areas addressed in EIR Addendum #I and specifically focuses, through subsequent technical analyses, on the five environmental impact areas with the most potential for changed circumstances since last analyzed in 1992 (i.e., biological resources, traffic and circulation, noise, geology, and hydrology) per the prepared Initial Study.

EIR Addendum #III prepared for the project applicant, Murdock Development Company, on behalf of Murdock Alberhill Ranch Limited Partnership, requested approval of another Addendum to the Murdock Alberhill Ranch Specific Plan EIR (“EIR Addendum III”) for Vesting Tentative Tract Map No.’s (“VTTMs”) 30836 and 28214. The EIR Addendum III was found complete and adequate by the City Council of the City of Lake Elsinore, fully complying with the requirements of CEQA, the State CEQA Guidelines and the City’s environmental analysis procedures. This EIR Addendum #III reviewed the identical 14 environmental impact areas addressed in EIR Addendum #I and specifically focuses, through subsequent technical analyses, on the five environmental impact areas as per the prepared Initial Study.

4.2 Environmental Impacts Analysis

This section of VTTM No. 35001, EIR Addendum #IV presents an analysis of potential impacts, as compared to those actual environmental impact areas, identified and analyzed in the Alberhill Ranch Specific Plan Amendment #1. Specifically, each of the 14 environmental impact areas, which were addressed in the Final EIR Addendum, to the ARSP #1 have been re-examined in this Addendum #IV based upon their proposed changes to the ARSP #1 to determine whether land use changes, associated with the implementation of proposed VTTM No. 35001, will result in additional environmental impacts upon the environment beyond those levels previously identified in the Alberhill Ranch Specific Plan Final EIR and Final EIR Addendum to the ARSP #1. For each environmental topic discussed below, the corresponding discussion in the Alberhill Ranch Specific Plan Final EIR and Final EIR Addendum to the ARSP Amendment #1 are referenced.

Mitigation measures referenced and contained in the Alberhill Ranch Specific Plan Final EIR and EIR Addendum I for ARSP # 1, have been examined to determine the continuing application of those conditions for the VTTM No. 35001 areas. In compliance with CEQA § 21081.6, the "mitigation reporting and monitoring program" developed in conjunction with EIR Addendum to the ARSP Amendment #1, for the purpose of ensuring compliance with those mitigation measures identified through the CEQA process will be included as conditions of approval for VTTM No. 35001, in order to avoid significant environmental effects. This ARSP #1 mitigation and monitoring program, incorporating both the mitigation measures from the Alberhill Ranch Specific Plan Final EIR and EIR Addendum to the ARSP Amendment #1, as identified herein, is included within this Addendum #IV of this report and should be referenced in the VTTM NO. 35001 conditions of approval by staff.

4.2.1 Biological Resources (See Final EIR Addendum to the ARSP Amendment #1, Section 3.2.5, Pages 3-5 to 3-8; Alberhill Ranch Specific Plan Final EIR Page IV-38 to IV-47)

The proposed VTTM No. 35001's construction area of 400.3 acres and planned phases of the VTTM No. 35001 will directly impact biological habitats through cut, fill, and other grading activities, resulting in the loss of vegetation. As vegetation is removed or otherwise destroyed, the associated wildlife will either be destroyed or will be displaced to adjacent habitat areas where they may crowd and disrupt local populations or occupy otherwise non-occupied habitat. However, as the VTTM No. 35001 is compared to the ARSP Amendment #1, the overall project area is less impacted acreage area overall (400.3 acres vs. 998 acres) and, therefore, the construction of the VTTM No. 35001 will not result in the introduction of any new environmental impacts on the areas biological resources and will likely reduce environmental impacts due to reduced grading,

Existing Wildlife and Vegetation on the Proposed VTTM NO. 35001 Project Site

As discussed within the ARSP Amendment #1, there will be certain amounts of open space set aside to serve as buffers between the urban land uses and the sensitive riparian habitats. The open space will change from an undefined, unmanaged area to a defined, managed area. Wildlife Corridors will help in preserving and will allow wildlife to move about in a more restricted manner. The previous year's biological studies have discussed and included mitigation measure that would implement certain conservation actions (i.e. mitigation fees submitted to purchase replacement habitat).

Also, as stated within the ARSP Amendment #1, site grading will necessitate alterations of drainage courses and other waters of the United States. Consequently, Regulatory Agencies (ACOE, CDFG and CRWQCB) and their respective permits will be required before any grading or construction activity will be permitted.

Proposed VTTM 35001 Biological Resources Impacts

The conclusion in the assessment of this report determined that the compendium of species observed during previous years biological surveys offers little change from the Alberhill Ranch Specific Plan Amendment #1 and approved EIR/Addendum.

Implementation of the mitigation measures previously identified in Alberhill Ranch Specific Plan Amendment #1 and EIR Addendum, requiring updated biology surveys, have adequately addressed the potential of biological resources impacts associated with the proposed VTTM No. 35001. The existing 2 MOUs and Tri-Valley Agreement provides for a MSHCP and CEQA/NEPA biology pre-mitigation process previously described in this Addendum. Payment of MSHCP mitigation fees at building permit issuance will satisfy all ASRP #1 and MSHCP mitigation for biology impacts within the VTTM No. 35001 area and will reduce potential biological resources-related impacts to a level of insignificance. No further biological studies and mitigation is required within the VTTM No. 35001. It should be noted that the MSHCP mitigates for both State and Federal endangered species that may reside on the VTTM No. 35001 project site.

No additional mitigation measures are included in this Addendum. Implementation of the proposed project will not result in the creation of any significant impacts upon existing biotic resources. Previous mitigation in the ARSP EIR and ARSP #1 EIR Addendum and associated project conditions are satisfied by terms of the Tri-Valley Agreements and should be so referenced in the VTTM conditions of approval for biology mitigation.

4.2.2 Traffic and Circulation (See Final EIR Addendum to the ARSP Amendment #1, Section 3.2.12, Pages 3-14 to 3-15; Alberhill Ranch Specific Plan Final EIR Page IV-79 to IV-97)

Development of the VTTM No. 35001, like the Alberhill Ranch Specific Plan Amendment #1, will result in the generation of motor vehicle trips for residential, commercial and school/park land uses.

Existing Traffic and Circulation

Traffic impacts of the Alberhill Ranch Specific Plan were detailed in the "Alberhill Ranch Traffic Study" prepared by Kunzman Associates (June 1988) for the Alberhill Ranch Specific Plan Final EIR.

Proposed VTTM NO. 35001 Traffic and Circulation Impacts

Traffic and circulation impacts will be less, considering that the development area of the proposed VTTM NO. 35001's 400.3 acres and 1,401 dwelling units is significantly less in overall acres and dwelling units totals than the Alberhill Ranch Specific Plan

Amendment #1's 998 acres and 2,735 dwelling units. With the reduction of potentially 1,313 less residential dwelling units within the County owned portion of the ARSP #1 area, the project-specific traffic impacts for the VTTM No. 35001 would be less, as compared to the impacts analyzed in the Final EIR Addendum to the Alberhill Ranch Specific Plan #1. The primary reason of the reduction in traffic impacts is due to the reduced developable area created by the conversion of 598 acres to open space by the MSHCP process. This conclusion is supported by a letter dated June 17, 2009 (See Appendix 'A') from Linscott Law & Greenspan, Engineers (Keil Maberry) to Mr. Tom Tomlinson (of Castle & Cooke, Inc.), which reviewed and analyzed the traffic for the VTTM No. 35001, 400.3-acre area as compared to the previously studied and analyzed Project Zones from within the approved Alberhill Ranch Traffic Study, prepared by Robert Kahn, John Kain & Associates, Inc. (January 25, 1991) for Brighton Homes, Inc., which was contained in the Addendum to the Final EIR for the ARSP #1 (May 1991).

The proposed VTTM No. 35001 project, evaluated through this ARSP #1 Addendum #IV process and based on both the rates from the approved Alberhill Ranch Traffic Study and the equations and/or rates found in *Trip Generation, Eighth Edition* (Institute of Transportation Engineers, 2008) is projected to generate 2,578 fewer net daily vehicle trips (one half arriving, one half departing) with 156 fewer trips forecast during the AM peak hour and 37 fewer trips forecast during the PM peak hour. This comparison represents a decrease in daily and peak hour traffic between the two development programs, such as the traffic impacts and mitigation measures identified for the baseline ARSP #1 project, as well as this Addendum #IV. Therefore, the proposed VTTM No. 35001 is consistent from a CEQA standpoint, as less daily vehicle trips will be generated.

The approved ARSP FEIR and ARSP #1 EIR Addendum street infrastructure, and as previously reported, the proposed VTTM No. 35001's infrastructure for the project overlay area will be sufficient to handle projected traffic associated with the proposed VTTM. Circulation improvements are repeated here: 1) Nichols Road (Coal Road) will be widened to become a Major Street which will ultimately connect Lake Street (Robb Road) with Interstate 15; 2) A new collector Street "A" (Alberhill Ridge Road) will improve access between Lake Street (Robb Road) and Nichols Road (Coal Road); and 3) Lake Street will be realigned and widened to become a Major Street. Other specific additional upgrades to project roadways will be undertaken, including road widening, curb construction, signalization and turn pockets.

In conjunction with the roadway system, non-vehicular systems will be provided throughout the ARSP #1 EIR Addendum #IV area. The County Plan of Bicycle Routes identified a Class II bike lane along Lake Street (in the original EIR), which will continue along Temescal Canyon Road, located within the road right-of-way. A City bikeway plan has now been implemented in the VTTM No.'s 30836 & 28214. The majority of pedestrian facilities will be provided in the form of sidewalks situated along all Major, Arterial, Secondary and Collector Streets.

Implementation of the mitigation measures previously identified within the baseline ARSP FEIR and Final EIR to ARSP Amendment #1, remain applicable and will adequately address and mitigate potential traffic and circulation impacts associated with the proposed VTTM No. 35001 and EIR Addendum #IV. The staff engineering conditions to this VTTM No. 35001 should be so constructed as to differentiate and tie the roadway construction and conditions together between the existing VTTM No.'s 30836 and 28214 and the now proposed VTTM No. 35001. Background traffic and future traffic from the remaining parts of the City and County should also be identified in the traffic conditions so as to create a "fair share" apportion of the future traffic impacts of the VTTM No. 35001 to the existing and future projects outside the VTTM No. 35001 area of influence.

Incorporation of those existing ARSP #1 measures will reduce potential impacts to traffic and the circulation system to a level of insignificance.

4.2.3 Noise (See Final EIR Addendum to the ARSP Amendment #1, Section 3.2.3, and Page 3-4; Alberhill Ranch Specific Plan Final EIR, Pages IV-20 to IV-28)

Noise impacts to the Alberhill Ranch Specific Plan were discussed within the Final EIR Addendum to the ARSP Amendment #1, of which the proposed VTTM No. 35001 project site is a part.

Existing Noise

During the development of Phase 1 of the VTTM No. 35001, construction noise will be generated, which represents a short-term impact on ambient noise levels. This was previously evaluated in the ARSP EIR. Grading activities typically represent one of the highest potential for noise impacts with lesser impacts from on- and off-site construction traffic. Within the EIR Addendum to the ARSP Amendment #1, it was reported and identified that the greatest short-term noise impacts produced from grading would occur adjacent to, or near to, residences located near Lake Street, Nichols Road and Terra Cotta Road. Grading will be accomplished by phases (see Exhibit 25) in accordance with Exhibit 26, as shown below, in this Final EIR Addendum #IV to the ARSP Amendment #1 - VTTM No. 35001.

Phases 1 and 2 will be graded concurrently to balance earthwork quantities on site, and to limit the impact to neighboring residences. No new short-term noise impacts are anticipated than those already analyzed in the Alberhill Ranch Specific Plan Final EIR.

Regarding long-term noise impacts, the Final EIR Addendum to the ARSP Amendment #1, indicated that increased traffic (associated with the additional 500 additional residential units) would be the predominate source of noise and may be greater than previously identified within the original ARSP. The assessed impacts

**Exhibit 26 - Grading Phases -
EIR Addendum #IV to the ARSP #1 - VTTM No. 35001**



associated with the ARSP #1 was reported of having further impacts as a result of the adjacent and off-site land uses adjacent to streets that will serve the project. The Final EIR estimated roadway noise along various streets (Robb Road and Terra Cotta Road) would be further exacerbated.

Proposed VTTMs Noise Impacts

The Final EIR to the ARSP Amendment #1, estimated future noise impacts for the approved ARSP #1 Addendum and the proposed VTTM No. 35001, which is a part of the ARSP #1, based on the existing noise, the project-related short-term construction noise, and the long-term traffic noise levels determined in the Alberhill Ranch Specific Plan Final EIR (Kunzman Associates, August 1988).

Based on this analysis reported in the approved Final EIR and Addendum to the ARSP Amendment #1, the development of the proposed EIR Addendum #IV to the ARSP #1 and VTTM No. 35001 would result in 1,334 less residential dwelling units and 1,364,500 Sq. Ft. less commercial development being built within the ARSP#1 study area (assuming the 598 acres remain MSHCP open space). Potentially there would be no warrant for an additional noise analysis required for approval of the VTTM No. 35001 based on the reduced traffic volumes assessing that the VTTM No. 35001 and the subject area is consistent with the Final EIR Addendum to the ARSP #1. The Final Map/Plot Plan reviews will assess the architecture, windows and fencing types that will be used within the proposed VTTM No. 35001 to reduce noise to the EIR mitigated acceptable levels.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 will adequately address potential noise impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the VTTM No. 35001's conditions of approval will reduce potential short-term and long-term noise-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.4 Hydrology (See Final EIR Addendum to the ARSP Amendment #1, Section 3.2.2, and Pages 3-3 to 3-4; Alberhill Ranch Specific Plan Final EIR, Pages IV-14 to IV-19)

The hydrological impacts to the Alberhill Ranch Specific Plan were also discussed and considered within the Final EIR to the ARSP Amendment #1 of which the proposed VTTM No. 35001 project area is a part.

Existing Hydrology

The Final EIR Addendum to the ARSP Amendment #1 indicated that the implementation of the approved ARSP Amendment #1 would result in an increase in the amount of project area allocated for urbanized (non-permeable) surface areas (e.g. commercial uses, school properties, and roadways). Additionally, by shifting the

emphasis towards a higher density residential development pursuant to the D.A., individual lot coverage may be increased (e.g., smaller percentage of individual lots allocated for landscaping). Open space areas will increase. However, by increasing the percentage of area which may be covered with impervious materials, the quantity of storm water and/or irrigation run-off may increase. The increased runoff will increase flows into the unnamed Lake Street wash and then to Walker Canyon Creek/Temescal Creek and other downstream facilities such as Prado Santa Ana River Basin, but channel improvements, detention and storm water cleaning systems determined during final engineering will ensure that the effect to properties directly downstream of the discharge point is minimal. Actual flows will be calculated and reviewed by the City Engineer prior to the issuance of grading permits.

An additional source of concern, as indicated in the Alberhill Specific Plan Final EIR, was the former surface mining depressions which were inundated with water. The Final EIR indicated that these depressions could be considered a serious hazard and a danger to the community if left unsupervised.

The Alberhill Specific Plan Final EIR and the Final EIR Addendum to the ARSP Amendment #1 concluded that incorporation of the mitigation measures identified in the Final EIR Addendum to the ARSP #1 would minimize potential impacts to hydrology to a level of insignificance.

Proposed VTTM No. 35001 Hydrology Impacts

KWC Engineers was asked to complete a *Preliminary Hydrologic Analysis* (May 2009) on the proposed VTTM No. 35001 site (in addition to the Pacific Clay property to the west) to hydrologically model the project site's onsite and offsite tributary watersheds, to determine the existing and proposed peak runoffs and to also determine the existing and proposed peak runoffs and to approximate the peak storage required to mitigate any increased runoff due to development for the most critical storm and duration event (See Appendix – Section 'C'). State law requires retaining on-site water in containment areas for a period to complete purification of storm water runoff. This can be accomplished through fossil filters, retention basins and natural biology filters located at strategic locations on-site. Such retention basins would be required pursuant to Clean Water Act Sections 401 and 402 requirements.

KWC has proposed, within the VTTM No. 35001, a series of above and below ground drainage facilities, strategically located, to pick up, contain as necessary, and convey the surface runoffs through the site to their respective discharge points. Figure 4 of the KWC_Engineers *Preliminary Hydrologic Analysis* report shows the approximate master drainage facilities for the proposed VTTM No. 35001, inclusive of the Pacific Clay project area. The Land Uses proposed and their effect of impervious surfaces, and soil groups determined the average infiltration rates KWC reported that design criteria of the onsite detention facilities were found to be effective in mitigating the

impacts of frequent events (i.e., 2-year to 10-year storm events) and, however, had little impacts on low frequency events (i.e., 100-year storm event).

The FEIR Addendum to the ARSP Amendment #1 reported these mitigation measures will apply: 1) All drainage facilities shall conform to the standards of the Riverside County Flood Control and Water Conservation District and the City of Lake Elsinore Community Development Department; and 2) Erosion control devices and an energy dissipating device shall be provided in order to protect the existing streambed of Lake Street and Walker Canyon Creek/Temescal Creek, if necessary.

Incorporation of the mitigation measures identified in the Alberhill Specific Plan Final EIR, the Final EIR Addendum to the ARSP Amendment #1, the Water Supply Assessment (WSA), Water Quality Management Plan (WQMP) and Storm Water Pollution Prevention Plan (SWPPP) will reduce potential project impacts upon hydrology associated with the development of the proposed VTTM No. 35001 to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.5 Geology, Soils, and Seismicity (See Final EIR Addendum to the ARSP Amendment #1, Section 3.2.1, Pages 3-2 to 3-3; Alberhill Ranch Specific Plan Final EIR, Pages IV-1 to IV-13)

The impacts to geology, soils, and seismicity were considered and discussed within both the Alberhill Ranch Specific Plan and the Final EIR to the ARSP Amendment #1, of which the proposed VTTM' No. 35001 project site 400.3 acre areas is a part.

Existing Geology, Soils, and Seismicity

According to, the Final EIR to the ARSP Amendment #1, the existing geologic conditions for the Alberhill Ranch Specific Plan did not change significantly from those previously analyzed in the Alberhill Ranch Specific Plan Final EIR. Although unit type and location may vary, the Final EIR to the ARSP Amendment #1 concluded that no additional geotechnical constraints or impacts were identified within the ARSP Amendment #1 area which would preclude development of the project or result in the exposure of people or structures to geologic hazards (Preliminary Soils Engineering and Engineering Geologic Investigation, 388.1 acres and 107.9 acres Alberhill Ranch, Riverside, California, Petra, January 1990). Seismic risk in Southern California is a well-recognized factor, and is directly related to geologic fault activity. Seismic damage potential depends on the proximity to active or potentially active fault zones, and on the type of geologic structures. Seismic risk associated with the Final EIR to the ARSP Amendment #1 Plan, of which VTTM No. 35001 is a part, is similar to the seismic risk associated with the approved Alberhill Ranch Specific Plan.

The Final EIR to the ARSP Amendment #1 noted that a large portion of the Alberhill Ranch Specific Plan has been mined by the Alberhill Coal and Clay Company and by Pacific Clay Products. The mining areas are generally located in Planning Area 3 and that area east of Lake Street, south of Nichols Road and north of Collector A. Mining operations will be phased out over time within the Alberhill Ranch Specific Plan area. In addition, numerous clay pits, access roads, desilting ponds, and large fill spoil piles are present within the Alberhill Ranch Specific Plan boundaries, as well as abandoned mine shafts and tunnels that are present in the pit area. The proposed VTTM No. 35001 portion of the Final EIR to the ARSP Amendment #1, lies within areas that have been devoted to mineral extraction and mining activities and are, therefore, subject to impacts related to these past land uses.

The Final EIR to the ARSP Amendment #1 found that land use modifications from the Alberhill Ranch Specific Plan and the Final EIR to the ARSP Amendment #1 site plan and associated reconfiguration of the project's circulation system (i.e., the slight overall location of the collector road through the project) would result in localized changes in project grading. However, the boundary of grading operations has remained unchanged, and the grading will be designed so that earthwork quantities balance on site. Balancing of the earthwork quantities will be performed during the final engineering phase of VTTM No. 35001 taking into account changes in the topography from RP2011-1 (formerly RP90-1) along with adjustments to the project grading design resulting from shrinkage and subsidence conditions that will be experienced during the rough grading operations of VTTM No. 35001. Therefore, the Final EIR to the ARSP Amendment #1, of which the VTTM No. 35001 is a part, concluded that incorporation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR and the Final EIR to the ARSP Amendment #1 would minimize potential environmental impacts from geology and seismicity to a level of insignificance. No additional mitigation measures are included in this Addendum.

Proposed VTTM No. 35001 Geology, Soils, and Seismicity Impacts

Petra Geotechnical, Inc. was asked to submit a Geological Feasibility Review of the proposed VTTM No. 35001, a 400.3-acre plan area. The purpose of the feasibility review is to provide an assessment of the currently applicability of the various geologic and geological issues, constraints and mitigation measures contained within the Final EIR to the ARSP Amendment #1 CEQA Addendum related to future VTTM No. 35001 mixed land use development within the subject portion of the property. The geological constraints have been identified in an earlier assessment, which was performed in support of the 1989 EIR (Douglas Wood and Associates, 1989, Nicoll, 1988), and carried forward in the ARSP #1 CEQA Addendum. After the analysis of the existing site conditions, Petra Geotechnical Inc. concluded that the geological condition of the site remained unchanged from previous studies, and is consistent with the Alberhill Ranch Specific Plan EIR and Final EIR to the ARSP Amendment #1. Supplemental

site-specific geotechnical investigations will be required and performed in the future as the final plans for the development are formalized through the Final Tract Map process.

The surface mining and remediation plans have not changed since analyzed in the Alberhill Ranch Specific Plan Final EIR and the Final EIR to the ARSP Amendment #1. The major remediation includes the filling and stabilizing or buttressing of various landslide areas and water cavities (mining pits), minor remedial earthwork/grading, to properly abandon mining access roads and pre-existing mining tunnels, and soil sampling and laboratory testing. This work was undertaken in conformance with all local, state, and federal laws, and has not significantly impacted the geological condition of the site. Therefore, since there are no significant changes in the geological conditions at the site, which is consistent with the Petra Geotechnical, Inc. investigation and review, the previous impacts and mitigation measures remain applicable to the proposed VTTM No. 35001.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR will adequately address potential geological impacts associated with the proposed VTTM No. 35001.

Incorporation of the existing measures into the VTTM No. 35001 conditions of approval will reduce potential geological-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.6 Land Use (See Final EIR to the ARSP Amendment #1, Section 3.2.6, Pages 3-8 to 3-10; Alberhill Ranch Specific Plan Final EIR, Pages IV-48 to IV-61)

Land Use was considered and discussed within both the Alberhill Ranch Specific Plan and the Final EIR to the ARSP Amendment #1, of which the proposed VTTM' No. 35001 project site 400.3-acre areas is a part.

Existing Land Use Assessment

As explained in the Final EIR to the ARSP Amendment #1, the adoption of the ARSP #1 would result in land use changes as previously approved in the Alberhill Ranch Specific Plan. The changes reflected refinements to land use configuration adopted as part of the Alberhill Ranch Specific Plan and reflected modifications to the size, precise location and design parameters of specific land uses rather than substantive changes to the ultimate development concept envisioned under the Alberhill Ranch Specific Plan.

The approved land use designations currently apply to the 998-acre property ARSP Amendment #1, which allows a total of 2,735 dwelling units on 764 acres as well as 89 acres of Suburban Village Mixed Use, and 144 acres of Golf Course-Open Space, Neighborhood Park-Open Space and Riparian Resource Area-Open

Space. Comparing these totals with the proposed VTTM No. 35001, the proposed VTTM No. 35001 land uses are very similar in location, but with a slight variation in acre sizes. The 400.3-acre area of the ARSP Amendment No.1/EIR Addendum #IV and proposed VTTM No.35001, which is a portion of the overall 998 gross acre ARSP #1 area, is proposing a decrease in the amount of area devoted to residential use and a decrease of commercial use, respecting the other remaining 598 acres will become MSHCP open space and not be developed. The amount of Public Park (6.9 gross acres) , plus the additional open space that is proposed as a Linear Park for open space/wildlife corridors (38.8 net acres) within the 11.5 acres of the SV and 27.3 acres of the SFR-II providing recreation pedestrian trails while serving dual use as utility access. A Public Park adjacent to the underground water tank (3.1 acres) is provided as a "trailhead" to the future MSHCP open space area. The proposed VTTM No. 35001) totals approximately 48.8 acres of open space. This does not include the 144 acres of golf course area located within the 598.3-acre area of the ARSP #1 and the existing 22.4-acre park located in the southeast corner of Lake Street and Nichols Road. Additional but lesser open space variations also occur in relation to the amount of on-site area devoted to on-site roadways and other infrastructure elements. It also must be noted that should the golf course not be built within the remaining ±598-acre portion of the ARSP #1 area, then 500 dwelling units will be decreased from the allowable 2,735 overall dwelling units permitted in accordance with the 1990 Development Agreement between the City and Applicant.

According to the Final EIR to the ARSP Amendment #1, although the size and location of individual land uses were revised, the type and distribution of land uses within the ARSP Amendment #1 and the proposed project objectives of the VTTM No. 35001 would be similar to the original Alberhill Ranch Specific Plan, and, therefore, fully consistent with the land uses contemplated in the proposed VTTM No. 35001 portion of the ARSP #1. Accordingly, the Final EIR to the ARSP Amendment #1 concluded that land use modification, as specified in the proposed VTTM No. 35001, will not result in the creation of significant adverse land use environmental impacts.

Proposed VTTM No. 35001 Land Use Impacts

The main land use variances between the project analyzed in the Final EIR to the ARSP Amendment #1 and the proposed VTTM No. 35001 -- 400.3-acre portion of the ARSP #1 is that the residential land use development is reduced by 1,334 dwelling units and 1,1,364,500 Sq .Ft. of commercial development due to the potential MSHCP open space on the remainder of the 598-acre area. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed. Land use modification, as specified in the proposed VTTM No. 35001 will not result in the creation of a significant adverse land use environmental impacts. Incorporation of those planning and design criteria identified in the

ARSP #1 will minimize potential on-site and off-site environmental impacts to a level of insignificance. No additional measures are included in this Addendum.

4.2.7 Climate and Air Quality (See Final EIR to the ARSP Amendment #1, Section 3.2.4, Pages 3-4 to 3-5; Alberhill Ranch Specific Plan Final EIR, Pages IV-29 to IV-37)

Climate and Air Quality were both considered and discussed within both the Alberhill Ranch Specific Plan and the Final EIR to the ARSP Amendment #1, of which the proposed VTTM No. 35001 project site 400.3-acre areas is a part.

Existing Climate and Air Quality

The proposed land use changes that were approved for the ARSP #1 did not result in a change to existing on-site or off-site climate conditions, and therefore, the proposed VTTM No. 35001 will also not create a change to existing on-site or off-site climate conditions.

According to Final EIR to the ARSP Amendment #1, short-term air quality impacts will result from project construction activities. Air pollutants will be emitted by construction equipment and dust will be generated during grading and site preparation.

Additionally, long-term air quality impacts of the ARSP #1 and the proposed VTTM No. 35001, which is a part of the ARSP #1, will result from the introduction of additional mobile source (i.e., vehicular) and stationary source (i.e., on-site consumption of natural gas, off-site generation of electricity) emissions and with the additional 500 residential units, which was stated within the approved ARSP #1, may increase total vehicular trips generated by the project and corresponding mobile source emissions, thereby exacerbating those air quality impacts identified in the FEIR to the Alberhill Ranch Specific Plan.

The Final EIR to the ARSP Amendment #1 indicated that pollutant levels associated with the Alberhill Ranch Specific Plan Final EIR, as applied, would exceed the generation of carbon monoxide, nitrogen oxide, and the reactive organic gases would also exceed the South Coast Air Quality Management District's thresholds for significance. As a result, a Statement of Overriding Considerations was required for its approval.

Consistent with this, the Final EIR to the ARSP Amendment #1's air quality analysis for the ARSP #1 and proposed VTTM No. 35001, it was determined that air quality impacts associated with the development of the ARSP #1 were considered significant in the generation of carbon monoxide, nitrogen oxide and reactive organic gases, and immitigable. Accordingly, the Final EIR to the ARSP Amendment #1 concluded that incorporation of those mitigation measures

identified in the Alberhill Ranch Specific Plan Final EIR will reduce, but not eliminate, the significance of the impact. However, these impacts were found not to be substantially different or worse than those impacts previously analyzed.

Proposed VTTM No. 35001 Air Quality Impacts

The main air quality difference between the projects analyzed in the Final EIR to the ARSP Amendment #1 and the proposed VTTM No. 35001 -- 400.3-acre portion of the ARSP #1 is that the proposed VTTM No. 35001 residential land use development is reduced by 1,334 dwelling units and the commercial areas are reduced by 1,364,500 Sq. Ft., due to the potential MSHCP open space use on the remainder of the County 598- acre area. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a reduction of short-term and long-term air quality impacts due to less homes being built.

Therefore, although the air quality impacts associated with the proposed VTTM No. 35001 are still considered significant; these impacts are not substantially different or worse than those impacts previously analyzed within the, the Alberhill Ranch Specific Plan Final EIR and the Final EIR to the ARSP Amendment #1. Implementation and incorporation of the mitigation measures identified in the EIR Addendum #I, Alberhill Ranch Specific Plan Final EIR and the Final EIR to the ARSP Amendment #1 into the proposed VTTM No. 35001 conditions of approval will reduce, but not eliminate, the significant air quality impacts associated with the proposed VTTM No. 35001. No additional mitigation measures are included in this Addendum.

4.2.8 Population and Housing (See Final EIR to the ARSP Amendment #1, Section 3.2.7, Pages 3-10 to 3-11; Alberhill Ranch Specific Plan Final EIR, Pages IV-62 to IV-64)

Existing Population and Housing

When the FEIR to the ARSP Addendum #1, of which the VTTM No. 35001 is a part, was compared to the Alberhill Ranch Specific Plan Final EIR which included 3,705 dwelling units (estimating 13,338 individuals), the FEIR was considered to be consistent with the Southern California Association of Governments (SCAG) growth parameters for the City. The approved ARSP #1 FEIR, which authorized the additional 500 residential dwelling units, concluded that the revised land use and population projections (an additional 1,800 individuals at the City's assumed 3.6 individuals per unit) identified for the ARSP #1, were substantially in compliance with the previous Alberhill Ranch Specific Plan Final EIR analysis. As a result, potential changes in project-related population or housing characteristics were not considered significant.

Proposed VTTM No. 35001 Population and Housing Impacts

The main differences of the proposed VTTM No. 35001 and the project analyzed in the Final EIR to the ARSP Amendment #1 is that the proposed VTTM No. 35001 is a smaller 400.3-acre portion of the ARSP Amendment #1's total 998-acre area. The proposed VTTM No. 35001, creating 1,401 residential dwelling units, which is a residential development reduction of 1,334 dwelling units, results in less population by 4,802 individuals and housing impacts and a consequential reduction in commercial development impacts. The reduction is due to the remaining 598 acres of the ARSP #1 potentially becoming a MSHCP open space land use area. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a reduction of population and housing impacts due to less homes being built.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR have adequately addressed potential population and housing impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the VTTM No. 35001's conditions of approval will reduce potential population and housing-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.9 Energy Resources (See Final EIR to the ARSP Amendment #1, Section 3.2.8, Pages 3-11 to 3-12; Alberhill Ranch Specific Plan Final EIR, Pages IV-65 to IV-66)

Existing Energy Resources

The Final EIR to the ARSP Amendment #1 estimated that natural gas and electrical usage for the residential units are assumed to consume an average of 6,081 kWh/unit/year and 3,918 cubic feet of natural gas/unit/month. Based on the ARSP #1's revised project and the increased consumption by approximately 3,040,500 kWh/year and the 235,800 therms of natural gas/year, (for the approved 2,735 dwelling units) the energy demand, however, is not considered significant and can be readily provided by the area's utility purveyors.

When comparing this usage to the Final EIR to the ARSP Amendment #1 estimates, the proposed VTTM No. 35001, there will be a decrease in consumption of energy due to the fact that the proposed VTTM No. 35001 will have fewer residential dwelling units and less commercial development than the ARSP #1 land use development plan.

The incorporation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR and the Final EIR to the ARSP Amendment #1 would minimize potential impacts upon those energy resources to a level of

insignificance. As a result, no additional mitigation measures are recommended.

Proposed VTTMs Energy Resources Impacts

The main differences of the proposed VTTM No. 35001 and the project analyzed in the Final EIR to the ARSP Amendment #1 is that the proposed VTTM No. 35001 is a smaller 400.3-acre portion of the ARSP Amendment #1's total 989-acre area, and that the proposed VTTM No. 35001 of 1,401 residential dwelling units -- a residential development reduction of 1,334 dwelling units and reduced commercial development, resulting in less population, housing impacts and reduced commercial energy consumption with an overall reduction in energy resources (which yields a reduction of 8,112,054 electrical kWh per year and also a reduction of 5,226,612 cu. ft. of natural gas per year). The reduction is due to the remaining 598 acres of the ARSP #1 potentially becoming a MSHCP open space land use area. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a reduction of energy resources impacts due to less homes being built.

Implementation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR and the Final EIR to the ARSP Amendment #1 will adequately address potential energy resources impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the VTTM No. 35001's conditions of approval will reduce potential energy resources-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.10 Aesthetics (See Final EIR to the ARSP Amendment #1, Section 3.2.9, Pages 3-12 to 3-13; Alberhill Ranch Specific Plan Final EIR, Pages IV-67 to IV-69)

Existing Aesthetics

According to the Final EIR to the ARSP Amendment #1, the ARSP #1 site is characterized by rolling terrain, ranging in elevation from 1,200 feet to 1,800 feet and situated within a large section east of Lake Street and north of Nichols Road. A major ridgeline is also located west of and parallel to Interstate 15. The primary appearance of the site, from off-site areas to the east, is one of undeveloped rolling hills and open space.

Accordingly, the Final EIR to the ARSP Amendment #1 concluded that implementation of the ARSP #1 will permanently alter the nature and appearance of the area by introducing development into a largely undeveloped area. The Final EIR to the ARSP Amendment #1 also noted that the most notable change to the ARSP Amendment #1 was the modification to the 404 acres of natural open space represented in the Alberhill Ranch Specific Plan, which will

include the development of a golf course, riparian resource area along Temescal Creek and other open space areas on-site. Slopes of 25% or greater, has been proposed for retention as open space to provide an aesthetic transition from residential land uses and the I-15 Freeway to the north and along the perimeter of the project area of the ARSP #1.

The proposed VTTM No. 35001, 400.3-acre project area, which is a portion of the 989-acre area of the ARSP #1, would not create any additional impacts over those associated with the Alberhill Ranch Specific Plan. Implementation of those standards and guidelines identified in the ARSP Amendment #1 would reduce visual impacts of project development to a level which is not significant.

Proposed VTTM No. 35001 Aesthetics Impacts

The main land use difference between the project analyzed in the Final EIR to the ARSP Amendment #1 and the proposed VTTM No. 35001 -- 400.3-acre portion of the ARSP #1, is that the residential land use development is reduced by 1,334 dwelling units and 1,364,500 S.F. due to the potential MSHCP open space on the remainder of the 598-acre area, and as a result, there will be fewer homes constructed. Additionally, the ARSP #1 contains specific development standards and design guidelines for each land use component. These guidelines apply to the proposed VTTM No. 35001 project development and will ensure the incorporation of appropriate landscaping and design standards to protect (enhance) the site's visual environment. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a reduction of aesthetics impacts due to less homes being built.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR will adequately address potential aesthetics impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the proposed VTTM conditions of approval will reduce potential aesthetics-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.11 Historic and Prehistoric Resources (See Final EIR to the ARSP Amendment #1, Section 3.2.10, Page 3-13; Alberhill Ranch Specific Plan Final EIR, Pages IV-70 to IV-74)

Existing Historic and Prehistoric Resources

According to the Final EIR to the ARSP Amendment #1, no known archaeological sites exist on the ARSP #1 site plan area. The Alberhill Ranch Specific Plan contains a total of eight paleontological sites, three of which are located within the Murdock Alberhill Ranch Specific Plan boundaries. A historic site, located near Nichols Road and Terra Cotta Road, is located within the Murdock Alberhill

Ranch Specific Plan area. This site contains remnants of mining activity. According to the Archaeological Assessment prepared for the Alberhill Ranch Specific Plan, given the condition and disturbances to this historic site, mitigation efforts are not warranted.

The Final EIR to the ARSP Amendment #1 and the Alberhill Ranch Specific Plan Final EIR concluded that impacts on paleontological resources for both the Alberhill Ranch Specific Plan and the ARSP #1, as a result of grading operations for project development, have the potential to be significant. These potential impacts, however, were reduced to a level of insignificance by implementation of the mitigation measures contained in the Alberhill Ranch Specific Plan Final EIR and the Final EIR to the ARSP Amendment #1.

Proposed VTTM No. 35001 Historic and Prehistoric Resources Impacts

The main difference between the project analyzed in the Final EIR to the ARSP Amendment #1 (989-acre site area) and the proposed VTTM No. 35001 is the reduction in total overall development area. The VTTM No. 35001 proposes to develop only 400.3 acres total of the 989 acres within the approved ARSP #1 project site. The result will be a reduction in the overall size and potential impact to any possible historic and prehistoric resource found while grading. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a reduction of historic and prehistoric impacts due to less homes being built.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR will adequately address potential historic and prehistoric impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the VTTMs conditions of approval will reduce potential historic and prehistoric-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.12 Mineral Resources (See Final EIR to the ARSP Amendment #1, Section 3.2.11, Page 3-13; Alberhill Ranch Specific Plan Final EIR, Pages IV-75 to IV-78)

Existing Mineral Resources

Project development will preclude future use of the site for clay extraction, however, this use has been found to be economically infeasible. The Alberhill Ranch Specific Plan Amendment #1 would eliminate the State MRZ zone from the site. The mined area will require reclamation in order to accommodate the project.

The Final EIR to the ARSP Amendment #1 and the Alberhill Ranch Specific Plan Final EIR concluded that implementation of the approved ARSP #1 would have the same impacts upon mineral extraction activities as would have occurred from

implementation of the Alberhill Ranch Specific Plan, since mineral extraction activities would be phased and reclaimed under either development scenario. Therefore, incorporation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR and Final EIR to the ARSP Amendment #1 would reduce impacts upon mineral resources to a level of insignificance.

Proposed VTTMs Mineral Resources Impacts

The main land use difference between the project analyzed in the Final EIR to the ARSP Amendment #1 and the VTTM No. 35001 are that residential development area is less in area, resulting in less grading and fewer impacts to mineral resources. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a reduction of mineral resources impacts due to less homes being built.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 Alberhill Ranch Specific Plan Final EIR will adequately address potential mineral resources impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the VTTMs conditions of approval will reduce potential mineral resources-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.13 Public Facilities and Services (See Final EIR to the ARSP Amendment #1, Section 3.2.13, Pages 3-15; Alberhill Ranch Specific Plan Final EIR, Pages IV-98 to IV-118)

According to the Final EIR to the ARSP Amendment #1, the additional dwelling units, as proposed under the ARSP #1 would result in an incremental increase in demands on various public facilities and services (i.e., fire and police protection, schools, water and sewer, parks and recreation, utilities, and solid waste). Each of these public facilities/services impacts as analyzed in Final EIR to the ARSP Amendment #1 are summarized below and relate to the proposed VTTM No. 35001 in comparison.

Fire Protection

According to Final EIR to the ARSP Amendment #1 and the implementation of the ARSP #1, including conversion of natural open space to other urban, recreational and open space uses, will minimize fire hazard risks associated with natural open space areas. Additionally, the introduction of additional landscaping (and irrigation), including fuel modification zones adjoining urbanized areas, will minimize risks associated with brush fires by establishing a buffer between developed areas and natural open space areas.

The approved ARSP Amendment #1 permitted the projected increase of residential development and the projected service demands upon both paramedic and fire protection services area.

It was concluded that the mitigation measures within the Final EIR to the ARSP Amendment #1 and the Alberhill Ranch Specific Plan Final EIR would, however, reduce potential impacts upon those services to a level of insignificance. As a result, no further or additional measures have been identified herein.

Police Protection

According to Final EIR to the ARSP Amendment #1 and the Alberhill Ranch Specific Plan Final EIR, the development of the ARSP #1 would generate a population of 5,147. This increase in population would incrementally increase the criminal activity such as burglaries, thefts, auto thefts, vandalism, assaults, etc.

The approved Final EIR to the ARSP Amendment #1 and the Alberhill Ranch Specific Plan Final EIR concluded that the ARSP #1 would generate the need for 22 additional deputies, to provide adequate protection to future residents. This represented an increase in the amount of police officers required due to the increase of generated resident population of 14,820 persons.

The Final EIR to the ARSP Amendment #1 also concluded that although the total number of dwelling units may increase within the ARSP #1 area, the impacts upon police services were not anticipated to significantly increase beyond those levels analyzed in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR.

The potential reduction in overall residential and commercial land use over the entire ARSP #1 area may result in a decrease in the number of additional deputies examined in the ARSP #1 Addendum. This should be examined if and when the County area is rezoned to open space.

Schools

According to the Final EIR to the ARSP Amendment #1, the approved ASRSP #1 lies within the service boundaries of the Lake Elsinore Unified School District for grades K-12. The Final EIR to the ARSP Amendment #1 estimated that the ARSP #1 was anticipated to generate 300 additional students (i.e., 200 students within the Lake Elsinore School District and 100 students in the Elsinore Unified High School District).

In order to accommodate elementary school age children, the Alberhill Ranch Specific Plan Amendment #1 included an approximate 23-acre area with a portion of the site designated as park area, which would be acquired and developed by the

Lake Elsinore Unified School District and developed at the time when it was needed. Accordingly, Final EIR to the ARSP Amendment #1 concluded that the proposed school site would meet the School District's criteria. Impacts on elementary school, junior high school and high school facilities would be mitigated by payment of a school impact fee by the developer imposed by AB 2926.

Therefore, the Final EIR to the ARSP Amendment #1 and the Alberhill Ranch Specific Plan Final EIR concluded that implementation of the measures contained in the Alberhill Ranch Specific Plan Final EIR would mitigate potential impacts upon local school district to a level of insignificance.

Parks and Recreation

According to Final EIR to the ARSP Amendment #1, the development of the approved ARSP #1's site total acreage allocated for recreational uses within the project site will increase substantially. This increase in population to the area would create additional demand for local and regional recreational facilities.

Due to the close proximity of the Lake Elsinore State Recreation Area, residents would visit the Lake for recreational purposes. Although the proposed ARSP #1 recreational amenities on-site would not entirely alleviate the impact to water recreation at the Lake, they would provide opportunities for other activities for future residents.

The Final EIR to the ARSP Amendment #1 indicated that the project would be required to adhere to the City of Lake Elsinore Resolution No. 85-34, adopted on May 28, 1985, requiring five-acres of parkland per 1,000 in population or payment of in lieu fees. Based on this, the ARSP #1 would create a required overall demand for 58.73 acres of recreation facilities. This park acreage would include a 34-acre Community Park located at the southeast corner of Lake Street and Nichols Road. With the potential development of the 144+ acre golf course and the open space on both sides of Temescal Creek, the parkland provisions exceed the required demand.

The Developmental Agreement between the City of Lake Elsinore and Murdock Alberhill Ranch Limited Partnership specifies that the (collectively, "Community Park Improvements") Developer must contribute but may not exceed \$1,500,000 for all community park improvements. This sum shall be adjusted by the percentage increase, if any, in the Index during the period beginning on the Effective Date and ending on the date the Developer commences the Community Park Improvements. Any remaining costs of improvement of the Community Park will be incurred by the City.

The Final EIR to the ARSP Amendment #1 concluded that implementation of the ARSP #1 would result in a beneficial impact upon area recreational opportunities. As a result, no additional mitigation measures have been identified.

Solid Waste

According to the Final EIR to the ARSP Amendment #1 and the Alberhill Ranch Specific Plan Final development of the ARSP #1 would increase the amount of solid waste generated in the region, in turn placing increased demand upon services of waste haulers in the area. Based upon the solid waste generation factor for Riverside County (7.9 pounds/person/day), the projected increase of ARSP #1's 500 dwelling units and 3.6 individuals per unit, the amount of solid waste would increase approximately 14,220 pounds/day. The entire ARSP #1 project area will generate 46 tons of solid waste per day, shortening the life of the Double Butte and El Sobrante Disposal sites

In addition, the Final EIR to the ARSP Amendment #1 indicated that the conversion of natural open space areas to other land uses (including the 144+ acre golf course) will result in the generation of additional organic wastes which will require landfill disposal or composting. The golf course will include a composting/landscape refuge area and/or composting program designed to minimize potential project-related impacts upon County sanitary landfill facilities.

The facilities and services demand projections for the ARSP #1 are expected to be substantially consistent with the demand projections analysis in the Alberhill Ranch Specific Plan Final EIR. The Final EIR to the ARSP Amendment #1 concluded that implementation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR would reduce potential impacts upon solid waste facilities and services to a level of insignificance.

Telephone

According to Alberhill Ranch Specific Plan Final EIR, the ARSP #1 would place additional demand upon the existing telephone service, and these demands are well within the parameters of GTE. However, the Alberhill Ranch Specific Plan Final EIR noted that the ARSP #1 would require new lines to serve future project residents.

The Alberhill Ranch Specific Plan Final EIR concluded that the increased telephone demands, as a result of implementation of the ARSP #1, were not considered significant. Therefore, the Alberhill Ranch Specific Plan Final EIR concluded that implementation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR for telephone impacts would reduce potential impacts to a level of insignificance.

Water and Sewer

Regarding water demand, the Final EIR to the ARSP Amendment #1 indicated that the ARSP #1 would be provided water service by the Elsinore Valley Municipal Water District ("EVMWD"). According to the Final EIR to the ARSP Amendment #1, the water consumption to be demanded by the R-1 and R-S portions of the Annexation Area would result in 2.973 million gallons per day ("mgd") average day demand and 5.776 mgd for the maximum daily demand.

The ARSP #1, due to its increase in the 500 units will require a minor increase in water supply, implementation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR and Final EIR to the ARSP Amendment #1 would minimize potential impacts upon the water system to a level of insignificance. Also in order to conserve water, the project shall comply with Title 20 of the California Administration Code. A water distribution system is proposed to serve the project area. Portions of the site would have to be served by the 1601 and 1801 pressure zone systems, which have no facilities at this time, and will require a regional pump station, lines and storage reservoirs,

Regarding sewer service, the Final EIR to the ARSP Amendment #1 indicated that the ARSP #1 area was provided sanitary sewer service by EVMWD. According to the Final EIR to the ARSP Amendment #1, the total anticipated average daily flows and the sewage generation associated with the ARSP #1, was estimated to be 1.3893 mgd. To provide sewerage facilities, this master planned treatment plant westerly of Temescal Road must be constructed.

The Final EIR to the ARSP Amendment #1 concluded that incorporation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR would minimize potential impacts to the sanitary sewage system to a level of insignificance.

Proposed VTTM No. 35001 Public Facilities and Services Impacts

The main land use difference between the project areas analyzed in the Final EIR to the ARSP Amendment #1 and the VTTM No. 35001 is a portion of the overall ARSP #1 project area. Therefore producing smaller or lesser impacts overall. Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a reduction of public facilities and services impacts (i.e., fire and police protection, schools, water and sewer, parks and recreation, utilities, and solid waste) due to less homes being built.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR will adequately address potential public facilities and services impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the VTTMs conditions of approval

will reduce potential public facilities and services-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

4.2.14 Fiscal (See Alberhill Ranch Specific Plan Final EIR, Pages IV-119 to IV-120)

Existing Fiscal Impacts

A fiscal impact report was completed for the Alberhill Ranch Specific Plan which indicated an overall positive fiscal impact at specific plan build out. The incorporation of the mitigation measures identified in the Alberhill Ranch Specific Plan Final EIR would minimize potential fiscal impacts on the City to a level of insignificance. No additional mitigation measures are included in this Addendum.

Proposed VTTM No. 35001 Fiscal Impacts

The main land use difference between the project area analyzed in the Final EIR to the ARSP Amendment #1 and the VTTM No. 53001, is that the project area of the VTTM No. 35001 is a part (400.3 acres) of the overall project area of ARSP #1 (989 acres). Accordingly, physical changes to the site plan will have limited impacts beyond those already analyzed and will result in a slight reduction of fiscal impacts due to less homes being built.

Implementation of the mitigation measures identified in the Final EIR to the ARSP Amendment #1 and Alberhill Ranch Specific Plan Final EIR will adequately address potential fiscal impacts associated with the proposed VTTM No. 35001. Incorporation of those measures into the VTTM No. 35001's conditions of approval will reduce potential fiscal-related impacts to a level of insignificance. No additional mitigation measures are included in this Addendum.

5.0 REPORT PREPARERS

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REPORT TO PLANNING COMMISSION

**TO: HONORABLE CHAIRPERSON
AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: KRISTINE HERRINGTON
OFFICE SPECIALIST**

DATE: OCTOBER 16, 2012

SUBJECT: APPROVAL OF MINUTE(S)

Recommendation

It is recommended that the Planning Commission approve the Minutes as submitted.

1. October 2, 2012

Prepared by: Kristine Herrington *KH*
Office Specialist

Approved by: Warren Morelion, AICP *WM*
Acting Director of Community Development

**CITY OF LAKE ELSINORE
PLANNING COMMISSION REGULAR MEETING
MINUTES OF OCTOBER 2, 2012**

CALL TO ORDER

Chairman Morsch called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Chairman Morsch led the Pledge of Allegiance.

ROLL CALL

Present: Chairman Morsch
Vice Chairperson O'Neal
Commissioner Blake
Commissioner Gray

Absent: Commissioner Jordan

Also present: Acting Community Development Director Morelson, Public Works Director Seumalo, Senior Planner MacHott, Planning Consultant Donahoe, City Attorney Leibold, and Office Specialist Herrington.

PUBLIC COMMENTS – NON AGENDIZED ITEMS – 3 MINUTES

None.

CONSENT CALENDAR ITEM(S)

1. Minutes for the following Planning Commission meeting(s)

a. August 21, 2012

Page 4 of 9; correct the word intension to intention.

Motion by Vice Chairman O'Neal, seconded by Commissioner Gray, to approve the Planning Commission Minutes of August 21, 2012, with modification; Motion passed by 4-0 vote.

b. September 4, 2012

Page 7 of 10, correct Chairman O'Neal to Vice Chairman O'Neal.

Motion by Vice Chairman O'Neal, seconded by Commissioner Gray, to approve the Planning Commission Minutes of September 4, 2012, with modification; Motion passed by 4-0 vote.

PUBLIC HEARING ITEM(S)

2. Zone Code Amendment No. 2012-03 – Modifying the City of Lake Elsinore Municipal Code, Title 17 – Zoning, to add “Emergency Shelter”, “Transitional”, and “Supportive Housing” to Chapter 17.08 – Definitions, and adding these uses as permitted within various chapters, as required by the State of California Senate Bill 2

Recommendation

Approve a resolution recommending to the City Council approval of Zone Code Amendment No. 2012-03, modifying the City of Lake Elsinore Municipal Code, Title 17 – Zoning, to add “Emergency Shelter”, “Transitional” and “Supportive Housing” to Chapter 17.08 – Definitions, and to add these uses as permitted within various chapters, as required by the State of California Senate Bill 2, as shown in attached Exhibit ‘A’ – Emergency Shelter Ordinance.

Planning Consultant Donahoe presented the staff report. Commissioner Blake asked how the facility is operated. Planning Consultant Donahoe stated the Union Station services in Pasadena are contracted out and it is a non-profit organization with many volunteers.

Planning Consultant Donahoe stated that Commissioner Jordan sent in three questions: 1) Development Standards are proposed only for the Emergency Shelter use and that there were no Development Standards proposed by staff for the transitional and supportive housing. Please explain. 2) What is to keep the homeless from loitering around the Emergency Shelter during the day? 3) Will the facilities be offered to abused men or women of domestic violence?

Planning Consultant Donahoe addressed all of Commissioner Jordan’s questions to the Commission for the record:

1. Development stds for Transitional and Supportive Housing – ***SB 2 specifies that T and S shall be treated as residential uses subject to the same development stds and restrictions that apply to similar hsg types in the same zone. (This is stated on Page 1 of Staff Report, Background. Commission’s option is to eliminate one or both from a specific zone.***
2. Loitering during daytime hours – The objective is to have clients in school, attending training, or working. If Intake Procedures are handled off-site, and vouchers distributed from that location, there would be no need for clients to stand in line to obtain a bed for the night. The Management Plan security program could include daytime reconnaissance that discourages loitering at the Shelter or in the surrounding neighborhood.

3. The Shelter and T, S housing are designed for the homeless. Should abused victims be homeless, they would be eligible and would have access to specific programs that assist them. They would be subject to the same limitations regarding length of stay as other homeless individual.

Vice Chairman O'Neal asked that, although he is in favor of the homeless shelters, who is going to pay for them because the City is not in a position to incur any of the costs to run them?

Planning Consultant Donahoe answered that this is not a proposal for the City to build a shelter. It is a proposal to provide the opportunity for a developer, non-profit organization or an association to apply for a shelter. Vice Chairman O'Neal asked if the City is following State Law. Planning Consultant Donahoe stated that the City is complying with State Law, Senate Bill (SB2).

Commissioner Blake asked the City Attorney to address the SB2 requirement. City Attorney Leibold explained SB2. Commissioner Blake stated that he was impressed that staff visited some of the facilities. He indicated that he understands that we need to take care of people that are in need. He asked if the law states that homeless shelters are allowed to be as close as 300 feet from other homeless shelters. Planning Consultant Donahoe confirmed. Commissioner Blake stated that it seems very close in a major metropolitan area.

Ron Hewison of the Elsinore H.O.P.E. Organization addressed the Commission. He stated that they have 250 volunteers that help feed those in need and also feed 1,400 families. Their mission is to help the homeless but also to proactively work on homelessness prevention. Chairman Morsh commended him for his work. Commissioner Blake stated that since the zoning has been approved, does a project like this need to go through a design review process such as any other development. Planning Consultant Donahoe stated that it will be the same as a land use application and will follow the same planning procedures.

Commissioner Gray stated that this opens the way for something that is needed and appropriate.

Vice Chairman O'Neal commended Mr. Hewison for his work.

Chairman Morsch stated that this facility will integrate well within the commercial district.

Motion by Commissioner Gray and seconded by Vice Chairman O'Neal to approve Resolution No. 2012-32, a Resolution of the Planning Commission of the City of Lake Elsinore, California, recommending approval of Zoning Code Amendment No. 2012-03, modifying the City of Lake Elsinore Municipal Code, Title 17 – Zoning, to add “Emergency Shelter,” “Transitional” and “Supportive Housing” to Chapter 17.08 – Definitions, and adding these uses as permitted

within various chapters, as required by the State of California Senate Bill 2; Motion passed 4-0.

3. Discussion Item – Murals

Senior Planner MacHott presented the staff report.

Commissioner Blake asked what type of work load this would create for the City. Senior Planner MacHott stated he wasn't sure at this time because he does not know how much work they would be doing.

Vice Chairman O'Neal described how Laguna Beach and Pasadena have Arts Councils and stated that there is no definition for murals for the City of Laguna Beach in the matrix provided by Senior Planner MacHott. Senior Planner MacHott stated that when preparing the matrix, he found no definition in their Municipal Code.

Vice Chairman O'Neal stated that he would like to have an Arts Commission to review art murals that would be presented to the Planning Commission on a voluntary basis.

Robin Golden of Studio 395 thanked the Commission for keeping them informed and involved as the mural policy and procedures develop. She also stated that their desire is that the City adopt and develop a workable policy, not just for wall murals but public art in general and hopes that the City Planners, Managers, and Council will see the benefit that public art can bring to the City.

Grace Sandlin of Studio 395 discussed murals as public art and stated that she is glad that the Planning Commission is addressing an Arts Commission. Chairman Morsch asked when the next 395 event downtown will occur. Ms. Sandlin stated that it is the 3rd Saturday of every month and the next event is October 20, 2012.

Suzie Rupnow of Studio 395 reiterated the importance of an Arts Commission and discussed what they do. She is glad to hear positive responses from everyone.

Chairman Morsch described Portland's mural process and stated that he would like to see a process for an Art Committee regarding murals, tile work, etc. and noted that the Art Committee would be volunteers so that the burden of the work load will have minimal impact on staff.

Commissioner Gray stated that he thinks it's a good idea to have a volunteer Arts Committee who can present an educated opinion.

Vice Chairman O'Neal stated that Ms. Golden has done a nice job with the art in the City and also indicated that the City needs an Arts Commission that is

educated in the art field to review murals and any other art work going into the City. He also stated that there is no definition of art.

City Attorney Leibold read the Ordinance that the City of Laguna Beach has and indicated that the most common distinction between a mural and a wall sign is whether or not there are words.

Commissioner Blake thanked Ms. Golden, Ms. Sandlin, and Ms. Rupnow for their comments and also thanked Ms. Golden for the wonderful art that she has done in the City. He also stated that the Planning Commission, the City Council and the Arts Commission need to defer to what is publicly accepted.

Commissioner Blake asked about the legal issues relating to art in the City. City Attorney Leibold explained the legal regulations for the art and signs.

Steve Manos, resident of Lake Elsinore, stated that some graffiti is considered art and also stated that words could be incorporated into a mural, such as a mural that memorializes a public figure.

Chairman Morsch stated that the City needs a definition of a mural. He also stated that there should be a review committee to determine what art is appropriate and not appropriate. Vice Chairman O'Neal stated that he would like to see an Art Commission that consists of five or seven people from the public that are educated in the arts which will review all public art, such as sculptures, murals, signs, tiles, etc.

Chairman Morsch would like to see a list of volunteers who are qualified as part of the process.

Commissioner Blake identified that the Commission is looking for definitions, a process of approval and legal clarity.

Ms. Golden stated that art will always be subjective with everyone. She stated that the art should be neighborhood specific and if there is a design review board formed, she would like to volunteer to be on the review board. She would like to discuss volunteers that are interested at the next Commission meeting.

Vice Chairman O'Neal stated that he would like this to come back to the Planning Commission. He noted that some art in various neighborhoods looks horrible but was approved and noted that the City really needs an Art Commission to review the designs first.

Acting Community Development Director Morelson stated that staff will bring this item back to the Commission within the next month and a half so that staff has time to research.

4. Public Official Orientation Presentation

City Attorney Leibold presented a Power Point presentation.

BUSINESS ITEM(S)

None.

STAFF COMMENTS

Senior Planner MacHott stated that the 3rd Street Annexation was finalized on September 22, 2012. Chairman Morsch asked if the people that live in the area are able to vote on City matters. Senior Planner MacHott stated that they will be able to vote, however, they will not be able to vote in the next election because the annexation was not completed before June 1, 2012.

Acting Community Development Director Morelion informed the Commissioners of the planning items that were presented at the September 25, 2012, City Council meeting. He also stated that the next training class through the League of California Cities will be in Pasadena at the end of March or the beginning of April, 2013, and if any of the Commissioners would like to attend, to please notify him so that arrangements can be made. He stated that the next Planning Commission meeting will be Tuesday, October 16, 2012.

PLANNING COMMISSIONER'S COMMENTS

Commissioner Blake asked if anything has been done regarding the gas sign that is tattered located at the end of Main Street off of Interstate 15. Acting Community Development Director Morelion explained that the owner is in escrow and the gas station will be remodeled or sold. He noted that the process has taken longer than expected.

The Commissioners thanked the City Attorney for her presentation.

Commissioner Gray stated that he will not be able to attend the October 16, 2012, Planning Commission meeting.

Chairman Morsch thanked Commissioner Blake and Commissioner Gray for attending the Grand Opening at Summerhill Park on Saturday. He also stated that there is a Candidate's Forum for City Council speakers on Thursday night at 7:00 p.m. at the Tuscany Hills Recreation Center.

CITY ATTORNEY COMMENTS

City Attorney Leibold had no comments.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Morsch adjourned the meeting at 9:08 p.m.

The Lake Elsinore Planning Commission will adjourn to a regular meeting to be held on Tuesday, October 16, 2012, at 6:00 p.m. to be held at the Cultural Center located at 183 N. Main Street, Lake Elsinore, CA 92530.

Rick Morsch, Chairman
City of Lake Elsinore

Attest:

Warren Morelion
Acting Community Development Director

DRAFT

**CITY OF LAKE ELSINORE
PLANNING COMMISSION REGULAR MEETING
MINUTES OF OCTOBER 16, 2012**

CALL TO ORDER

Chairman Morsch called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Chairman Morsch led the Pledge of Allegiance.

ROLL CALL

Present: Chairman Morsch
Vice Chairperson O'Neal
Commissioner Blake

Absent: Commissioner Gray
Commissioner Jordan

Also present: Senior Planner MacHott, Public Works Director Seumalo, City Attorney Leibold, and Office Specialist Herrington.

PUBLIC COMMENTS – NON AGENDIZED ITEMS – 3 MINUTES

None.

CONSENT CALENDAR ITEM(S)

1. Minutes for the following Planning Commission meeting(s)
 - October 2, 2012

Motion by Vice Chairman O'Neal, seconded by Commissioner Blake, to approve the Planning Commission Minutes of October 2, 2012; motion passed 3-0.

PUBLIC HEARING ITEM(S)

2. Vesting Tentative Tract Map (VTTM) No. 35001 – A request to subdivide approximately 400 acres of land into 1,065 total lots (1,056 Single-Family Residential, 1 High Density Residential, 2 Suburban Village Commercial, 2 Commercial/Public Safety, 2 Public Park, 1 EVMWD Tank Site, and 1 Detention Basin). The Tract Map is generally located on the east side of Lake Street, near the northeast corner of Nichols Road and Lake Street. Environmental clearance is provided by Addendum No. IV to the 1989 Final Alberhill Ranch Specific Plan Environmental Impact Report

Amended and Restate Development Agreement- The applicant is requesting approval of an Amendment and Restatement to a 1990 Development Agreement, pursuant to California Government Code Sections 65864-65869.5, in connection with the vesting of City regulations governing development of approximately 400 acres of land located within proposed VTTM 35001, generally located on the east side of Lake Street, near the northeast corner of Nichols Road and Lake Street. Environmental clearance is provided by Addendum No. IV to the 1989 Final Alberhill Ranch Specific Plan Environmental Impact Report

Recommendation:

- a. Adopt a resolution recommending that the City Council of the City of Lake Elsinore make Findings that the project has complied with the Multiple Species Habitat Conservation Plan (MSHCP),
- b. Adopt a resolution recommending to the City Council of the City of Lake Elsinore approval of the Alberhill Ranch EIR CEQA Addendum No. IV to the Final EIR for the Alberhill Ranch.
- c. Adopt a resolution recommending to the City Council of the City of Lake Elsinore approval of Vesting Tentative Tract Map No. 35001, based on the attached findings, exhibits and conditions of approval.
- d. Adopt a resolution recommending to the City Council of the City of Lake Elsinore approval of the Amended and Restated Development Agreement between the City of Lake Elsinore and Castle & Cooke, Lake Elsinore West, Inc.

Planning Consultant Coury presented the staff report.

The applicant Tom Tomlinson addressed the Commission. He also thanked staff and the City Attorney for their work on the project.

Sharon Gallina, resident of Lake Elsinore had the following questions:

1. Has the Planning Commission been given copies of the EIR Addendum No. 4, dated October 10, 2012, to read?
2. She has questions regarding Condition No. 98 and whether the City will use eminent domain to acquire right-of-way.
3. Exhibit 24 EIR Addendum No. 4 - Merged Land Use Plan – Shows a golf course and she believes it is Multiple Species Habitat Conservation Plan land along the Freeway.

4. She is concerned about the City overseeing the Brownfield's clean up and believes it would be in the best interest of the public's safety if the Department of Toxic Substances oversees the entire project (Phases I, II, and III) and inspects it after each phase.

Mr. Tomlinson addressed Ms. Gallena's questions.

1. Regarding the issue of the golf course, the original Brighton Specific Plan calls for an option of having a golf course with an increased density over the entire 1000 acres that was to be primarily along the Freeway and also in the area of Temescal Creek. He noted that this land never had a golf course on it and indicated that since County purchased 600 acres of the original specific plan area, there is no longer an opportunity for a golf course.
2. Regarding the MSHCP area along Lake Street, roads are allowable with any MSHCP.
3. With reference to Brownfield, he indicated that the area is not a Brownfield site and has never been classified as a Brownfield site.

Commissioner Blake asked Senior Planner MacHott to clarify what the Brownfield site is. Senior Planner MacHott explained.

Ms. Gallina asked about the coal on the land. Chairman Morsch stated that it is covered in the EIR and the Geotechnical Reports.

Kit Kjelstrom, representing Quikrete Companies stated that their business is close to the project site and wants to make sure that the project doesn't hinder their company's activities. He requested to be put on the mailing list for any Notices of Public Hearings regarding the project. Chairman Morsch thanked Mr. Kjelstrom for sharing his concerns but the project site would not affect his business.

Jeff Holloran stated that he is the owner of WYROC materials, and requested clarification of Condition No. 98 regarding the scope of the condition and the potential impact. Public Works Director Seumalo explained the Condition and addressed Mr. Holloran's questions. Mr. Tomlinson said that there would be no widening of Lake Street on MSHCP property; it would all occur on Pac Clay's property.

Commissioner Jordan arrived at the Planning Commission meeting at 6:28 p.m. and indicated that she was in attendance.

Commissioner Blake asked the applicant if there would be noise abatement regarding ceasing evening activity of the mine. Mr. Tomlinson stated that they are trying to minimize the impact of noise to the residents with regards to the

hours of operation. Commissioner Blake asked what the date is on the Biological Report. Mr. Tomlinson stated that it was updated in 2011. Commissioner Blake asked about the density of multi-family residential. Mr. Tomlinson said that it is consistent with the Specific Plan. Commissioner Blake stated that he is concerned with traffic in terms of ingress/egress of the new subdivision and how will it affect Lake Street. Mr. Tomlinson stated that a Traffic Analysis was done for Lake Street and Nichols Road which is consistent with the Conditions of Approval.

Vice Chairman O'Neal asked the City Attorney to explain the terms of the Development Agreement relative to tolling and the mitigation of TUMF fees. City Attorney Leibold explained. Vice Chairman O'Neal asked if the City issues Certificate of Occupancy. City Attorney Leibold stated that the City does not issue Certificates of Occupancy, but issues building permits which allows for occupancy.

Vice Chairman O'Neal asked what kind of a school will be built in the area of the project and when will it be built. Mr. Tomlinson indicated that an elementary school will be built and is up to the School District as to when it will be built.

Commissioner Jordan asked if there will be a golf course in the future. Mr. Tomlinson stated that there is no anticipated golf course.

Chairman Morsch stated that the noise level from the mining operation needs to be addressed. He also asked Mr. Tomlinson to discuss the earth work being done at the location. Mr. Tomlinson stated that the site will be a balanced site once it is designed and it would be acceptable to have a condition that states this.

Chairman Morsch referred to Condition No. 11 and asked if there a specific site targeted for Fire and/or Police facilities. Mr. Tomlinson stated that there is a dedicated site for this. Chairman Morsch asked where the service area will be. Interim City Manager Evans stated that the Fire Department expanded the area to two acres because they need the area for the Fire Station and noted that it will be completed in 5 to 10 years and is expected to be a shared station.

Commissioner Blake asked what kind of a site will be there. Mr. Tomlinson stated that it is a possible school site.

Chairman Morsch referred to Condition No. 55 and asked Public Works Director Seumalo if it was the intent to add WQMP after SWPPP. Public Works Director Seumalo noted that WQMP is identified in other places in the Conditions.

Commissioner Blake stated that in terms of future development and construction, it should be very clear to potential homebuyers what all of their fees and taxes will be since the bonds turn into taxes; which is one of his concerns.

Motion by Commissioner Jordan and seconded by Chairman Morsch to approve Resolution No. 2012-33, a Resolution of the Planning Commission of the City of Lake Elsinore, California, recommending to the City Council of the City of Lake Elsinore making findings that the project identified as Vested Tentative Tract Map No. 35001 is in compliance with the Multi-Species Habitat Conservation Plan (MSHCP); Motion passed 4-0.

Motion by Commissioner Blake and seconded by Commissioner Jordan to approve Resolution No. 2012-34, a Resolution of the Planning Commission of the City of Lake Elsinore, California, recommending to the City Council of the City of Lake Elsinore adoption of findings to certify Addendum No. IV to the Alberhill Ranch Specific Plan Final Environmental Impact Report (State Clearinghouse No. 88090517); Motion passed 4-0.

Commissioner Blake asked the City Attorney to address the Brownfield issue that was discussed by a member of the audience previously. City Attorney Leibold stated that there has been no new activity on the property which would conclude that there are no contamination issues. Commissioner Blake asked if staff would look into the Brownfield issue. City Attorney Leibold stated that staff would be happy to. Commissioner Blake asked that they address the hours of operation for Pacific Clay once the construction starts on this property. City Attorney stated that the City could do a mandatory disclosure in connection with any sale of sections or individual lots.

Motion by Commissioner Jordan and seconded by Chairman Morsch to approve Resolution No. 2012-35, a Resolution of the Planning Commission of the City of Lake Elsinore, California, recommending to the City Council of the City of Lake Elsinore, approval of Vested Tentative Tract Map No. 35001 with the correction to Condition No. 55 to delete the word both; Motion passed 4-0.

Motion by Commissioner Blake and seconded by Chairman Morsch to approve Resolution No. 2012-36, a Resolution of the Planning Commission of the City of Lake Elsinore, California, that recommend to the City Council adoption of the amended and restated Development Agreement between the City of Lake Elsinore and Castle & Cooke, Lake Elsinore West, Inc., as Successor in Interest to Brighton Alberhill Associates for Alberhill Ranch Development; Motion passed 4-0.

BUSINESS ITEM(S)

None.

STAFF COMMENTS

Public Works Director Seumalo stated that the relocation of the street lights on Lake Street is scheduled to start on October 17, 2012 by Edison. He also stated

to Vice Chairman O'Neal that there may be some movement on the Gunnerson/Riverside signal.

Senior Planner MacHott stated that staff has had discussions with the owner, as well as the consultants regarding the mortar and pestle on top of the pharmacy that is under construction and indicated that the City has put a hold on the construction job to prevent them from continuing the feature until they can resolve the issue. He stated that staff has required them to present plans to the City because they did not get building permits for the monument sign or the feature on the roof and noted that there was a mix up between what was approved and what was not approved. He indicated that he visited the site and the feature is too large, and much larger than the exhibit that the Commission saw when they approved the project. He informed the Commission that staff is working with them to make the feature much better.

Senior Planner MacHott informed the Commission that regarding the Gas Station at 515 N. Main Street which has been closed and fenced off; that the owner is in negotiations with 7-Eleven who is in the process of acquiring the property and noted that the current owner of the property indicated that he is unable to get gas at this time from the refinery. Staff has asked the owner to maintain the property and stated that the owner has agreed to remove the bag that says GAS and will paint the panels white. Senior Planner MacHott stated that the work is to be completed by October 17, 2012.

PLANNING COMMISSIONER'S COMMENTS

Chairman Morsch asked that if the gas station use changes to 7-Eleven, would the sign be grandfathered in. Senior Planner MacHott stated that staff would work with the new owner regarding the proposal they would have.

Commissioner Blake stated that the location of the limit line located at Franklin and 6th Avenue is too far back and creates a safety issue. Public Works Director Seumalo stated that he would follow up with the City's Traffic Engineer.

Vice Chairman O'Neal stated that he appreciates that Senior Planner MacHott went by the project site to look at the mortar and pestle on top of the pharmacy and indicated that it is very ugly and sets a bad precedence for the City.

Vice Chairman O'Neal indicated to Public Works Seumalo that the community will appreciate if a signal is installed at Gunnerson and Riverside due to the safety issue at the location. Also, he asked when WYROC is coming back to the Commission. Public Works Director Seumalo stated that he spoke to Acting Community Development Director Morelion and it will be coming back to the Commission on November 20, 2012.

Chairman Morsch thanked staff for their work regarding Tentative Tract Map 35001 and indicated that the November 6, 2012; Planning Commission meeting

will be cancelled. Also, he reminded everyone to vote, noting that millions of people have given their lives to protect that right.

Vice Chairman O'Neal thanked City Attorney Leibold for all of the information that she has given to him.

CITY ATTORNEY COMMENTS

None.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Morsch adjourned the meeting at 7:23 p.m.

The November 6, 2012, Planning Commission will be cancelled and will adjourn to a regular meeting to be held on Tuesday, November 20, 2012, at 6:00 p.m. to be held at the Cultural Center located at 183 N. Main Street, Lake Elsinore, CA 92530.



Rick Morsch, Chairman
City of Lake Elsinore

Attest:



Richard MacHott
Senior Planner