

ATTACHMENT F

PC RESOLUTION NO. 2015-25

CHANGE OF ZONE NO. 13-0089

PC RESOLUTION NO. 2015-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL DENIAL OF A CHANGE OF ZONE (PLANNING APPLICATION NO. 13-0089) TO CHANGE THE EXISTING ZONING DESIGNATION FROM I-P (INDUSTRIAL PARK) TO R-3 (GENERAL RESIDENTIAL) 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 Change of Zone (Planning Application No. 13-0089) to change the existing zoning designation from I-P (Industrial park) to R-3 (General Residential) 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 Change of Zone No. 13-0089 as proposed in accordance with the California Government Code, Sections 65853 and 65854, and the City of Wildomar Municipal Code, Title 17, Section 17.280.040; and

WHEREAS, in accordance with Government Code Section 65854 and Section 17.280.040 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 Change of Zone No. 13-0089 that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, in accordance with Government Code Section 65854 and Section 17.280.040 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 Change of Zone No. 13-0089 that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, in accordance with Government Code Section 65854 and Section 17.280.040 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 Change of Zone No. 13-0089, and at which time the Planning Commission received public testimony concerning Change of Zone 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 Change of Zone No. 13-0089, and at which time the Planning Commission received public testimony concerning the Change of Zone.

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 Change of Zone (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. ZONE CHANGE FINDINGS.

Government Code Sections 65855 and 65860 and Chapter 17.280 of the Wildomar Zoning Ordinance require a finding of General Plan consistency to be made before a Change of Zone is approved. The Planning Commission recommends the City Council find that the proposed Change of Zone (Planning Application No. 13-0089) from I-P (Industrial Park) to R-3 (General Residential) is inconsistent with the General Plan in that the Applicant's request for a General Plan Amendment to change the existing land use designation on the property from Medium Density Residential (MHDR, 5 – 8 dwelling units/acre) to Very High Density Residential (VHDR, 14 – 20 units/acre) has been denied. Without the General Plan Amendment, the proposed Change of Zone from I-P (Industrial Park) to R-3 (General Residential) is not in conformance with the General Plan.

SECTION 3. PLANNING COMMISSION ACTION.

The Planning Commission, based on the finding above, hereby adopts PC Resolution No. 2015-25 recommending City Council denial of the request to adopt an ordinance approving Change of Zone No. 13-0089 from I-P (Industrial Park) to R-3 (General Residential) 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