

ATTACHMENT B

**PC Resolution No. 2015-21
General Plan Amendment No. 13-0089**

PC RESOLUTION NO. 2015-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT (PLANNING APPLICATION NO. 13-0089) TO CHANGE THE EXISTING LAND USE DESIGNATION FROM MEDIUM HIGH DENSITY RESIDENTIAL (MHDR) TO VERY HIGH DENSITY RESIDENTIAL (VHDR) FOR A 170-UNIT APARTMENT PROJECT ON A 10.02 ACRE SITE LOCATED AT THE NORTHEAST CORNER OF ELIZABETH LANE AND PRIELIPP ROAD (APN: 380-290-029)

WHEREAS, the Planning Department has received a General Plan Amendment (Planning Application No. 13-0089) to change the existing land use designation from Medium High Density Residential (MHDR) to Very High Density Residential (VHDR) for the 10.02 acre subject site from:

Applicant/Owner:	Wildomar Ranch Investments, LLC (Danny Brose, Project Manager)
Project Location:	NEC of Elizabeth Lane and Prielipp Road
APN:	380-290-029
Project Area:	10.02 gross acres

WHEREAS, the Planning Commission of the City of Wildomar, California, has the authority to review the proposed Villa Siena General Plan Amendment No. 13-0089 as proposed in accordance with the California Government Code, Section 65353 and the City of Wildomar Municipal Code, Title 17, Section 17.08.100; and

WHEREAS, the proposed Villa Siena Project is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. (“CEQA”); and

WHEREAS, the Planning Director determined that there was substantial evidence that the Villa Siena Project may have one or more significant effects on the environment and that preparation of an Environmental Impact Report (“EIR”) was therefore warranted under Public Resources Code § 21080(d) and CEQA Guideline 15060(d); and,

WHEREAS, the Planning Department on April 21, 2014 provided a Notice of Preparation (NOP) for the Villa Siena Apartment project Draft EIR and released the NOP for the required 30-day public review/comment period which began on April 21, 2014 and concluded on May 20, 2014 in accordance with Section 15082 of the CEQA Guidelines; and

WHEREAS, the City conducted a public scoping meeting concerning the proposed project and Draft EIR on May 5, 2014 in accordance with Section 15082 of the CEQA Guidelines; and

WHEREAS, upon completion of the Draft EIR, the City provided Notice of Completion (NOC) to the State Clearinghouse (OPR) on April 27, 2015 notifying the State of the availability of the Villa Siena project DEIR for its 45-day public review/comment period in accordance with Section 15085 of the CEQA Guidelines; and

WHEREAS, on April 27, 2015, the Planning Department published Notice of Availability (NOA) in the "Press Enterprise," a local newspaper of general circulation, giving notice to the general public and all interested parties requesting said notice regarding public review of the Villa Siena Draft EIR (SCH# 20144011081), and

WHEREAS, the Draft EIR for the Villa Siena Apartment project was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines §15087 and §15105(a) for a period of 45 days commencing on April 27, 2015 and concluding on June 11, 2015, and which said notice and DEIR was posted at Wildomar City Hall Planning Department and the City of Wildomar Environmental Documents Center website; and

WHEREAS, at the conclusion of the 45-day public review/comment period, the Planning Department received three (3) public comments on the Villa Siena Apartment project Draft EIR; and

WHEREAS, the Planning Department has prepared a Final EIR for the Villa Siena Apartment project in accordance with CEQA Guidelines, which includes responses to each of the three (3) public comments received during the 45-day public review/comment period, and which the Final EIR was provided to each commenter at least 10 days prior to the September 2, 2015 Planning Commission meeting in accordance with CEQA Guidelines; and

WHEREAS, this EIR, as authorized under CEQA Guidelines § 15150, incorporates by reference the City of Wildomar General Plan, Zoning Ordinance, and the Final EIR prepared for the project; and

WHEREAS, in accordance with Government Code Sections 65353, 65355 and 65090, and Section 17.08.100 of the Zoning Ordinance, the City of Wildomar Planning Department on September 2, 2015 gave public notice by mailing a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for the General Plan Amendment No. 13-0089 that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, in accordance with Government Code Sections 65353, 65355 and 65090, and Section 17.08.100 of the Zoning Ordinance, the City of Wildomar Planning Department on September 4, 2015 published a legal notice in the “Press Enterprise,” a local newspaper of general circulation, in compliance with State law notifying the general public of the holding of a public hearing for General Plan Amendment No. 13-0089 that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, in accordance with Government Code Section 65353 and Section 17.08.100 of the Zoning Ordinance, the City of Wildomar Planning Commission conducted the duly noticed public hearing on September 16, 2015, at which time all interested persons had an opportunity to testify in support of, or opposition to, the proposed General Plan Amendment No. 13-0089, and at which time the Planning Commission received public testimony concerning General Plan Amendment No. 13-0089, and voted 3-0-1 to continue the agenda item to the October 21, 2015 meeting; and

WHEREAS, in accordance with Government Code Section 65353 and Section 17.08.100 of the Zoning Ordinance, the City of Wildomar Planning Commission conducted the duly noticed public hearing on October 21, 2015, at which time all interested persons had an opportunity to testify in support of, or opposition to, the proposed General Plan Amendment No. 13-0089, and at which time the Planning Commission received public testimony concerning General Plan Amendment No. 13-0089.

NOW, THEREFORE, the Planning Commission of the City of Wildomar does hereby resolve, determine and order as follows:

SECTION 1. CEQA:

The approval of this General Plan Amendment (Planning Application No. 13-0089) is in compliance with requirements of the California Environmental Quality Act (“CEQA”), in that on October 21, 2015, at a duly noticed public hearing, the Planning Commission recommended to the City Council certification of an Environmental Impact Report reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the proposed Villa Siena project. The documents comprising the City’s environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).

The proposed General Plan Amendment (Planning Application No. 13-0089) is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 3. GENERAL PLAN AMENDMENT FINDING.

Pursuant to Government Code Section 65350 – 65362 and Section 17.08.040(F)(2) of the Zoning Ordinance, the Planning Commission hereby recommends that the City Council make the following finding in support of the Villa Siena Apartment project General Plan Amendment (Planning Application No. 13-0089):

- A. The proposed change does not involve a change in or conflict with the City of Wildomar Vision, any general planning principles in Appendix B to the General Plan, or any Foundation Component designation in the General Plan

Evidence: The proposed land use amendment for the Villa Siena project does not involve a change in or conflict with the City of Wildomar Vision (Chapter 2 of the Gen. Plan), any general planning principles in Appendix B to the General Plan, or any Foundation Component designation in the General Plan in that both the current and the proposed new land use designations (MHDR and VHDR, respectively) fall within the “Community Development” Foundation Component of the General Plan and, thus, approving the land use designation change to VHDR does not conflict with the property’s “Community Development” Foundation Component designation. Further, the Vision outlined in Chapter 2 of the General Plan states that each element of the General Plan contains a description of how it implements the Vision in the form of specific policies related to each element (page V-2). Thus, consistency with specific General Plan policies demonstrates consistency with the vision. The proposed Villa Siena project achieves the vision as it is consistent with those land use and housing policies discussed in Finding B below. Finally, the proposed General Plan amendment is consistent with the general planning principles set forth in Appendix B to the General Plan, in that Appendix B encourages compact, higher density development (App. B, Sec. I.G.) and the development of new housing in a manner that encourages a wide range of housing choices within the City (App. B, Sec. I.D.).

- B. The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.

Evidence: The proposed general plan amendment will contribute to the purposes of the General Plan and will not be detrimental in that as part of the DEIR and development review process it was determined that the proposed apartment project did not require any changes to other Elements of the Wildomar General Plan, thereby, resulting in the proposed General Plan Amendment being internally consistent. the proposed amendment furthers the following land use and housing element policies related to multi-family residential development:

- LU 2.1 The proposed change of zone and project will accommodate 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 proposed for the subject site.

- LU 4.1 The proposed change of zone and project will accommodate 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 project will be developed in accordance with the proposed General Plan land use designation that ensures compatibility and minimizes impacts.
- LU 22.1 The proposed change of zone and project will accommodate the development of multi-family residential units in an area that is appropriately designated by the General Plan.
- LU 22.4 The proposed change of zone and project will provide a specific housing type, style and density that is accessible to and meets the needs of a range of lifestyles, physical abilities and income levels.
- LU 22.10 The proposed change of zone and project is designed to consider the surrounding areas to visually enhance, and not degrade, the appearance of adjacent residential structures.
- H-1.1 The proposed change of zone and project will help ensure a sufficient supply of multi-family zoned land to meet housing needs identified in the City's Regional Housing Needs Allocation (RHNA) required in the Housing Element.
- H-6.1 The proposed change of zone and project will utilize energy conservation measures in that each enclosed garage space has an EV charging outlet for electric vehicles, and will be designed to meet Green Building code standards

C. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.

Evidence: The proposed general plan amendment is needed to address circumstances and conditions that were unanticipated when the General Plan was prepared. The economy, and the housing market in particular, have weathered a great recession. At the time the General Plan land use designations were determined, there was a greater emphasis on lower density single-family residential land uses. Post-recession, there is now a greater need for higher density, more affordable housing, including apartment rental opportunities for Wildomar residents. With the approval of the 2013 – 2021 Housing Element in December 2013, multi-family development opportunities were a specific policy (Policy H-1.1) that encourages the City to pursue as it provides a more affordable opportunity than home ownership. Given the type of project proposed and the amenities being provided, the proposed amendment meets this finding.

SECTION 4. PLANNING COMMISSION ACTION.

The Planning Commission hereby adopts PC Resolution No. 2015-21 recommending City Council approval of General Plan Amendment No. 13-0089 to amend the existing general plan land use designation from Medium High Density Residential (MHDR) to Very High Density Residential (VHDR) for a 10.02 acre site located at the northeast corner of Elizabeth Lane and Prielipp Road, otherwise known as APN: 380-290-029.

PASSED, APPROVED AND ADOPTED this 21st day of October 2015, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Veronica Langworthy
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Erica L. Vega
Assistant City Attorney