

**REGULAR MEETING  
CITY OF WILDOMAR  
PLANNING COMMISSION  
August 5, 2009**

**1.0 CALL TO ORDER**

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Devine at 7:05 P.M. at Wildomar City Hall, Council Chambers.

**1.1 ROLL CALL OF PLANNING COMMISSION**

Present:        Robert Devine, Chairman  
                 Gary Andre, Commissioner  
                 Harv Dykstra, Vice-Chairman

Absent:         Scott Nowak, Commissioner  
                 Miguel Casillas, Commissioner

Staff Present: David Hogan, Planning Director  
                 Thomas Jex, Assistant City Attorney  
                 Jon Crawford, Supervising Engineer  
                 Sean del Solar, Planner

**1.2 PLEDGE OF ALLEGIANCE:**

Chairman Devine led the flag salute.

**2.0 COMMUNICATIONS FROM THE PUBLIC:**

None.

**3.0 APPROVAL OF MINUTES:**

Assistant City Attorney Jex advised that a quorum of Commission members from the July 15 meeting were not present at the current meeting and the approval of the July 15, 2009 Minutes would have to be postponed.

**4.0 CONTINUED PUBLIC HEARING ITEMS:**

None.

**5.0 PUBLIC HEARING ITEMS:**

**5.1 CONDITIONAL USE PERMIT NO. 09-0462.**

Applicant: Sycamore Academy Charter School  
Location: 32326 Clinton Keith Road (APNs: 380-130-015 & 380-130-016).  
Proposals: The project proposes the operation of a charter school with 342 to 372 students in the C-1/C-P zone in a space consisting of 20,076 square feet.  
Environmental Action: In accordance with the California Environmental Quality Act (CEQA), a categorical exemption has been recommended for approval.

Planner del Solar made the staff report.

Chairman Devine opened the Public Hearing.

Applicant James Bach thanked staff and made himself available to answer questions from the Commission.

Commissioner Andre asked how students would access the playground.

Charter School Official Edie Esquivel responded that lower grades would have classrooms that provide direct access to playground and higher grades would have to access the playground by going down the western staircase and proceeding to the playground. Ms. Esquivel went on to explain that Physical Education classes would be staggered throughout the day so all classes could be conducted in the fenced play area.

Commissioner Andre commented favorably on the inclusion of a fence in the front of the school.

Applicant Bach indicated that a fence in the front was suggested by Planning Director Hogan.

Commissioner Andre raised concerns about traffic associated with the proposed school.

Applicant Bach responded that the school is working with Staff to develop a pick-up and drop-off plan to address traffic issues.

School Official Esquivel added that a parent handbook would provide detailed instructions to parents on the pick-up and drop-off procedures established in the pick-up and drop-off plan as well as encourage carpooling.

Commissioner Andre asked if drop-off would be in the front or the back of the school.

School Official Esquivel responded that it would be in the back. Ms. Esquivel went on to explain that school staff would also be involved with the pick-up and drop-off.

Chairman Devine asked about the locations of driveways into and out of the shopping center and how traffic from the school would enter and exit the center.

Applicant Bach responded that there were two entrances and exits from the shopping center, one with limited right-turn only access and another with a signal. Mr. Bach went on to explain the routes parents would take when exiting the center.

Chairman Devine asked about the number of parking spaces available in the center.

Applicant Bach responded that he could not recall the exact number of spaces in the center, but explained that the school would have a significantly reduced demand for parking than the office uses originally proposed, therefore there would be sufficient parking available.

Chairman Devine closed the Public Hearing.

Planning Director Hogan informed the Commission that there were revisions to the resolution and conditions of approval and that the updated documents were distributed to the Commission. Director Hogan then recommended the adoption of the amended resolution and conditions of approval.

MOTION: Vice-chairman Dykstra motioned to approve Conditional Use Permit number 09-0462, a request to operate the Sycamore Academy Charter School with resolution PC09-012. The motion was seconded by Commissioner Andre. Motion carried, the following vote resulted:

AYES: Devine, Andre, and Dykstra.

NOES:

ABSENT: Nowak and Casillas.

ABSTAIN:

## 5.2 CONDITIONAL USE PERMIT NO. 09-0478.

Applicant: Barons, the Marketplace

Location: 32310 Clinton Keith Road (APNs: 380-130-015 & 380-130-016).

Proposals: The project proposes the sale of alcoholic beverages in conjunction with the operation of an 18,000 square foot grocery.

Environmental  
Action: In accordance with the California Environmental Quality Act (CEQA), a categorical exemption has been recommended for approval.

Planner del Solar made the staff report.

Chairman Devine opened the Public Hearing.

Applicant James Bach addressed the Commission and provided additional information about the tasting room.

Chairman Devine asked if the School had concerns with the sale of alcohol conducted from the adjacent business.

Applicant Bach responded that there was none and deferred to the Sycamore Academy School Official.

School Official Esquivel responded that the school did not have an objection to the sale of alcohol at the Barons grocery store.

Chairman Devine closed the Public Hearing.

Commissioner Andre stated that he wanted to ensure that wine tasting would not occur during school hours.

Applicant Bach responded that in the Statement of Operations, the tasting room would not be utilized until the afternoon and weekends.

MOTION: Commissioner Andre motioned to approve Conditional Use Permit number 09-0478, a request to permit the sale of alcohol in conjunction with the operation of the Barons grocery with resolution PC09-013. The motion was seconded by Vice-chairman Dykstra. Motion carried, the following vote resulted:

AYES: Devine, Andre, and Dykstra.  
NOES:  
ABSENT: Nowak and Casillas.

ABSTAIN:

### 5.3 ZONING CODE AMENDMENT ZOA 09-01

Planning Director Hogan provided a background on the zoning code and introduced the item by explaining that the staff report would be delivered in several segments with opportunities for the Commission and the public to provide discussion and input during the staff report.

Planning Director Hogan discussed the portion of the staff report addressing streamlining.

Chairman Devine noted that there were several references to “the County” in the municipal code and asked if those references would be removed.

Director Hogan responded that when the codification of the municipal code is complete, all the references to the County will be removed.

Commissioner Andre added that any effort to make the code easier to use would be helpful.

Vice-Chairman Dykstra agreed.

Director Hogan provided a portion of the staff report addressing lot area requirements for second units.

Chairman Devine asked about situations where the maximum second unit size would prohibit the construction of a new unit on a property.

Director Hogan responded that if an existing unit on a property was larger than 1,800 square feet, a second unit at the property would not be possible.

Chairman Devine indicated that he had difficulty with the maximum unit size established in the second unit permit changes.

Director Hogan responded that he understood the Commission’s concerns and suggested some possible solutions to the unit size limitation. Mr. Hogan responded that the unit size maximum could be increased or property owners may opt to subdivide their property. Director Hogan suggested creating a fourth tier to allow larger second unit sizes for larger lots.

Chairman Devine indicated that he did not want to limit the building area on large parcels and suggested a system for analyzing properties on a case by case basis. Vice-Chairman Dykstra expressed dissent.

Director Hogan clarified that the original philosophy of allowing second units in the State was a way to increase the supply of housing units. He added that it would not limit the size of the primary unit.

Vice-Chairman Dykstra noted ambiguity in a requirement for recreational space to be maintained on the property, and asked staff if the requirement could be quantified.

Director Hogan responded by describing the process involved with the development of the guidelines and described potential inequities. He then went on to suggest that the vague nature of the recreational space requirement could prevent further hardship on property owners developing a second unit.

Vice-Chairman Dykstra expressed concern that second units could be rented to non family members of the primary unit and impacts to traffic and the community created by the added density from second units would not be mitigated. He added that large second units would not be affordable to seniors and that neglect the original intent of allowing second units or granny flats. He then recommended decreasing the minimum and maximum unit sizes to 600-1,200 square feet for parcels 1.9 acres or less and, 750-1,500 square feet for parcels 2 acres or larger. Mr. Dykstra added that a minimum lot size of a half acre should be required for a second unit.

Director Hogan explained that second units and granny flats were not the same and discussed the differences.

Vice-Chairman Dykstra expressed concern with the density second units would bring to the community.

Commissioner Andre shared an experience he had in Cypress with second units and described the issues he observed. He went on to express disapproval of using second units for rental purposes, but felt favorably about granny flats.

Chairman Devine again expressed concern over the ability of homeowners to develop another unit on their property when the existing unit already exceeds the second unit size limitation. Chairman Devine suggested that the City should individually evaluate each request for a second unit.

Director Hogan then asked the Commission under what conditions would second units be appropriate and inappropriate.

Commissioner Andre indicated there are places where second units could not be placed on a property, discussing typography as just one limiting factor.

Vice-Chairman Dykstra again expressed concern with the rental of large homes developed as second units if the size was not properly limited.

Chairman Devine suggested that the issue of second unit permits may need to be studied further.

Assistant City Attorney Jex suggested that the issue of second units could be left out of the recommendation that the Commission makes to the City Council.

Commissioner Andre added that the minimum unit size was structured by the County to prohibit the use of single wide mobile homes as second units. He also described a property in the Sedco area with fifteen mobile homes.

Assistant City Attorney Jex noted that the State of California has a series of laws which encourage and protect second units. He went on to explain that the City's ability to regulate second units is limited.

Planning Director Hogan presented the portion of the staff report addressing public use permits.

Commissioner Andre expressed concerns with second units in the Ranch Community.

Chairman Devine indicated that the Commission had no objections with the changes to the public use permit process proposed.

Planning Director Hogan presented the portion of the staff report addressing trash enclosures.

Vice-Chairman Dykstra stated that in several areas of the city, trash bins were placed in the street and asked if provisions could be added that would prohibit the placement of trash cans in the street.

Planning Director Hogan responded that he would need to discuss that request with the trash companies before he could make a recommendation.

Assistant City Attorney Jex clarified that the proposed changes would only apply to new projects and would not affect existing situations.

Supervising Engineer Crawford added that the contracts with the collection companies only allow trash receptacles to be placed out on the day of the pick-up. He also explained that in some places of the city, trash bins must be placed on the street because it is not possible to get a truck to the location of the trash enclosure. He went on to indicate that he would inform the Code Enforcement Division of the problems and follow-up with the issue.

Vice-Chairman Dykstra asked if the requirements being discussed were only for new development.

Planning Director Hogan responded that the changes would be to the development standards and would not affect existing situations.

Planning Director Hogan presented the portion of the staff report addressing fence materials.

Chairman Devine, Vice-Chairman Dykstra and Commissioner Andre all agreed.

Planning Director Hogan presented the portion of the staff report addressing compact parking spaces.

Chairman Devine indicated that he favored a total elimination of the compact parking allowances.

Vice-Chairman Dykstra agreed with the Chairman, but also wasn't opposed to allowing the development of compact parking spaces above and beyond the required parking.

Commissioner Andre asked about the size of a standard compact parking space.

Planning Director Hogan responded that compact spaces are about a half foot narrower and two feet shorter.

Chairman Devine, Vice-Chairman Dykstra and Commissioner Andre agreed with the prohibition of compact parking spaces.

Planning Director Hogan then recapped the Commission's consensus as approving the proposed amendments to streamlining, public use permits, trash enclosures, fence materials and prohibiting compact parking spaces. He added that second units would need further research and would return to the Commission in the future.

Commissioner Andre asked about motorcycle parking. Director Hogan responded that Staff could research that and bring information back to the Commission.

Chairman Devine asked for a motion.

MOTION: Vice-chairman Dykstra motioned to approve Zoning Code Amendment 09-01, as amended at the hearing (to exclude second unit permits) with resolution PC09-014. The motion was seconded by Commissioner Andre. Motion carried, the following vote resulted:

AYES: Devine, Andre, and Dykstra.

NOES:

ABSENT: Nowak and Casillas.

ABSTAIN:

**6.0 GENERAL BUSINESS ITEMS:**

None.

**7.0 ADMINISTRATIVE HEARINGS REPORT:**

**7.1 REPORT ON ACTIONS TAKEN AT DIRECTORS HEARING**

Assistant Planning Director Hogan reported on the approval of an Extension of Time for application number 09-0270 at a Director Hearing on July 22, 2009.

**8.0 PLANNING DIRECTOR'S REPORT:**

Director Hogan updated the Commission on the progress of the Department and announced that he would be officially serving as the Planning Director now.

**9.0 PLANNING COMMISSION COMMENTS:**

None.

**10.0 ADJOURNMENT:**

The August 5, 2009 regular meeting of the Wildomar Planning Commission adjourned at 8:30 P.M.

Respectfully submitted:

David Hogan  
Commission Secretary