

**CITY OF WILDOMAR
CITY COUNCIL MEETING MINUTES
JANUARY 28, 2009**

The regular meeting of January 28, 2009 of the Wildomar City Council was called to order by Mayor Scott Farnam at 7:00 P.M.

Roll Call showed the following Council Members in attendance: Mayor Scott Farnam, Mayor Pro Tem Bridgette Moore, Council Members Sheryl Ade, Bob Cashman and Marsha Swanson.

Staff in attendance: City Manager John Danielson, Assistant City Manager Terry Fitzwater, City Attorney Julie Hayward Biggs, Development Services Director Michael Kashiwagi, Planning Director Gary Wayne, Finance Director Misty Cheng and City Clerk Sheryll Schroeder.

FLAG SALUTE: Flag salute was led by Council Member Ade.

PRESENTATIONS: Monthly update from Code Enforcement was not presented.

COMMUNICATIONS FROM THE PUBLIC:

Rose McDonald presented a handout entitled "Making The Difference In Peoples Life's" for the Senior Citizens Service Center of Southwest Riverside County.

Don Jones thanked the City for the response to his complaint regarding speeding on Bundy Canyon Road.

Council Member Ade asked staff to check on the fact that there were no speed limit signs at Palomar.

1. CONSENT CALENDAR:

Council Member Swanson moved to approve the Consent Calendar, Items 1 A. through 1 E., seconded by Mayor Pro Tem Moore. Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

1 A. Approved the reading by title only of all ordinances.

1 B. Approved Adjourned Regular City Council Minutes dated January 14, 2009.

- 1 C. Approved Warrant Registers dated January 15, 2009 in the amount of \$1,275.02; January 20, 2009 in the amount of \$8,564.52; January 28, 2009 in the amount of \$200,691.50 and the January 28, 2009 Payroll Register in the amount of \$2,589.06.
- 1 D. Approved the Treasurer's Report for the month of December 2008.
- 1 E. Approved a Memorandum of Understanding between the City of Wildomar and the Search Dogs of Riverside County.

2. PUBLIC HEARINGS:

- 2 A. A public hearing to consider:

Case No: Environmental Assessment No. 41648 (EA41648), General Plan Amendment No. 891 (GPA00891), Change of Zone 7608 (CZ07608) and Plot Plan No. 23188 (PP23188).

Applicant: Jeffery Tartaglino, Palm Desert Development

Location: South of Catt Road, east of Arnett Road and west of Fox Ridge Lane in the City of Wildomar.

Proposal(s): EA41648: In accordance with the California Environmental Quality Act (CEQA), that although the proposed project could have a significant effect on the environment; there will not be a significant effect in this case because a MITIGATED NEGATIVE DECLARATION will be adopted.

GPA00891: The project proposes to amend the project site's land use designation from Community Development: Medium Density Residential (CD-MDR, 2 - 5 dwelling units per acre) to Community Development Highest Density Residential (CD-HHDR, 20+ dwelling units per acre).

CZ07608: The change of zone proposes to change the project site's current zoning classification from Rural Residential (R-R) to General Residential (R-3).

PP23188: The Plot Plan proposes to construct 208 one and two bedroom units with one managers unit for a total of 209 units in 10 two story buildings and a community building. The project includes

243 parking spaces, two maintenance buildings, walking areas, putting green, circuit training locations, water quality/detention basin, off-site storm drainage facilities, improvements to Catt Road and community gardens.

Staff report was presented by Planning Director Gary Wayne.

Mayor Farnam opened the public hearing.

City Clerk Schroeder noted that Council had received an email with attachments from Trip Hord from Trip Hord Associates to add to the conditions of approval, which has been made a part of the record. Also a letter of objection from Spencer and Laura Healey, which has been added to the record.

Vicki Barker noted that she was a manager of a senior apartment complex in Riverside. She explained the background check applicants go through. She said many residents of that property wanted to make known how pleased they were with the Riverside property and she provided letters of support from residents of the Riverside project, which are part of the record.

Council Member Ade asked for the location and Ms. Barker responded it was located at 5875 Mission Blvd.

Kristan Lloyd expressed her approval of the project, noting that seniors often have poverty level incomes and this would help with their living situations. She asked if there was any restriction on age limit.

Mayor Farnam asked for comments from the applicant.

Ron Crisp, Palm Desert Development, introduced his company. He answered a previous question that it would be a restricted development for 55 years and older and that it was a 30 to 60 percent project. He said all projects had on site management. He reviewed the history of the project.

Tom Hodgins of Palm Desert Development presented a power point presentation, which is made a part of the record.

Ron Crisp explained that the company would give preference to Wildomar residents and their families. Regarding the financing of the project, he explained the company was not asking the City for any assistance. He said they owned the land; the financing would be a

combination of permanent conventional debt, a loan from County home funds, some of their money and equity generated from the sale of tax credits.

Tracy Lobo asked if the units would be rented and Mr. Crisp responded it was strictly rental.

Sharon Heil asked if the community center planned for the development would be open for use by the public and Mr. Crisp answered it was to be utilized by the residents and guests of the complex.

George Garrett asked the City to consider the traffic situation and environmental changes like water use for the project.

Mayor Farnam closed the public hearing.

Council Member Cashman asked if the project would count toward the City's affordable housing credits.

Planning Director Wayne said the City would be able to count it when they did the update to the housing element.

Council Member Ade asked if the storm drain and detention basin would be completed in phase one.

Mr. Crisp responded that the first phase had a temporary basin. Phase two would have the full detention basin along with the street of Fox Ridge Lane. The storm drain would be installed in phase two, along with the detention basin, he added.

She asked if the development would add storm drains on Arnette and Mr. Crisp answered that they were not conditioned for that, they were only required to meet the 10 year and 100 year flood. He said if it was required to add additional, they would do that. He explained they would work with the City engineer to rectify any problems on the project.

Council Member Ade asked if the improvements to Catt Road would be done in phase one and Mr. Crisp responded yes, they were doing the full length of improvements just past the corner and a temporary walkway at the adjacent property to provide access to the shopping center.

She asked if they would be doing improvements on Catt Road all the way to the stop sign and he responded in the affirmative. She wondered if there would be a thru lane at the stop sign and he answered it would be one lane, they had done traffic studies through the County.

Council Member Ade mentioned that she wanted an additional stop sign on Hidden Springs and Catt Road. Mr. Crisp said that the County did not want a cross walk but they would work with public works if one was needed.

Fox Ridge Road was to be a private road and Council Member Ade asked if the developer was going to maintain it. Mr. Crisp replied that they were conditioned to maintain the property for 55 years.

Regarding the commercial property to the east which did not have access to the cul de sac, Mr. Crisp said Mr. Kim did not want access to Fox Ridge Lane. He said it was private so they did not infringe on his property. The feasibility of access would be the third parcel, it would be used for secondary access only, emergency access, etc. he noted. Mr. Crisp said they would align the street, Mr. Kim did not want that, so they off set the road, made it a private road and they would put in the curb and gutter throughout the cul de sac, with sidewalks on the one side.

Regarding the two story buildings, she asked about emergency exiting of senior citizens.

He explained the evacuation plans which would be posted for area of safe rescue. He noted that there would be phones at the elevator sites.

Regarding lighting, she requested down lighting but enough so that it was still secure.

Council Member Ade noted that the hospital was over capacity most of the time and she asked if they had received any comments from the hospital on the project. He indicated that they did not.

Council Member Ade asked about the sewer service being provided, noting that she saw that it stated Eastern Municipal Water District, it should be Elsinore Valley.

Regarding the financing, she suggested staff work with the applicant and possibly a Council Member to understand if there were any ramifications to the City.

Planning Director Wayne responded they had obligations to keep it a 55 year project to qualify for tax credits.

She asked if the lot line adjustment and easement had been obtained. Mr. Crisp said the easement had been agreed upon and the jurisdictional delineation was dependent on the final design of the detention basin. He said those were set up prior to pulling a grading permit.

Regarding additional environmental studies to be completed, he noted that 30 days prior to grading, someone would survey and if something was found, mitigation would take place. If they grade during the time period February through July, a survey needed to be done to make sure there was no nesting taking place. Also an archeologist and paleontologist would be on site during grading. He said the area was in a high potential find area and added that no tribes provided input.

Council Member Ade noted she had met with the developer before the City was incorporated and when she made recommendations, they modified their plans. He explained they wanted to work with the City in a partnership.

Council Member Swanson disclosed she met with Mr. Crisp about the project and she felt it was a good project for the community.

Council Member Cashman, Mayor Farnam and Mayor Pro Tem Moore all indicated that they had met with Mr. Crisp.

Mayor Farnam noted that affordable senior housing was very much needed.

Council Member Swanson moved to approve Resolution No. 09-04, seconded by Mayor Pro Tem Moore.

RESOLUTION NO. 09-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE WILDOMAR SENIOR AFFORDABLE HOUSING PROJECT ON CATT RD. (NO. 08-0165).

Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

Council Member Ade moved to approve Resolution No. 09-05, seconded by Council Member Cashman.

RESOLUTION NO. 09-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. 08-0165 TO CHANGE THE GENERAL PLAN DESIGNATION FROM (MEDIUM DENSITY RESIDENTIAL) TO (HIGHEST DENSITY RESIDENTIAL) FOR Assessor's Parcel Numbers 380-100-008-4, 380-100-009-5, 380-100-010-5, 380-100-011-5 & 380-100-012-7.

Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

Council Member Swanson moved to introduce and hold first reading of Ordinance No. 23, seconded by Mayor Pro Tem Moore.

ORDINANCE NO. 23 (Introduction and first reading) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CITY OF WILDOMAR ZONING MAP FROM R-R (RURAL RESIDENTIAL) TO R-3 (GENERAL RESIDENTIAL) FOR ASSESSOR'S PARCEL NUMBERS 380-100-008-4, 380-100-009-5, 380-100-010-5, 380-100-011-5 & 380-100-012-7.

Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

Council Member Ade moved to approve Resolution No. 09-06, seconded by Council Member Ade.

RESOLUTION NO. 09-06 A RESOLUTION OF THE CITY COUNCIL OF WILDOMAR APPROVING PLOT PLAN (RC NUMBER) 23188 (WILDOMAR NO. 08-0165).

Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

2 B. A public hearing to consider:

Case No: PL08-0162 (Zone Change CZ07440, Environmental Assessment EA41118, Plot Plan PP22249)

Applicant: Kenny Robles

Location: South of Palomar Street and westerly of Kilgore Road (APN380-140-004).

Proposal(s): CZ07440 would change the project site's zoning from Rural Residential (R-R) to General Commercial (C-1/C-P).

PP22249 proposes the construction of a 17,288 SF automobile repair facility on 2.28 gross acres. The development would include the construction of a building (17,288 SF), 18 automobile service bays,

102 standard and 5 handicapped parking stalls, a 10 foot wide multi-use trail, and an open space area for Riparian/Riverine protection.

Environmental

Action: In conjunction with Environmental Assessment EA41118, a mitigated negative declaration has been prepared for this project.

City Clerk Schroeder noted that there had been one letter of opposition filed by Kenneth and Janet Matsuda.

Staff report was presented by Planning Director Gary Wayne.

Mayor Farnam opened the public hearing.

Applicant Kenny Robles stated that he had been working on the project with the County since October of 2006. He felt the project was needed in the City. He stated they had done an air quality and acoustical study which met requirements that it would not be more than what Palomar generated. He noted that when he purchased the property, Wildomar was not a city so he dealt with the County. Before purchasing the property, he explained, they did a pre application with the County and they approved the usage and then he purchased the property. He added that when he went to the Planning Commission, Mr. Robertson, the neighbor in back, voiced his concerns, and Planning Commission approved it.

Karen Verhagen explained that she lived in the housing tract behind the project. She felt Wildomar had a reputation of a rural area and out of 14 homes in her tract, only 6 property owners remained. The property on the other side of her was residential and she felt property values would go down with the approval of this project. She referred to possible noise from the project and added the property of the project was lower and there had been flooding.

Rich Robertson said the County overlay zoning was community commercial and he felt that meant friendly commercial. He stated his concerns were about noise and if it could be mitigated, he would support the project. He explained he had the lot behind Mr. Robles. He said he worried about the noise and he wondered if he could keep the doors closed. Also he expressed a desire to see the building redesigned to have the bay doors in the back, enclose them and have the front look like a commercial building. He stated he read the noise report, went to the location where the report was done, and the DBA was supposed to be averaged at 65, but with an air gun it could go up to 120. So when you average it out, he explained, it could report 65 as an average. He expressed concerns about portable jacks jacking cars up in the parking lot; he did not want to see half repaired cars in the parking

lot. He felt the buildings looked like industrial buildings, not commercial. He finalized by saying if the complaints could be mitigated then he would be for the project, if not, he was against it.

Martha Bridges said the project was approved by the County in October of 2006, at the height of building in the County. She expressed her concern about the mitigated negative declaration, saying that she did not feel it was sufficient and the County environmental study was flawed. She submitted a written explanation and supporting documentation and would submit a corrected first page. Ms. Bridges said she felt the mitigated negative declaration was deficient and that the project was classified as a priority project for the Santa Margarita Regional Watershed and that automotive repair shops of this nature are subject to various EPA regulations and guidelines including but not limited to those in the CEQA document Appendix N, Guidance for Preparing and Reviewing CEQA Initial Studies and Environmental Impact Report. There should have been a water quality management plan submitted with the original application and she saw no record of that. She also noted the County approval did not include any mitigation and monitoring measures, adding that Council needed to take that into consideration. She finalized by saying that one of the reasons for voting for incorporation was to control the processes for the planning and approval of future development and the citizens expected Council to protect the community's interest and environment and she did not feel that approval of this project would do that.

Sharon Heil asked if different types of businesses would be located in the different bays. She felt the noise factor would have to be considered for each different business.

Mr. Robles responded that different businesses could occupy different bays.

Henry Silvste asked if the property faced Palomar Street. He recommended the owner consider facing it differently and making it look more like a commercial building.

Mayor Farnam answered that a small portion faced Palomar.

Mr. Verhagen asked where the business would stop, would he be doing oil changes and leaving cars parked outside and would semi-trucks be serviced. He felt it was a residential area.

Mayor Farnam closed the public hearing.

Applicant Robles responded that one of the concerns of the County Planning Commission was the hours of operation, which they reduced to Monday through Saturday from 7 AM to 8 PM. The distance from where the building was to the two closest houses was at least 200

feet away. Per one of the County conditions, the developer would plant eucalyptus trees as a buffer. He referred to a project he did in Westminster that was successful. Regarding the oil question, there were no underground tanks, but he did not know what would happen, someone changing oil would have to clean it up.

Council Member Swanson said she met with Mr. Robles and Mr. Robertson and saw both sides. She acknowledged that the County had reviewed it but the City had not and she felt that it should go back to Planning Commission and staff to mitigate the problems.

Mayor Pro Tem Moore said she agreed with Council Member Swanson and said she had gone to his other project in Westminster and found it to be a clean operation.

Council Member Cashman voiced his concern about it backing up against the residents and felt it should revert to Planning Commission.

Council Member Ade said she had multiple concerns, the County did not send the project to the City prior to incorporation. She said it was never reviewed by the MAC or the land development review. She asked if the property was going to be raised up to the level of the residential.

Planning Director Wayne responded no, it would be below the grade of the adjacent residential.

Council Member Ade reiterated her concerns and felt concern for Mr. Robles having spent so much time on the project but that there were issues to be reviewed. She felt the project could be improved and that returning it to Planning Commission would provide a better project.

Mayor Farnam said he understood the developer's frustration but the way the project was presented, he could not approve it. He explained he met with both Mr. Robles and Mr. Robertson and felt it could be a nice project with some further changes. He felt in concept it would work it just needed a little more work.

Council Member Swanson moved to remand the project to Planning Commission and staff for reconsideration, seconded by Council Member Ade. Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

3. GENERAL BUSINESS ITEMS:

- 3 A. Consideration actions necessary for membership in the Western Riverside County Regional Conservation Authority.

No speakers appeared on this item.

Planning Director Wayne said the City was getting assistance from their attorneys in putting the application package together. He said he thought they would take the entire package to the RCA Board in February.

Council Member Cashman moved to authorize the Mayor to execute the Joint Exercise of Powers Agreement for the City to become a member of the Riverside Conservation Authority; authorize the Mayor to execute the implementation agreement between the Riverside Conservation Authority, U.S. Fish and Wildlife Service and the California Department of Fish and Game; and adopt Resolution No. 09-08, seconded by Council Member Swanson.

RESOLUTION NO. 09-08 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE IMPLEMENTATION OF THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN

Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

CITY MANAGER REPORT:

Mr. Danielson said the RFP for the redistricting proposal was due the next day and he asked if there was two Council Members that would be interested in assisting staff in evaluating the proposals. Council Members Ade and Cashman volunteered.

Mr. Danielson reminded Council that CalFire would provide a presentation at a workshop on February 11, 2009 at 5:00 P.M. regarding wild land fire insurance.

He asked Mr. Kashiwagi to provide Council with a status report on the County annexation 111 of CSD 103.

Mr. Kashiwagi explained the LAFCO CSD would be before Council at the next meeting for direction from Council.

CITY ATTORNEY REPORT:

City Attorney Biggs had no report.

COUNCIL COMMENTS:

Council Member Cashman spoke about recent changes to septic tank regulations and he said he felt the City should get more information.

Council Member Swanson said she had served on the task force that looked at those regulations and there had been many changes suggested, but when the task force reviewed the draft, their changes were not included. She added that it would greatly impact the City and she submitted her comments to the assemblyman and senator for their consideration. She encouraged everyone to contact their legislators.

Council Member Ade said the widening of Bundy Canyon Road was in the County plan for widening and hoped to bring back an update at a future meeting.

Regarding the speeding on Bundy Canyon, City Manager Danielson said he was prepared to move to maximum enforcement. He said he would talk to the Chief about maximum patrol but the design of the road would not change in the near future. Regarding stop signs, he added that a traffic study and speed warrants would have to be looked at. He mentioned that anytime you change traffic you had to be sure not to add to the problem.

Council Member Swanson said she, Council Member Moore and Mayor Farnam went to Sacramento last week for the League's new Council Member training. She explained how well it was done, adding that they went to the Capital building and met with representatives.

Mayor Farnam commented on the League training. Regarding his appointment to Riverside County Transportation Commission, he reported he was appointed to the Plans and Program Committee, the High Speed Rail Ad Hoc Committee and State Route 91 Advisory Committee alternate.

FUTURE AGENDA ITEMS:

Council Member Cashman noted that the visioning report and a presentation should come back to Council agenda.

Mayor Farnam requested TIP (Trauma Intervention Programs) come back to Council at the next meeting.

Council Member Ade also asked that the Council Follow Up Report have timelines added to the remaining items.

ADJOURNMENT:

No further business to come before the Council, Mayor Farnam adjourned the meeting to February 11, 2009 at 5:00 P.M. for a workshop. Meeting adjourned at 9:10 P.M.

Respectfully submitted:

Sheryll Schroeder, MMC
City Clerk