

ATTACHMENT A

PC Resolution No. 2016-06

Environmental Impact Report

PC RESOLUTION NO. 2016-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT (SCH# 2014121064), INCLUDING ADOPTION OF FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE GROVE PARK MIXED USE DEVELOPMENT PROJECT (PLANNING APPLICATION NO. 14-0069) CONSISTING OF A GENERAL PLAN AMENDMENT TO COMMERCIAL RETAIL ON A PORTION OF THE PROJECT SITE; A CHANGE OF ZONE TO C-P-S (SCENIC HIGHWAY COMMERCIAL) ON A PORTION OF THE PROJECT SITE; A TENTATIVE PARCEL MAP (TPM NO. 36673) TO SUBDIVIDE THE PROJECT SITE INTO 3 LOTS; AND A PLOT PLAN TO DEVELOP A 55,000± SQUARE-FOOT RETAIL/OFFICE CENTER AND A 162-UNIT MULTI-FAMILY APARTMENT PROJECT ON THE PROJECT SITE, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND YAMAS DRIVE (APN: 380-250-003)

WHEREAS, the Planning Department has received an development application from:

Applicant/Owner: Strata Keith, LLC (Eric Flodine, Project Manager)
Project Location: SWC of Clinton Keith Road and Yamas Drive
APN: 380-250-003
Project Area: 19.4± acres

WHEREAS, the proposed Grove Park Mixed-Use development project consists of the following applications for review and consideration by the Planning Commission and City Council:

- 1) Environmental Impact Report (EIR) - The proposed project requires the preparation, review and certification of an Environmental Impact Report ("EIR") in accordance with Public Resources Code § 21080(d) and § 21082.2(d);
- 2) General Plan Amendment (GPA) - The proposed project requires the approval of a general plan amendment to change the land use designation to Commercial Retail (CR) on a portion of the project site to accommodate the commercial/office component of the proposed project;
- 3) Change of Zone (CZ) - The proposed project requires the approval of a change of zone to change the zoning designation to C-P-S (Scenic Highway Commercial) on a portion of the project site to accommodate the commercial/office component of the proposed project;

- 4) Tentative Parcel Map (PM No. 36673) - The proposed project requires the approval of a tentative parcel map to subdivide the 19.4± acre site into 3 lots to accommodate the proposed project; and
- 5) Plot Plan (PP) - The proposed project requires the approval of a plot plan to develop a 55,000± square-foot retail/office center (on proposed Lot 1) and a 162 unit multi-family apartment project with related site amenities (proposed Lot 2).

WHEREAS, the proposed Grove Park Mixed-Use Development project is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. (“CEQA”); and

WHEREAS, the Planning Commission of the City of Wildomar, California, has the authority and has reviewed the proposed Strata Mixed-Use Development project in accordance with the California Government Code, Sections 65353 and 65854, and the City of Wildomar Municipal Code, Title 17, Sections 17.08.100, 17.216.050, and 17.280.040; and

WHEREAS, the Planning Director determined that there was substantial evidence that the Grove Park Mixed-Use Development 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 December 22, 2014 provided a Notice of Preparation (NOP) for the Grove Park Mixed-Use Development project EIR and released the NOP for the required 30-day public review/comment period which began on December 22, 2014 and concluded on January 26, 2015 in accordance with Section 15082 of the CEQA Guidelines during which time the City received eight (8) agency/public comments; and

WHEREAS, the Planning Department conducted a public scoping meeting concerning the proposed project and Draft EIR on January 19, 2015 in accordance with Section 15082 of the CEQA Guidelines; and

WHEREAS, The Planning Department on June 12, 2015 prepared and circulated a 2nd Notice of Preparation (NOP) notifying the public of the revised NOP resulting from changes to the proposed Grove Park project. This began a 2nd 30-day public review/comment period that began on June 12, 2015 and concluded on July 13, 2015 in accordance with Section 15082 of the CEQA Guidelines during which time the City received five (5) agency/public comments; and

WHEREAS, the Planning Department conducted a 2nd public scoping meeting concerning the proposed project and Draft EIR on June 29, 2015 in accordance with Section 15082 of the CEQA Guidelines; and

WHEREAS, upon completion of the Draft EIR, the City provided a Notice of Completion (NOC) to the State Clearinghouse (OPR) on September 3, 2015 notifying the State of the availability of the Grove Park Mixed-Use development project DEIR for its 45-day public review/comment period in accordance with Section 15085 of the CEQA Guidelines; and

WHEREAS, on September 3, 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 Grove Park Mixed-Use Draft EIR (SCH# 2014121064); and

WHEREAS, the Draft EIR for the Grove Park Mixed-Use Development 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 not less than 45 days commencing on September 3, 2015 and concluding on October 19, 2015, and which said notice and project 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 five (5) public comments on the Grove Park Mixed-Use Development project Draft EIR; and

WHEREAS, the Planning Department has prepared a Final EIR for the Grove Park Mixed-Use Development project in accordance with CEQA Guidelines, which includes responses to each of the five (5) 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 January 6, 2016 Planning Commission meeting in accordance with CEQA Guidelines; and

WHEREAS, the Grove Park Mixed-Use Development project EIR consists of the following documents included as Exhibits to this Resolution as follows:

- Exhibit 1 – Grove Park Mixed-Use Development project Draft Environmental Impact Report (SCH# 2014121064) and technical appendices (Ex. 1A).
- Exhibit 2 – Grove Park Mixed-Use Development project Final Environmental Impact Report.
- Exhibit 3 – Grove Park Mixed-Use Development project Environmental Impact Report Findings of Fact and Statement of Overriding Considerations.

- Exhibit 4 – Grove Park Mixed-Use Development project Mitigation Monitoring and Reporting Program (MMRP).

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, the City of Wildomar Planning Department, on December 22, 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 January 6, 2016 public hearing on the Grove Park Mixed-Use Development project EIR (and all exhibits) that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, the City of Wildomar Planning Department, on December 26, 2015 published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the holding of a public hearing for the Grove Park Mixed-Use Development project EIR (and all exhibits) that would be considered by the City of Wildomar Planning Commission; and

WHEREAS, the City of Wildomar Planning Commission conducted the duly noticed public hearing on January 6, 2016, at which time interested persons had an opportunity to testify in support of, or opposition to, the proposed Grove Park Mixed-Use Development project EIR (and all exhibits) that would be considered by the City of Wildomar Planning Commission, and at which time the Planning Commission received public testimony concerning the Strata Mixed-Use Development project EIR.

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

SECTION 1 CEQA FINDINGS.

The Planning Commission, in light of the whole record before it, including but not limited to, the DEIR, Technical Appendices, FEIR, the Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program (Exhibits 1-4) and all documents incorporated by reference therein, any comments received and responses provided, 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, recommends the City Council find and determine as follows:

1. Preparation of EIR: An Environmental Impact Report was prepared for the Grove Park Mixed-Use Development project and processed in accordance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations § 15000 et seq.), and the City's local CEQA Guidelines.

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/comment for the required 45-day period of time commencing on September 3, 2015 and concluding on October 19, 2015.
4. Response to Comments: The City has responded to all five (5) written comments received during the public review/comment period and included both the comments and the responses to the comments as part of the Final EIR included as Exhibit 2 to this Resolution. In response to these comments, the City has made minor revisions to the Draft EIR. These revisions are identified in the Final EIR and do not constitute significant additional information and do not require recirculation of the Draft EIR.
5. Avoidance / Reduction Significant Effects: The EIR identifies potentially significant effects on the environment that could result, if the project were adopted without changes or alterations, in the project and imposition of mitigation measures. Based thereon, 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 all but one of the significant environment effects identified in the EIR or lessen their impact below the threshold of significance.
 - 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 as Exhibit 4 to this Resolution to track compliance with these changes, alterations, and mitigation measures identified in the Strata Mixed-Use Development project EIR.
 - e) For the one unavoidable environmental impact (transportation/traffic impact 4.16.6.5), specific economic and legal considerations make infeasible the mitigation measures identified in the FEIR.
6. Statement of Overriding Considerations: Approval of the project will result in one (1) one significant impact that can not be mitigated related to transportation/traffic (Impact 4.16.6.5); however, all other impacts have been mitigated through changes,

alterations and mitigation measures to a less than significant level. Pursuant to Section 15093 of CEQA, the Planning Commission recommends that the City Council adopt a Statement of Overriding Considerations for transportation/traffic (Impact 4.16.6.5) as discussed and addressed in the DEIR & FEIR (Statement of Facts and Findings).

7. Independent Judgment: The DEIR and FEIR reflects the independent judgment and analysis of the City.

SECTION 2. PLANNING COMMISSION ACTION.

Based on the foregoing findings, and on substantial evidence in the whole of the record, the Planning Commission hereby recommends that the City Council take the following actions:

1. Certify EIR: The Planning Commission recommends that the City Council adopt the Statement of Facts and Findings, including a Statement of Overriding Considerations, and certify the Final Environmental Impact Report (SCH# 2014121064) for the Grove Park Mixed-Use Development project.
2. Approve and Adopt the Mitigation Monitoring and Reporting Program: The Planning Commission recommends that the City Council approve and adopt the Mitigation Monitoring and Reporting Program for the Grove Park Mixed-Use Development project EIR.
3. Notice of Determination: The Planning Commission recommends that, in compliance with Public Resources Code § 21152 and CEQA Guidelines § 15094, the City Council direct the Planning Director to prepare a Notice of Determination (NOD) concerning certification of the Grove Park Mixed-Use Development project EIR, and within five (5) days of City Council approval, file the NOD with the Riverside County Clerk for posting.
4. Location: The Planning Commission recommends that the Final Environmental Impact Report (SCH# 2014121064) and all documents incorporated therein and forming the record of decision therefore be filed with the City Wildomar Planning Department at the Wildomar City Hall, 23873 Clinton Keith Road, Suite #201, Wildomar, California, 92595 and be made available for public review upon request during the hours of 8 am to 5 pm, Monday – Thursday.

PASSED, APPROVED AND ADOPTED this 6th day of January, 2016, 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