1.0 CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Devine at 7:00 P.M. at Wildomar City Hall, Council Chambers.

1.1 ROLL CALL OF PLANNING COMMISSION

Present: Robert Devine, Chairman  
Scott Nowak, Vice-Chairman  
Harv Dykstra, Commissioner  
Gary Andre, Commissioner  
Michael Kazmier, Commissioner

Absent:  

Staff Present: David Hogan, Planning Director  
Thomas Jex, Assistant City Attorney  
Jon Crawford, Supervising Engineer  
Sean del Solar, Planner

1.2 PLEDGE OF ALLEGIANCE:

Commissioner Dykstra led the flag salute.

2.0 COMMUNICATIONS FROM THE PUBLIC:

Don Saunders discussed a vision for the Community and provided a print out from the City of Walnut to the Commissioners. He encouraged the Commission to only approve high quality development projects.

3.0 CONSENT ITEMS:

3.1 DECEMBER 16, 2009 REGULAR MEETING MINUTES

Commissioner Andre moved to approve the Minutes of December 16, 2009. The motion was seconded by Vice-Chairman Nowak. Motion carried, the following vote resulted:

AYES: Devine, Nowak, Andre, Dykstra, Kazmier.
NOES:  
ABSENT:
ABSTAIN:

4.0 CONTINUED PUBLIC HEARING ITEMS:

None.

5.0 PUBLIC HEARING ITEMS:

Chairman Devine asked if the Commission could discuss design guidelines prior to hearing item 5.1.

Director Hogan responded that the design guidelines were on the agenda for informational purposes only and that any discussion by the Commission on the design guidelines at the meeting would not affect the project to be heard as item 5.1.

Chairman Devine speculated that the project may be affected by discussion about design guidelines.

Director Hogan explained that the item before the Commission was limited to a zone change and could not be conditioned for project level conditions.

5.1 ZONE CHANGE 09-0392

Applicant: Steve Nauert and Joseph Kasiri.
Location: 36030 and 36140 Jana Lane (APN: 380-290-008 and 380-290-009).
Proposals: The project proposes to change the zoning of a 2.22 acre site from Rural Residential (R-R) to Manufacturing-Service Commercial (M-SC).
Environmental Action: In accordance with the California Environmental Quality Act (CEQA), a Negative Declaration has been recommended for adoption.

Vice-Chairman Nowak stated that while although the project was located outside the State’s automatic conflict of interest zone around his home, he would recuse himself from the hearing because he felt that there might be a conflict, and left the Council Chambers.

Chairman Devine and Commissioners Kazmier, Andre and Dykstra all disclosed that they had been out to observe the site.

Planner del Solar made the Staff Report.
Commissioner Andre asked how two parcels could file one zone change.

Planner del Solar responded both sites were developed similarly and the applicants filed the application jointly.

Director Hogan added that the owner of 36030 Jana Lane previously filed a zone change with the County of Riverside, but never received a hearing. Director Hogan went on to explain that the properties were adjacent, zoned the same and in the same General Plan Land Use Designation. He explained that the applicants made a reasonable request to file an application jointly and the city accepted.

Chairman Devine asked if the Parcels would be merged if the zone change was approved.

Director Hogan responded that the Parcels would remain separate and went on to explain that the Commission could still make a recommendation to either approve or deny one of the properties, both of the properties or none of the properties.

Chairman Devine expressed concern about approving the zone change without a development application. Chairman Devine also suspected that one of the properties may be operating a business without permits.

Director Hogan explained that the project did not propose any new development and that if the project site was to be further developed, development applications would be required and brought before the Commission.

Chairman Devine asked if the Commission was changing the zone to legalize a business.

Director Hogan clarified that the applicants were requesting to change their zoning to conform to the General Plan.

Commissioner Dykstra asked if the M-SC zone was consistent with the Business Park General Plan Land Use Designation.

Director Hogan responded in the affirmative.

Commissioner Dykstra discussed the County’s original plan to create consistency zoning and noted that if they had followed through with that plan, the issue brought forward in this project would be moot.

Chairman Devine opened the public hearing.
Applicant Steve Nauert explained that his business at the site had grown over time and that this zone change was an effort to bring the site into compliance. He explained that if the zone change was approved, he could secure financing which could then be used to further improve the property.

Commissioner Andre asked if the applicant had ever been cited by Code Enforcement.

Applicant Nauert responded that they had not been cited.

Commissioner Andre stated that he observed a creek near the project site.

Applicant Nauert explained that there was seasonal rain runoff from the site.

Commissioner Andre asked how far the building was from the southern retaining wall.

Applicant Nauert estimated that the building was approximately 40 feet from the wall.

Commissioner Andre inquired about the nature of the chemicals that would be used in the operation of the business.

Applicant Nauert explained that the only chemicals used at the site were those associated with Fire Extinguishers such as ammonium phosphate, Sodium Bicarbonate, and Potassium Acetate.

Commissioner Andre explained that he was not familiar with the chemicals and their effects on the environment.

Applicant Nauert offered to bring a Material Safety and Data Sheet (MSDS) sheet for the Commission to review.

Chairman Devine asked what the buildings were originally classified as when they were permitted.

Applicant Nauert responded that they were originally permitted as a barn warehouse.

Chairman Devine stated that the buildings did not look like barn warehouses.

Applicant Nauert explained that the buildings were pre-made when they were purchased and could not be changed.

Chairman Devine asked what the applicant’s intentions were for the future development of the property.
Applicant Nauert explained that he would like to ultimately improve the façade of the building and make the property look more appealing. Commissioner Kazmier asked if the applicant was considering a stucco finish.

Applicant Nauert responded in the affirmative.

Co-Applicant Joseph Kasiri introduced himself to the Commission.

Commissioner Kazmier asked what type of business the applicant planned to operate from the building.

Applicant Kasiri explained that if approved, he would like to hold marshal arts classes in the building.

Commissioner Kazmier asked if the applicant would consider improving the exterior of the building similar to the other applicant, Mr. Nauert.

Applicant Kasiri responded in the affirmative.

Commissioner Andre asked how many years the applicant had been living at the property.

Applicant Kasiri responded that he had lived at the site since 1994.

Commissioner Andre asked if the applicant had previously filed an application for a paint shop.

Applicant Kasiri responded in the negative, but explained that in the past he considered applying for a Conditional Use Permit to operate a U-Haul facility on the property, but he never finished the process.

Commissioner Andre noted that a lot of grading had taken place on the property and asked if the grading was a part of that permit.

Applicant Kasiri disagreed and explained that he was trying to resolve some drainage issues on the site and the grading volume did not require a permit.

Commissioner Andre noted that there was a cut near Clinton Keith.

Applicant Kasiri explained that his property was at grade with Clinton Keith and that he had cut into a mound on the north side of his property. He added that the mound would be completely removed when Clinton Keith is widened.
Chairman Devine asked when the grading had taken place.

Applicant Kasiri explained that the grading took place 2 years ago when he was constructing the building.

Chairman Devine then took public speakers.

Don Saunders stated that without a General Plan or design guidelines, the City should not be considering zone changes without projects. He went on to discuss a County-wide prohibition on metal buildings and concluded by encouraging the Commission to deny the project.

Gil Rasmussen stated that one of the applicants previously filed an application for an auto body shop. He went on to explain that Wildomar would be built project by project and that each project would need to contribute its fair share. He then asked if the development fees were shared by the applicants. He concluded his remarks by encouraging the Commission not to consider the application.

Gina Castanon stated that she agreed with the comments from both Mr. Saunders and Mr. Rasmussen. She then expressed displeasure with the processing of one application for the project and discussed general displeasure with the approval process and fees.

Applicant Nauert clarified that the buildings and the interior of his building were fully approved and permitted by the County.

Applicant Kasiri clarified that there is not a business operating from the building on his site, and stated that he would planned to eventually improve the appearance of his property.

Commissioner Andre asked if the applicant had previously applied for an auto body shop at the project site.

Applicant Kasiri stated that he did previously consider an auto body business, but explained that those plans were abandoned and that he wants to ultimately hold marshal arts classes from the building.

Chairman Devine asked about the store fronts on the building.

Applicant Kasiri explained that the buildings were premade with the facades already in place and that that it is important to have views of the outside in martial arts.

Commissioner Kazmier asked if the applicants could provide an assurance of future development of the site.
Applicant Kasiri responded that before a business could open at the site, building permits would be required, and that he would comply with all the conditions of the permits.

Chairman Devine closed the Public Hearing.

Assistant City Attorney Jex clarified that changes of zones could not be conditioned and that the City had no assurances that future improvements to the project would be completed by approving the change of zone. He speculated that future development of the site may require permits or development applications, but the current action before the Commission is a change of zone and that no conditions could be attached.

Director Hogan agreed with the Attorney and explained that the Commission and public had very clearly stated their concerns about the project and that any future permits would need to, the extent possible, address the issues discussed.

Chairman Devine asked why the City was considering the zone change without a development application.

Director Hogan responded that the property owner had a right to request a zone change to be consistent with the General Plan. He went on to explain that it was uncertain if a development application would be needed to use the property as currently developed.

Commissioner Andre stated that he measured the distance of the nearest fire hydrant and found it to be 1,200 feet away from the site. Commissioner Andre suggested that the applicants bring the project back with a fully developed plan to include parking and fire hydrants. He then discussed past projects that were similar which had become problematic. He concluded that he wanted to see the project come back with a set of plans for future improvements.

Commissioner Dykstra explained that while although he did not like the appearance of the buildings, he did recognize that they were permitted by the County. He went on to acknowledge the fact that a zone change could not be conditioned.

Chairman Devine explained that granting the change of zone would be a bad precedent to set. He suggested that the City should not consider zone changes until projects are proposed. He then described several physical deficiencies with the property which he felt did not make it eligible for industrial zoning.

MOTION: Commissioner Dykstra motioned to recommend adoption of Negative Declaration number 09-0392 to the City Council. There was no second and the motion failed.
MOTION: Commissioner Andre motioned to recommend denial of Negative Declaration number 09-0392 to the City Council. The motion was seconded by Chairman Devine. Motion carried, the following vote resulted:

AYES: Devine, Andre.
NOES: Dykstra, Kazmier.
ABSENT: 
ABSTAIN: Nowak.

Attorney Jex explained that because the action on the item was a recommendation, the split vote, or no recommendation would be the Commission’s recommendation.

MOTION: Commissioner Dykstra motioned to recommend approval of zone change 09-0392 to the City Council. The motion was seconded by Commission Kazmier. Motion carried, the following vote resulted:

AYES: Dykstra, Kazmier.
NOES: Devine, Andre.
ABSENT: 
ABSTAIN: Nowak.

Attorney Jex explained that because the Commission was again split on this item, the recommendation to the City Council would be that the Commission was unable to make a recommendation.

6.0 GENERAL BUSINESS ITEMS:

6.1 INTRODUCTION TO CITYWIDE DESIGN GUIDELINES

Director Hogan made the staff presentation.

Chairman Devine opened public comment.

Don Saunders asked if the City adopted the County’s design guidelines.

Director Hogan explained that the City only had residential design guidelines.

Don Saunders continued and explained that the County had been doing a good job developing commercial centers and discussed examples in other cities.
Gina Castanon thanked the Commission for looking into the issue of design guidelines. She went on to explain that work had been done with the County prior to the City’s incorporation and hoped that the city’s design guidelines would reflect that work.

George Taylor discussed a photo board and letter he prepared which discussed the design of local developments. He went on to discuss the importance of commercial development to the local economy.

Vice-Chairman Nowak agreed with the speakers and thought that holding a Community meeting would be a good idea.

Commissioner Andre discussed the importance of involving local developers in the process.

Commissioner Dykstra discussed past efforts to develop design guidelines for the community. He explained that past efforts focused on creating a “downtown” look and preventing further proliferation of the Mediterranean style. He went on to state that he was in favor of design guidelines.

Chairman Devine agreed with Commissioner Dykstra and discussed other cities in eastern Riverside County that have successfully implemented design guidelines.

Director Hogan then discussed the Commission creating maps to help assess the different architecture types of the community. He then discussed processes to develop design guidelines.

The Commission then discussed creating maps.

Chairman Devine noted the Commission’s consensus to involve the Community and asked when the Community would be involved.

Director Hogan explained that the maps would be a starting point and community involvement would come later, as the process evolved.

Discussion about community involvement ensued.

Vice-Chairman Nowak asked about design guidelines for schools.

Director Hogan explained that public schools are the domain of the State and that the City had limited control of the process.

Commissioner Dykstra discussed dissatisfaction with the design of the EVMWD pumping facility behind the post office.
The Commission received 3 copies of the citywide base map for their design exercise.

7.0 ADMINISTRATIVE HEARINGS REPORT:

None.

8.0 PLANNING DIRECTOR’S REPORT:

Director Hogan updated the Commission on the progress of the Council to consider an urgency ordinance to prohibit mini storage facilities in the City. He also discussed the upcoming agenda.

9.0 PLANNING COMMISSION COMMENTS:

Commissioner Dykstra stated that he felt the City incorporated to retain the rural character and hoped that would be maintained in the development of design guidelines.

10.0 ADJOURNMENT:

The January 6, 2010 regular meeting of the Wildomar Planning Commission adjourned at 9:10 P.M.

Respectfully submitted:

David Hogan
Commission Secretary