



CITY OF WILDOMAR

PLANNING COMMISSION

Commission Members

Chairman Robert Devine · Vice-Chairman Harv Dykstra

Gary Andre · Scott Nowak · Miguel Casillas

REGULAR MEETING

WEDNESDAY, FEBRUARY 18, 2009 AT 7:00 P.M.

Council Chambers, Wildomar City Hall, 23873 Clinton Keith Road, Wildomar, CA 92595

PUBLIC COMMENTS: Prior to the business portion of the agenda, the Planning Commission will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Speaker/Comment Card" available at the door. The completed form is to be submitted to the Chairperson prior to an individual being heard. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

AGENDA

1.0 CALL TO ORDER

- 1.1 Roll Call
- 1.2 Pledge of Allegiance

2.0 PUBLIC COMMENT: *Members of the audience may comment on matters that are not included on the agenda. Each person will be allowed three (3) minutes or less if a large number of requests are received on a particular item. No action may be taken on a matter raised under "public comment" until the matter has been specifically included on an agenda as an action item.*

3.0 APPROVAL OF MINUTES:

- 3.1 Approval of the January 21, 2009 Regular Meeting Minutes.
- 3.2 Approval of the February 4, 2009 Regular Meeting Minutes.

4.0 CONTINUED PUBLIC HEARING ITEMS: The Planning Commission will review the proposed request, receive public input and consider action for the following items:

None.

5.0 PUBLIC HEARING ITEMS: The Planning Commission will review the proposed request, receive public input and consider action for the following items:

None.

6.0 GENERAL BUSINESS ITEMS:

6.1 Discussion of Public Hearing Format.

7.0 ADMINISTRATIVE HEARINGS REPORT:

None.

8.0 PLANNING DIRECTOR'S REPORT: This item is reserved for the Planning Director to comment or report on items not on the agenda. No action will be taken. The Planning Director is Gary Wayne.

8.1 Information on upcoming projects.

8.2 Proof Planning Commissioner Business Cards.

9.0 PLANNING COMMISSION COMMENTS: This portion of the agenda is reserved for Planning Commission business, for the Planning Commission to make comments on items not on the agenda, and/or for the Planning Commission to request information from staff.

10.0 ADJOURNMENT

The next regular meeting of the Wildomar of the Wildomar Planning Commission is on Wednesday, March 4 2009 at 7:00 P.M.

RIGHT TO APPEAL: Any decision of the Planning Commission may be appealed to the City Council within ten (10) calendar days after the date of Planning Commission's action.

REPORTS: All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road and at the Mission Trail Library, 34303 Mission Trail Blvd., Wildomar, CA. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mailing list to receive a copy of the agenda, a request must be made through the Planning Department in writing or by e-mail.

PUBLIC COMMENTS: Prior to the business portion of the agenda, the Planning Commission will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Speaker/Comment Card" available at the door. The completed form is to be submitted to the Chairperson prior to an individual being heard. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

ADDITIONS/DELETIONS: Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Planning Commission.

ADA COMPLIANCE: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Planning Department either in person or by telephone at (951) 667-7751, no later than 10:00 A.M. on the day preceding the scheduled meeting.

POSTING STATEMENT: On February 13, 2009, a true and correct copy of this agenda was posted at the three designated posting places: Wildomar City Hall, 23873 Clinton Keith Road; U. S. Post Office, 21392 Palomar Street, and the Mission Trail Library, 34303 Mission Trail Blvd.

**REGULAR MEETING
CITY OF WILDOMAR
PLANNING COMMISSION
JANUARY 21, 2009**

1.0 CALL TO ORDER

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

1.1 ROLL CALL OF PLANNING COMMISSION

Present: Robert Devine, Chairman
Miguel Casillas
Scott Nowak

Absent: Harv Dykstra, Vice-Chairman
Gary Andre

Staff Present: Planning Director Gary Wayne
Assistant Planning Director David Hogan
Deputy City Attorney Thomas Jex
Planner Sean del Solar

1.2 PLEDGE OF ALLEGIANCE:

Chairman Devine led the flag salute.

2.0 COMMUNICATIONS FROM THE PUBLIC:

None.

3.0 APPROVAL OF MINUTES:

Commissioner Nowak moved to approve the Minutes of December 17, 2008 and January 7, 2009. The motion was seconded by Commissioner Casillas. Motion carried, the following vote resulted:

AYES: Devine
Casillas
Nowak

NOES: NONE
ABSENT: Dykstra
Andre
ABSTAIN: NONE

4.0 CONTINUED PUBLIC HEARING ITEMS:

None.

5.0 PUBLIC HEARING ITEMS:

None.

6.0 GENERAL BUSINESS ITEMS:

6.1 ZONE CHANGE CZ07440 & PLOT PLAN PP22249 (PL08-0162).

Applicant: Kenneth Robles
Location: South of Palomar Street and west of Kilgore Road (APN380-140-004).
Proposals: 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.

Chairman Devine opened the item to public comment.

Rich Robertson addressed the Commission about the project. He stated that the applicant, Mr. Robles had previously offered to buy his property adjacent the proposed project site, however Mr. Robertson did not sell because he felt the site was not appropriately zoned for an auto repair facility. Mr. Robertson noted the passage of time since these events and stated that while although the County Planning Commission has since partially approved the project; he still had concerns over the noises that would originate from the proposed project if left unmitigated. He went on to specify that the

repair bay doors will face an area planned for single family homes and that the building will also appear too industrial as seen from Palomar Street. Mr. Robertson also stated that he has additional concerns with the potential loss of property values if the project goes forward as designed. Mr. Robertson suggested that if the project could look better and mitigate the noise issues he would not oppose the project.

STAFF REPORT: The staff report was presented by Planning Director Wayne.

Planning Director Wayne began by explaining that since the City incorporated, it obtained jurisdiction over projects within the City's boundaries that were originally filed with and being processed by the County of Riverside. He went on to explain that while the Plot Plan application (PP22249) was approved by the County of Riverside Planning Commission, it was subject to the approval of the Zone Change; but the County Board of Supervisors did not take action prior the incorporation of the City. Planning Director Wayne further explained that the Zone Change is a legislative action and it is scheduled to go before the City Council on January 28, 2009. Planning Director Wayne then clarified that this was not a public hearing, no action on this item would be taken and that the item was before the Commission as information only because the County Planning Commission already took action on this application at a duly noticed public hearing. He then encouraged Mr. Robertson to attend the January 28, 2009 meeting of the City Council.

Planning Director Wayne informed the Commission that the Planning Department will periodically bring partially approved projects to the Commission for informational purposes only.

Chairman Devine asked if it was known how many more situations similar to this one existed.

Planning Director Wayne indicated that the number was known but that the City's Planning Department is in the process of an outreach to applicants to ensure they wish to continue to process their application.

Chairman Devine then asked if there was a deadline for applicants to respond.

Planning Director Wayne answered in the affirmative and stated that the Permit Streamlining Act establishes timeframes.

Commissioner Nowak questioned if there was anything the Planning Commission could do to address the design concerns with the project.

Planning Director Wayne responded that the Commission could take no action because the item was presented as information only. He went on to explain that the City Council does have several options available because it is not bound by the recommendation of the County Planning Commission. The City Council could deny the zone change or they could send the project back staff and the Planning Commission for further review.

Commissioner Nowak asked if the Council has been made aware of the options available to them.

Planning Director Wayne responded that the City Council would be made aware of the different options available to them by the time of the next Council Meeting.

Chairman Devine asked if the County Planning Commission approved the single family homes planned to go in behind the proposed project.

Planning Director Wayne responded in the affirmative and stated that there are several conflicting land uses in the City of Wildomar's current General Plan.

Commissioner Nowak suggested that the planned single family residential development adjacent to the subject site was approved well before the proposed project.

Planning Director Wayne then agreed and began to discuss the Rural Residential zone Mr. Robertson had questioned. Planning Director Wayne explained that it is a holding zone which permits a wide variety of different uses which can sometimes be incompatible with one another. He also explained that it is inconsistent with the General Plan and nearly all new projects require a zone change. He went on to explain that the proposed project would require a zone change from Rural Residential to be consistent with the General Plan's Commercial Retail land use designation. Planning Director Wayne wrapped up by explaining that the reason for bringing this item before the Commission is to better explain the future role the Commission may have with the project and to familiarize everyone with the situation.

Commissioner Nowak recognized the legitimacy of Mr. Robertson's concerns.

Mr. Robertson addressed the Commission again and stated that he felt uses such as restaurant or offices would be more appropriate in the Commercial Retail land use designation and that they would be more community friendly.

Planning Director Wayne indicated that the City has the County Staff Report for the project and the minutes from the meeting which approved it.

Chairman Devine asked if the noise issues were addressed.

Planning Director Wayne indicated that the noise issues were partially addressed but that they need additional review. He went on to explain that Planning and Engineering staff are reviewing the project and drafting conditions which would more appropriately address a myriad of issues associated with the project.

Chairman Devine asked if there could be operation limitations placed on the facility. He then suggested that closing the bay doors could mitigate the noise from the use of the facility.

Commissioner Nowak agreed but thought that having the doors closed would have negative effect on the project design.

Mr. Robertson suggested that there are well designed auto repair facilities on Jefferson Avenue in the city of Murrieta.

Planning Director Wayne explained that the C-1/C-P zone allows auto repair facilities with only a Plot Plan Application; because this project had a Zone Change request, the City Council has authority over the project. He went on to explain that under normal circumstances, a Plot Plan is a Director's decision, citing that the level of environmental review can require a project to have a public hearing. Mr. Wayne identified the fact Plot Plans only address the physical site and do not address the uses of the land, which he then stated is a problem. He then stated that in time the City will need to address these issues in the General Plan and in the Zoning Ordinance to better reflect goals and objectives of the Wildomar community.

Planning Director Wayne then stated that sometimes auto repair facilities often have flammable or hazardous materials and may need ventilation, so closing the bay doors may be a fire hazard.

Commissioner Nowak then asked about hazardous materials on the site.

Planning Director Wayne explained that the Plot Plan has prohibited the project from storing any hazardous materials on the site. Mr. Wayne then transitioned to the next item on the agenda.

Mr. Robertson then thanked the Commission.

6.2 ENVIRONMENTAL ASSESSMENT EA41648, GENERAL PLAN AMENDMENT GPA00891, CHANGE OF ZONE CZ07608 & PLOT PLAN PP23188 (PL08-0165).

Applicant: Jeffery Tartaglino, Palm Desert Development

Location:	South of Catt Road, east of Arnett Road and west of Fox Ridge Lane.
Proposals:	<p><u>GPA00891</u>: 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).</p> <p><u>CZ07608</u>: The change of zone proposes to change the project site's current zoning classification from Rural Residential (R-R) to General Residential (R-3).</p> <p><u>PP23188</u>: 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.</p>
Environmental Action:	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.

The staff report was presented by Planning Director Wayne.

Planning Director Wayne explained that the proposed project would create an affordable senior housing development off Catt Road. He went on to explain the unique circumstances which surround senior housing development. Mr. Wayne went on to explain that the project was a County Fast Track project and that the County Board of Supervisors tentatively approved the project on June 10, 2008 but because the City incorporated before the County could officially approve the project, it is now the City's responsibility to approve—a similar situation to the previous item.

Chairman Devine then asked about the project amenities.

Planning Director Wayne explained that the project would include walking areas, a putting green, circuit training locations, community facilities and gardens. Commissioner Nowak asked who would ensure that the project would fulfill its obligation to provide affordable housing units.

Planning Director Wayne indicated that it was the developer's responsibility report that information to HCD.

The applicant Jeffery Tartaglino confirmed that it was the developer's responsibility to fulfill the affordability requirements because of the conditions of the funding which they receive. Mr. Tartaglino then informed the Commission that as a requirement of the tax credits the project has received, the development would have to remain affordable for a minimum period of 55 years. He then went on to describe the application process for prospective tenants and the amenities of the project.

Commissioner Casillas asked about the parking that would be provided by the project.

Mr. Tartaglino replied that there would be one parking space for every unit and guest spaces. He went on to explain that there are not as many vehicles in a senior housing project compared to a regular multifamily development. Mr. Tartaglino then described the screening involved in the application process for a prospective tenant.

Planning Director Wayne confirmed the thorough application process Mr. Tartaglino had just described.

Chairman Devine then asked about the criteria which established the income tiers for the project.

Mr. Tartaglino described that it was based on the Riverside County median income.

Planning Director Wayne added that the tiers were based on percentages of the area median income.

Mr. Tartaglino then discussed more about the income requirements and then described the project's design features as seen from the Catt Road.

Commissioner Nowak asked if the project included assisted living facilities.

Mr. Tartaglino replied that it did not.

Planning Director Wayne then described other types of developments which provide a variety of living arrangements for seniors from independent living to full hospitalization but he indicated that was not the case in this project.

Planning Director Wayne thanked the applicant.

Chairman Devine then continued with the agenda.

7.0 ADMINISTRATIVE HEARINGS REPORT:

None.

8.0 PLANNING DIRECTOR'S REPORT:

8.1 INTRODUCTION OF NEW ASSISTANT PLANNING DIRECTOR DAVID HOGAN

Planning Director Wayne introduce Assistant Planning Director David Hogan.

Assistant Planning Director Hogan introduced himself to the Commission and then discussed some of the goals and objectives for the Planning Department. He went on to provide some guidance to the Commission on how to review and understand plans.

Planning Director Wayne announced to the Commission that the City is in the process of standardizing Conditions of Approval and developing a system to convey efficiently project specific Conditions to the Commission.

Assistant Planning Director Hogan indicated that Business Cards are being created for the Commission and to please relay contact information to him.

Chairman Devine asked if the City of Wildomar Email addresses were active.

Planning Director Wayne replied that he would look into the matter.

Assistant Planning Director Hogan thanked the Commission.

8.2 NEW CITY OFFICES INTRODUCTION AND ORIENTATION

Planning Director Wayne provided details about the locations of staff and shared information about the new location of City Hall.

9.0 PLANNING COMMISSION COMMENTS:

None.

10.0 ADJOURNMENT:

No further business to come before the Commission, Chairman Devine moved to adjourn the regular meeting of January 21, 2009.

The regular meeting of the Wildomar Planning Commission adjourned at 8:03 P.M.

Respectfully submitted:

Gary Wayne
Commission Secretary

ITEM # 3.2

**REGULAR MEETING
CITY OF WILDOMAR
PLANNING COMMISSION
FEBRUARY 4, 2009**

The regular meeting of the Wildomar Planning Commission was canceled by the Secretary of the Commission.

Respectfully submitted:

Gary Wayne
Commission Secretary

PLANNING COMMISSION PUBLIC HEARING OUTLINE

INTRODUCTION	1	Chairman Introduces the Item (Project Name and the applications).
	2	Chairman asks Staff for their Presentation.
	3	Staff makes their Presentation
	4	Chairman asks the other Commissioners if they have any questions or clarification from Staff. <i>(There should be no questions to the Applicant at this point, that comes later.)</i> .
PUBLIC HEARING	5	Chairman opens the Public Hearing.
	6	Chairman asks the Applicant <i>(and the members of the Design Team – whatever the applicant wants to do)</i> to make a presentation to the Commission. Each Speaker must state their name and address for the record. <i>Reminder: if the Applicant has not already indicated this; they should be asked by the Chairman if they have received a copy of, and agree to, the proposed Conditions of Approval.</i>
	7	Applicant & Design Team Makes Their Presentation
	8	Chairman asks the other Commissioners if they have any questions for Applicant about their Presentation or Project. The Commissioners are allowed to ask clarification questions of the Applicant.
	9	Chairman reminds the public present that each speaker will be limited to 3 minutes.
	10	Chairman calls up any Speakers (one at a time) that support the project. Each Speaker must state their name and address for the record before they speak.
	11	Chairman calls up any Speakers (one at a time) that oppose or have concerns about the project. All comments need to be made to the Commission, not the Applicant. Each Speaker must state their name and address for the record before they speak.
	12	Chairman can ask if anyone else in the audience wishes to speak on the Project. <i>(They will need to fill out a speakers slip - this is not intended to provide an opportunity for someone who has already spoken to speak again.)</i>
	13	Chairman provides the Applicant an opportunity to provide a rebuttal to the comments or concerns from other Speakers.
	14	Chairman asks the members of the Commission if they have any additional questions for the Applicant/Design Team.
	15	Chairman closes the Public Hearing and announces that it is time for Commission Discussion (this can include specific questions of the Applicant and Staff).
DISCUSSION/ ACTION	16	Chairman facilitates the Commission's discussion on the project. This can include specific questions of staff or the Applicant.
	17	When the Commission has concluded their discussion of the Project it is time to Call for a Motion (if someone hasn't already made one).
	18	Chairman asks the Commissions to vote on the project as they may have been modified during the public hearing and subsequent discussion.