

ATTACHMENT E

PC RESOLUTION NO. 2015-24

GPA NO. 13-0089

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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL DENIAL 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, 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

WHEREAS, the City of Wildomar Planning Commission continued the public hearing for the Villa Siena project to October 21, 2015; and

WHEREAS, on October 21, 2015, the City of Wildomar Planning Commission conducted the continued public hearing at which time 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 the 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 denial of this General Plan Amendment (Planning Application No. 13-0089) is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that Public Resources Code section 21080(b)(5) provides that CEQA does not apply to projects that a public agency rejects or disapproves.

SECTION 2. GENERAL PLAN AMENDMENT FINDINGS.

Section 17.08.040(F)(2) of the Zoning Ordinance requires three findings to be made to approve a General Plan Amendment. The Planning Commission hereby recommends that the City Council find that it cannot make the following findings outlined below required by Section 17.08.040(F)(2)(a) and (b) for approval of the Villa Siena Apartment project General Plan Amendment (Planning Application No. 13-0089) as follows:

- A. The proposed change does involve a change in or conflict with the City of Wildomar Vision.

The proposed land use amendment for the Villa Siena project conflicts with the City of Wildomar Vision (Chapter 2 of the General Plan), in that 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, inconsistency with specific General Plan policies demonstrates inconsistency with the vision. The proposed

Villa Siena project does not achieve the vision as it is inconsistent with those land use and housing policies discussed in Finding B below.

- B. The proposed amendment would not contribute to the purposes of the General Plan.

The proposed general plan amendment will not contribute to the purposes of the General Plan in that the proposed amendment is inconsistent with the following General Plan policies:

- LU 5.1 *Ensure that development does not exceed the ability to adequately provide supporting infrastructure and services, such as libraries, recreational facilities, transportation systems, and fire/police/medical services.* The proposed General Plan Amendment would substantially increase residential density on the project site, and as demonstrated by the EIR would result in a significant and unavoidable traffic impact to the intersection of Clinton Keith Road and Elizabeth Lane. Because there is no guarantee that the funding will be available to install the improvements at this intersection required to mitigate the impact, the General Plan Amendment is inconsistent with this policy.
- LU 5.2 *Monitor the capacities of infrastructure and services in coordination with service providers, utilities, and outside agencies and jurisdictions to ensure that growth does not exceed acceptable levels of service.* As demonstrated in the traffic impact analysis prepared for the project, the increased density would contribute to unacceptable levels of service at Clinton Keith Road and Elizabeth Lane. Approving the General Plan Amendment to accommodate growth that would exacerbate unacceptable levels of service is inconsistent with this policy.
- LU 6.1 *Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts.* The General Plan Amendment is requested because the property owner wants to develop the land at a substantially higher density than what is allowed for under the current General Plan land use designation.
- LU 7.12 *Improve the relationship and ratio between jobs and housing so that residents have an opportunity to live and work within the City.* The City of Wildomar is already “jobs poor” in that many residents commute to other jurisdictions, and sometimes very long distances, to get to work. Increasing the residential density on this property will only further exacerbate the existing jobs-housing imbalance.

SECTION 3. PLANNING COMMISSION ACTION.

Based upon the findings above, the Planning Commission hereby adopts PC Resolution No. 2015-24 recommending City Council denial 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