



CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item #2.1
PUBLIC HEARING
Meeting Date: January 21, 2015

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director

SUBJECT: **Wal-Mart Development Project (Planning Application No. 13-0086):**
Planning Commission consideration and recommendation to the City Council for the certification of an Environmental Impact Report (EIR) and Mitigation Monitoring & Reporting Program, and approval of a Change of Zone, Conditional Use Permit and Plot Plan for the Wal-Mart Development Project located at the southwest corner of Monte Vista Drive and Bundy Canyon Road.

STAFF RECOMMENDATION

The Planning Department recommends the Planning Commission take the following actions:

1. Adopt a Resolution entitled:

PC RESOLUTION NO. 2015-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT (SCH# 2014011014), ADOPTION OF FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WAL-MART DEVELOPMENT PROJECT (PLANNING APPLICATION NO. 13-0086) LOCATED AT SOUTHWEST CORNER OF MONTE VISTA AVENUE AND BUNDY CANYON ROAD (APN: 367-100-033; 367-100-034; 367-100-035; 367-100-037)

2. Adopt a Resolution entitled:

PC RESOLUTION NO. 2015-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A CHANGE OF ZONE (PLANNING APPLICATION NO. 13-0086) FROM R-R (RURAL RESIDENTIAL) TO C-P-S (SCENIC HIGHWAY COMMERCIAL) FOR A 21.96 ACRE SITE LOCATED AT SOUTHWEST CORNER OF MONTE VISTA AVENUE AND BUNDY CANYON ROAD (APN: 367-100-033; 367-100-034; 367-100-035; 367-100-037)

3. Adopt a Resolution entitled:

PC RESOLUTION NO. 2015-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF THE WAL-MART DEVELOPMENT PROJECT (PLANNING APPLICATION NO. 13-0086) CONSISTING OF A CONDITIONAL USE PERMIT TO ALLOW ALCOHOL SALES AND A PLOT PLAN FOR THE DEVELOPMENT OF A 185,682 SQUARE-FOOT RETAIL BUILDING AND A 7,800 SQUARE-FOOT RETAIL BUILDING WITH FULL SITE IMPROVEMENTS, SUBJECT TO CONDITIONS, LOCATED AT SOUTHWEST CORNER OF MONTE VISTA AVENUE AND BUNDY CANYON ROAD (APN: 367-100-033; 367-100-034; 367-100-035; 367-100-037)

PROJECT DESCRIPTION

The Applicant (Wal-Mart Real Estate Business Trust) is requesting Planning Commission approval to build a new Wal-Mart retail store and a smaller retail building. In summary, the proposed project consists of the following applications for Commission consideration in their recommendation to the City Council:

- 1) Environmental Impact Report (EIR) - The proposed project requires the preparation, review and certification of an Environmental Impact Report ("EIR" - SCH# 2014011014) in accordance with Public Resources Code § 21080(d) and § 21082.2(d).
- 2) Change of Zone (CZ) - The proposed project requires a Change of Zone from the current designation of R-R (Rural Residential) to C-P-S (Scenic Highway Commercial) for the 21.96 acre site to accommodate the proposed retail project.
- 3) Conditional Use Permit (CUP) - The proposed project requires a Conditional Use Permit to allow the sale of alcohol (Off Sale General); and
- 4) Plot Plan (PP) - The proposed project requires a Plot Plan to develop the 21.96 acre site with a 185,682 square-foot Wal-Mart retail building and a separate 7,800 square-foot retail building with a 980 space parking lot and full on-site and off-site site improvements, and a sign program, subject to conditions.

Project Location/Vicinity:

The project site encompasses approximately 21.96 acre and is located on the southwest corner of Monte Vista Drive and Bundy Canyon Road. The vicinity map on the next page shows the project site and surrounding area.

Vicinity/Location Map



Source: Google Earth; Applied Planning, Inc.

Surrounding Land Uses:

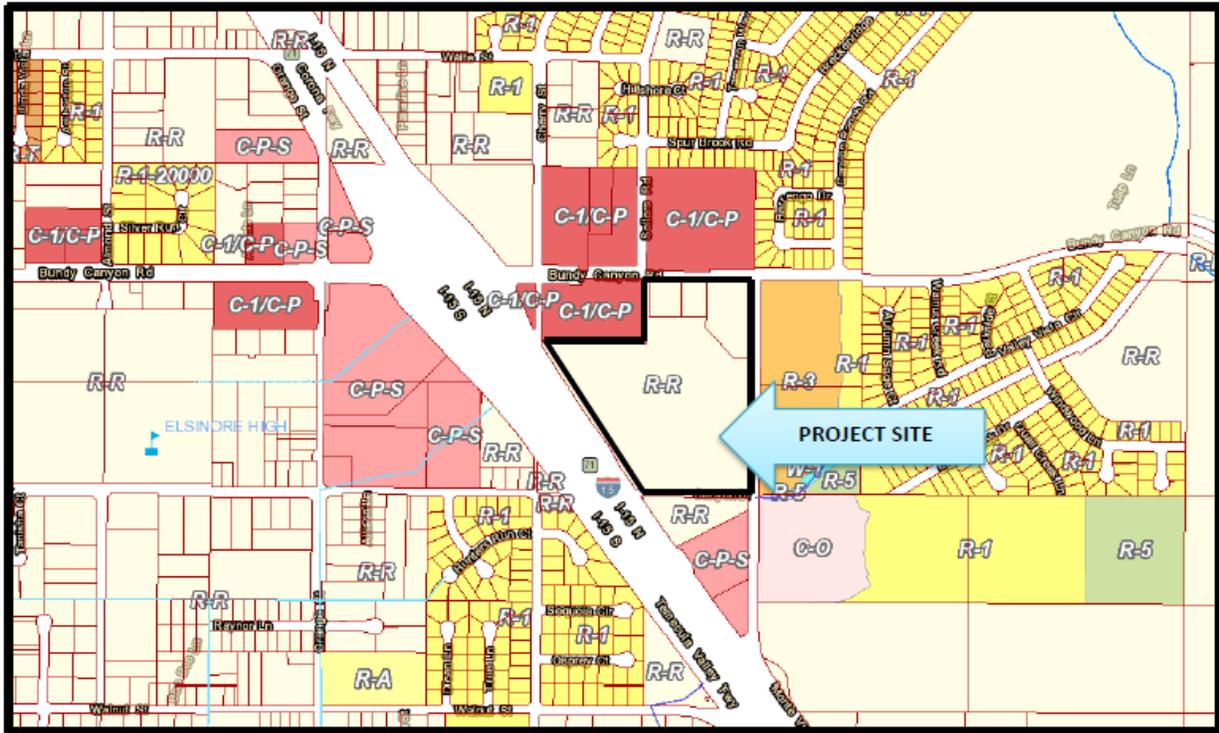
The project site is a rather large site (21.96 acres) and is directly adjacent to the I-15 freeway and south of the Canyon Plaza retail center (Shell gas station). There is a large vacant property immediately east of the site (across Monte Vista Drive) that has an approved tract map for 100± single family homes. There is a single family dwelling south of the project site. The table below summarizes the current General Plan land use and zoning information related to the project site and surrounding properties.

ADJACENT LAND USE, GENERAL PLAN AND ZONING			
Location	Current Land Uses	General Plan Land Use Designations	Zoning Designations
Subject Property	Vacant	Commercial Retail (CR)	R-R (Rural Residential) – proposed to be C-P-S (Scenic Highway Commercial)
North	Canyon Plaza – Shell Gas Station & Self-Storage Facility	Commercial Retail (CR)	C-1/C-P (General Commercial)
South	Single Family Dwelling	Commercial Retail (CR)	R-R (Rural Residential)
East	Vacant	Medium High Density Residential (MHDR)	R-3 (General Residential)
West	I-15 Freeway	N/A	N/A

General Plan Land Use Exhibit



Zoning Designation Exhibit



Environmental Impact Report (EIR):

The proposed project requires the preparation, review and certification of an Environmental Impact Report ("EIR" - SCH# 2014011014) in accordance with Public Resources Code § 21080(d) and § 21082.2(d). A detailed analysis/discussion of the EIR process is provided in the Analysis section of the staff report and is included in PC Resolution No. 2015-01 (Attachment A).

Change of Zone:

The project site currently has a zoning designation of R-R (Rural Residential). In order to develop the site and construct the building, a Change of Zone is required for the entire 21.96 acre site. The most appropriate zoning designation is C-P-S (Scenic Highway Commercial). The C-P-S zone allows for a retail building like Wal-Mart, in addition to the smaller retail building (near the intersection of Monte Vista Drive and Bundy Canyon Road). Discussion of the Change of Zone is provided in the Analysis section of the staff report and is included in PC Resolution No. 2015-02 (Attachment B).

Conditional Use Permit:

The Applicant has proposed to sell alcohol for off-premise consumption. In accordance with Section 17.248 of the Zoning Ordinance, this request requires approval of a Conditional Use Permit subject to the provisions of this section. Prior to occupancy permits being issued for the building, the Applicant is required to obtain a Type 21 ABC

license. Discussion of the CUP is provided in the Analysis section of the staff report and is included in PC Resolution No. 2015-03 (Attachment C).

Plot Plan:

The proposed Wal-Mart project is a permitted use subject to approval of a Plot Plan in accordance with Section 17.76 of the Zoning Ordinance. Development of the site is subject to the development standards outlined in Section 17.76 (C-P-S zone), 17.188 (off-street parking), Section 17.252 (Signs) and 17.276 (Landscaping). A detailed discussion of the how the proposed project meets and exceeds the development standards is provided in the Analysis section of the staff report. Discussion of the Plot Plan is provided in the Analysis section of the staff report and is included in PC Resolution No. 2015-03 (Attachment C).

PROJECT ANALYSIS

Environmental Impact Report:

In accordance with the California Environmental Quality Act (CEQA - Public Resources Code Section 21000–21178.1), an Initial Study was prepared to analyze the proposed Wal-Mart development project (Planning Application No. 13-0086) to determine any potential significant impacts upon the environment that would result from implementation of the project. The proposed Wal-Mart development project is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. (“CEQA”).

The Planning Commission has the authority to review the proposed Wal-Mart development project in accordance with the California Government Code, Section 65854 and the City of Wildomar Municipal Code, Title 17, and make a recommendation to the City Council regarding certification of the DEIR/FEIR. In the course of reviewing the proposed project, the Planning Director determined that there was substantial evidence that the Wal-Mart development project may have one or more significant effects on the environment; therefore, preparation of an Environmental Impact Report (EIR) was warranted under Public Resources Code § 21080(d) and § 21082.2(d).

In accordance with state law, the Planning Department prepared and circulated a Notice of Preparation (NOP) of the DEIR which began a 30-day public comment period on the NOP. The public review period began on January 9, 2014 through February 10, 2014. As part of the NOP process, the Planning Department conducted a public scoping meeting which was held on January 27, 2014. The purpose of the scoping meeting was to receive input from the public on what environmental issues they felt should be addressed in the DEIR.

In the months following the NOP review period and scoping meeting, the City prepared and completed the DEIR. A Notice of Completion (NOC) was provided to the State Clearinghouse (OPR) on August 25, 2014 in accordance with Section 15085 of the

CEQA Guidelines notifying the State of the availability of the DEIR for its 45-day public review period.

In addition, the Planning Department posted the Notice of Availability (NOA) with the Riverside County Clerk, and published the NOA with the Press Enterprise, a local newspaper of general circulation, on the same day giving notice to the general public and all interested parties regarding the 45-day public review period. The DEIR and technical appendices were also posted to the City's website for public review, and a hard copy was provided at the Planning Counter.

In accordance with CEQA Guidelines § 15087 and §15105(a), the Draft EIR was circulated to the state agencies, local agencies and interested persons requesting a copy of the DEIR on August 25, 2014. This initiated the required 45-day public review period that concluded on October 8, 2014. During the public comment period, the Planning Department received seven (7) comment letters on the DEIR. In accordance with CEQA, the City has prepared detailed responses to each comment which is included in the Final EIR.

The DEIR has identified three (3) significant unavoidable impacts related to Traffic (operations/cumulative), Air Quality (operations/cumulative) and Noise (temporary construction) that can not be mitigated. However, all other impacts have been mitigated through changes, alterations and mitigation measures to a less than significant level. Staff is recommending the Planning Commission recommend the City Council make the findings required by CEQA Guideline Section 15092 and adopt a Statement of Overriding Considerations for three (3) significant unavoidable impacts pursuant to CEQA Guideline Section 15093. A detailed discussion of the unavoidable impacts is provided in the Findings of Fact and Statement of Overriding Considerations.

The DEIR, Technical Appendices, Final EIR, Findings of Fact and Statement of Overriding Considerations and the Mitigation Monitoring & Reporting Program are provided for Commission consideration in Exhibits 1 – 4 of PC Resolution No. 2015-01 (Attachment A). The required findings are discussed in the Findings section of the staff report.

Change of Zone:

In order to develop the site and construct the building, a Change of Zone is required for the entire 21.96 acre site. The Applicant has proposed to change the current zoning designation from R-R (Rural Residential) to C-P-S (Scenic Highway Commercial). The C-P-S zone allows for a retail market such as Wal-Mart, in addition to the smaller retail building (near the intersection of Monte Vista Drive and Bundy Canyon Road).

In evaluating the proposed change of zone to C-P-S, staff has determined that it is consistent with the General Plan land use designation of Commercial Retail. The CR land use is intended to provide for the development of commercial retail uses at a neighborhood, community and regional level. The proposed Wal-Mart project achieves this goal. Further, the C-P-S zoning designation implements the goals and polices of the Commercial Retail land use designation, including but not limited to the following:

- LU 2.1 The proposed project accommodates a land use development that is in accordance with patterns and distribution of land uses that are depicted on the General Plan Land Use map.
- LU 4.1 The proposed project accommodates a land use development proposal that is located and designed to visually enhance and not degrade the character of the surrounding area.
- LU 6.1 The proposed change of zone and development project has been developed in accordance with the General Plan that ensures compatibility and minimizes impacts.
- LU 7.1 The proposed project accommodates a development proposal that enhances the City's fiscal viability, economic diversity and environmental integrity.
- LU 7.12 The proposed project accommodates a development proposal that will provide for jobs for Wildomar residents locally that directly results in a better jobs to housing balance so that residents have an opportunity to work within the City.
- LU 23.1 The proposed project accommodates the development of commercial uses in areas appropriately designated by the General Plan land use map.
- LU 23.9 The proposed project is designed in a manner that considers the surroundings and visually enhances, not degrades, the character of the surrounding area.

Specific findings are provided in the Findings section of the staff report (see below).

Conditional Use Permit:

The Applicant has proposed to sell alcohol for off-premise consumption (ABC Type 21). In accordance with Section 17.248 of the Zoning Ordinance, this request requires approval of a Conditional Use Permit subject to several provisions as follows:

- Section 17.248.020 sets forth the requirement that off-premise sale can only occur in the R-R, C-1/C-P, C-P-S and C-R zones. As the project will have a C-P-S zone designation, the project meets this requirement.
- Section 17.248.030.C requires that off-premise sales are permitted provided the vehicular traffic from the facility does not reasonably create a potential hazard to schools, churches, public parks or playgrounds. Elsinore high school and Cornerstone Church are the nearest such uses to the Wal-Mart site. The high school is slightly over ½ mile away, while the church is slightly under a ½ mile

away. Based on the site design, street improvements and distance, it is staff's opinion that the off-premise sale of alcohol will not reasonably create traffic hazards at the high school or church.

- Section 17.248.030.D requires that the notice of public hearing be sent to all property owners within a 1,000-foot radius of the project site and to the school district. On January 7, 2015, the Planning Department mailed out public hearing notices to all owners in compliance with section.
- Section 17.248.040 allows the staff to propose other conditions as part of the CUP. Staff has proposed a special condition that requires the Applicant submit proof that they have obtained a Type 21 license from the Alcoholic Beverage Control (ABC) prior to the issuance of occupancy permits for the building.

Specific findings are provided in the Findings section of the staff report (see below).

Plot Plan Analysis:

Development of the project site with a 185,682 square-foot Wal-Mart building and the 7,800 square-foot retail building are subject to the development standards outlined in Section 17.76 (C-P-S zone), 17.188 (off-street parking), Section 17.252 (Signs) and 17.276 (Landscaping). A detailed discussion of the how the proposed project meets and exceeds the development standards of each section is provided below. A complete set of the development plans are provided for Commission consideration (refer to Attachment D).

C-P-S Standards (Section 17.76):

The proposed Wal-Mart and smaller retail building are permitted uses subject to a plot plan as required by Section 17.76.010 of the C-P-S zone. As these commercial retail uses are permitted, the proposed project meets this requirement.

Development of the site is also subject to the standards of Section 17.76.030 (Development Standards). This section establishes standards/requirements related to lot area, setbacks, building height, etc. Based on a detailed review of the propose site plan, all development standards of Section 17.76.030 have been met or exceeded. The table on the following page summarizes compliance with these standards.

Development Standards (17.76.030)

Development Standards	Minimum Standard	Proposed Project	Meets/Exceeds Requirements
Lot Area	No minimum lot area	24.51 acres	Yes
<u>Required Setbacks</u> ¹			
Front Setback	0 feet	660 feet ±	Yes
Side Setback(s)	0 feet	110 – 180 feet	Yes
Rear Setback	0 feet	145 – 195 feet	Yes
Building Height	50 feet max.	29.33 feet	Yes
Parking – 1 space/200 s.f. of building area	967 spaces (193,482 s.f.)	978 spaces	Yes
Roof Mounted Equipment	Screened from ground level (sight distance of 1,320 ft.)	Screened below parapet from all angles	Yes

Off-Street Parking (Section 17.188):

The proposed project is subject to the parking requirements outlined in Section 17.188.030 of the Zoning Ordinance. Based on the square footage of the two buildings (193,482 square feet), the project is required to provide a minimum of 967 spaces. The site plan provides for 978 parking spaces which exceeds code requirements. While the parking ordinance does not require cart corrals, the Applicant has provided approximately 34 corrals spaces located in strategic places throughout the parking area for easy convenience of shoppers.

The table on the following page summarizes other parking standards applicable to the proposed project which has been met or exceeded.

¹ There are no setbacks for buildings which do not exceed 35 feet in height. The Wal-Mart building does not exceed 30 feet in height.

Parking Standards (17.188)

Development Standards	Minimum Standard	Proposed Project	Meets/Exceeds Requirements
Parking – 1 space/200 s.f. of building area	967 spaces (193,482 s.f.)	978 spaces	Yes
Parking Space Size (90°)	9' x 18' 11' x 18' (end stalls)	9.5' x 18' (90°) 11' x 18' (end stalls)	Yes
Driveway/Aisle way Dimensions	24 feet	25 feet	Yes
Striping of Spaces	White painted lines	White painted lines	Yes
Parking Lot Lighting ²	Shielded directing light downwards	Shielded directing light downwards	Yes
Loading Spaces ³	13 spaces	5 truck docks	Yes
Accessible Spaces ⁴	20 spaces	32 spaces	Yes
Bicycle Parking	38 spaces (employees) 29 spaces (visitors)	38 spaces (employees) 12 (visitors)	Yes Yes ⁵
E.V. Charging Spaces	N/A	16 spaces	Yes
Parking Lot Shading of Spaces	50% of spaces to be shaded	80 - 90% at full growth	Yes
Total Landscaping in Parking lot	11%	31.6%	Yes

A reduced copy of the proposed site plan is provided on the following page.

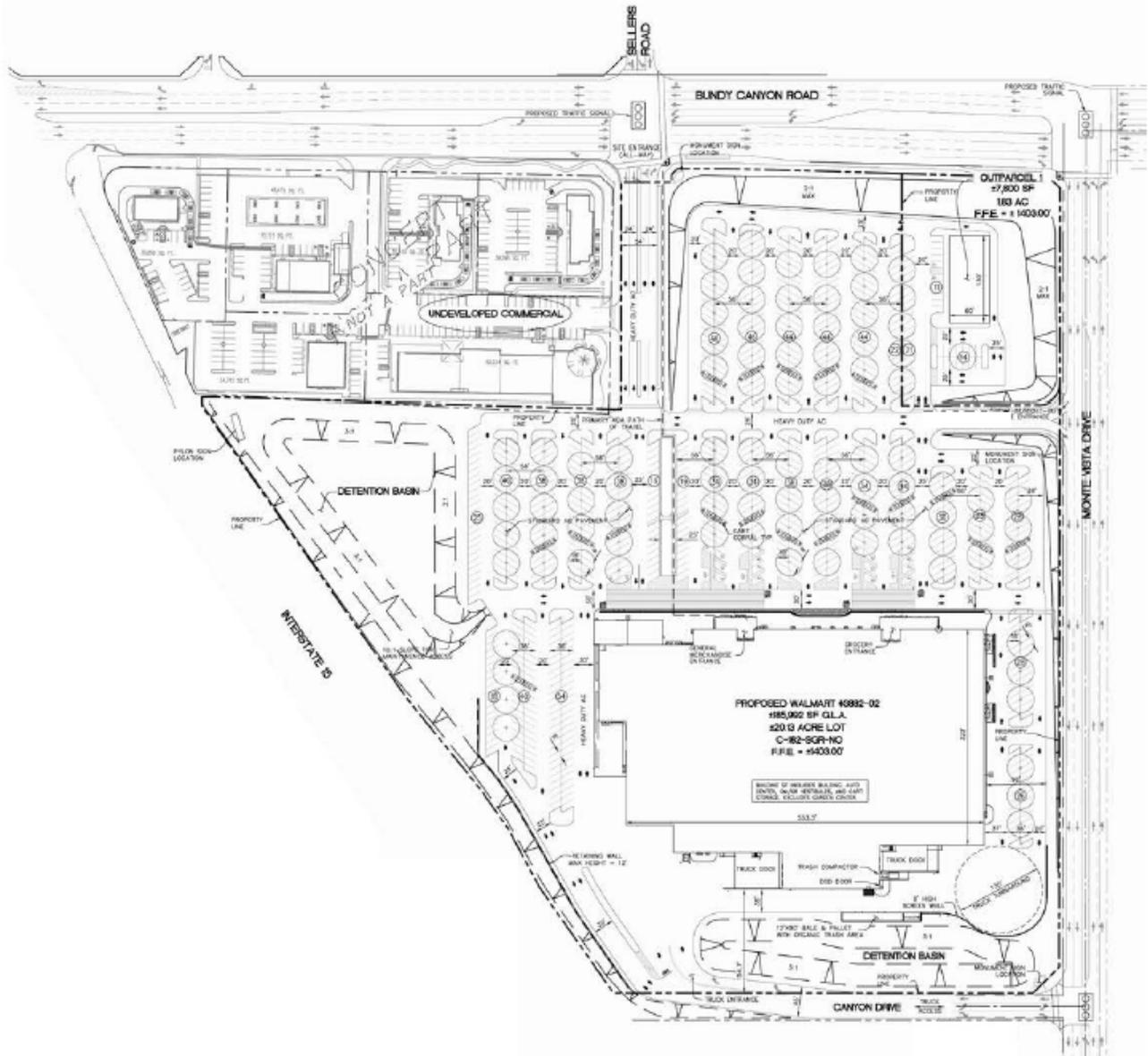
² Parking lot lighting complies with the City's Light Pollution Ordinance (Section 8.64 of the WMC).

³ Requirement applies to multi-tenant shopping centers. As a single tenant use, Wal-Mart has provided 5 large loading docks (to meet their service demands) screened behind the building.

⁴ Size of accessible spaces are 14' x 18'; per UBC.

⁵ A condition has been added to Resolution 2015-03 to provide 17 additional bike spaces to meet code.

Proposed Site Plan Exhibit



Signage (Section 17.252):

The Applicant has proposed signage for the building and site. The sign program indicates wall signage, monument signs and a freeway sign. All signage must comply with the size and location requirements of Section 17.252. The Applicant has proposed the following signage for the Wal-Mart project.

- Three (3) monument signs have been proposed (one per street frontage) that are 49.26 square feet in size (per sign face) each and 6'7" in height. They are located at the main entrances on Bundy Canyon Road, Monte Vista Drive and Canyon Drive (refer to development plans). The sign code regulations permits

one monument sign per street frontage, a maximum of 20 feet in height and a maximum of 50 square feet in size (per sign face).

- One (1) freeway pylon sign has been proposed along the western portion of the site (along the I-15 freeway for visibility) that is 30 feet tall and 99.5 square feet in size (per sign face). The sign code regulations permits one freeway oriented sign no taller than 45 feet provided its within a 660-foot distance from the freeway right-of-way, and a maximum sign area of 100 square feet in size (per sign face).
- Multiple wall signs have been proposed on all of the front and side elevations totaling 1,032.20 square feet in size. Signs are proposed to identify the Wal-Mart business as well as other services such as the pharmacy & pharmacy drive through, market, outdoor living and home & pharmacy. The height of each wall sign ranges from 1'-6" to 5'-6". The sign code regulations do not regulate the number of wall signs or the height of each letter but allows a maximum sign area that does not exceed 10% of the front and side building wall elevation surface areas.

In reviewing the wall signs, the front elevation wall surface area is 14,292 square feet in size (26'8" x 533.3') which would allow a total sign area of 1,429 square feet (at 10%). The total sign area proposed for the front elevation is approximately 576 square feet in area (about 4%), which is less than the maximum allowed by code. The west side elevation (freeway side) wall surface area is 8,694 square feet in size (27' x 322') which would allow a total sign area of 869 square feet (at 10%). The total sign area proposed for the west elevation is 120.76 square feet in area (about 1.3%), which is less than the maximum allowed by code. The east side elevation wall surface area is 9,016 square feet in size (28' x 322') which would allow a total sign area of 901 square feet (at 10%). The total sign area proposed for the east elevation is approximately 377.8 square feet in area (about 4.1%), which is less than the maximum allowed by code.

Based on staff's review of the proposed sign program, all provisions of Section 17.252 of the Zoning Ordinance have been complied with in terms of quantity, location and size. Thus, the sign program is consistent with this code section.

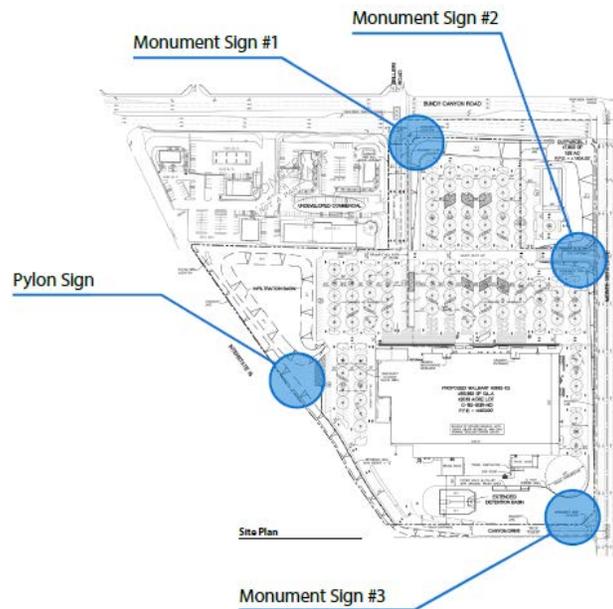
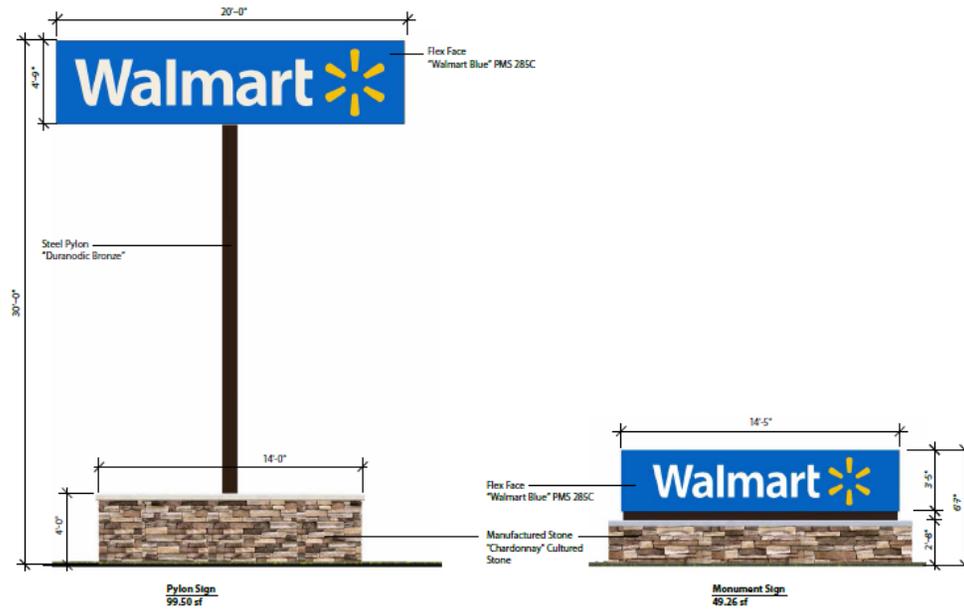
Proposed Architectural Elevations:

The proposed building will be constructed of decorative split-face block that will have different textures and colors depending on the elevation. A variety of colors will be used to provide accent and variation. The design also incorporates a variety of vertical and horizontal articulation to break up the large building masses on each elevation. A cornice detail will be provided along the roof line where there are prominent "entry features" on all elevations. To further accentuate the building elevations, the use of decorative stone veneer is proposed at various locations on each elevation. The front elevation will incorporate trellis features and prominent glass entry designs to accent

this elevation. The city does not have commercial design guidelines so the final design came about from four different submittals and reviews by staff. Staff supports the final design as illustrated in the development plans package. The architectural elevations are provided for Commission consideration in Attachment D. Some of the elevation exhibits are provided below. As a note, there are no design plans for the small retail building at this time.

Reduced exhibits of the colored elevations and signs are illustrated on the following pages. Full size copies are provided for the Commission (Attachment D).





Landscaping (Section 17.276):

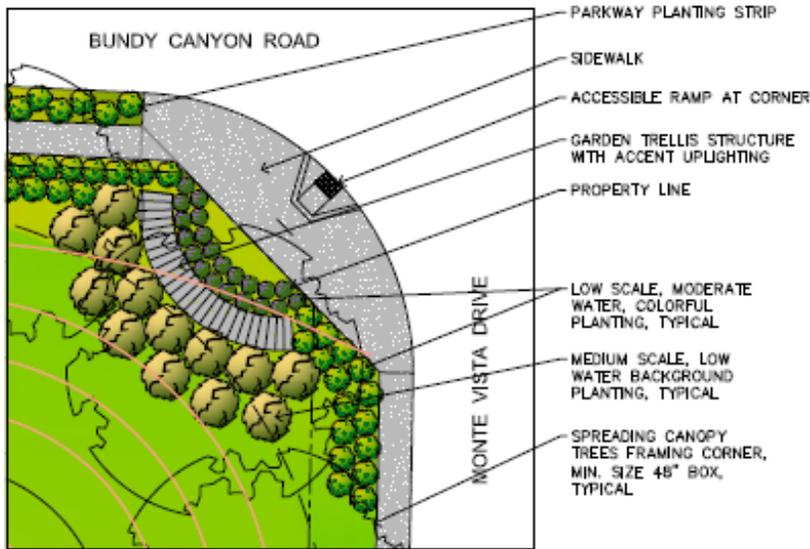
The Applicant has provided a detailed conceptual landscape plan for staff's review. In accordance with Section 17.276 of the Zoning Ordinance, the purpose of this chapter is to establish water efficient landscape regulations that are "at least as effective in conserving water as" the State Model Water Efficient Landscape Ordinance in the context of conditions in the City in order to ensure that landscapes are planned, designed, installed, maintained, and managed in a manner that uses water efficiently, encourages water conservation, and prevents water waste. The intent of this chapter is to also encourage the cooperation between the City and local water purveyors to achieve irrigation efficiency and water conservation goals.

The landscape plans provide for a variety of landscape species (including drought tolerant) in varying sizes to accommodate the project. The landscape plans were reviewed by the City's Landscape Architect in accordance with the provisions of Section 17.276. Based on this review, the conceptual landscape plans are consistent with city standards. During the construction plan check process, staff will further review the detailed landscape and irrigation plans to determine that the proposed water usage meets the requirements of this section.

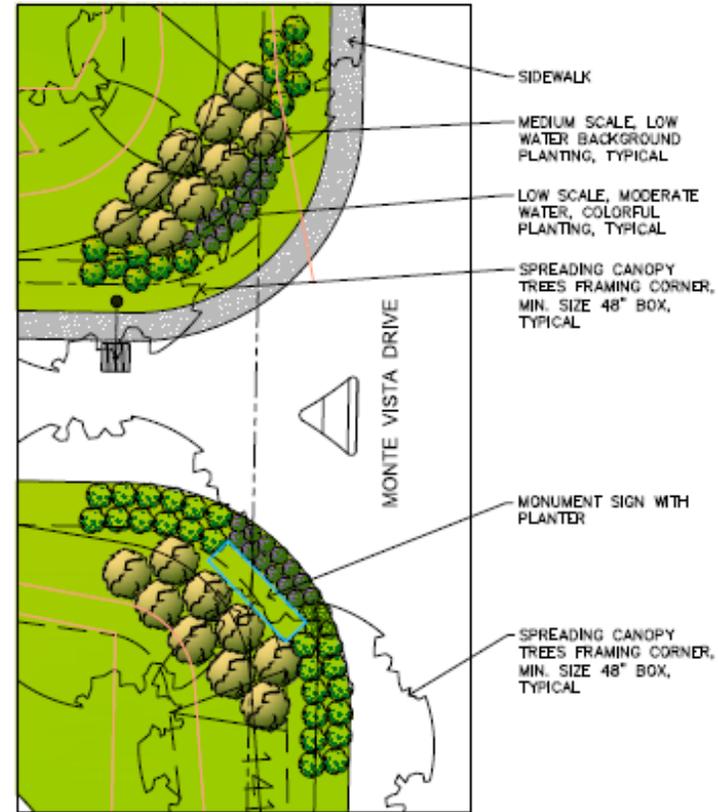
The proposed landscape plans are provided in the development plans package for Commission consideration (Attachment D). Reduced copies of the landscaping exhibits are provided on the following pages.

Landscape Exhibits

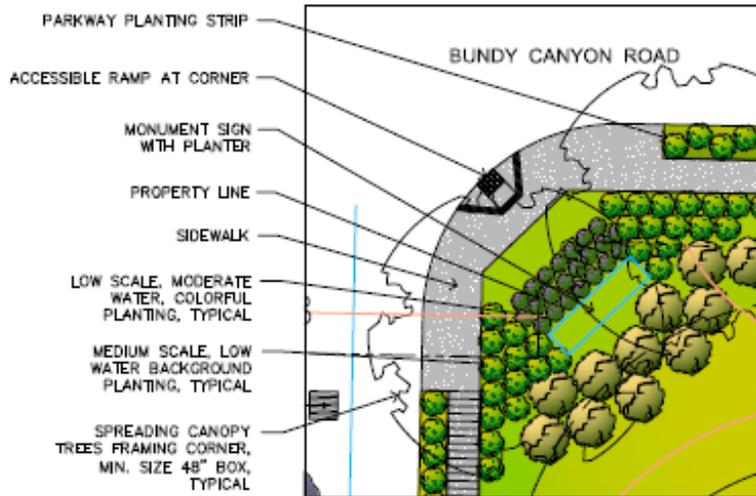




ENLARGEMENT AT CORNER OF BUNDY CANYON ROAD AND MONTE VISTA DRIVE



ENLARGEMENT AT ENTRY OFF MONTE VISTA DRIVE

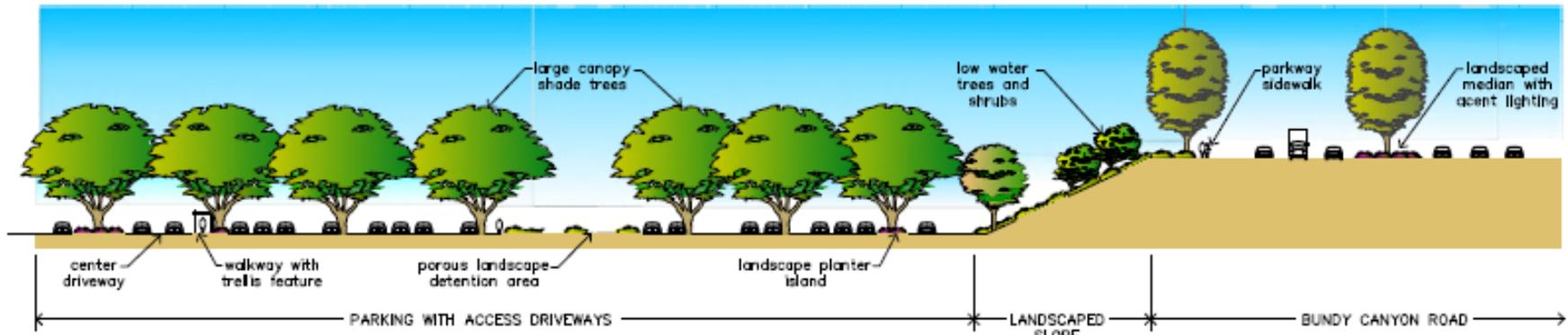


ENLARGEMENT AT ENTRY OFF BUNDY CANYON ROAD

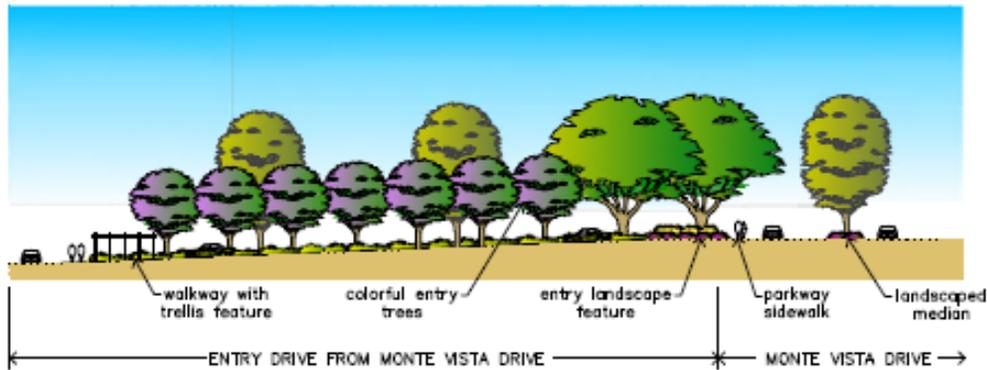
SCALE 1" = 10'

PARTERRE
 LANDSCAPE ARCHITECTURE
 1802 Stearns Avenue, Suite 200, CA 94109
 Phone (415) 886-2722 Fax (415) 886-0708

LANDSCAPE CONCEPT PLAN



CROSS SECTION A-A; Looking West

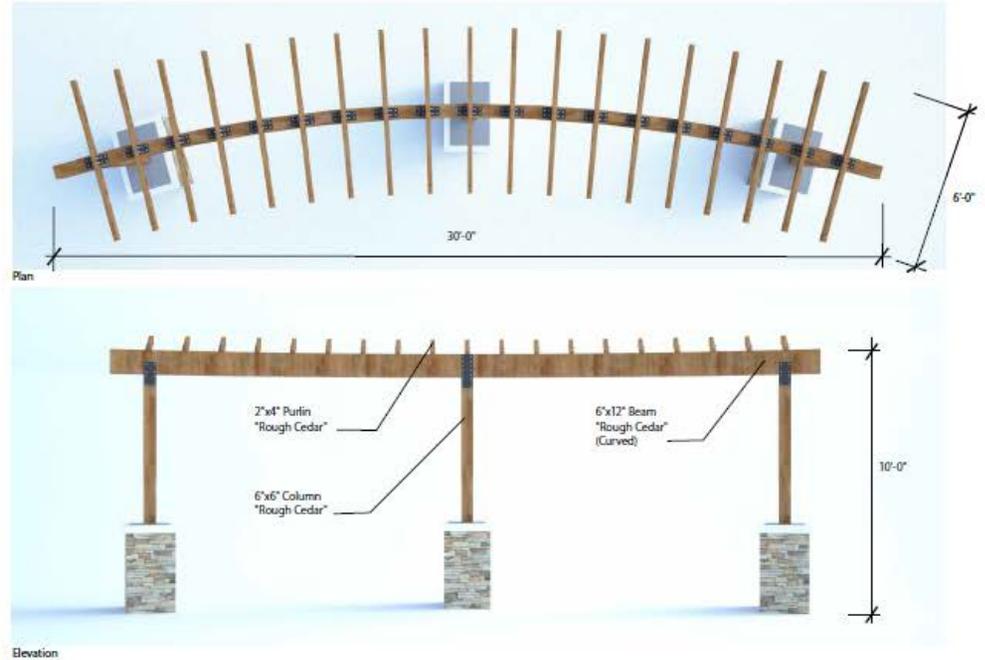


CROSS SECTION B-B: Looking North



PARTERRE

Monte Vista / Bundy Canyon Corner Treatment Illustration



Proposed Traffic:

A detailed traffic study (over 2,100 pages) was prepared for the project as part of the DEIR process. The proposed Wal-Mart project will generate significant traffic that will have impacts in the immediate area surrounding the project site. Based on the traffic analysis, 39 specific mitigation measures were identified to reduce traffic impacts resulting from the project. The mitigation measures are included in the DEIR and are part of the proposed conditions of approval (Planning Conditions No. 18 – 56) outlined in Resolution No. 2015-03. These conditions include improvements such as traffic signals, street widening, etc.

Proposed Vehicular Access:

Vehicular access to and from the project will be provided via entry ways located on Bundy Canyon Road, Monte Vista Drive (right-in & right-out only) and Canyon Drive. All streets adjacent to the site have been conditioned to be fully improved per city standards to accommodate the proposed traffic from the project. The project has also been conditioned to construct traffic signals at Bundy Canyon & Sellers and Monte Vista & Canyon in accordance with city standards and the mitigation measure of the DEIR identified by the traffic study.

The primary access drive aisle extending south from Bundy Canyon Road contains a median; however, it is open ½ down the drive aisle. It is staff's opinion that the median should extend the entire length of the drive aisle to minimize vehicular conflicts with vehicles making left turns from the Shell gas station site (phase 2 commercial retail access) and vehicles entering the Wal-Mart site. As of the date of this report, no final resolution has been agreed to by the City and Applicant, thus, a condition has been added to Resolution No. 2015-03 (Attachment C – Public Works/Engineering Condition No. 33) that requires closing of the median during the traffic signal plan approval process. Staff will be looking for Commission direction as part of their recommendation to the City Council.

Proposed Grading:

The site has a significant elevation change from north to south. In order to accommodate the project, it has been identified that 35,000 cubic yards of dirt will need to be imported. This was evaluated in the DEIR and mitigated appropriately. The grading of the project site will comply with city standards.

Proposed Drainage:

Drainage is a significant part of the proposed project. A detailed analysis and discussion of the drainage is provided in the DEIR and appropriate mitigation measures have been conditioned on the project. The Applicant is providing detention/infiltration basins throughout the project site. The largest one is located along on the west side of the site. Other porous landscape basins have been provided throughout the parking lot. The drainage of the project site complies with city standards.

Other Amenities:

Staff has worked with the Applicant to achieve other features not required in the development standards. For example, a special corner treatment has been designed at the intersection of Monte Vista and Bundy Canyon and at the intersections of driveways that includes trellis work, signage and landscaping. A pedestrian "paseo" with trellis work & landscaping has been provided within the parking area that leads from the northern part of the site to the building.

REQUIRED PROJECT FINDINGS OF FACT:

CEQA/EIR Findings:

The Planning Department recommends the Planning Commission, in light of the whole record before it, including but not limited to, the DEIR, all documents incorporated by reference therein, any comments received and responses provided, the Findings of Fact and Statement of Overriding Considerations, the Mitigation Monitoring and Reporting Program (provided in PC Resolution No. 2015-01 (Attachment A, Exhibit 3 & 4), and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, recommend the City Council find and determine that:

1. Preparation of EIR: An Environmental Impact Report was prepared for the Wal-Mart development project and processed in accordance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations § 15000 et seq.).
2. Notice: The City has complied with CEQA Guidelines §15085 and §15087 by providing a Notice of Completion of the Draft EIR to OPR and a Notice of Availability to responsible and trustee agencies, including the Riverside County Clerk, and other persons and agencies.
3. Review Period: The City has complied with CEQA Guidelines §§ 15087 and 15105 by making the Draft EIR available to the public for review for the required 45-day period of time commencing on August 25, 2014 and concluding on October 8, 2014.
4. Response to Comments: The City has responded to all seven (7) of the written comments received during the public review period, and included the comments and responses as part of the Final EIR included Attachment A, Exhibit 2 of PC Resolution No. 2015-01. In response to these comments, the City has made minor revisions to the Draft EIR, which are identified in the Final EIR and which do not constitute significant additional information that would require recirculation of the Draft EIR.
5. Findings for Significant Effects: The EIR identifies potentially significant effects on the environment that could result if the project were adopted without changes or alterations to the project and/or the imposition of mitigation measures. Pursuant to

CEQA Guideline Section 15091, the Planning Commission recommends the City Council further find that:

- a) Changes, alterations, and mitigation measures have been incorporated into, or imposed as conditions of approval on, the project.
 - b) These changes, alterations, and mitigation measures will avoid the significant environment effects identified in the EIR or lessen their impact below the threshold of significance, except that three (3) significant impacts (Traffic (operations/cumulative), Air Quality (operations/cumulative) and Noise (temporary construction)) cannot be feasibly mitigated to less than significant levels.
 - c) These changes, alterations, and mitigation measures are fully enforceable because they have either resulted in an actual change to the project as proposed or they have been imposed as conditions of approval on the project.
 - d) The City has prepared a Mitigation Monitoring and Reporting Program included PC Resolution No. 2015-01 (Attachment A, Exhibit 4) to track compliance with these changes, alterations, and mitigation measures identified in the Wal-Mart development project Environmental Impact Report.
6. Statement of Overriding Considerations: Approval of the project will result in three (3) significant unavoidable impacts related to Traffic (operations/cumulative), Air Quality (operations/cumulative) and Noise (temporary construction) that cannot be feasibly mitigated to below the threshold of significance. However, all other impacts have been mitigated through changes, alterations and mitigation measures to a less than significant level. The Planning Commission recommends that the City Council adopt a Statement of Overriding Considerations pursuant to CEQA Guideline Section 15093 for three (3) significant unavoidable impacts related to Traffic (operations/cumulative), Air Quality (operations/cumulative) and Noise (temporary construction) as discussed and addressed in the DEIR & FEIR.
7. Independent Judgment: The DEIR and FEIR reflects the independent judgment and analysis of the City.

Change of Zone Findings:

In accordance with the State of California, Government Code Section 65853 – 65857 and Section 17.280 of the Wildomar Municipal Code, the Planning Department recommends the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department’s staff report and all documents incorporated by reference herein, the City’s General Plan and any other evidence within the record or provided at the public hearing of this matter, recommend the City Council find and determine as follows:

- A. The proposed change of zone is in conformance with the adopted General Plan for the City of Wildomar.

Evidence: The proposed change of zone for the Wal-Mart development project from the current zoning designation of R-R (Rural Residential) to C-P-S (Scenic Highway Commercial) is consistent with the City's General Plan in that the proposed zoning and land use designations are intended to provide for the development of commercial retail uses at a neighborhood, community and regional level which the proposed project achieves. Further, the C-P-S zoning designation is consistent with the General Plan land use designation of Commercial Retail (CR) as the C-P-S zone implements the goals and polices of the Commercial Retail land use designation, including but not limited to the following:

- LU 2.1 The proposed project accommodates a land use development that is in accordance with patterns and distribution of land uses that are depicted on the General Plan Land Use map.
- LU 4.1 The proposed project accommodates a land use development proposal that is located and designed to visually enhance and not degrade the character of the surrounding area.
- LU 6.1 The proposed change of zone and development project has been developed in accordance with the General Plan that ensures compatibility and minimizes impacts.
- LU 7.1 The proposed project accommodates a development proposal that enhances the City's fiscal viability, economic diversity and environmental integrity.
- LU 7.12 The proposed project accommodates a development proposal that will provide for jobs for Wildomar residents locally that directly results in a better jobs to housing balance so that residents have an opportunity to work within the City.
- LU 23.1 The proposed project accommodates the development of commercial uses in areas appropriately designated by the General Plan land use map.
- LU 23.9 The proposed project is designed in a manner that considers the surroundings and visually enhances, not degrades, the character of the surrounding area.

Conditional Use Permit Findings:

Pursuant to Section 17.200 (Conditional Use Permits) and Section 17.248 (Alcoholic Beverage Sales) of the Zoning Ordinance, the Planning Department recommends the Planning Commission, in light of the whole record before it, including but not limited to

the Planning Department's staff report and all documents incorporated by reference herein, the City's General Plan and any other evidence within the record or provided at the public hearing of this matter, recommend the City Council find and determine as follows:

- A. That the proposed conditional use permit is consistent with the General Plan and in accord with the purposes of the zone in which the site is located.

Evidence: The proposal to have alcohol sales within the Wal-Mart retail building is consistent with the General Plan in that alcohol sales are conditionally permitted in the C-P-S (Scenic Highway Commercial) zone in accordance with Section 17.248.020.A of the Zoning Ordinance. The sale of alcohol is typically associated with commercial uses in the C-P-S zone and other similar commercial zones in the City. Further, the sale of alcohol will be restricted to "off-premise" consumption only (i.e., no on-site consumption) in accordance with the requirements of a Type 21 ABC license. The project has been conditioned to obtain a Type 21 alcohol license prior to the issuance of occupancy permits so the sale of alcohol at this location is in accord with the zone in which it is located.

- B. The proposed use will not be detrimental to the health, safety, or general welfare of the community.

Evidence: The proposal to have alcohol sales within the Wal-Mart retail building will not be detrimental to the health, safety, or general welfare of the community. The sale of alcohol is typically associated with commercial uses in the C-P-S zone and other similar commercial zones in the City. The project has been conditioned to obtain a "Type 21" alcohol license prior to the issuance of occupancy permits and will be restricted to "off-premise" consumption only (i.e., no on-site consumption) in accordance with the requirements the Alcohol Beverage Control (ABC). As no alcohol will be consumed on-site or within the building, the sale of alcohol for this commercial retail establishment will not be detrimental to the health, safety, or general welfare of the community.

- C. The proposed conditional use permit is consistent with the development standards of Section 17.248 (Alcoholic Beverage Sales).

Evidence: The proposed conditional use permit is consistent with the following:

- Section 17.248.020 sets forth the requirement that off-premise sale can only occur in the R-R, C-1/C-P, C-P-S and C-R zones. As the project will have a C-P-S zone designation, the project meets this requirement.
- Section 17.248.030.C requires that off-premise sales are permitted provided the vehicular traffic from the facility does not reasonably create a potential hazard to schools, churches, public parks or playgrounds. Elsinore high school and Cornerstone Church are the nearest uses to the Wal-Mart site. The high school is slightly over ½ mile away, while the church is slightly under a ½ mile

away. Based on the site design, street improvements and distance, it is staff's opinion that the off-premise sale of alcohol will not reasonably create traffic hazards at the high school or church.

- Section 17.248.030.D requires that the notice of public hearing be sent to all property owners within a 1,000-foot radius of the project site and to the school district. On January 7, 2015, the Planning Department mailed out public hearing notices to all owners in compliance with section.
- Section 17.248.040 allows the staff to propose other conditions as part of the CUP. Staff has proposed a special condition that requires the Applicant submit proof that they have obtained a Type 21 license from the Alcoholic Beverage Control (ABC) prior to the issuance of occupancy permits for the building.

Plot Plan No. 13-0086 Findings of Fact:

Pursuant to Section 17.216 of the Wildomar Zoning Ordinance, the Planning Department recommends the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference herein, the City's General Plan and any other evidence within the record or provided at the public hearing of this matter, recommend the City Council find and determine as follows:

- A. The proposed use is consistent with the Wildomar General Plan and Zoning Ordinance.

Evidence: The proposed Wal-Mart commercial retail use is consistent with the General Plan land use designation of Commercial Retail (CR) and Zoning designation of C-P-S (Scenic Highway Commercial) in that these designations are specifically intended to provide for the development of commercial retail uses at a neighborhood, community and regional level. Further, the proposed project implements the goals and polices of the Commercial Retail land use designation, including but not limited to the following:

- LU 2.1 The proposed project accommodates a land use development that is in accordance with patterns and distribution of land uses that are depicted on the General Plan Land Use map.
- LU 4.1 The proposed project accommodates a land use development proposal that is located and designed to visually enhance and not degrade the character of the surrounding area.
- LU 6.1 The proposed change of zone and development project has been developed in accordance with the General Plan that ensures compatibility and minimizes impacts.

- LU 7.1 The proposed project accommodates a development proposal that enhances the City's fiscal viability, economic diversity and environmental integrity.
- LU 7.12 The proposed project accommodates a development proposal that will provide for jobs for Wildomar residents locally that directly results in a better jobs to housing balance so that residents have an opportunity to work within the City.
- LU 23.1 The proposed project accommodates the development of commercial uses in areas appropriately designated by the General Plan land use map.
- LU 23.9 The proposed project is designed in a manner that considers the surroundings and visually enhances, not degrades, the character of the surrounding area.

The proposed Wal-Mart development project is also consistent with the regulations and provisions of Chapter 17.76 (C-P-S Zone), Chapter 17.188 (Off Street Vehicle Parking Standards), Chapter 17.216 (Plot Plans) and Chapter 17.276 (Water Efficient Landscapes) of the Wildomar Municipal Code in that the project meets and exceeds the minimum development standards outlined in these sections. In addition, conditions of approval have been proposed for the project that will ensure that all the minimum City requirements are met.

- B. The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The proposed project is located on a site (and is surrounded by other properties) that are designated for the development of commercial retail uses. The project has been designed to provide appropriate site access from Bundy Canyon, Monte Vista Drive and Canyon Drive that meets minimum city design standards to ensure safe vehicular and pedestrian access and circulation. The proposed project also has been designed to meet and exceed minimum development standards of the Zoning Ordinance related to commercial development (see above) that ensures the protection of the public health, safety, and general welfare.

- C. The overall development of the land shall be designed to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project has been designed to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The project site is designated for commercial retail development as is the surrounding properties to the north and south. Further, the General Plan has designated this area which is in close proximity to the I-15 freeway/Bundy Canyon Road interchange as a major commercial retail node.

- D. The Plot Plan considers the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion.

Evidence: The project is located at the southwestern corner of Monte Vista Drive and Bundy Canyon Road. Access to the site will from both streets which are proposed and conditioned for full public improvements per City standards. These improvements will facilitate the off-site and on-site traffic begin generated by the project. A traffic study was prepared for the project and extensively analyzed in the DEIR. As a result, there are 39 mitigation measures (Planning Condition Nos. 18-56) that address traffic concerns and mitigate them. As a result, the proposed project meets this condition.

- E. The Plot Plan takes into consideration topographical and drainage conditions, including the need for dedication and improvements of necessary structures.

Evidence: The construction of the project has been designed and conditioned to comply with all applicable City ordinances, codes, and standards including, but not limited to, requirements relating to storm water runoff management and other drainage controls regulations. The project drainage has been designed through a series of detention basins and other on-site features to capture storm runoff in the catch basin filters and/or sub-surface detention basin incorporated into the project. These features are designed to release runoff back into the natural stream channels without substantially altering the existing drainage pattern and without causing substantial erosion or siltation. Further the project was required to prepare a hydrology/hydraulic study and Water Quality Management Plan as part of the Environmental Impact Report (EIR) which analyzed and addressed in detail all drainage impacts that could have resulted from this project. Mitigation measures have been proposed as part of the EIR that reduces identified impacts to a standard level of insignificance with no impacts to downstream properties or facilities.

- F. All plot plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Title 16 (Subdivisions) in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project at this time does not propose to sell any portion of property. If in the future, the smaller retail building located at the northeast portion of the site is to be sold, the Applicant will be required to file a parcel map or parcel merger in accordance with the City's Subdivision Ordinance.

PUBLIC COMMUNICATION / NOTICING

In accordance with Government Code Sections 65854, 65090, and 65091, and Title 17 of the Wildomar Municipal Code, the Planning Department, on January 7, 2015, mailed a

public hearing notice to all property owners within a 1,000-foot radius of the project boundaries notifying them of the January 21, 2015 Planning Commission hearing for the proposed project. In addition, on January 9, 2015, the Planning Department published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the January 21, 2015 Planning Commission hearing for the proposed project. In accordance with Section 17.248.030.D, said notice was also sent (via email) to the Elsinore Unified School District notifying them of the public hearing that includes the off-premise sale of alcohol.

Respectfully Submitted,
Matthew C. Bassi
Planning Director

Reviewed By,
Erica L. Vega
Assistant City Attorney

ATTACHMENTS:

- A. PC Resolution No. 2015-01 - Environmental Impact Report
 - Exhibit 1 - Wal-Mart Project DEIR (separate document for Commissioners)
 - Exhibit 1-A Wal-Mart DEIR Appendices (CD in DEIR for Commissioners)
 - Appendix A - Initial Study-NOP-NOP Responses
 - Appendix B - Urban Decay Analysis
 - Appendix C - Traffic Impact Analysis
 - Appendix D - Air Quality Impact Analysis
 - Appendix E - Noise Impact Analysis
 - Appendix F - Stormwater Management
 - Appendix G - Biological Resources Assessments
 - Appendix H - Geotechnical Investigation
 - Exhibit 2 - Project Final EIR
 - Exhibit 3 - Project EIR Findings of Fact/Statement of Overriding Considerations
 - Exhibit 4 - Wal-Mart Project Mitigation Monitoring & Reporting Program
- B. PC Resolution No. 2015-02 for Change of Zone
- C. PC Resolution No. 2015-03 for CUP & Plot Plan
 - Exhibit 1 - Conditions of Approval Matrix
- D. Wal-Mart Project Development Plans (under separate cover for Commissioners)

INCORPORATED HEREIN BY REFERENCE THE FOLLOWING:

- City of Wildomar General Plan and General Plan EIR
- City of Wildomar Zoning Ordinance (Title 17 of the WMC)